

SECOND REGULAR SESSION

# SENATE BILL NO. 821

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Pre-filed December 21, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5544S.011

## AN ACT

To repeal section 335.021, RSMo, and to enact in lieu thereof one new section relating to the Missouri state board of nursing.

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

Section A. Section 335.021, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 335.021, to read as follows:

335.021. 1. "The Missouri State Board of Nursing" shall consist of nine  
2 members, five of whom must be registered professional nurses. [Two members]  
3 **One member** of the board [must] **shall** be a licensed practical [nurses] **nurse**,  
4 **one member shall be an advanced practice registered nurse**, and one  
5 member a voting public member. Two of the five registered professional nurses  
6 shall hold a graduate degree in nursing, and at least one of the professional nurse  
7 members shall represent nursing practice. Any person, other than the public  
8 member, appointed to the board as hereinafter provided shall be a citizen of the  
9 United States and a resident of this state for a period of at least one year, a  
10 licensed nurse in this state, and shall have been actively engaged in nursing for  
11 at least three years immediately preceding the appointment or  
12 reappointment. Membership on the board shall include representatives with  
13 expertise in each level of educational programs the graduates of which are eligible  
14 to apply for licensure such as practical, diploma, associate degree, and  
15 baccalaureate.

16 2. The governor shall appoint members to the board by and with the  
17 advice and consent of the senate when a vacancy thereon occurs either by the  
18 expiration of a term or otherwise; provided, however, that any board member  
19 shall serve until his or her successor is appointed and qualified. Every

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

20 appointment except to fulfill an unexpired term shall be for a term of four years,  
21 but no person shall be appointed to more than two consecutive terms.

22           3. At least ninety days before the expiration of a term of a board member,  
23 and as soon as feasible after the occurrence of a vacancy on the board for reasons  
24 other than the expiration of a term, a list of three licensed and qualified nurses  
25 shall be submitted to the director of the division of professional registration. The  
26 list shall be submitted by the Missouri Nurses Association if the vacancy is for  
27 a registered professional nurse, and by the Missouri State Association of Licensed  
28 Practical Nurses if the vacancy is for a licensed practical nurse. The governor  
29 may appoint a board member to fill the vacancy from the list submitted, or may  
30 appoint some other qualified licensed nurse. This subsection shall not apply to  
31 public member vacancies.

32           4. The public member shall be at the time of his or her appointment a  
33 citizen of the United States; a resident of this state for a period of one year and  
34 a registered voter; a person who is not and never was a member of any profession  
35 licensed or regulated pursuant to this chapter or the spouse of such person; and  
36 a person who does not have and never has had a material, financial interest in  
37 either the providing of the professional services regulated by this chapter, or an  
38 activity or organization directly related to any profession licensed or regulated  
39 pursuant to this chapter. All members, including public members, shall be  
40 chosen from lists submitted by the director of the division of professional  
41 registration. The duties of the public member shall not include the determination  
42 of the technical requirements to be met for licensure or whether any person meets  
43 such technical requirements or of the technical competence or technical judgment  
44 of a licensee or a candidate for licensure.

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