

SECOND REGULAR SESSION

HOUSE BILL NO. 2379

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALKER (74).

6328H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718, RSMo, and to enact in lieu thereof eleven new sections relating to cultural competency training for health care professionals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 2 337.662, 337.712, and 337.718, RSMo, are repealed and eleven new sections enacted in lieu 3 thereof, to be known as sections 324.037, 337.020, 337.315, 337.320, 337.507, 337.510, 4 337.612, 337.618, 337.662, 337.712, and 337.718, to read as follows:

324.037. 1. For the purposes of this section, the term "health care professional" 2 shall mean a physician, other health care practitioner, or mental health professional 3 licensed, accredited, or certified by the state of Missouri to perform specified health 4 services.

5 2. Any health care professional in the state of Missouri may annually complete up 6 to two hours of cultural competency training, which shall qualify as part of the continuing 7 education requirements for his or her licensure.

337.020. 1. Each person desiring to obtain a license, whether temporary, provisional or 2 permanent, as a psychologist shall make application to the committee upon such forms and in 3 such manner as may be prescribed by the committee and shall pay the required application fee. 4 **The form shall include a statement that the applicant has completed two hours of cultural 5 competency training that meets the guidelines developed by the committee.** The application 6 fee shall not be refundable. Each application shall contain a statement that it is made under oath 7 or affirmation and that its representations are true and correct to the best knowledge and belief

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 of the person signing the application, subject to the penalties of making a false affidavit or
9 declaration.

10 2. Each applicant, whether for temporary, provisional or permanent licensure, shall
11 submit evidence satisfactory to the committee that the applicant is at least twenty-one years of
12 age, is of good moral character, and meets the appropriate educational requirements as set forth
13 in either section 337.021 or 337.025, or is qualified for licensure without examination pursuant
14 to section 337.029. In determining the acceptability of the applicant's qualifications, the
15 committee may require evidence that it deems reasonable and proper, in accordance with law,
16 and the applicant shall furnish the evidence in the manner required by the committee.

17 3. The committee with assistance from the division shall issue a permanent license to
18 and register as a psychologist any applicant who, in addition to having fulfilled the other
19 requirements of sections 337.010 to 337.090, passes the examination for professional practice
20 in psychology and such other examinations in psychology which may be adopted by the
21 committee, except that an applicant fulfilling the requirement of section 337.029 shall upon
22 successful completion of the jurisprudence examination and completion of the oral examination
23 be permanently licensed without having to retake the examination for professional practice in
24 psychology.

25 4. The committee, with assistance from the division, shall issue a provisional license to,
26 and register as being a provisionally licensed psychologist, any applicant who is a graduate of
27 a recognized educational institution with a doctoral degree in psychology as defined in section
28 337.025, and who otherwise meets all requirements to become a licensed psychologist, except
29 for passage of the national and state licensing exams, oral examination and completion of the
30 required period of postdegree supervised experience as specified in subsection 2 of section
31 337.025.

32 5. A provisional license issued pursuant to subsection 4 of this section shall only
33 authorize and permit the applicant to render those psychological services which are under the
34 supervision and the full professional responsibility and control of such person's postdoctoral
35 degree licensed supervisor. A provisional license shall automatically terminate upon issuance
36 of a permanent license, upon a finding of cause to discipline after notice and hearing pursuant
37 to section 337.035, upon the expiration of one year from the date of issuance whichever event
38 first occurs, or upon termination of supervision by the licensed supervisor. The provisional
39 license may be renewed after one year with a maximum issuance of two years total per
40 provisional licensee. The committee by rule shall provide procedures for exceptions and
41 variances from the requirement of a maximum issuance of two years due to vacations, illness,
42 pregnancy and other good causes.

43 6. The committee, with assistance from the division, shall immediately issue a temporary
44 license to any applicant for licensure either by reciprocity pursuant to section 337.029, or by
45 endorsement of the score from the examination for professional practice in psychology upon
46 receipt of an application for such licensure and upon proof that the applicant is either licensed
47 as a psychologist in another jurisdiction, is a diplomate of the American Board of Professional
48 Psychology, or is a member of the National Register of Health Services Providers in Psychology.

