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# *Occupational Licensing and Women in Missouri Report Update*

PREPARED BY THE INSTITUTE OF PUBLIC POLICY,  
TRUMAN SCHOOL OF GOVERNMENT AND PUBLIC  
AFFAIRS, UNIVERSITY OF MISSOURI

**Lead Author:** Rachel Dicke, Ph.D.

**Contributing Author:** Jacob Hansen

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Executive Summary	2
Introduction	3
Women in the Workforce	4
Women in the Workforce in the US and Missouri	4
Women Entrepreneurs	4
Women of Color	4
Impact of COVID-19 on Women in the Workforce	5
Impact on Labor Force Participation	5
Impact on Existing Barriers	6
Occupational Licensing in Missouri Updates	7
Missouri Department of Commerce and Insurance	7
Individuals and Businesses Registered with the MO DPR	8
Gender, Occupation, and Licensure	9
Occupational Licensing and the Economy	10
Impact of COVID-19 on Licensing Requirements	13
Boards and Commissions Update	14
Missouri Membership in Cross-State Agreements	14
Barriers Updates	16
Administrative Barriers Updates	17
Impact of COVID-19 on Existing Barriers	18
National Policy Updates Since 2016	19
Missouri Policy Updates Since 2016	19
Executive Order 17-11	19
Cosmetology Occupations	20
House Bill 1500 (2018) – Hair Braiding	20
House Bill 273 (2021) – Shampooing, Reciprocity, and Additional Reforms	20
RSMO 324.027 – Cost-Benefit Analysis	20
Reciprocity Policy Updates	21
Comparison to Neighboring States Updates	22
Policy and Practice Considerations	23
Conclusion	24
Appendix	25
References	29

# Executive Summary

Occupational licensing and professional registration balance protecting the health and safety of the public with the potential economic barriers posed by those requirements. For example, psychologists in Missouri (outside of reciprocity agreements) must have either a doctoral degree and one year’s experience, or a master’s degree and three years’ experience. They must also pass a subject matter examination, a Missouri jurisprudence examination, and an oral interview and pay a \$150 licensing fee.<sup>1</sup> Another licensed occupation is sign language interpreters for the deaf. Interpreters must practice in a demonstrated area of competence, hold a certification from the National Registry of Interpreters for the Deaf, National Association of the Deaf, or Missouri Interpreter Certification System; and submit a \$75 application fee.<sup>2</sup> This report updates previous research conducted in 2016 with new information concerning licensing requirements, women’s participation in the workforce, national and state policy updates, and the impact of the global COVID-19 pandemic.

The Institute of Public Policy has produced this updated policy report, which provides:

- 1) An updated look at women in the workforce in the US and Missouri
- 2) An update on the state of occupational licensing in Missouri
- 3) A discussion of the impact of COVID-19 on women in the workforce and occupational licensing
- 4) An update on policies concerning licensing in the US and Missouri since 2016
- 5) A review of policy considerations

Table 1 summarizes the key findings of this report.

**Table 1. Key Findings**

Women in the Workforce	<ul style="list-style-type: none"> <li>● In Missouri, about 55% of women were employed in 2014, rising to 55.9% in 2018 and 56.4% in 2020, for a total of about 1.4 million people.</li> <li>● Due to COVID-19, women lost their jobs at higher rates than men, were less likely to regain them when the economy started to recover, and were more likely to have increased their unpaid household and care work.</li> <li>● At the end of 2020, although the economy had started to recover, more than two of every five women’s jobs that were lost from February-April 2020 had not been recovered.</li> </ul>
	<ul style="list-style-type: none"> <li>● In the US, in 2021, employed women were more likely to hold a certification or license than employed men (27.6% vs. 21.1%, respectively).</li> </ul>

<sup>1</sup> Missouri Statute. §337.021. (1998). <https://revisor.mo.gov/main/OneSection.aspx?section=337.021>; Missouri Statute. §337.020. (2020). <https://revisor.mo.gov/main/OneSection.aspx?section=337.020>.

<sup>2</sup> Missouri Statute. §§209.321 - 209.323. (2004). <https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=209.319%20to%20209.339>.

<p>Occupational Licensing in Missouri</p>	<ul style="list-style-type: none"> <li>● 509,908 Missouri individuals and businesses were registered with the Missouri Division of Professional Registration in April, 2022.</li> <li>● There are 41 regulation boards, regulating over 300 professions.</li> <li>● Approximately 103 board members on occupational licensing boards and commissions are serving expired terms and 56 board seats are currently vacant.</li> <li>● Missouri ranked 22<sup>nd</sup> in 2017 in the percentage of low-income occupations the state licensed (1<sup>st</sup>=most licensed, 50<sup>th</sup>= least licensed).</li> <li>● Missouri’s licensing fees and average education requirements in 2017 had increased relative to other states since 2012.</li> </ul>
<p>Economic Impact of Occupational Licensing</p>	<ul style="list-style-type: none"> <li>● People with a certification or license earned about 1/3 more than those without these credentials.</li> <li>● Employed people were more likely to hold an active certification or license (24.%) in 2021 than the unemployed (12.3%) or those who were not in the labor force (5.6%).</li> </ul>
<p>Boards and Commissions Update</p>	<ul style="list-style-type: none"> <li>● As of May 2022, Missouri is a member of five interstate compacts: the Nurse Licensure Compact (NLC), the Psychology Interjurisdictional Compact (PSYPACT), the Emergency Medical Services (EMS) Compact, the Physical Therapy (PT) Compact, and the Occupational Therapy (OT) Compact.</li> <li>● The U.S. DOL classifies Missouri as among the states with the most flexible interstate license recognition options for military spouses.</li> <li>● The Division of Professional Registration recently secured \$21 million in ARPA funding to create and maintain a new licensing system that will empower the workforce and potentially enable improved data collection.</li> </ul>
<p>Missouri OL Policy Updates</p>	<ul style="list-style-type: none"> <li>● In April 2017, then-Governor Greitens signed Executive Order 17-11. This order established the Boards and Commissions Task Force to evaluate the purpose and necessity of existing boards and commissions.</li> <li>● Two significant advances have been made within the fields of Cosmetology and Barbering. The first is the exemption of hair braiders from needing a cosmetology license, and the second is the exemption of individuals who engage solely in shampooing from needing a cosmetology or barber license.</li> <li>● When enacting new regulations upon an occupation, Missouri requires that governmental, societal, and economic costs and benefits be analyzed before deciding to enact any new regulation on an occupation. Information was not available to determine if this process has occurred.</li> </ul>

	<ul style="list-style-type: none"> <li>● Reciprocity has expanded to include additional professions since 2012, although reciprocity still does not exist for all boards and fees and requirements still vary.</li> <li>● Short-term fee waivers for military families and low-income individuals have reduced some financial burdens to licensure.</li> </ul>
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## Introduction

In November of 2016, the Institute of Public Policy at the University of Missouri produced a report entitled “Occupational Licensing and Women Entrepreneurs in Missouri” funded by the Women’s Foundation, now United WE. The comprehensive report covered a variety of topics related to women entrepreneurs in Missouri and the role of occupational licensing on women in the workforce, as well as details on how occupational licensing works in Missouri. United WE has once again contracted with IPP to update that 2016 report and provide updated information on key points, take into account the effects of the coronavirus pandemic, and review policy changes since 2016. The policy research team would like to extend a special thanks to the Director of the Missouri Division of Professional Registration, Sheila Solon, who provided important information and context to this report.

## Women in the Workforce

### Women in the Workforce in the US and Missouri

In the United States in 2014, 53.5% of women sixteen and older in the US were employed in the civilian labor force. In 2018, this figure rose to 54.9%, and by 2020 it had reached 55.4%. In Missouri, about 55% of women were employed in 2014, with this figure rising to 55.9% in 2018 and 56.4% in 2020, which is a total of about 1.4 million people.<sup>3</sup> Within the civilian institutionalized workforce in Missouri in 2020, women comprised 48.5% of that workforce.<sup>4</sup> The occupations in which women are employed vary from those traditionally dominated by women (98.1% of preschool and kindergarten teachers were women in 2018)<sup>5</sup> to

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<sup>3</sup> American Community Survey. (2018). *DPO3: Selected economic characteristics*. {Data set}. U.S. Census Bureau. <https://data.census.gov/cedsci/table?q=employment%20characteristics&g=0400000US29&tid=ACSDP5Y2018.DPO3>; American Community Survey. (2020). *DPO3: Selected economic characteristics*. {Data set}. U.S. Census Bureau. <https://data.census.gov/cedsci/table?q=employment%20characteristics&g=0400000US29&tid=ACSDP5Y2020.DPO3>.

