

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 296

95TH GENERAL ASSEMBLY

2009

1311S.07T

AN ACT

To repeal sections 105.711, 195.070, 195.100, 214.270, 214.280, 214.330, 214.385, 214.387, 324.001, 324.065, 324.068, 324.071, 324.077, 324.080, 324.086, 324.089, 324.139, 324.141, 324.212, 324.247, 324.415, 324.481, 324.487, 328.030, 328.040, 328.050, 328.060, 328.115, 328.140, 328.150, 328.160, 329.180, 329.190, 329.191, 329.200, 329.210, 329.220, 329.230, 329.240, 334.735, 334.850, 337.712, 337.715, 337.718, 337.727, 337.730, 337.733, 338.010, 338.013, 338.057, 338.220, 338.337, 346.015, 346.045, 346.050, 346.070, 346.075, 346.080, 346.090, 346.095, 346.100, 346.105, 346.115, 346.125, and 376.811, RSMo, and to enact in lieu thereof sixty-eight new sections relating to regulation of certain professions, with penalty provisions.

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

Section A. Sections 105.711, 195.070, 195.100, 214.270, 214.280, 214.330, 2 214.385, 214.387, 324.001, 324.065, 324.068, 324.071, 324.077, 324.080, 324.086, 3 324.089, 324.139, 324.141, 324.212, 324.247, 324.415, 324.481, 324.487, 328.030, 4 328.040, 328.050, 328.060, 328.115, 328.140, 328.150, 328.160, 329.180, 329.190, 5 329.191, 329.200, 329.210, 329.220, 329.230, 329.240, 334.735, 334.850, 337.712, 6 337.715, 337.718, 337.727, 337.730, 337.733, 338.010, 338.013, 338.057, 338.220, 7 338.337, 346.015, 346.045, 346.050, 346.070, 346.075, 346.080, 346.090, 346.095, 8 346.100, 346.105, 346.115, 346.125, and 376.811, RSMo, are repealed and sixty- 9 eight new sections enacted in lieu thereof, to be known as sections 105.711, 10 195.070, 195.100, 214.270, 214.280, 214.330, 214.385, 214.387, 324.001, 324.065, 11 324.068, 324.071, 324.077, 324.080, 324.086, 324.089, 324.139, 324.141, 324.212,

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

15 affix to each package in which that drug is contained a label showing in legible
16 English the name and address of the vendor and the quantity, kind, and form of
17 controlled substance contained therein. No person except a pharmacist for the
18 purpose of filling a prescription under sections 195.005 to 195.425, shall alter,
19 deface, or remove any label so affixed.

20 5. Whenever a pharmacist or practitioner sells or dispenses any controlled
21 substance on a prescription issued by a physician, **physician assistant**, dentist,
22 podiatrist, veterinarian, or advanced practice registered nurse, [he] **the**
23 **pharmacist or practitioner** shall affix to the container in which such drug is
24 sold or dispensed a label showing his **or her** own name and address of the
25 pharmacy or practitioner for whom he **or she** is lawfully acting; the name of the
26 patient or, if the patient is an animal, the name of the owner of the animal and
27 the species of the animal; the name of the physician, **physician assistant**,
28 dentist, podiatrist, advanced practice registered nurse, or veterinarian by whom
29 the prescription was written; the name of the collaborating physician if the
30 prescription is written by an advanced practice registered nurse **or the**
31 **supervising physician if the prescription is written by a physician**
32 **assistant**, and such directions as may be stated on the prescription. No person
33 shall alter, deface, or remove any label so affixed.

 214.270. As used in sections 214.270 to 214.410, the following terms
2 mean:

3 (1) "Agent" or "authorized agent", any person empowered by the cemetery
4 operator to represent the operator in dealing with the general public, including
5 owners of the burial space in the cemetery;

6 (2) "Burial space", one or more than one plot, grave, mausoleum, crypt,
7 lawn, surface lawn crypt, niche or space used or intended for the interment of the
8 human dead;

9 (3) **"Burial merchandise", a monument, marker, memorial,**
10 **tombstone, headstone, urn, outer burial container, or similar article**
11 **which may contain specific lettering, shape, color, or design as**
12 **specified by the purchaser;**

