

SENATE BILL NO. 1341

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

5205S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 334.120, RSMo, and to enact in lieu thereof one new section relating to the state board of registration for the healing arts.

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

Section A. Section 334.120, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 334.120,
3 to read as follows:

334.120. 1. There is hereby created and established a
2 board to be known as "The State Board of Registration for
3 the Healing Arts" for the purpose of registering, licensing
4 and supervising all physicians and surgeons, and midwives in
5 this state. The board shall consist of **[nine] nineteen**
6 **members, including [one] three** voting public **[member]**
7 **members and eight nurse members who shall be licensed to**
8 **practice a profession regulated by chapter 335, to be**
9 appointed by the governor by and with the advice and consent
10 of the senate, at least five of whom shall be graduates of
11 professional schools accredited by the Liaison Committee on
12 Medical Education or recognized by the Educational
13 Commission for Foreign Medical Graduates, and at least two
14 of whom shall be graduates of professional schools approved
15 and accredited as reputable by the American Osteopathic
16 Association, and all of whom, except the public **[member] and**
17 **nurse members,** shall be duly licensed and registered as
18 physicians and surgeons pursuant to the laws of this state.

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 Each **physician and surgeon** member [must] **shall** be a citizen
20 of the United States and [must] **shall** have been a resident
21 of this state for a period of at least one year next
22 preceding his or her appointment and shall have been
23 actively engaged in the lawful and ethical practice of the
24 profession of physician and surgeon for at least five years
25 next preceding his or her appointment. Not more than [four]
26 **nine** members shall be affiliated with the same political
27 party. All members shall be appointed for a term of four
28 years. Each member of the board shall receive as
29 compensation an amount set by the board not to exceed fifty
30 dollars for each day devoted to the affairs of the board,
31 and shall be entitled to reimbursement of his or her
32 expenses necessarily incurred in the discharge of his or her
33 official duties. The president of the Missouri State
34 Medical Association, for all medical physician appointments,
35 or the president of the Missouri Association of Osteopathic
36 Physicians and Surgeons, for all osteopathic physician
37 appointments, in office at the time shall, at least ninety
38 days prior to the expiration of the term of the respective
39 board member, other than the public [member] **and nurse**
40 **members**, or as soon as feasible after the appropriate
41 vacancy on the board otherwise occurs, submit to the
42 director of the division of professional registration a list
43 of five physicians and surgeons qualified and willing to
44 fill the vacancy in question, with the request and
45 recommendation that the governor appoint one of the five
46 persons so listed, and with the list so submitted, the
47 president of the Missouri State Medical Association or the
48 Missouri Association of Osteopathic Physicians and Surgeons,
49 as appropriate, shall include in his or her letter of

50 transmittal a description of the method by which the names
51 were chosen by that association.

52 2. **Each of** the public [member] **members** shall be at the
53 time of his or her appointment a citizen of the United
54 States; a resident of this state for a period of one year
55 and a registered voter; a person who is not and never was a
56 member of any profession licensed or regulated pursuant to
57 this chapter or the spouse of such person; and a person who
58 does not have and never has had a material, financial
59 interest in either the providing of the professional
60 services regulated by this chapter, or an activity or
61 organization directly related to any profession licensed or
62 regulated pursuant to this chapter. **Each nurse member shall**
63 **be a citizen of the United States and shall have been a**
64 **resident of this state for a period of at least one year**
65 **next proceeding his or her appointment and shall have been**
66 **actively engaged in the lawful and ethical practice of**
67 **advanced practice nursing, practice of practical nursing, or**
68 **practice of professional nursing, as such terms are defined**
69 **in section 335.016, for at least five years next proceeding**
70 **his or her appointment.** All members, including public **and**
71 **nurse** members, shall be chosen from lists submitted by the
72 director of the division of professional registration. The
73 list of medical physicians or osteopathic physicians
74 submitted to the governor shall include the names submitted
75 to the director of the division of professional registration
76 by the president of the Missouri State Medical Association
77 or the Missouri Association of Osteopathic Physicians and
78 Surgeons, respectively. This list shall be a public record
79 available for inspection and copying under chapter 610. The
80 duties of the public [member] **and nurse members** shall not
81 include the determination of the technical requirements to

82 be met for licensure or whether any person meets such
83 technical requirements or of the technical competence or
84 technical judgment of a licensee or a candidate for
85 licensure.

86 **3. All staff for the board shall be provided by, and**
87 **retained at the discretion of, the director of the division**
88 **of professional registration of the department of commerce**
89 **and insurance.**

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