<sup>4</sup> American Community Survey. (2020). *S2403: Industry by sex for the civilian employed population 16 years and over*. {Data set}. U.S. Census Bureau. <https://data.census.gov/cedsci/table?q=civilian%20employed%20population&g=0400000US29&tid=ACSS T5Y2020.S2403>.

<sup>5</sup> American Community Survey. (2018). *EEO 1R. Detailed Census occupation by sex and race/ethnicity for residence geography*. (EEOALL1R) {Data set}. U.S. Census Bureau. <https://data.census.gov/cedsci/table?q=Preschool%20and%20kindergarten%20teachers&g=0400000US29>.

those traditionally dominated by men (2.3% of construction workers were women in 2018).<sup>6</sup> In Missouri in 2020, according to 5-year ACS data, the median earnings for women who work full-time year-round are \$40,276, compared to \$45,502 for men (78.8%).<sup>7</sup> The average earnings for all women in 2020 were \$49,971 compared to \$68,582 for men.<sup>8</sup>

## Women Entrepreneurs

The previous report noted that women across the country were increasingly becoming involved in entrepreneurship, with significant growth seen from the early part of the 2000s when approximately one-third of all businesses in both the US and Missouri were women-owned.<sup>9</sup> While the number of women-owned firms cannot be directly re-examined (the source of the data used previously has not been updated), we can say broadly that efforts to engage women in entrepreneurship have been ongoing. When consulting the Census Bureau's American Business Survey, the Missouri Economic Research and Information Center, and other similar sources, there is no state-specific information on the number or total sales figures for women-owned firms in Missouri post-2012. There is some evidence, however, that the number of women-owned firms more generally seems to have increased and that economic incentives have been provided to encourage this.<sup>10</sup> In 2019 the Department of Economic Development implemented a program of economic incentives for entrepreneurs to start a business, though this was utilized more by men-owned firms than women-owned firms. These incentives were not mentioned to be specifically targeted towards women, nor was it specified how these incentives were advertised to the public.<sup>11</sup> In Missouri, businesses can apply for certification as a Woman Owned Business Enterprise if women own at least 51% of a for-profit firm, and if

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<sup>6</sup> American Community Survey. (2018). EEO 1R. *Detailed census occupation by sex and race/ethnicity for residence geography*. (EEOALL1R). {Data set}. U.S. Census Bureau.  
<https://data.census.gov/cedsci/table?q=Other%20construction%20and%20related%20workers&g=040000US29>.

<sup>7</sup> American Community Survey. (2020). *Occupation by sex and median earnings in the past 12 months (in 2020 inflation-adjusted dollars) for the full-time, year-round civilian employed population 16 years and over (S2412)* {Data set}. U.S. Census Bureau.  
<https://data.census.gov/cedsci/table?q=S2412%3A%20OCCUPATION%20BY%20SEX%20AND%20MEDIAN%20EARNINGS%20IN%20THE%20PAST%2012%20MONTHS%20%28IN%202020%20INFLATION-ADJUSTED%20DOLLARS%29%20FOR%20THE%20FULL-TIME,%20YEAR-ROUND%20CIVILIAN%20EMPLOYED%20POPULATION%2016%20YEARS%20AND%20OVER&g=040000US29&tid=ACSST5Y2020.S2412>.

<sup>8</sup> American Community Survey. (2018). *Earnings in the past 12 months (in 2020 inflation-adjusted dollars)*. (S2001). {Data set}. U.S. Census Bureau.  
<https://data.census.gov/cedsci/table?q=average%20earnings&g=0400000US29>

<sup>9</sup> Johnson, E., Aggarwal, S., Bezjak, S., Butitova, D., Muinul Islam, M., and Poudel, H. (2016, November). *Occupational licensing and women entrepreneurs in Missouri: A report to the women's foundation*. The Institute of Public Policy at the University of Missouri.

<sup>10</sup> Hait, A.W. (2021, March 29). *Women business ownership in America on the rise: Number of women-owned employer firms increased 0.6% from 2017 to 2018*. United States Census Bureau.  
<https://www.census.gov/library/stories/2021/03/women-business-ownership-in-america-on-rise.html>.

<sup>11</sup> Department of Economic Development. (2019). *2019 Women Owned Annual Report*.  
<https://ded.mo.gov/sites/default/files/2019%20Women%20Owned%20Annual%20Report.pdf>.

there is a woman occupying the top position of the firm capable of exercising direct control. In April 2022 the number of registered women-owned firms in Missouri was 801.<sup>12</sup>

## Women of Color

Women of color in the workforce have historically faced additional challenges compared to their white counterparts; for example, the gender wage gap between women of color and white men is much larger than the gap between white women and white men. For example, among all individuals working full-time, year-round in 2020, women were paid 83 cents per every dollar paid to men. However, this excludes those who work part-time or seasonally, which disproportionately includes women of color, particularly during the pandemic. When all workers are taken into account, including part-time and those working less than the full year, women earned 73 cents per every dollar earned by men.<sup>13</sup> Disaggregating by race and ethnicity reveals further disparities: Latina women earn 49 cents per dollar paid to white men, American Indian women earn 50 cents per dollar, Black women earn 58 cents per dollar, and Asian American, Native Hawaiian, and Pacific Islander women earn 75 cents per dollar, and white women earn 73 cents per dollar compared to white men.<sup>14</sup>

## Impact of COVID-19 on Women in the Workforce

### Impact on Labor Force Participation

Since the beginning of the COVID-19 pandemic in early 2020, the health and economic impacts on the US population have been wide-ranging, though felt more deeply by some segments of the population than others. Women in particular lost their jobs at higher rates than men, were less likely to regain them when the economy started to recover, and were more likely to have increased their unpaid household and care work (including maintaining the household, caring for children, caring for elders, etc.) compared to men. These patterns were even more exaggerated for women of color.<sup>15</sup>

As of June 2020, job losses were 15 percentage points higher for women than men, in large part due to women's higher representation in occupations with the greatest losses (leisure and hospitality, education and health services, and retail trade) as cities shut down to varying degrees in response to the pandemic. These differences were even greater for Hispanic women (21% of whom lost employment), Asian women (19%), and Black women and Asian men (17%). The least likely demographic to have lost employment was

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<sup>12</sup> Missouri Office of Equal Opportunity. (2022). *Minority & women owned businesses*. <https://apps1.mo.gov/MWBCertifiedFirms/>.

<sup>13</sup> National Partnership for Women & Families. (2022, March). *Closing the wage gap for all women workers*. <https://www.nationalpartnership.org/our-work/resources/economic-justice/fair-pay/closing-the-wage-gap-for-all.pdf>.

<sup>14</sup> National Partnership for Women & Families. (2022, May). *Quantifying America's gender wage gap by race/ethnicity*. <https://www.nationalpartnership.org/our-work/resources/economic-justice/fair-pay/quantifying-americas-gender-wage-gap.pdf>.

<sup>15</sup> Kochhar, R. (2020, June 9). Hispanic women, immigrants, young adults, those with less education hit hardest by COVID-19 job losses. *Pew Research Center*. <https://www.pewresearch.org/fact-tank/2020/06/09/hispanic-women-immigrants-young-adults-those-with-less-education-hit-hardest-by-covid-19-job-losses/>.

white men (9%).<sup>16</sup> At the end of 2020, although the economy had started to recover, more than two of every five women's jobs that were lost from February-April 2020 had not been recovered. The earlier racial and ethnic differences also continued, as the unemployment rates for Hispanic (9.1%) and Black (8.4%) women were higher than the average for all women (6.3%), all of which were higher than white men's unemployment rate (5.8%).<sup>17</sup>

The disproportionate impact on women persisted into the third quarter of 2021, by which time the number of women in the labor force had fallen 1.3% since the third quarter of 2019. Compared to men's decline of 1.1% these recovery numbers are encouraging given the severity of earlier divides, but when broken down by education, the disparities are still quite high. Women who attained lower levels of education lost their employment at higher levels than men of equal educational attainment. For example, 12.8% of women who had not completed high school left the labor force<sup>18</sup> compared to 4.9% of men who had not completed high school. This difference shrinks to within one percentage point by the attainment of some college education (3.8% vs. 4.7%) and reverses at the level of a Bachelor's degree or further advanced degrees.<sup>19</sup> Relatedly, lower-income women and women with children were impacted at higher levels; nearly two-thirds of women with children who left the labor force earned less than \$50,000 per year.<sup>20</sup> Again, the difference in occupation is likely a factor because the jobs lost at the beginning of the pandemic were disproportionately filled by women.<sup>21</sup>

## Table 2. Change in Labor Force

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<sup>16</sup> Kochhar, R. (2020, June 9). Hispanic women, immigrants, young adults, those with less education hit hardest by COVID-19 job losses. *Pew Research Center*. <https://www.pewresearch.org/fact-tank/2020/06/09/hispanic-women-immigrants-young-adults-those-with-less-education-hit-hardest-by-covid-19-job-losses/>.