13 (4) "Cemetery", property restricted in use for the interment of the human
14 dead by formal dedication or reservation by deed but shall not include any of the
15 foregoing held or operated by the state or federal government or any political
16 subdivision thereof, any incorporated city or town, any county or any religious
17 organization, cemetery association or fraternal society holding the same for sale
18 solely to members and their immediate families;

19 [(4)] **(5)** "Cemetery association", any number of persons who shall have

20 associated themselves by articles of agreement in writing as a not-for-profit
21 association or organization, whether incorporated or unincorporated, formed for
22 the purpose of ownership, preservation, care, maintenance, adornment and
23 administration of a cemetery. Cemetery associations shall be governed by a board
24 of directors. Directors shall serve without compensation;

25 [(5)] (6) "Cemetery operator" or "operator", any person who owns,
26 controls, operates or manages a cemetery;

27 [(6)] (7) **"Cemetery prearranged contract", any contract with a**
28 **cemetery operator for goods and services covered by this chapter**
29 **which includes a sale of burial merchandise in which delivery of**
30 **merchandise or a valid warehouse receipt under sections 214.270 to**
31 **214.550 is deferred pursuant to written instructions from the purchaser.**
32 **It shall also mean any contract for goods and services covered by**
33 **sections 214.270 to 214.550 which includes a sale of burial services to be**
34 **performed at a future date;**

35 (8) "Cemetery service" or **"burial service"**, those services performed by
36 a cemetery owner or operator licensed [pursuant to this chapter] as an endowed
37 care or **nonendowed** cemetery including setting a monument or **marker**,
38 setting a tent, excavating a grave, [or] **interment, entombment, inurnment**,
39 setting a vault, or **other related services within the cemetery;**

40 [(7)] (9) "Columbarium", a building or structure for the inurnment of
41 cremated human remains;

42 [(8)] (10) "Community mausoleum", a mausoleum containing a
43 substantial area of enclosed space and having either a heating, ventilating or air
44 conditioning system;

45 [(9)] (11) "Department", department of insurance, financial institutions
46 and professional registration;

47 [(10)] (12) "Developed acreage", the area which has been platted into
48 grave spaces and has been developed with roads, paths, features, or
49 ornamentalions and in which burials can be made;

50 [(11)] (13) "Director", director of the division of professional registration;

51 [(12)] (14) "Division", division of professional registration;

52 [(13)] (15) "Endowed care", the maintenance, repair and care of all burial
53 space subject to the endowment within a cemetery, including any improvements
54 made for the benefit of such burial space. Endowed care shall include the general
55 overhead expenses needed to accomplish such maintenance, repair, care and
56 improvements. Endowed care shall include the terms perpetual care, permanent
57 care, continual care, eternal care, care of duration, or any like term;

58 [(14)] **(16)** "Endowed care cemetery", a cemetery, or a section of a
59 cemetery, which represents itself as offering endowed care and which complies
60 with the provisions of sections 214.270 to 214.410;

61 [(15)] **(17)** "Endowed care fund", "endowed care trust", or "trust", any
62 cash or cash equivalent, to include any income therefrom, impressed with a trust
63 by the terms of any gift, grant, contribution, payment, devise or bequest to an
64 endowed care cemetery, or its endowed care trust, or funds to be delivered to an
65 endowed care cemetery's trust received pursuant to a contract and accepted by
66 any endowed care cemetery operator or his agent. This definition includes the
67 terms endowed care funds, maintenance funds, memorial care funds, perpetual
68 care funds, or any like term;

69 **(18)** "Escrow account", an account established in lieu of an
70 endowed care fund as provided under section 214.330 or an account
71 used to hold deposits under section 214.387;

72 **(19)** "Escrow agent", an attorney, title company, certified public
73 accountant or other person authorized by the division to exercise
74 escrow powers under the laws of this state;

75 **(20)** "Escrow agreement", an agreement subject to approval by the
76 office between an escrow agent and a cemetery operator or its agent or
77 related party with common ownership, to receive and administer
78 payments under cemetery prearranged contracts sold by the cemetery
79 operator;

80 [(16)] **(21)** "Family burial ground", a cemetery in which no burial space
81 is sold to the public and in which interments are restricted to persons related by
82 blood or marriage;

83 [(17)] **(22)** "Fraternal cemetery", a cemetery owned, operated, controlled
84 or managed by any fraternal organization or auxiliary organizations thereof, in
85 which the sale of burial space is restricted solely to its members and their
86 immediate families;