49 7. A temporary license issued pursuant to subsection 6 of this section shall authorize the
50 applicant to practice psychology in this state, the same as if a permanent license had been issued.
51 Such temporary license shall be issued without payment of an additional fee and shall remain in
52 full force and effect until the earlier of the following events:

53 (1) A permanent license has been issued to the applicant following successful completion
54 of the jurisprudence examination and the oral interview examination;

55 (2) In cases where the committee has found the applicant ineligible for licensure and no
56 appeal has been taken to the administrative hearing commission, then at the expiration of such
57 appeal time; or

58 (3) In cases where the committee has found the applicant ineligible for licensure and the
59 applicant has taken an appeal to the administrative hearing commission and the administrative
60 hearing commission has also found the applicant ineligible, then upon the rendition by the
61 administrative hearing commission of its findings of fact and conclusions of law to such effect.

62 8. Written and oral examinations pursuant to sections 337.010 to 337.090 shall be
63 administered by the committee at least twice each year to any applicant who meets the
64 educational requirements set forth in either section 337.021 or 337.025 or to any applicant who
65 is seeking licensure either by reciprocity pursuant to section 337.029, or by endorsement of the
66 score from the examination of professional practice in psychology. The committee shall examine
67 in the areas of professional knowledge, techniques and applications, research and its
68 interpretation, professional affairs, ethics, and Missouri law and regulations governing the
69 practice of psychology. The committee may use, in whole or in part, the examination for
70 professional practice in psychology national examination in psychology or such other national
71 examination in psychology which may be available.

72 9. If an applicant fails any examination, the applicant shall be permitted to take a
73 subsequent examination, upon the payment of an additional reexamination fee. This
74 reexamination fee shall not be refundable.

337.315. 1. An applied behavior analysis intervention shall produce socially significant
2 improvements in human behavior through skill acquisition, increase or decrease in behaviors
3 under specific environmental conditions and the reduction of problematic behavior. An applied
4 behavior analysis intervention shall:

5 (1) Be based on empirical research and the identification of functional relations between
6 behavior and environment, contextual factors, antecedent stimuli and reinforcement operations
7 through the direct observation and measurement of behavior, arrangement of events and
8 observation of effects on behavior, as well as other information gathering methods such as record
9 review and interviews; and

10 (2) Utilize changes and arrangements of contextual factors, antecedent stimuli, positive
11 reinforcement, and other consequences to produce behavior change.

12 2. Each person wishing to practice as a licensed behavior analyst shall:

13 (1) Submit a complete application on a form approved by the committee, **which shall**
14 **include a statement that the applicant has completed two hours of cultural competency**
15 **training;**

16 (2) Pay all necessary fees as set by the committee;

17 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more
18 than six months prior to the application date;

19 (4) Provide two classified sets of fingerprints for processing by the Missouri state
20 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol
21 to search the criminal history repository and the second set shall be forwarded to the Federal
22 Bureau of Investigation for searching the federal criminal history files;

23 (5) Have passed an examination and been certified as a board-certified behavior analyst
24 by a certifying entity, as defined in section 337.300;

25 (6) Provide evidence of active status as a board-certified behavior analyst; and

26 (7) If the applicant holds a license as a behavior analyst in another state, a statement from
27 all issuing states verifying licensure and identifying any disciplinary action taken against the
28 license holder by that state.

29 3. Each person wishing to practice as a licensed assistant behavior analyst shall:

30 (1) Submit a complete application on a form approved by the committee;

31 (2) Pay all necessary fees as set by the committee;

32 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more
33 than six months prior to the application date;

34 (4) Provide two classified sets of fingerprints for processing by the Missouri state
35 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol
36 to search the criminal history repository and the second set shall be forwarded to the Federal
37 Bureau of Investigation for searching the federal criminal history files;

38 (5) Have passed an examination and been certified as a board-certified assistant behavior
39 analyst by a certifying entity, as defined in section 337.300;

40 (6) Provide evidence of active status as a board-certified assistant behavior analyst;

41 (7) If the applicant holds a license as an assistant behavior analyst in another state, a
42 statement from all issuing states verifying licensure and identifying any disciplinary action taken
43 against the license holder by that state; and

44 (8) Submit documentation satisfactory to the committee that the applicant will be directly
45 supervised by a licensed behavior analyst in a manner consistent with the certifying entity.