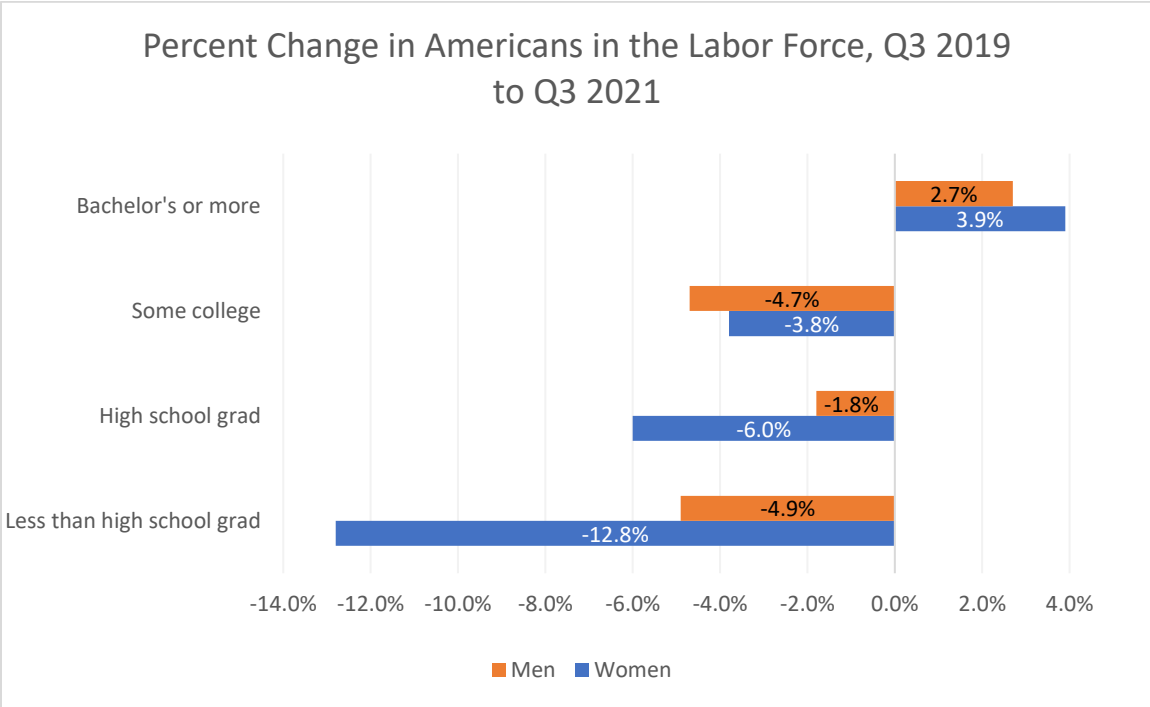
<sup>17</sup> Ewing-Nelson, C. (2021). All of the jobs lost in December were women's jobs. *National Women's Law Center*. Fact Sheet January 2021. <https://nwlc.org/wp-content/uploads/2021/01/December-Jobs-Day.pdf>.

<sup>18</sup> Exiting the labor force refers to individuals who neither currently have nor are looking for work. This may be voluntary or involuntary, as women were overrepresented in sectors that experienced the greatest job losses, and were also more likely to take on caregiving responsibilities.

<sup>19</sup> Fry, R. (2022, January 14). Some gender disparities widened in the U.S. workforce during the pandemic. *Pew Research Center*. <https://www.pewresearch.org/fact-tank/2022/01/14/some-gender-disparities-widened-in-the-u-s-workforce-during-the-pandemic/>.

<sup>20</sup> Palmer, T. (2021, May 14). In-depth: Pandemic-recession job losses hit mothers, women of color harder. *KSHB*. <https://www.kshb.com/rebound/in-depth-pandemic-recession-job-losses-hit-mothers-women-of-color-harder>.

<sup>21</sup> Fry, R. (2022, January 14). Some gender disparities widened in the U.S. workforce during the pandemic. *Pew Research Center*. <https://www.pewresearch.org/fact-tank/2022/01/14/some-gender-disparities-widened-in-the-u-s-workforce-during-the-pandemic/>.



These sustained losses were exacerbated for women of color. Working mothers and women of color were less likely to have recovered their previous rates of participation in the labor force, and Black and Latina women were close to twice as likely as the national average of all women to have left the workforce.<sup>22</sup> A 2021 survey conducted in Massachusetts under the direction of the state government showed that women of color experienced the pandemic differently, including increasing instances of discriminatory practices, microaggressions, and attacks on the Asian community. Women of color also reported lost income and disruptions in employment at nearly twice the rate of white women, and reported falling behind on their rent or mortgage at nearly four times the rate of white women.<sup>23</sup>

Aside from the economic impact of women, and particularly women of color, being overrepresented in occupations that were quickly lost due to COVID-19, such as health care food preparation, and personal service occupations, these jobs also tend to involve higher levels of risk. Occupations with high concentrations of women compared to men tend to have lower wages, longer hours, greater exposure to health and safety risks, lower flexibility for working from home, and higher levels of interaction with the public. These factors put women at greater risk during the pandemic.<sup>24</sup> This is a particular issue for women

<sup>22</sup> Palmer, T. (2021, May 14). In-depth: Pandemic-recession job losses hit mothers, women of color harder. *KSHB*. <https://www.kshb.com/rebound/in-depth-pandemic-recession-job-losses-hit-mothers-women-of-color-harder>.

<sup>23</sup> *Impact of COVID-19 and related recommendations to improve the status of women of color*. (2021, May). Massachusetts Commission on the Status of Women. <https://www.mass.gov/doc/mcsw-impact-of-covid-19-on-women-of-color-report-may-2021/download>.

<sup>24</sup> Albanesi, S. and Kim, J. (2021). Effects of the COVID-19 recession on the US labor market: Occupation, family, and gender. *Journal of Economic Perspectives* 35(3): 3-24; Fry, R. (2022, January 14). Some gender disparities widened in the U.S. workforce during the pandemic. *Pew Research Center*.

in healthcare, who tend to fill the jobs with the highest levels of close contact with the public even within this individual field.

## Impact on Existing Barriers

Existing barriers to women's entry into the licensed workforce include lack of available or affordable child care, fees, and training requirements. COVID-19 has made those barriers even less permeable for women through the disproportionate economic effects of the pandemic and through the increase in unpaid labor undertaken, in no small part due to child care and school closures.

Another consequence of COVID-19 was the increase in unpaid labor for women, who had already been bearing the majority of that burden prior to the pandemic. In 2020, 61% of caregivers were women; this figure has remained relatively unchanged since 2015. Women caregivers were also more likely than men caregivers to provide care for two or more recipients, a category of caregivers which has increased by six percentage points since 2015.<sup>25</sup> Women are also more likely to perform unpaid labor in the form of household and care work, a disparity which holds true across all age, racial and ethnic, educational attainment, and income groups, and is particularly pronounced among married women as compared to unmarried women.<sup>26</sup>

Among all married couples with children in the U.S., women spend nearly twice the amount of time per week providing child care that men do; in dual-earner households, this difference is smaller, but still significant (10.6 hours for men compared to 16.8 for women).<sup>27</sup> During the pandemic, women took on this role to an even greater extent. Many working mothers left the labor force to care for children while schools and child care centers were shut down, and mothers who continued to work were more likely to work part-time.<sup>28</sup> In

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<https://www.pewresearch.org/fact-tank/2022/01/14/some-gender-disparities-widened-in-the-u-s-workforce-during-the-pandemic/>; International Labor Organization. (2021, July). *Building forward fairer: Women's rights to work and at work at the core of the COVID-19 recovery*. Policy Brief.

[https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms\\_814499.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_814499.pdf).

<sup>25</sup> Weber-Raley, L., Haggerty, K., McLaurin, R., and Baydaline, C. (2020, May). *Caregiving in the U.S. 2020*. Greenwald & Associates, the AARP, and the NAC. <https://www.caregiving.org/wp-content/uploads/2020/05/Full-Report-Caregiving-in-the-United-States-2020.pdf>; Weber-Riley, L. and Smith, E. (2015, June). *Caregiving in the U.S. 2015*. Greenwald & Associates, the AARP Public Policy Institute, and the NAC. <https://www.aarp.org/content/dam/aarp/ppi/2015/caregiving-in-the-united-states-2015-report-revised.pdf>.

<sup>26</sup> Hess, C., Ahmed, T., and Hayes, J. (2020, January). *Providing unpaid household and care work in the United States: Uncovering inequality*. Institute for Women's Policy Research, briefing paper #C487. <https://iwpr.org/wp-content/uploads/2020/01/IWPR-Providing-Unpaid-Household-and-Care-Work-in-the-United-States-Uncovering-Inequality.pdf>.