87 [(18)] **(23)** "Garden mausoleum", a mausoleum without a substantial area
88 of enclosed space and having its crypt and niche fronts open to the
89 atmosphere. Ventilation of the crypts by forced air or otherwise does not
90 constitute a garden mausoleum as a community mausoleum;

91 [(19)] **(24)** "Government cemetery", or "municipal cemetery", a cemetery
92 owned, operated, controlled or managed by the federal government, the state or
93 a political subdivision of the state, including a county or municipality or
94 instrumentality thereof;

95 [(20)] **(25)** "Grave" or "plot", a place of ground in a cemetery, used or

96 intended to be used for burial of human remains;
97 [(21)] **(26)** "Human remains", the body of a deceased person in any state
98 of decomposition, as well as cremated remains;
99 [(22)] **(27)** "Inurnment", placing an urn containing cremated remains in
100 a burial space;
101 [(23)] **(28)** "Lawn crypt", a burial vault or other permanent container for
102 a casket which is permanently installed below ground prior to the time of the
103 actual interment. A lawn crypt may permit single or multiple interments in a
104 grave space;
105 [(24)] **(29)** "Mausoleum", a structure or building for the entombment of
106 human remains in crypts;
107 [(25)] **(30)** "Niche", a space in a columbarium used or intended to be used
108 for inurnment of cremated remains;
109 [(26)] **(31)** "Nonendowed care cemetery", or "nonendowed cemetery", a
110 cemetery or a section of a cemetery for which no endowed care **trust** fund has
111 been established in accordance with sections 214.270 to 214.410;
112 **(32) "Office", the office of endowed care cemeteries within the**
113 **division of professional registration;**
114 [(27)] **(33)** "Owner of burial space", a person to whom the cemetery
115 operator or his authorized agent has transferred the right of use of burial space;
116 [(28)] **(34)** "Person", an individual, corporation, partnership, joint
117 venture, association, trust or any other legal entity;
118 [(29)] **(35)** "Registry", the list of cemeteries maintained in the division
119 office for public review. The division may charge a fee for copies of the registry;
120 [(30)] **(36)** "Religious cemetery", a cemetery owned, operated, controlled
121 or managed by any church, convention of churches, religious order or affiliated
122 auxiliary thereof in which the sale of burial space is restricted solely to its
123 members and their immediate families;
124 [(31)] **(37)** "Surface lawn crypt", a sealed burial chamber whose lid
125 protrudes above the land surface;
126 [(32)] **(38)** "Total acreage", the entire tract which is dedicated to or
127 reserved for cemetery purposes;
128 [(33)] **(39)** "Trustee of an endowed care fund", the separate legal entity
129 appointed as trustee of an endowed care fund.

214.280. 1. Operators of all existing cemeteries shall, prior to August
2 twenty-eighth following August 28, 1994, elect to operate each cemetery as an
3 endowed care cemetery as defined in subdivision [(12)] **(16)** of section 214.270
4 and shall register such intention with the division and remit the required

5 registration fee or, failing such election, shall operate each cemetery for which
6 such election is not made as a nonendowed cemetery without regard to
7 registration fees or penalties. Operators of all cemeteries hereafter established
8 shall, within ninety days from the establishment thereof, elect to operate each
9 cemetery as an "endowed care cemetery", or as a "nonendowed cemetery". Such
10 election for newly established cemeteries shall be filed with the division, on a
11 form provided by the division. Any such election made subsequent to August 28,
12 1994, shall be accompanied by a filing fee set by the division, and such fee shall
13 be deposited in the endowed care cemetery audit fund as defined in section
14 193.265, RSMo. The fee authorized in this subsection shall not be required from
15 an existing nonendowed cemetery.

16 2. The division may adopt rules establishing the conditions and
17 procedures governing the circumstances where an endowed care cemetery elects
18 to operate as a nonendowed care cemetery. In the event an endowed care
19 cemetery elects to operate as a nonendowed care cemetery, the division shall
20 make every effort to require such cemetery to meet all contractual obligations for
21 the delivery of services entered into prior to it reverting to the status of a
22 nonendowed cemetery.