46 4. The committee shall be authorized to issue a temporary license to an applicant for a
47 behavior analyst license or assistant behavior analyst license upon receipt of a complete
48 application, submission of a fee as set by the committee by rule for behavior analyst or assistant
49 behavior analyst, and a showing of valid licensure as a behavior analyst or assistant behavior
50 analyst in another state, only if the applicant has submitted fingerprints and no disqualifying
51 criminal history appears on the family care safety registry. The temporary license shall expire
52 upon issuance of a license or denial of the application but no later than ninety days from issuance
53 of the temporary license. Upon written request to the committee, the holder of a temporary
54 license shall be entitled to one extension of ninety days of the temporary license.

55 5. (1) The committee shall, in accordance with rules promulgated by the committee,
56 issue a provisional behavior analyst license or a provisional assistant behavior analyst license
57 upon receipt by the committee of a complete application, appropriate fee as set by the committee
58 by rule, and proof of satisfaction of requirements under subsections 2 and 3 of this section,
59 respectively, and other requirements established by the committee by rule, except that applicants
60 for a provisional license as either a behavior analyst or assistant behavior analyst need not have
61 passed an examination and been certified as a board-certified behavior analyst or a
62 board-certified assistant behavior analyst to obtain a provisional behavior analyst or provisional
63 assistant behavior analyst license.

64 (2) A provisional license issued under this subsection shall only authorize and permit the
65 licensee to render behavior analysis under the supervision and the full professional responsibility
66 and control of such licensee's licensed supervisor.

67 (3) A provisional license shall automatically terminate upon issuance of a permanent
68 license, upon a finding of cause to discipline after notice and hearing under section 337.330,
69 upon termination of supervision by a licensed supervisor, or upon the expiration of one year from
70 the date of issuance of the provisional license, whichever first occurs. The provisional license
71 may be renewed after one year, with a maximum issuance of two years. Upon a showing of good
72 cause, the committee by rule shall provide procedures for exceptions and variances from the
73 requirement of a maximum issuance of two years.

74 6. No person shall hold himself or herself out to be licensed behavior analysts or LBA,
75 provisionally licensed behavior analyst or PLBA, provisionally licensed assistant behavior
76 analyst or PLABA, temporary licensed behavior analyst or TLBA, or temporary licensed

77 assistant behavior analyst or TLaBA, licensed assistant behavior analysts or LaBA in the state
78 of Missouri unless they meet the applicable requirements.

79 7. No persons shall practice applied behavior analysis unless they are:

80 (1) Licensed behavior analysts;

81 (2) Licensed assistant behavior analysts working under the supervision of a licensed
82 behavior analyst;

83 (3) An individual who has a bachelor's or graduate degree and completed course work
84 for licensure as a behavior analyst and is obtaining supervised field experience under a licensed
85 behavior analyst pursuant to required supervised work experience for licensure at the behavior
86 analyst or assistant behavior analyst level;

87 (4) Licensed psychologists practicing within the rules and standards of practice for
88 psychologists in the state of Missouri and whose practice is commensurate with their level of
89 training and experience;

90 (5) Provisionally licensed behavior analysts;

91 (6) Provisionally licensed assistant behavior analysts;

92 (7) Temporary licensed behavior analysts; or

93 (8) Temporary licensed assistant behavior analysts.

94 8. Notwithstanding the provisions in subsection 6 of this section, any licensed or
95 certified professional may practice components of applied behavior analysis, as defined in
96 section 337.300 if he or she is acting within his or her applicable scope of practice and ethical
97 guidelines.

98 9. All licensed behavior analysts and licensed assistant behavior analysts shall be bound
99 by the code of conduct adopted by the committee by rule.

