

FIRST REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 304

97TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR WASSON.

Read 1st time February 12, 2013, and ordered printed.

Read 2nd time February 28, 2013, and referred to the Committee on Financial and Governmental Organizations and Elections.

Reported from the Committee March 14, 2013, with recommendation that the bill do pass and be placed on the Consent Calendar.

Removed from the Consent Calendar March 26, 2013.

Re-reported from the Committee March 28, 2013, with recommendation that the bill do pass.

Taken up for Perfection April 10, 2013. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

1538S.01P

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## AN ACT

To repeal section 334.715, RSMo, and to enact in lieu thereof one new section relating to the restriction of athletic trainers' licenses.

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

Section A. Section 334.715, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 334.715, to read as follows:

334.715. 1. The board may refuse to issue or renew any license required  
2 under sections 334.700 to 334.725 for one or any combination of causes listed in  
3 subsection 2 of this section or any cause listed in section 334.100. The board  
4 shall notify the applicant in writing of the reasons for the refusal and shall advise  
5 the applicant of the applicant's right to file a complaint with the administrative  
6 hearing commission as provided in chapter 621. As an alternative to a refusal to  
7 issue or renew any certificate, registration, or authority, the board may, in its  
8 discretion, issue a license which is subject to reprimand, probation, restriction,  
9 or limitation to an applicant for licensure for any one or any combination of  
10 causes listed in subsection 2 of this section or section 334.100. The board's order  
11 of reprimand, probation, limitation, or restriction shall contain a statement of the  
12 discipline imposed, the basis therefor, the date such action shall become effective,  
13 and a statement that the applicant has thirty days to request in writing a hearing  
14 before the administrative hearing commission. If the board issues a probationary,  
15 limited, or restricted license to an applicant for licensure, either party may file  
16 a written petition with the administrative hearing commission within thirty days

17 of the effective date of the probationary, limited, or restricted license seeking  
18 review of the board's determination. If no written request for a hearing is  
19 received by the administrative hearing commission within the thirty-day period,  
20 the right to seek review of the board's decision shall be considered waived.

21         2. The board may cause a complaint to be filed with the administrative  
22 hearing commission as provided in chapter 621 against any holder of a certificate  
23 of registration or authority, permit, or license required by sections 334.700 to  
24 334.725 or any person who has failed to renew or has surrendered the person's  
25 certification of registration or license for any one or any combination of the  
26 following causes:

27             (1) Violated or conspired to violate any provision of sections 334.700 to  
28 334.725 or any provision of any rule promulgated pursuant to sections 334.700  
29 to 334.725; or

30             (2) Has been found guilty of unethical conduct as defined in the ethical  
31 standards of the National Athletic Trainers Association or the National Athletic  
32 Trainers Association Board of Certification, or its successor agency, as adopted  
33 and published by the committee and the board and filed with the secretary of  
34 state; or

35             (3) Any cause listed in section 334.100.

36         3. After the filing of such complaint before the administrative hearing  
37 commission, the proceedings shall be conducted in accordance with the provisions  
38 of chapter 621. Upon a finding by the administrative hearing commission that  
39 the grounds provided in subsection 2 of this section for disciplinary action are  
40 met, the board may, singly or in combination:

41             (1) Warn, censure, or place the person named in the complaint on  
42 probation on such terms and conditions as the board deems appropriate for a  
43 period not to exceed ten years; or

44             (2) Suspend the person's license, certificate, or permit for a period not to  
45 exceed three years; or

46             (3) Administer a public or private reprimand; or

47             (4) Deny the person's application for a license; or

48             (5) Permanently withhold issuance of a license or require the person to  
49 submit to the care, counseling, or treatment of physicians designated by the board  
50 at the expense of the individual to be examined; or

51             (6) Require the person to attend such continuing education courses and  
52 pass such examinations as the board may direct; **or**

53           **(7) Restrict or limit the person's license for an indefinite period**  
54 **of time; or**

55           **(8) Revoke the person's license.**

56           4. In any order of revocation, the board may provide that the person shall  
57 not apply for reinstatement of the person's license for a period of time ranging  
58 from two to seven years following the date of the order of revocation. All stay  
59 orders shall toll such time period.

60           5. Before restoring to good standing a license, certificate, or permit issued  
61 under this chapter which has been in a revoked, suspended, or inactive state for  
62 any cause for more than two years, the board may require the applicant to attend  
63 such continuing education courses and pass such examinations as the board may  
64 direct.

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Bill

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