214.330. 1. The endowed care fund required by sections 214.270 to
2 214.410 shall be permanently set aside in trust or in accordance with the
3 provisions of subsection 2 of this section. The trustee of the endowed care trust
4 shall be a state- or federally chartered financial institution authorized to exercise
5 trust powers in Missouri and located in this state. The income from the endowed
6 care fund shall be distributed to the cemetery operator at least annually or in
7 other convenient installments. The cemetery operator shall have the duty and
8 responsibility to apply the income to provide care and maintenance only for that
9 part of the cemetery in which burial space shall have been sold and with respect
10 to which sales the endowed care fund shall have been established and not for any
11 other purpose. The principal of such funds shall be kept intact and appropriately
12 invested by the trustee, or the independent investment advisor. An endowed care
13 trust agreement may provide that when the principal in an endowed care trust
14 exceeds two hundred fifty thousand dollars, investment decisions regarding the
15 principal and undistributed income may be made by a federally registered or
16 Missouri-registered independent qualified investment advisor designated by the
17 cemetery owner, relieving the trustee of all liability regarding investment
18 decisions made by such qualified investment advisor. It shall be the duty of the
19 trustee, or the investment advisor, in the investment of such funds to exercise the
20 diligence and care men of ordinary prudence, intelligence and discretion would

21 employ, but with a view to permanency of investment considering probable safety
22 of capital investment, income produced and appreciation of capital
23 investment. The trustee's duties shall be the maintenance of records and the
24 accounting for and investment of moneys deposited by the operator to the
25 endowed care fund. For the purposes of sections 214.270 to 214.410, the trustee
26 or investment advisor shall not be deemed to be responsible for the care, the
27 maintenance, or the operation of the cemetery, or for any other matter relating
28 to the cemetery, including, but not limited to, compliance with environmental
29 laws and regulations. With respect to cemetery property maintained by cemetery
30 care funds, the cemetery operator shall be responsible for the performance of the
31 care and maintenance of the cemetery property owned by the cemetery operator
32 and for the opening and closing of all graves, crypts, or niches for human remains
33 in any cemetery property owned by the cemetery operator.

34 2. If the endowed care cemetery fund is not permanently set aside in a
35 trust fund as required by subsection 1 of this section then the funds shall be
36 permanently set aside in a segregated bank account which requires the signature
37 of the cemetery owner and either the administrator of the office of endowed care
38 cemeteries, or the signature of a licensed practicing attorney with escrow powers
39 in this state as joint signatories for any distribution from the trust fund. No
40 funds shall be expended without the signature of either the administrator of the
41 office of endowed care cemeteries, or a licensed practicing attorney with escrow
42 powers in this state. The account shall be insured by the Federal Deposit
43 Insurance Corporation or comparable deposit insurance and held in the state- or
44 federally chartered financial institution authorized to do business in Missouri and
45 located in this state. The income from the endowed care fund shall be distributed
46 to the cemetery operator at least in annual or semiannual installments. The
47 cemetery operator shall have the duty and responsibility to apply the income to
48 provide care and maintenance only for that part of the cemetery in which burial
49 space shall have been sold and with respect to which sales the endowed care fund
50 shall have been established and not for any other purpose. The principal of such
51 funds shall be kept intact and appropriately invested by the cemetery operator
52 with written approval of either the administrator of the office of endowed care
53 cemeteries or a licensed practicing attorney with escrow powers in this state. It
54 shall be the duty of the cemetery owner in the investment of such funds to
55 exercise the diligence and care a person of reasonable prudence, intelligence and
56 discretion would employ, but with a view to permanency of investment
57 considering probable safety of capital investment, income produced and
58 appreciation of capital investment. The cemetery owner's duties shall be the

59 maintenance of records and the accounting for an investment of moneys deposited
60 by the operator to the endowed care fund. For purposes of sections 214.270 to
61 214.410, the administrator of the office of endowed care cemeteries or the licensed
62 practicing attorney with escrow powers in this state shall not be deemed to be
63 responsible for the care, maintenance, or operation of the cemetery. With respect
64 to cemetery property maintained by cemetery care funds, the cemetery operator
65 shall be responsible for the performance of the care and maintenance of the
66 cemetery property owned by the cemetery operator and for the opening and
67 closing of all graves, crypts, or niches for human remains in any cemetery
68 property owned by the cemetery operator.

69 3. The cemetery operator shall be accountable to the owners of burial
70 space in the cemetery for compliance with sections 214.270 to 214.410.

