

FIRST REGULAR SESSION

SENATE BILL NO. 159

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

Pre-filed December 5, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0614S.011

AN ACT

To amend chapter 337, RSMo, by adding thereto one new section relating to licensed professional counselors.

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

Section A. Chapter 337, RSMo, is amended by adding thereto one new
2 section, to be known as section 337.528, to read as follows:

**337.528. 1. If the committee finds merit to a complaint by an
2 individual incarcerated or under the care and control of the
3 department of corrections and takes further investigative action, no
4 documentation may appear on file or disciplinary action may be taken
5 in regards to the licensee's license unless the provisions of subsection
6 2 of section 337.525 have been violated. Any case file documentation
7 that does not result in the committee filing an action under subsection
8 2 of section 337.525 shall be destroyed within three months after the
9 final case disposition by the board. No notification to any other
10 licensing board in another state or any national registry regarding any
11 investigative action shall be made unless the provisions of subsection
12 2 of section 337.525 have been violated.**

**13 2. Upon written request of the licensed professional counselor
14 subject to a complaint, prior to August 28, 2007, by an individual
15 incarcerated or under the care and control of the department of
16 corrections that did not result in the committee filing an action under
17 subsection 2 of section 337.525, the committee and the division of
18 professional registration shall in a timely fashion:**

- 19 (1) Destroy all documentation regarding the complaint;
20 (2) Notify any other licensing board in another state or any
21 national registry regarding the committee's actions if they have been**

22 previously notified of the complaint; and

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

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

Unofficial ✓

Bill

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