<sup>27</sup> Alon, T., Doepke, M., Olmstead-Rumsey, J., Tertilt, M., (2020). The impact of COVID-19 on gender equality. *NBER Working Paper 26947*. [https://www.nber.org/system/files/working\\_papers/w26947/w26947.pdf](https://www.nber.org/system/files/working_papers/w26947/w26947.pdf)

<sup>28</sup> Two-thirds of child care centers were closed by April 2020 and one-third remained closed in April 2021. From Lee, E. K. and Parolin, Z. (2021). The care burden during COVID-19: A national database of child care closures in the united states. *Socius: Sociological Research for a Dynamic World*. Vol 7. <https://doi.org/10.1177/23780231211032028>.

fall of 2021, nearly all schools re-opened in person, full-time. According to early data, expectations that women, who had left the labor force due to these closures, would return have been unfulfilled. September 2021 data shows that while increases in the proportion of children attending school remotely led to decreases in the labor force participation of women with school-age children, a corresponding increase in labor force participation had not been seen as schools returned to in-person learning. It is likely that this remaining lag in participation is due to continued caregiving responsibilities and the fact that the child care availability still has not recovered to its pre-pandemic levels. By January 2022, women still had not regained all the jobs lost since February 2020, likely in part because women were still more likely to care for children out of school or child care for pandemic-related reasons.<sup>29</sup> Compounding the issue is the fact that the child care profession lost over 100,000 jobs since February 2020, 90% of which had been recovered by April 2022.<sup>30</sup> Men's overall labor force participation fell as well, though less than women's, and by July 2020 had reached its pre-pandemic level. By comparison, women's participation rate was still 3% less than its pre-pandemic level.<sup>31</sup> By June of 2022, despite months of consecutive job growth, women were still experiencing a net loss of 395,000 jobs since February 2020.<sup>32</sup>

## Occupational Licensing in Missouri Updates

### Missouri Department of Commerce and Insurance

As laid out in the 2016 report, occupational licensing is a form of government regulation requiring a license for selected occupations to certify that they are being conducted in a way that is not harmful to the public.<sup>33</sup> In Missouri the Division of Professional Registration (DPR), under the Department of Commerce and Insurance, is responsible for that regulation. In 2019, the Missouri Department of Insurance, Financial Institutions and Professional Registration changed its name to the Department of Commerce and Insurance (DCI). This change was part of a broader initiative to better align policy areas in state agencies, and involved the Public Service Commission and the Office of Public Council moving from the Department of Economic Development to the DCI in an effort to gather agencies with similar regulatory functions under one

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<sup>29</sup> Gonzales, M. (2022, February 17). Nearly 2 million fewer women in labor force. *SHRM*. <https://www.shrm.org/resourcesandtools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/pages/over-1-million-fewer-women-in-labor-force.aspx>; Tucker, J. (2022, February). Men have how recouped their pandemic-related labor force losses while women lag behind. *National Women's Law Center*. <https://nwlc.org/wp-content/uploads/2022/02/January-Jobs-Day-updated.pdf>

<sup>30</sup> Center for the Study of Child Care Employment. (2022, July 11). *Child care sector jobs: BLS analysis*. <https://cscce.berkeley.edu/publications/brief/child-care-sector-jobs-bls-analysis/>.

<sup>31</sup> Aaronson, S. and Alba, F. (2021). The relationship between school closures and female labor force participation during the pandemic. *Brookings Institution*. <https://www.brookings.edu/research/the-relationship-between-school-closures-and-female-labor-force-participation-during-the-pandemic/>.

<sup>32</sup> Tucker, J. and Javaid, S. (2022, July). Women gain 83% of jobs while 170,000 women leave labor force in June. *National Women's Law Center*. <https://nwlc.org/wp-content/uploads/2022/07/June-Jobs-Day.pdf>.

<sup>33</sup> Johnson, E., Aggarwal, S., Bezjak, S., Butitova, D., Muinul Islam, M., and Poudel, H. (2016, November). *Occupational licensing and women entrepreneurs in Missouri: A report to the women's foundation*. The Institute of Public Policy at the University of Missouri.

department.<sup>34</sup> The DPR has remained unchanged, with its mission still to protect the public “by providing... [a] regulatory system that licenses only qualified professionals... and enforc[ing] standards by implementing legislation and administrative rules.”<sup>35</sup> The Division’s more than 200 staff members support 41 professional licensing boards and commissions and regulate the activities of 509,908 professionals in over 300 occupations.<sup>36</sup>

### Individuals and Businesses Registered with the MO DPR

There are 509,908 registered professionals in Missouri, organized into 41 professional licensing boards. Several of these professions were not registered at the time of the 2016 report; these have been marked with an asterisk in the table below.

**Table 3. Professionals and Businesses Regulated by MO Boards and Commissions, 2022**

Profession	Number of Licensed Professionals and Businesses 2022†	% Change since 2015
Accountants, Certified Public	21,966	1.2%
Acupuncturists	137	4.6%
Architects, Professional Engineers, Engineer Interns*, Professional Land Surveyors, Land Surveyors-in-training*, and Landscape Architects	28,515	8.3%
Athlete Agents	75	63.0%
Athletics	3,360	61.5%
Behavior Analysts	862	175.4%
Chiropractors	2,657	12.9%

<sup>34</sup> Department officially changes name to the Department of Commerce and Insurance. (2019, August 28). Missouri Department of Commerce and Insurance. <https://dci.mo.gov/news/newsitem/uuid/8eeee96a-5dee-41da-ac34-b34756fa8f7f>.

<sup>35</sup> *Regulating professionals and serving the public.* (n.d.). Missouri Division of Professional Registration. <https://pr.mo.gov/about.asp>

<sup>36</sup> Information provided by Director Sheila Solon.

Cosmetologists and Barbers	74,382	-0.9%
Counselors, Professional	6,997	19.8%
Dentists and Dental Hygienists	16,483	11.2%
Dieticians	2,291	6.1%
Drug Distributors*	1,421	N/A
Electrical Contractors*	702	N/A
Embalmers and Funeral Directors	6,161	-0.8%
Endowed Care Cemeteries	121	-0.8%
Geologists	804	-7.4%
Healing Arts	51,682	16.3%
Hearing Instrument Specialists	284	15.9%
Interior Designers	107	32.1%
Marital and Family Therapists	388	28.9%
Massage Therapists	6,735	1.1%
Nurses, RN, LPN, Advanced Practice	142,833	4.7%
Occupational Therapists and Occupational Therapy Assistants	6,340	27.4%
Optometrists	1,447	7.4%
Perfusionists	216	

Pharmacists, Pharmacies, Pharmacy Interns*, and Pharmacy Technicians	41,081	6.6%
Podiatrists	343	-8.5%
Private Investigators and Private Fire Investigators	895	-11.0%
Psychologists	1,853	-16.0%
Real Estate Appraisers	2,553	5.0%
Real Estate Agents and Brokers	49,700	22.2%
Respiratory Care Practitioners	5,462	18.3%
Sign Language Interpreters for the Deaf*	867	N/A
Social Workers	8,556	7.9%
Tattooing, Body Piercing, and Branding	2,480	77.9%
Veterinarians and Vet Technicians	5,880	11.1%

†Source: authors' accounting based on individual board websites. The source used in the prior report has not been updated past 2015.

\*Professions not listed in the 2016 report table.

## Gender, Occupation, and Licensure

The trends identified in the prior report concerning gender and licensure have remained consistent during the intervening years as well; a greater percentage of women work in licensed fields and hold licenses and certificates than men. In 2017, 27.1% of women nationally were certified or licensed compared to 21.8% of men; these figures changed little (within 1%) over the course of the next several years, leading to 27.6% of women being certified or licensed in 2021 compared to 21.1% of men.<sup>37</sup>

Although more women than men hold certifications or licenses, this also varies by occupation; certain occupations have higher concentrations of women, and of those, many require licenses. Table 4 shows the

<sup>37</sup> *Household data annual averages: Certification and licensing status of employed persons 16 years and over by selected characteristics, 2021 annual averages.* (2022). Bureau of Labor Statistics. <https://www.bls.gov/cps/cpsaat51.htm>; *Data on certifications and licenses.* (2022). Bureau of Labor Statistics. <https://www.bls.gov/cps/certifications-and-licenses.htm>.

distribution of occupations in Missouri that are traditionally women-dominated, and which of those are licensed, and compares those percentages to the 2014 numbers presented in the previous report.