71 4. All endowed care funds shall be administered in accordance with an
72 endowed care fund agreement. The endowed care fund agreement shall be subject
73 to review and approval by the office of endowed care cemeteries or by a licensed
74 practicing attorney with escrow powers in this state. The endowed care cemetery
75 shall be notified in writing by the office of endowed care cemeteries or by a
76 licensed practicing attorney with escrow powers in this state regarding the
77 approval or disapproval of the endowed care fund agreement and regarding any
78 changes required to be made for compliance with this chapter and the rules and
79 regulations promulgated thereunder. A copy of the proposed endowed care fund
80 agreement shall be submitted to the office of endowed care cemeteries. The office
81 of endowed care cemeteries or a licensed practicing attorney with escrow powers
82 in this state shall notify the endowed care cemetery in writing of approval and
83 of any required change. Any amendment or change to the endowed care fund
84 agreement shall be submitted to the office of endowed care cemeteries or to a
85 licensed practicing attorney with escrow powers in this state for review and
86 approval. Said amendment or change shall not be effective until approved by the
87 office of endowed care cemeteries or by a licensed practicing attorney with escrow
88 powers in this state. All endowed care cemeteries shall be under a continuing
89 duty to file with the office of endowed care cemeteries or with a licensed
90 practicing attorney with escrow powers in this state and to submit for approval
91 any and all changes, amendment, or revisions of the endowed care fund
92 agreement.

93 **5. No principal shall be distributed from an endowed care trust**
94 **fund except to the extent that a unitrust election is in effect with**
95 **respect to such trust under the provisions of section 469.411, RSMo.**

214.385. 1. If the operator of any cemetery or another authorized person

2 moves a grave marker, memorial or monument in the cemetery for any reason,
3 the operator or other authorized person shall replace the grave marker, memorial
4 or monument to its original position within a reasonable time.

5 2. When the purchase price of [a monument, marker or memorial] **an**
6 **item of burial merchandise** sold by a cemetery operator or its agent is paid
7 in full, the cemetery operator shall make delivery of such property within a
8 reasonable time. A cemetery operator may comply with this section by delivering
9 to the purchaser of such property a valid warehouse receipt which may be
10 presented to the cemetery operator at a later date for actual delivery.

214.387. 1. Upon written instructions from the purchaser of [a
2 monument, marker or memorial, a cemetery may defer delivery of such property
3 to a date designated by the purchaser, provided the cemetery operator, within
4 forty-five days of the date the property is paid in full, deposits from its own funds
5 an amount equal to one hundred ten percent of such property's wholesale cost
6 into a segregated account. Funds deposited in a segregated account pursuant to
7 this section and section 214.385 shall be maintained in such account until
8 delivery of the property is made or the contract for the purchase of such property
9 is canceled. No withdrawals may be made from the cemetery operator's
10 segregated account established pursuant to this section and section 214.385
11 except as provided herein. The cemetery operator shall not commingle any other
12 of its funds with the deposits made to the segregated account. Money in this
13 account shall be invested utilizing the "prudent man theory" and is subject to
14 audit by the division. Names and addresses of depositories of such money shall
15 be submitted with the annual report.] **burial merchandise or burial services**
16 **set forth in a cemetery prearranged contract, a cemetery may defer**
17 **delivery of such burial merchandise or a warehouse receipt for the**
18 **same under section 214.385, or performance of services, to a date**
19 **designated by the purchaser, provided the cemetery operator, after**
20 **deducting sales and administrative costs not to exceed twenty percent**
21 **of the purchase price, deposits the remaining portion of the purchase**
22 **price into an escrow or trust account as herein provided, within sixty**
23 **days following receipt of payment from the purchaser. Funds so**
24 **deposited pursuant to this section shall be maintained in such account**
25 **until delivery of the property or the performance of services is made**
26 **or the contract for the purchase of such property or services is**
27 **cancelled. The account is subject to inspection, examination or audit**
28 **by the division. No withdrawals may be made from the escrow or trust**
29 **account established pursuant to this section except as herein provided.**

30 2. [If at the end of a calendar year the market value of the cemetery
31 operator's segregated account exceeds the then current wholesale cost of all
32 paid-in-full property which has not been delivered, the cemetery operator may
33 withdraw from the segregated account all realized income earned by such account.
34 If at the end of a calendar year the market value of the cemetery operator's
35 segregated account is less than the then current wholesale cost of all paid-in-full
36 property which has not been delivered, the cemetery operator shall only withdraw
37 the realized income in excess of (i) the segregated account's market value at year
38 end, plus (ii) all realized income accrued to the segregated account minus (iii) the
39 wholesale cost of all paid-in-full property which has not been delivered.