100 10. Licensed assistant behavior analysts shall work under the direct supervision of a
101 licensed behavior analyst as established by committee rule.

102 11. Persons who provide services under the Individuals with Disabilities Education Act
103 (IDEA), 20 U.S.C. Section 1400, et seq., or Section 504 of the federal Rehabilitation Act of
104 1973, 29 U.S.C. Section 794, or are enrolled in a course of study at a recognized educational
105 institution through which the person provides applied behavior analysis as part of supervised
106 clinical experience shall be exempt from the requirements of this section.

107 12. A violation of this section shall be punishable by probation, suspension, or loss of
108 any license held by the violator.

337.320. 1. The division shall mail a renewal notice to the last known address of each
2 licensee or registrant prior to the renewal date.

3 2. Each person wishing to renew the behavior analyst license or the assistant behavior
4 analyst license shall:

- 5 (1) Submit a complete application on a form approved by the committee, **which shall**
6 **include a statement that the applicant has completed two hours of cultural competency**
7 **training;**
- 8 (2) Pay all necessary fees as set by the committee; and
- 9 (3) Submit proof of active certification and fulfillment of all requirements for renewal
10 and recertification with the certifying entity.
- 11 3. Failure to provide the division with documentation required by subsection 2 of this
12 section or other information required for renewal shall effect a revocation of the license after a
13 period of sixty days from the renewal date.
- 14 4. Each person wishing to restore the license, within two years of the renewal date, shall:
- 15 (1) Submit a complete application on a form approved by the committee;
- 16 (2) Pay the renewal fee and a delinquency fee as set by the committee; and
- 17 (3) Submit proof of current certification from a certifying body approved by the
18 committee.
- 19 5. A new license to replace any certificate lost, destroyed, or mutilated may be issued
20 subject to the rules of the committee, upon payment of a fee established by the committee.
- 21 6. The committee shall set the amount of the fees authorized by sections 337.300 to
22 337.345 and required by rules promulgated under section 536.021. The fees shall be set at a
23 level to produce revenue which shall not substantially exceed the cost and expense of
24 administering sections 337.300 to 337.345.
- 25 7. The committee is authorized to issue an inactive license to any licensee who makes
26 written application for such license on a form provided by the committee and remits the fee for
27 an inactive license established by the committee. An inactive license may be issued only to a
28 person who has previously been issued a license to practice as a licensed behavior analyst or a
29 licensed assistant behavior analyst who is no longer regularly engaged in such practice and who
30 does not hold himself or herself out to the public as being professionally engaged in such practice
31 in this state. Each inactive license shall be subject to all provisions of this chapter, except as
32 otherwise specifically provided. Each inactive license may be renewed by the committee subject
33 to all provisions of this section and all other provisions of this chapter. The inactive licensee
34 shall not be required to submit evidence of completion of continuing education as required by
35 this chapter.
- 36 8. An inactive licensee may apply for a license to regularly engage in the practice of
37 behavioral analysis by:
- 38 (1) Submitting a complete application on a form approved by the committee;
- 39 (2) Paying the reactivation fee as set by the committee; and

40 (3) Submitting proof of current certification from a certifying body approved by the
41 committee.

337.507. 1. Applications for examination and licensure as a professional counselor shall
2 be in writing, submitted to the division on forms prescribed by the division and furnished to the
3 applicant. **The form shall include a statement that the applicant has completed two hours
4 of cultural competency training.** The application shall contain the applicant's statements
5 showing his education, experience and such other information as the division may require. Each
6 application shall contain a statement that it is made under oath or affirmation and that the
7 information contained therein is true and correct to the best knowledge and belief of the
8 applicant, subject to the penalties provided for the making of a false affidavit or declaration.
9 Each application shall be accompanied by the fees required by the committee.

10 2. The division shall mail a renewal notice to the last known address of each licensee
11 prior to the registration renewal date. Failure to provide the division with the information
12 required for registration, or to pay the registration fee after such notice shall effect a revocation
13 of the license after a period of sixty days from the registration renewal date. The license shall
14 be restored if, within two years of the registration date, the applicant provides written application
15 and the payment of the registration fee and a delinquency fee.