**Table 4. Women in the Workforce in Missouri, Women-Dominated Occupations, 2019**

<b>Occupation</b>	<b>% workforce that is women 2019<sup>†</sup></b>	<b>% workforce that is women 2014<sup>††</sup></b>
Child care workers	99	92
Preschool and kindergarten teachers	98	97
Secretaries and administrative assistants	95	96
Registered nurses*	91	90
Other healthcare support occupations*	91	88
Nurses, all other*	91	77
Bookkeeping, accounting, and auditing clerks*	90	91
Legal support workers	89	86
Special education teachers	89	79
Personal appearance workers*	88	88
Nursing, psychiatric, and home health aides*	85	89
Financial clerks (except bookkeeping, accounting, and auditing clerks)	85	84
Other office and administrative support workers	85	80
Occupational and physical therapist assistants and aides*	82	87

Therapists*	81	82
Information and record clerks (except customer service reps)	81	82
Librarians, curators, and archivists	73	85
Elementary and middle school teachers	83	82
Health technologists and technicians*	79	79
Human resources workers	78	78
Other teachers and instructors, education, training, and library occupations	76	76
Cashiers	73	77
Textile, apparel, and furnishings workers	52	78

† Source: ACS 1-year data, 2019

††Source: ACS 1-year data, 2014

\*Occupations licensed by the MO DPR

In Missouri in 2019, top employers included retail centers like Walmart and Hy-Vee, hospitals and healthcare systems, and universities.<sup>38</sup> In 2020, most industries lost employees, but the steepest drop was seen in the accommodation and food services industries, followed by retail trade, healthcare and social assistance, arts and entertainment, and administrative and waste services.<sup>39</sup> However, the state still had a higher concentration of those industries than the country at large.<sup>40</sup> All of which is to say that many occupations that are filled primarily by women are also licensed and make up a substantial portion of the state's workforce. For example, nearly half of Missouri's licensed workforce (303,941 people) are in the healthcare industry.<sup>41</sup>

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<sup>38</sup> Missouri Economic Research and Information Center. (n.d.) *Missouri 2019 annualized top 50 private sector employers*. <https://meric.mo.gov/industry-research/top-50-employers>.

<sup>39</sup> Missouri Department of Higher Education & Workforce Development. (2021). *Missouri economic & workforce report*. <https://meric.mo.gov/media/pdf/missouri-economic-and-workforce-overview>.

<sup>40</sup> Missouri Economic Research and Information Center. (2021). *Industry concentration brief and dashboard*. <https://meric.mo.gov/industry-research/industry-concentration-dashboard>.

<sup>41</sup> Information provided by Director Sheila Solon.

Women of color tend to hold licenses or certificates at slightly lower rates than white women; in 2018, 28% of white women were certified, compared to 17% of Hispanic or Latina women, 25% of Black women, and 25% of Asian women.<sup>42</sup> In 2021, those numbers stayed largely consistent, with 29% of white women holding a license or certification compared to 18% of Hispanic or Latina women, 25% of Black women, and 26% of Asian women.<sup>43</sup>

### Occupational Licensing and the Economy

As noted previously, individuals with a license or an active certification were more likely to be employed and to earn more than individuals without a license. The difference in earnings is generally attributed at least in part to the restrictions on entry to licensed occupations; increased barriers to entry leads to fewer individuals employed in the occupation, which raises wages for those who do enter the profession.<sup>44</sup> This pattern holds true for updated information as well, particularly for women. Additionally, not only do licensed workers earn higher wages, they also tend to stay longer at their jobs, be less likely to work part-time voluntarily and involuntarily, and have lower rates of unemployment.<sup>45</sup>

The percentage of U.S. workers with a certification or license has decreased since the previous report, from 17.8% to 16.7%. Similar to the prior report, employed individuals were approximately twice as likely to have a license or certification than those who were unemployed (24.2% vs. 12.3%), and more than four times as likely as those not in the labor force (5.6%); each category has decreased slightly since 2015. Of those with credentials, people were far more likely to have a license than a certification. Table 5 below shows these distributions.

**Table 5: Certification and Licensing Status of the Civilian Non-Institutional Population 16 Years and Over by Employment Status, 2021 Annual Averages**

Employment Status	Number of Persons (thousands)				
	Total Number	With a Certification or License			% Without a Certification or License
		Total Percentage	% with a certification, no license	% With a license	

<sup>42</sup> U.S. Bureau of Labor Statistics. (2019, June). *Professional certifications and occupational licenses: evidence from the current population survey*. <https://www.bls.gov/opub/mlr/2019/article/professional-certifications-and-occupational-licenses.htm>.

<sup>43</sup> U.S. Bureau of Labor Statistics. (2020, January). *Labor force statistics from the current population survey*. <https://www.bls.gov/cps/cpsaat51.htm>.

<sup>44</sup> *Occupational Licensing: A Framework for Policymakers*. (2015, July). The White House. [https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing\\_report\\_final\\_nonembargo.pdf](https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf).

<sup>45</sup> Nunn, R. (2018, March). How occupational licensing matter for wages and careers. *The Brookings Institute*. [https://www.brookings.edu/wp-content/uploads/2018/03/es\\_3152018\\_how\\_occupational\\_licensing\\_matters\\_for\\_wages\\_and\\_careers.pdf](https://www.brookings.edu/wp-content/uploads/2018/03/es_3152018_how_occupational_licensing_matters_for_wages_and_careers.pdf). Accessed June 3, 2022.

Civilian non-institutional population	261,445	16.7	1.6	15.1	83.3
Civilian labor force	161,204	23.5	2.2	21.3	76.5
Employed	152,581	24.2	2.2	21.9	75.8
Usually work full time	127,159	25.2	2.4	22.8	74.8
Usually work part time	25,421	18.8	1.4	17.4	81.2
Unemployed	8,623	12.3	1.5	10.8	87.7
Not in the labor force	100,241	5.6	0.6	5.1	94.4

\*Source: Bureau of Labor Statistics, 2021 Annual Averages<sup>46</sup>

### Income and Earnings

Among full-time wage and salary workers aged 16 and over, those with a certification or license earned 32% more per week than those without a certification or license (\$1,004 per week with credentials vs. \$931 per week without). This is two percent less of a difference than was found in 2016. While this pattern holds true for all ages, genders, racial and ethnic categories, and levels of educational attainment measured, the degree to which it holds true varies. For example, the difference between weekly wages for men holding a certification or license and for men who do not is 33% while the difference for women with credentials and women without is 37%. These differences tend to be further exaggerated when comparing only those who hold a license to those without any credentials; the wage gap is smaller between those with certifications only and those with no credentials. Interestingly however, differences *within* demographic categories are less than those *between* demographic categories of workers with and without credentials. For example, men with certifications or licenses earned \$1,357 per week compared to \$1,135 per week for women with certifications or licenses (20%). Compare this to men without credentials earning \$1,017 and women without credentials earning \$829 per week (23%).<sup>47</sup> This is consistent with earlier research indicating that labor force participation gaps between various demographic groups are smaller among individuals with credentials than those without. Educational attainment also shows this disparity, with labor force participation varying from 44% for workers with less than a high school diploma to 69% for workers with a

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<sup>46</sup> U.S. Bureau of Labor Statistics. (2022). *Labor force statistics from the current population survey: Certification and Licensing status of the civilian noninstitutional population 16 years and over by employment status, 2021 annual averages*. <https://www.bls.gov/cps/cpsaat49.htm>. Accessed June 3, 2022.

<sup>47</sup> U.S. Bureau of Labor Statistics. (2022). *Labor force statistics from the current population survey: Median weekly earnings of full-time wage and salary workers by certification and licensing status and selected characteristics, 2021 annual averages*. <https://www.bls.gov/cps/cpsaat54.htm>. Accessed June 3, 2022.

bachelor's degree among those without credentials. For workers with credentials, workers at every level of education had labor force participation rates of 85-90%.<sup>48</sup>

Again, as noted in the 2016 report, this general trend of higher wages for those with credentials than without credentials does not mean each licensed occupation has high earnings, particularly taking into account the direct costs of training and fees and the opportunity costs. Selected occupations' median earnings shown in Table 6 below can help illustrate this.

**Table 6. Hourly Wages, Salary, and Employment for Selected Occupations in Missouri, May 2021**

Occupation	Median Hourly Wage	Avg. Annual Salary	Employment per 1,000
Barbers	\$13.82	\$37,430	UN
Cosmetologists, Hairdressers, and Hairstylists	\$14.44	\$36,420	1.96
Interior Designers	\$24.06	\$62,220	0.37
Massage Therapists	\$17.60	\$39,680	0.43
Psychologists, all	\$39.38	\$83,890	UN
Psychologists, school	\$36.62	\$81,520	UN
Psychologists, clinical and counseling	\$30.57	\$72,530	0.47
Psychologists, all other	\$50.94	\$97,620	0.06
Private Investigators	\$37.03	\$67,470	0.09
Real Estate Sales Agents	\$23.36	\$57,790	0.75
Real Estate Brokers	\$21.38	\$51,520	0.19

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<sup>48</sup> Cunningham, E. (2019, June). *Professional certifications and occupational licenses: Evidence from the current population survey*. U.S. Bureau of Labor Statistics. <https://www.bls.gov/opub/mlr/2019/article/pdf/professional-certifications-and-occupational-licenses.pdf>. Accessed June 3, 2022.