40 3. Upon the delivery of a monument, marker or memorial sold by the
41 cemetery or its agent, or the cancellation of the contract for the purchase of such
42 property, the cemetery operator may withdraw from the segregated account an
43 amount equal to (i) the market value of the segregated account based on the most
44 recent account statement issued to the cemetery operator, times (ii) the ratio the
45 delivered property's deposit in the account bears to the aggregate deposit of all
46 property which is paid in full but not delivered. The segregated account may be
47 inspected or audited by the division.

48 4.] Upon written instructions from the purchaser of an interment,
49 entombment, or inurnment cemetery service, a cemetery may defer performance
50 of such service to a date designated by the purchaser, provided the cemetery
51 operator, within forty-five days of the date the agreement is paid in full, deposits
52 from its own funds an amount equal to [forty] **eighty** percent of the published
53 retail price into a trustee account. Funds deposited in a trustee account
54 pursuant to this section and section 214.385 shall be maintained in such account
55 until delivery of the service is made or the agreement for the purchase of the
56 service is canceled. No withdrawals may be made from the trustee account
57 established pursuant to this section and section 214.385 except as provided
58 herein. Money in this account shall be invested utilizing the "prudent man
59 theory" and is subject to audit by the division. Names and addresses of
60 depositories of such money shall be submitted with the annual report.

61 [5.] **3.** Upon the delivery of the interment, entombment, or inurnment
62 cemetery service agreed upon by the cemetery or its agent, or the cancellation of
63 the agreement for the purchase of such service, the cemetery operator may
64 withdraw from the trustee account an amount equal to (i) the market value of
65 the trustee account based on the most recent account statement issued to the
66 cemetery operator, times (ii) the ratio the service's deposit in the account bears
67 to the aggregate deposit of all services which are paid in full but not

68 delivered. The trustee account may be inspected or audited by the division.

69 [6.] 4. The provisions of this section shall apply to all agreements entered
70 into after August 28, 2002.

324.001. 1. For the purposes of this section, the following terms mean:

2 (1) "Department", the department of insurance, financial institutions and
3 professional registration;

4 (2) "Director", the director of the division of professional registration; and

5 (3) "Division", the division of professional registration.

6 2. There is hereby established a "Division of Professional Registration"
7 assigned to the department of insurance, financial institutions and professional
8 registration as a type III transfer, headed by a director appointed by the governor
9 with the advice and consent of the senate. All of the general provisions,
10 definitions and powers enumerated in section 1 of the Omnibus State
11 Reorganization Act of 1974 and Executive Order 06-04 shall apply to this
12 department and its divisions, agencies, and personnel.

13 3. The director of the division of professional registration shall promulgate
14 rules and regulations which designate for each board or commission assigned to
15 the division the renewal date for licenses or certificates. After the initial
16 establishment of renewal dates, no director of the division shall promulgate a rule
17 or regulation which would change the renewal date for licenses or certificates if
18 such change in renewal date would occur prior to the date on which the renewal
19 date in effect at the time such new renewal date is specified next occurs. Each
20 board or commission shall by rule or regulation establish licensing periods of one,
21 two, or three years. Registration fees set by a board or commission shall be
22 effective for the entire licensing period involved, and shall not be increased
23 during any current licensing period. Persons who are required to pay their first
24 registration fees shall be allowed to pay the pro rata share of such fees for the
25 remainder of the period remaining at the time the fees are paid. Each board or
26 commission shall provide the necessary forms for initial registration, and
27 thereafter the director may prescribe standard forms for renewal of licenses and
28 certificates. Each board or commission shall by rule and regulation require each
29 applicant to provide the information which is required to keep the board's records
30 current. **Each board or commission shall have the authority to collect**
31 **and analyze information required to support workforce planning and**
32 **policy development. Such information shall not be publicly disclosed**
33 **so as to identify a specific health care provider, as defined in section**
34 **376.1350, RSMo.** Each board or commission shall issue the original license or
35 certificate.