16 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
17 subject to the rules of the committee, upon payment of a fee.

18 4. The committee shall set the amount of the fees which sections 337.500 to 337.540
19 authorize and require by rules and regulations promulgated pursuant to section 536.021. The
20 fees shall be set at a level to produce revenue which shall not substantially exceed the cost and
21 expense of administering the provisions of sections 337.500 to 337.540. All fees provided for
22 in sections 337.500 to 337.540 shall be collected by the director who shall deposit the same with
23 the state treasurer in a fund to be known as the "Committee of Professional Counselors Fund".

24 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
25 shall not be transferred and placed to the credit of general revenue until the amount in the fund
26 at the end of the biennium exceeds two times the amount of the appropriation from the
27 committee's fund for the preceding fiscal year or, if the committee requires by rule renewal less
28 frequently than yearly then three times the appropriation from the committee's fund for the
29 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
30 fund which exceeds the appropriate multiple of the appropriations from the committee's fund for
31 the preceding fiscal year.

32 6. The committee shall hold public examinations at least two times per year, at such
33 times and places as may be fixed by the committee, notice of such examinations to be given to
34 each applicant at least ten days prior thereto.

337.510. 1. Each applicant for licensure as a professional counselor shall furnish evidence to the committee that the applicant is at least eighteen years of age, is of good moral character, is a United States citizen or is legally present in the United States; and

(1) The applicant has completed a course of study as defined by the board rule leading to a master's, specialist's, or doctoral degree with a major in counseling; and

(2) The applicant has completed acceptable supervised counseling as defined by board rule. If the applicant has a master's degree with a major in counseling as defined by board rule, the applicant shall complete at least two years of acceptable supervised counseling experience subsequent to the receipt of the master's degree. The composition and number of hours comprising the acceptable supervised counseling experience shall be defined by board rule. An applicant may substitute thirty semester hours of post master's graduate study for one of the two required years of acceptable supervised counseling experience if such hours are clearly related to counseling;

(3) After August 28, 2007, each applicant shall have completed a minimum of three hours of graduate level coursework in diagnostic systems either in the curriculum leading to a degree or as post master's graduate level course work;

(4) Upon examination, the applicant is possessed of requisite knowledge of the profession, including techniques and applications, research and its interpretation, and professional affairs and ethics.

2. Any person who previously held a valid unrevoked, unsuspended license as a professional counselor in this state and who held a valid license as a professional counselor in another state at the time of application to the committee shall be granted a license to engage in professional counseling in this state upon application to the committee accompanied by the appropriate fee as established by the committee pursuant to section 337.507.

3. Any person holding a current license, certificate of registration, or permit from another state or territory of the United States to practice as a professional counselor who is at least eighteen years of age, is of good moral character, and is a United States citizen or is legally present in the United States may be granted a license without examination to engage in the practice of professional counseling in this state upon the application to the board, payment of the required fee as established by the board, and satisfying one of the following requirements:

(1) Approval by the American Association of State Counseling Boards (AASCB) or its successor organization according to the eligibility criteria established by AASCB. The successor organization shall be defined by board rule; or

(2) In good standing and currently certified by the National Board for Certified Counselors or its successor organization and has completed acceptable supervised counseling

36 experience as defined by board rule. The successor organization shall be defined by board rule;
37 or

38 (3) Determination by the board that the requirements of the other state or territory are
39 substantially the same as Missouri and certified by the applicant's current licensing entity that
40 the applicant has a current license. The applicant shall also consent to examination of any
41 disciplinary history.

42 4. The committee shall issue a license to each person who files an application and fee
43 and who furnishes evidence satisfactory to the committee that the applicant has complied with
44 the provisions of this act and has taken and passed a written, open-book examination on Missouri
45 laws and regulations governing the practice of professional counseling as defined in section
46 337.500. The division shall issue a provisional professional counselor license to any applicant
47 who meets all requirements of this section, but who has not completed the required acceptable
48 supervised counseling experience and such applicant may reapply for licensure as a professional
49 counselor upon completion of such acceptable supervised counseling experience.