Registered Nurses	\$29.77	\$67,790	25.38
Nurses, LPN & LVN	\$22.37	\$46,010	4.99
Other Healthcare Support Occupations	\$13.36	\$29,110	49.97
Physical Therapists	\$38.01	\$84,230	1.68
Physical therapy assistants	\$27.91	\$55,810	0.79
Physical therapy aides	\$10.98	\$27,560	0.18

\*Source: BLS May 2021 State Occupational Employment and Wage Estimates: Missouri<sup>49</sup>

Table 7 below shows the percentage of women in each occupation listed above, where available, for the United States in 2019.

**Table 7. Percentage of Women in Selected Occupations in the United States, 2019**

Occupation	% Women
Barbers	21.2
Cosmetologists, Hairdressers, and Hairstylists	88.9
Interior Designers	78.9
Massage Therapists	76.6
Psychologists, all	UN
Psychologists, school	UN
Psychologists, clinical and counseling	UN

<sup>49</sup> U.S. Bureau of Labor Statistics. (2022, March 31). *May 2021 state occupational employment and wage estimates: Missouri*. [https://www.bls.gov/oes/current/oes\\_mo.htm#39-0000](https://www.bls.gov/oes/current/oes_mo.htm#39-0000).

Psychologists, all other	68.3
Private Investigators	47.6
Real Estate Sales Agents and Real Estate Brokers	51.5
Registered Nurses	86.7
Nurses, LPN & LVN	88.0
Other Healthcare Support Occupations	66.8
Physical Therapists	60.3
Physical therapy assistants and aides	63.5

\*Source: DOL Employment and Earnings by Occupation data<sup>50</sup>

Compared to the previous report’s data from 2015, barbers and cosmetologists earn more both per hour and annually, though when taking inflation from 2015 to 2021 into account, the increase is greater for cosmetologists than barbers. The number of jobs per 1,000 for cosmetologists has decreased. Interior designers, massage therapists, private investigators, and real estate personnel also had higher earnings than in 2015, though lower estimates of employment per 1,000 jobs. Psychologists, taken together, earn less per hour than they did in 2015 when the inflation is taken into account. “All other” psychologists earn more, however.

### Impact of COVID-19 on Licensing Requirements

Due to the increased burden on healthcare systems and professionals, many states, including Missouri, enacted temporary measures to increase the flexibility and availability of the healthcare workforce during the pandemic. In Missouri, at least 14 boards and commissions specifically asked the state to waive or relax statutes and regulations to help their members meet the unprecedented public health needs of this crisis and to be able to continue working while training and licensing facilities were shut down.<sup>51</sup> In response, the state issued several waivers that applied for the duration of the Governor’s declared state of emergency (March 13, 2020 – December 31, 2021). These include full reciprocity for physicians and surgeons licensed

<sup>50</sup> U.S. Department of Labor. (n.d.). *Employment and Earnings by Occupation*. Women’s Bureau. <https://www.dol.gov/agencies/wb/data/occupations>. \*Data from the 2019 American Community Survey.

<sup>51</sup> *Regulatory Boards request waivers to meet the demands of COVID-19 related services*. (2020, March 23). Missouri Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/2ce23045-9b43-42d3-a278-088474a3fefc>.

in another state,<sup>52</sup> waiving of distance requirements for physicians and nurses,<sup>53</sup> co-practice requirements for physicians and APRNs,<sup>54</sup> reciprocity for licensed psychologists,<sup>55</sup> broadened admission to nursing programs for paramedics,<sup>56</sup> and allowing for certain examinations to be taken over the internet rather than in-person.<sup>57</sup>

The changes to nursing requirements were of particular importance given that Missouri had already been facing a nursing shortage for several years, and had also been regularly attempting to compensate for this shortage with adjustments in requirements similar to those listed above, as well as education and workforce adjustments. Subsequent Missouri Nursing Workforce Reports show increases in the number of licensed registered nurses, the number of nurses employed per 10,000 residents, and the number of nurses employed per 10,000 residents in rural counties since 2018 (which is consistently lower than the number of nurses per 10,000 residents).<sup>58</sup> Although there is a relatively larger increase from 2019 to 2020, the workforce reports do not provide an explanation for these increases, they simply present the data.

Several of the above-mentioned waivers were important enough to certain practitioners, associations, and hospital systems that in 2021 they requested that the governor maintain the state of emergency, and

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<sup>52</sup> *Waiver grants full reciprocity for health care professionals during the COVID-19 crisis.* (2020, March 30). Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/0c8b4575-ebd1-4dc6-9888-70f3f0ae8248>.

<sup>53</sup> *Waiver expands ability to provide health care.* (2020, March 30). Missouri Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/0821c3d9-f51d-4545-8762-fa250931788b>; *Waivers provide increased access to delivery of health care by assistant physicians and physician assistants.* (2020, April 6). Missouri Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/49ae639a-7cd1-487e-9fa4-7213b763b9d0>

<sup>54</sup> *Waivers provide greater access to delivery of health care by advanced practice registered nurses: Governor grants approval at the request of the Missouri departments of health and senior services and commerce and insurance in response to the COVID-19 crisis.* (2020, April 2). Missouri Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/a0e7ebed-4c5d-494e-9254-dbbe60c826ba>

<sup>55</sup> *Missouri licensed psychologists can now practice under a multi-state compact.* (2020, July 7). Missouri Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/ab460d0c-0c02-463d-ac4c-69c3d30b1436>

<sup>56</sup> *Missouri state board of nursing approves inclusion of paramedics in innovative nursing education model.* (2020, September 8). Missouri Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/1e88ceac-083e-44dc-afdf-c41f70d9dcc7>

<sup>57</sup> *Candidates for Missouri insurance producer licenses can now take their examinations online.* (2020, November 12). Missouri Department of Commerce & Insurance. <https://dci.mo.gov/news/newsitem/uuid/a91fef22-8ae4-4fb7-b6cc-e1ff6ad2e2ec>

<sup>58</sup> Missouri State Board of Nursing. (2018). *2018 Missouri nursing workforce report.* <https://pr.mo.gov/boards/nursing/2018-workforce-report.pdf>; Missouri State Board of Nursing. (2019). *2019 Missouri nursing workforce report.* <http://apps.oseda.missouri.edu/hcwf/Include/Reports/2019%20Missouri%20Nursing%20Workforce%20Report%20FINAL.pdf>; Missouri State Board of Nursing. (2020). *2020 Missouri nursing workforce report.* <https://pr.mo.gov/boards/nursing/2020-workforce-report.pdf>; Missouri State Board of Nursing. (2021). *2021 Missouri nursing workforce report.* <https://pr.mo.gov/boards/nursing/2021-workforce-report.pdf>.

consequently maintain those waivers.<sup>59</sup> At least two bills were introduced in 2022, after the state of emergency was ended, to maintain certain elements of the COVID-19 waivers like allowing APRNs and Physician Assistants to authorize treatment by home health agencies and removing distance requirements for APRNs in collaborative practice agreements.<sup>60</sup> The CoxHealth system was also successful in lobbying for a permanent increase in intensive care unit beds.<sup>61</sup> Arguments in favor of permanently abolishing geographic restrictions for APRNs focus on the increase in availability of care this would provide, especially for Missourians in rural areas. The healthcare field is already facing staffing shortages; 96% of Missouri counties struggle with this issue, and 91% of those counties are rural.<sup>62</sup> Nationally, 20% of nurses in collaborate practice agreements also reported that they or the facility in which they work must pay a fee to the collaborating physician; APRNs practicing in rural areas were half again as likely to report paying such a fee.<sup>63</sup> Arguments in favor of the geographic requirement generally focus on ensuring a high quality of care and communication between nurses and physicians. Missouri is currently one of two states requiring a geographic restriction; several surrounding states allow APRNs to practice independently, including Iowa, Nebraska, and more recently, Kansas.<sup>64</sup>

## Boards and Commissions Update

### Reciprocity

As noted in the prior report, reciprocity is the ability of a professional licensed in another state to practice in Missouri, or a professional licensed in Missouri to practice in another state. Where reciprocity exists, it can range from full reciprocity (e.g. a professional counselor licensed in Illinois can apply for an equivalent

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<sup>59</sup> Mueller, J. (2021, August 25). *Business, health groups urge governor to extend Missouri's state of emergency to allow for continued license reciprocity*. The Center Square.

