

SECOND REGULAR SESSION

SENATE BILL NO. 1094

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Read 1st time March 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6750S.011

AN ACT

To repeal section 337.068, RSMo, and to enact in lieu thereof one new section relating to complaints against psychologists.

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

Section A. Section 337.068, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 337.068, to read as follows:

337.068. 1. If the board finds merit to a complaint by an individual
2 incarcerated or under the care and control of the department of corrections or who
3 has been ordered to be taken into custody, detained, or held under sections
4 632.480 to 632.513, **or who has been ordered to be evaluated under**
5 **chapter 552** and takes further investigative action, no documentation may
6 appear on file or disciplinary action may be taken in regards to the licensee's
7 license unless the provisions of subsection 2 of section 337.035 have been
8 violated. Any case file documentation that does not result in the board filing an
9 action pursuant to subsection 2 of section 337.035 shall be destroyed within three
10 months after the final case disposition by the board. No notification to any other
11 licensing board in another state or any national registry regarding any
12 investigative action shall be made unless the provisions of subsection 2 of section
13 337.035 have been violated.

14 2. Upon written request of the psychologist subject to a complaint, prior
15 to August 28, 1999, by an individual incarcerated or under the care and control
16 of the department of corrections or prior to August 28, 2008, by an individual who
17 has been ordered to be taken into custody, detained, or held under sections
18 632.480 to 632.513, **or prior to August 28, 2018, by an individual who has**
19 **been ordered to be evaluated under chapter 552** that did not result in the
20 board filing an action pursuant to subsection 2 of section 337.035, the board and

21 the division of professional registration, shall in a timely fashion:

22 (1) Destroy all documentation regarding the complaint;

23 (2) Notify any other licensing board in another state or any national
24 registry regarding the board's actions if they have been previously notified of the
25 complaint; and

26 (3) Send a letter to the licensee that clearly states that the board found
27 the complaint to be unsubstantiated, that the board has taken the requested
28 action, and notify the licensee of the provisions of subsection 3 of this section.

29 3. Any person who has been the subject of an unsubstantiated complaint
30 as provided in subsection 1 or 2 of this section shall not be required to disclose
31 the existence of such complaint in subsequent applications or representations
32 relating to their psychology professions.

✓

Bill

Copy