50 5. All persons licensed to practice professional counseling in this state shall pay on or
51 before the license renewal date a renewal license fee and shall furnish to the committee
52 satisfactory evidence of the completion of the requisite number of hours of continuing education
53 as required by rule, **including two hours of cultural competency training**, which shall be no
54 more than forty hours biennially. The continuing education requirements may be waived by the
55 committee upon presentation to the committee of satisfactory evidence of the illness of the
56 licensee or for other good cause.

337.612. 1. Applications for licensure as a clinical social worker, baccalaureate social
2 worker, advanced macro social worker or master social worker shall be in writing, submitted to
3 the committee on forms prescribed by the committee and furnished to the applicant. **The form**
4 **shall include a statement that the applicant has completed two hours of cultural**
5 **competency training.** The application shall contain the applicant's statements showing the
6 applicant's education, experience, and such other information as the committee may require.
7 Each application shall contain a statement that it is made under oath or affirmation and that the
8 information contained therein is true and correct to the best knowledge and belief of the
9 applicant, subject to the penalties provided for the making of a false affidavit or declaration.
10 Each application shall be accompanied by the fees required by the committee.

11 2. The committee shall mail a renewal notice to the last known address of each licensee
12 prior to the licensure renewal date. Failure to provide the committee with the information
13 required for licensure, or to pay the licensure fee after such notice shall effect a revocation of the
14 license after a period of sixty days from the licensure renewal date. The license shall be restored

15 if, within two years of the licensure date, the applicant provides written application and the
16 payment of the licensure fee and a delinquency fee.

17 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
18 subject to the rules of the committee, upon payment of a fee.

19 4. The committee shall set the amount of the fees which sections 337.600 to 337.689
20 authorize and require by rules and regulations promulgated pursuant to section 536.021. The fees
21 shall be set at a level to produce revenue which shall not substantially exceed the cost and
22 expense of administering the provisions of sections 337.600 to 337.689. All fees provided for
23 in sections 337.600 to 337.689 shall be collected by the director who shall deposit the same with
24 the state treasurer in a fund to be known as the "Clinical Social Workers Fund". After August
25 28, 2007, the clinical social workers fund shall be called the "Licensed Social Workers Fund"
26 and after such date all references in state law to the clinical social workers fund shall be
27 considered references to the licensed social workers fund.

28 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
29 shall not be transferred and placed to the credit of general revenue until the amount in the fund
30 at the end of the biennium exceeds two times the amount of the appropriations from the clinical
31 social workers fund for the preceding fiscal year or, if the committee requires by rule renewal
32 less frequently than yearly, then three times the appropriation from the committee's fund for the
33 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
34 fund which exceeds the appropriate multiple of the appropriations from the clinical social
35 workers fund for the preceding fiscal year.

337.618. Each license issued pursuant to the provisions of sections 337.600 to 337.689
2 shall expire on a renewal date established by the director. The term of licensure shall be
3 twenty-four months. The committee shall require a minimum number of thirty clock hours of
4 continuing education for renewal of a license issued pursuant to sections 337.600 to 337.689,
5 **including two hours of cultural competency training.** The committee shall renew any license
6 upon application for a renewal, completion of the required continuing education hours and upon
7 payment of the fee established by the committee pursuant to the provisions of section 337.612.
8 As provided by rule, the board may waive or extend the time requirements for completion of
9 continuing education for reasons related to health, military service, foreign residency, or for other
10 good cause. All requests for waivers or extensions of time shall be made in writing and
11 submitted to the board before the renewal date.

337.662. 1. Applications for licensure as a baccalaureate social worker shall be in
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the
3 applicant. **The form shall include a statement that the applicant has completed two hours**
4 **of cultural competency training.** The application shall contain the applicant's statements

5 showing the applicant's education, experience and such other information as the committee may
6 require. Each application shall contain a statement that it is made under oath or affirmation and
7 that the information contained therein is true and correct to the best knowledge and belief of the
8 applicant, subject to the penalties provided for the making of a false affidavit or declaration.
9 Each application shall be accompanied by the fees required by the committee.