[https://www.thecentersquare.com/missouri/business-health-groups-urge-governor-to-extend-missouris-state-of-emergency-to-allow-for-continued/article\\_bf06baf4-05dd-11ec-9836-4b9d8b16660a.html](https://www.thecentersquare.com/missouri/business-health-groups-urge-governor-to-extend-missouris-state-of-emergency-to-allow-for-continued/article_bf06baf4-05dd-11ec-9836-4b9d8b16660a.html)

<sup>60</sup> H.B. 2371. 101st Congress. (2022). [https://house.mo.gov/Bill.aspx?bill=HB2371&year=2022&code=R](https://house.mo.gov/Bill.aspx?bill=HB2371&year=2022&code=R;);  
H.B. 2434. 101st Congress. (2022).

<https://www.house.mo.gov/Bill.aspx?bill=HB2434&year=2022&code=R>.

<sup>61</sup> Wienberg, T. (2022, February 15). *Health care organizations kept in the dark when Missouri ended COVID emergency order*. KCUR. <https://www.kcur.org/health/2022-02-15/health-care-organizations-kept-in-the-dark-when-missouri-ended-covid-emergency-order>.

<sup>62</sup> Simonton, T. (2022, May 11). *Bill loosening Missouri's nursing requirements has uncertain future*. *The Jefferson City News Tribune*. <https://www.newstribune.com/news/2022/may/11/bill-loosening-nursing-requirements-has-uncertain/>; Wienberg, T. (2022, February 15). *Health care organizations kept in the dark when Missouri ended COVID emergency order*. KCUR. <https://www.kcur.org/health/2022-02-15/health-care-organizations-kept-in-the-dark-when-missouri-ended-covid-emergency-order>.

<sup>63</sup> Martin, B. and Alexander, M. (2019). *The economic burden and practice restrictions associated with collaborative practice agreements: a national survey of advanced practice registered nurses*. *Journal of Nursing Regulation*. 9(7): 22-30.

<sup>64</sup> Simonton, T. (2022, May 11). *Bill loosening Missouri's nursing requirements has uncertain future*. *The Jefferson City News Tribune*. <https://www.newstribune.com/news/2022/may/11/bill-loosening-nursing-requirements-has-uncertain/>; Maryville University. (2022). *States with full practice authority for nurse practitioners*. <https://online.maryville.edu/nursing-degrees/np/resources/states-granting-np-full-practice-authority/>; Kansas State Board of Nursing. (2022, July 18). *Important update on APRN changes*. <https://ksbn.kansas.gov/>. Accessed July 28, 2022.

license to practice in Missouri as long as they have been licensed for one year and have met minimum education requirements in their state) to reciprocity with a variety of caveats, for example, meeting certain training requirements that come with an interstate compact (e.g. a jurisprudence exam is required for licensed physical therapists from PT Compact states to apply for reciprocal licensure in Missouri).

## Missouri Membership in Cross-State Agreements

One common type of interstate reciprocity agreement is a compact, defined as “a contract between two or more states creating an agreement on how to address a particular policy issue, adopt a certain standard, or cooperate on regional or national matters.”<sup>65</sup> These are formalized agreements designed to facilitate access to services for consumers and reciprocity for professionals, passed into law in each member state with standardized language.<sup>66</sup> Once a given number of states pass this legislation (the number can vary), the compact goes into effect.<sup>67</sup> Although the compact is administered by its nongovernmental leadership and the states agree to a set of standards, they still have the ability to monitor licensed workers within state borders.<sup>68</sup>

An additional element of complexity was introduced as technology progressed to allow for telehealth visits as well as in-person visits. Because telehealth providers must generally hold a license to practice in both their home state and the state in which their patients reside, states developed reciprocity agreements to ease this burden.<sup>69</sup> Although this element took on new importance due to COVID-19, states were addressing these issues prior to the pandemic.

As of May 2022, Missouri is a member of five interstate compacts: the Nurse Licensure Compact (NLC), the Psychology Interjurisdictional Compact (PSYPACT), the Emergency Medical Services (EMS) Compact, the Physical Therapy (PT) Compact, and the Occupational Therapy (OT) Compact.

The NLC is the earliest of Missouri’s interstate agreements, adopted in 2010. This legislation allows nurses to practice in the 35 other states that have adopted the NLC without requiring additional licensure from

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<sup>65</sup> George, K. (2021, July). *Licensure and interstate compacts. national conference of state legislatures, telehealth explainer series brief*. National Conference of State Legislatures. [https://www.ncsl.org/Portals/1/Documents/Health/Licensure-and-interstate-compacts\\_36242.pdf](https://www.ncsl.org/Portals/1/Documents/Health/Licensure-and-interstate-compacts_36242.pdf).

<sup>66</sup> Ibid.

<sup>67</sup> The Council of State Governments. (2022). *National center for interstate compacts*. <https://licensing.csg.org/compacts>.

<sup>68</sup> George, K. (2021, July). *Licensure and interstate compacts. National conference of state legislatures, telehealth explainer series brief*. National Conference of State Legislatures. [https://www.ncsl.org/Portals/1/Documents/Health/licensure-and-interstate-compacts\\_36242.pdf](https://www.ncsl.org/Portals/1/Documents/Health/licensure-and-interstate-compacts_36242.pdf); Research Division Staff. (2020, June). *Occupational licensing: Interstate licensing compacts*. Research Division: Legislative Counsel Bureau. <https://www.leg.state.nv.us/Division/Research/Documents/InterstateOccupationalLicensingCompacts.pdf>.

<sup>69</sup> George, K., (2021, July). *Licensure and Interstate Compacts. National conference of state legislators, telehealth explainer series brief*. [https://www.ncsl.org/Portals/1/Documents/Health/Licensure-and-interstate-compacts\\_36242.pdf](https://www.ncsl.org/Portals/1/Documents/Health/Licensure-and-interstate-compacts_36242.pdf).

those states.<sup>70</sup> The original compact was supplanted by an Enhanced NLC (eNLC) in 2017. Registered Nurses and Licensed Practical Nurses/Vocational Nurses who are licensed in their home states and pass an NCLEX exam, along with a few other requirements, can obtain a multistate license for all Compact states to practice in person and via telenursing; nurse educators with a multistate license can teach via distance learning in all Compact states.<sup>71</sup>

Missouri was a founding member of PSYPACT in June of 2018, which allows for telepsychology and for “the temporary in-person, face-to-face practice of psychology” by psychologists across the boundaries of its 32 member states plus Washington, DC.<sup>72</sup> Practitioners with an unrestricted, active license in their home state may apply for a telepsychology and/or an in-person credential. Telepsychology is not limited to a certain time frame, but requires annual renewal; in-person practice is limited to 30 days per year.<sup>73</sup>

In July of 2018, Missouri was an early adopter of the PT Compact, which allows physical therapists to practice in the Compact’s 24 member states.<sup>74</sup> Physical Therapists and PT Assistants with a valid license and no disciplinary action for the past two years can apply through the Compact for privileges in other member states for a small fee. Missouri also requires that they pass a jurisprudence exam. Fees are waived for active-duty military members, military spouses, and veterans.<sup>75</sup>

Also in July of 2018, Missouri entered the EMS Compact, which allows EMS personnel to practice in the Compact’s 21 member states. Emergency medical personnel with a valid license in their home state may practice in other EMS Compact member states if that state adheres to the National Registry of Emergency Medical Technicians examination. The compact also includes a coordinated database into which Missouri is fully integrated.<sup>76</sup>

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<sup>70</sup> Nurse Licensure Compact. (2022). *National Council of State Boards of Nursing*. <https://www.ncsbn.org/nurse-licensure-compact.htm>. Accessed May 19, 2022.

<sup>71</sup> eNLC fast facts. (n.d.). *National Council of State Boards of Nursing*. [https://www.ncsbn.org/NLC\\_Fast\\_Facts.pdf](https://www.ncsbn.org/NLC_Fast_Facts.pdf). Accessed May 19, 2022; Uniform Licensure Requirements for a Multistate license. (n.d.). *National Council of State Boards of Nursing*. [https://www.ncsbn.org/NLC\\_ULRs.pdf](https://www.ncsbn.org/NLC_ULRs.pdf). Accessed May 19, 2022.

<sup>72</sup> *About us*. (2022). PSYPACT. <https://psypact.site-ym.com/page/About>. Accessed May 10, 2022; *Map*. (2022). PSYPACT. <https://psypact.site-ym.com/page/psypactmap>. Accessed May 10, 2022.

<sup>73</sup> *My state enacted PSYPACT: What happens next?* (2022). PSYPACT. [https://cdn.ymaws.com/psypact.site-ym.com/resource/resmgr/handouts/psypact\\_what\\_happens\\_next\\_-\\_pdf](https://cdn.ymaws.com/psypact.site-ym.com/resource/resmgr/handouts/psypact_what_happens_next_-_pdf). Accessed May 19, 2022; *Practice under PSYPACT*. (2022). PSYPACT. <https://psypact.site-ym.com/page/PracticeUnderPSYPACT>. Accessed May 19, 2022.