10 2. The committee shall mail a renewal notice to the last known address of each licensee
11 prior to the licensure renewal date. Failure to provide the committee with the information
12 required for licensure **as provided in subsection 1 of this section**, or to pay the licensure fee
13 after such notice shall effect a revocation of the license after a period of sixty days from the
14 licensure renewal date. The license shall be restored if, within two years of the licensure date,
15 the applicant provides written application and the payment of the licensure fee and a delinquency
16 fee.

17 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
18 subject to the rules of the committee, upon payment of a fee.

19 4. The committee shall set the amount of the fees which sections 337.650 to 337.689
20 authorize and require by rules and regulations promulgated pursuant to chapter 536. The fees
21 shall be set at a level to produce revenue which shall not substantially exceed the cost and
22 expense of administering the provisions of sections 337.650 to 337.689. All fees provided for
23 in sections 337.650 to 337.689 shall be collected by the director who shall deposit the same with
24 the state treasurer in the clinical social workers fund established in section 337.612.

337.712. 1. Applications for licensure as a marital and family therapist shall be in
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the
3 applicant. **The form shall include a statement that the applicant has completed two hours**
4 **of cultural competency training.** The application shall contain the applicant's statements
5 showing the applicant's education, experience and such other information as the committee may
6 require. Each application shall contain a statement that it is made under oath or affirmation and
7 that the information contained therein is true and correct to the best knowledge and belief of the
8 applicant, subject to the penalties provided for the making of a false affidavit or declaration.
9 Each application shall be accompanied by the fees required by the division.

10 2. The division shall mail a renewal notice to the last known address of each licensee
11 prior to the licensure renewal date. Failure to provide the division with the information required
12 for license, or to pay the licensure fee after such notice shall effect a revocation of the license
13 after a period of sixty days from the license renewal date. The license shall be restored if, within
14 two years of the licensure date, the applicant provides written application and the payment of the
15 licensure fee and a delinquency fee.

16 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
17 subject to the rules of the division upon payment of a fee.

18 4. The committee shall set the amount of the fees authorized. The fees shall be set at a
19 level to produce revenue which shall not substantially exceed the cost and expense of
20 administering the provisions of sections 337.700 to 337.739. All fees provided for in sections
21 337.700 to 337.739 shall be collected by the director who shall deposit the same with the state
22 treasurer to a fund to be known as the "Marital and Family Therapists' Fund".

23 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
24 shall not be transferred and placed to the credit of general revenue until the amount in the fund
25 at the end of the biennium exceeds two times the amount of the appropriations from the marital
26 and family therapists' fund for the preceding fiscal year or, if the division requires by rule
27 renewal less frequently than yearly then three times the appropriation from the fund for the
28 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
29 fund which exceeds the appropriate multiple of the appropriations from the marital and family
30 therapists' fund for the preceding fiscal year.

 337.718. 1. Each license issued pursuant to the provisions of sections 337.700 to
2 337.739 shall expire on a renewal date established by the director. The term of licensure shall
3 be twenty-four months; however, the director may establish a shorter term for the first licenses
4 issued pursuant to sections 337.700 to 337.739. The division shall renew any license upon
5 application for a renewal and upon payment of the fee established by the division pursuant to the
6 provisions of section 337.712. Effective August 28, 2008, as a prerequisite for renewal, each
7 licensed marital and family therapist shall furnish to the committee satisfactory evidence of the
8 completion of the requisite number of hours of continuing education as defined by rule, which
9 shall be no more than forty contact hours biennially. **At least two hours of continuing**
10 **education shall be in cultural competency training.** The continuing education requirements
11 may be waived by the committee upon presentation to the committee of satisfactory evidence of
12 illness or for other good cause.

13 2. The committee may issue temporary permits to practice under extenuating
14 circumstances as determined by the committee and defined by rule.

✓