<sup>74</sup> *Compact map* (2022). PT Compact. <https://ptcompact.org/ptc-states>. Accessed May 10, 2022.

<sup>75</sup> *Compact status: Missouri*. (2022). PT Compact. <https://ptcompact.org/State/MO>. Accessed May 19, 2022; *How to get compact privileges*. (2022). PT Compact. <https://ptcompact.org/How-to-Get-Privileges>. Accessed May 19, 2022.

<sup>76</sup> S.B. 870, 99th Gen. Assemb. (Missouri 2018). <https://house.mo.gov/Bill.aspx?bill=SB870&year=2018&code=R&cal=1>; *Member states: Missouri*. (2022). *The EMS Compact*. <https://www.emscompact.gov/the-commission/commissioners/missouri>. Accessed May 19, 2022.

In June of 2021, Missouri approved the Occupational Therapy Compact, which entered into force in 2022 after the requisite 10<sup>th</sup> state joined. This compact allows Occupational Therapists and OT Assistants licensed in one member state to practice in the others, and establishes a commission and a data system to allow members' licenses to be verified across the member states.<sup>77</sup>

### **Veterans, Military Spouses, and Underserved Populations**

As laid out in the 2016 report, veterans “face unique obstacles in their efforts to transition back to the civilian workforce.”<sup>78</sup> While this remains true, efforts continue to be made to help veterans with this transition. Nearly half of veterans reported that the challenges they face in finding a job after their period of service were not common to all jobseekers. One of these challenges is difficulty finding an initial civilian job, with 53% reporting at least four months of unemployment between leaving the military and obtaining a job. This can be even more difficult for women veterans, who were not only more likely to report difficulty transitioning into civilian life than their male counterparts, but also less likely than their male counterparts to find a job within the first three months after their exit, and likely to earn less than male veterans when they did get a job. Women veterans did however tend to earn more than women non-veterans.<sup>79</sup> Military spouses also face additional challenges, as they experience higher-than-average unemployment, over one-third work in occupations requiring a license, and they move across state lines about once every two or three years, which is ten times more than the average American. This can create delays in being able to work, which leads to a loss of income. It also results in duplication of effort, as applications are restarted and data re-verified with every move.<sup>80</sup>

Efforts to ease this transition into the civilian labor force have been ongoing, including federal legislation as well as several bills in different states focusing on increasing the reciprocity of licensure and certification for active-duty members, military spouses, and veterans. Although dedicated efforts to increase the portability of licenses for military families became a White House priority as far back as 2012, it has remained an issue of note, with an Executive Order including provisions for military spouses signed in 2021.<sup>81</sup> NCSL data on

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<sup>77</sup> About. (2022). Occupational Therapy Licensure Compact. <https://otcompact.org/about/>. Accessed May 19, 2022.

<sup>78</sup> Johnson, E., Aggarwal, S., Bezjak, S., Butitova, D., Muinul Islam, M., and Poudel, H. (2016, November). *Occupational licensing and women entrepreneurs in Missouri: A report to the women's foundation*. The Institute of Public Policy at the University of Missouri.

<sup>79</sup> U.S. Chamber of Commerce Foundation. (2016, November). *Veterans in the workplace: Understanding the challenges and creating long-term opportunities for veteran employees*. [https://www.uschamberfoundation.org/sites/default/files/Veterans%20in%20the%20Workplace\\_0.pdf](https://www.uschamberfoundation.org/sites/default/files/Veterans%20in%20the%20Workplace_0.pdf). Accessed June 1, 2022; Institute for Veterans and Military Families. (2020, March). *Women in the military: Transition, employment, and higher education after service*. [https://ivmf.syracuse.edu/wp-content/uploads/2020/03/2020\\_WomensHistory\\_3.11.20\\_final-1.pdf](https://ivmf.syracuse.edu/wp-content/uploads/2020/03/2020_WomensHistory_3.11.20_final-1.pdf). Accessed June 6, 2022.

<sup>80</sup> Bradbard, D.A., Maury, R., Armstrong, N.A. (2016, July). *The force behind the force: A business case for leveraging military spouse talent (Employing Military Spouses, Paper No. 1)*. Syracuse, NY: Institute for Veterans and Military Families, Syracuse University. <https://ivmf.syracuse.edu/wp-content/uploads/2016/07/The-Force-Behind-the-Force-Infographic.pdf>; Kurtzleben, D. (2021, July 11). *How occupational licensing rules affect military families*. NPR. <https://www.npr.org/2021/07/11/1015120416/how-occupational-licensing-rules-affect-military-families>. Accessed June 12, 2022.

<sup>81</sup> The White House. (2021, June 25). *Executive order on diversity, equity, inclusion, and accessibility in the federal workforce*. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/06/25/executive-order-on-diversity-equity-inclusion-and-accessibility-in-the-federal-workforce/>;

legislation passed between 2017 and 2019 shows that 120 bills were introduced and 51 passed that focused on reducing barriers for veterans and/or military spouses. The focus for veterans was on allowing education and experience gained through the military to apply to civilian requirements for licensure; the focus for military spouses was flexibility in the form of reciprocity across state lines, expedited licensure in-state, and the granting of temporary licenses.<sup>82</sup> As of 2020, despite 46 states enacting legislation requiring one of these measures (and half requiring all three), implementation has lagged behind. For example, 186 boards across 31 states passed legislation supporting expedited applications for licensure for military spouses, but only 37% of those boards expedited such applications.<sup>83</sup>

The U.S. DOL classifies Missouri as among the states with the most flexible interstate license recognition options for military spouses.<sup>84</sup> There have also been efforts to encourage entrepreneurship among veterans, with the Missouri Division of Purchasing having set a goal of 3% of contracts to be awarded to qualified service-disabled veteran-owned businesses.<sup>85</sup>

Veterans are not the only population facing difficulties in entering the workforce; individuals with criminal records, dislocated and low-income workers, and immigrants are also groups identified by the NSCL as facing particular difficulty. Some progress is being made in this regard as well, however. The Fresh Start Act of 2020 (in HB 2046) established that in Missouri a person with a criminal record cannot be denied a license because of that record unless the conviction directly relates to the duties of the profession or is violent or sexual in nature. Additionally, individuals with criminal records can ask the board whether their record will disqualify them from obtaining a license and the board must respond.<sup>86</sup>

## Barriers Updates

As previously identified, occupational licensing requirements can create barriers to entry for those who are in the greatest need of economic opportunity. Required hours of training, exam fees, licensing fees, and renewal fees can present a financial barrier to those seeking to enter professions requiring licenses or certifications. While these requirements offer consumers a measure of protection, excessive regulation can place an undue burden on applicants and exclude potential workers without additional benefits to consumers. Although there is no set standard for identifying the degree of economic burden licensure would place on workers, there are several national best practices for occupational licensing and a few state examples from which to draw. A 2015 report issued by the White House presented 12 total recommendations grouped into three overall suggestions: “ensure that licensing restrictions are closely targeted to protecting public health and safety, and are not overly broad or burdensome,” “facilitate a

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<sup>82</sup> NCSL. (2020, December). *Occupational licensing: Assessing state policies and practices final report*.

<sup>83</sup> Ballard, J. and Borden, L. (2020). A study on military spouse licensure portability in legislation and practice. *Journal of Financial Counseling and Planning*. 31(2):209-218.  
<https://files.eric.ed.gov/fulltext/EJ1279873.pdf>; Kurtzleben, D. (2021, July 11).

<sup>84</sup> U.S. Department of Labor. (2022). *Military spouse interstate license recognition options*.  
<https://www.dol.gov/agencies/vets/veterans/military-spouses/license-recognition#MO>. Accessed June 10, 2022.

<sup>85</sup> Office of Administration. (n.d.) *Missouri service-disabled veteran business enterprise (SDVE) information*. Division of Purchasing. <https://oa.mo.gov/purchasing/vendor-information/missouri-service-disabled-veteran-business-enterprise-sdve-information>.

<sup>86</sup> H.B. 2046. 100th Gen. Assemb. (Missouri, 2020); RSMO 324.012.

careful consideration of licensure’s costs and benefits,” and “work to reduce licensing’s barriers to mobility.”<sup>87</sup> A 2019 NCSL report suggests establishing processes to facilitate the asking of key questions and review of evidence surrounding potential and existing licenses, then developing a response tailored to the state’s individual circumstances. They also echo the White House’s recommendation of reducing licensing’s barriers to mobility through steps like harmonizing licensing requirements across state lines.<sup>88</sup> At the state level, a 2018 Oklahoma Task Force report noted that among the main challenges faced by the Task Force was a “lack of data on occupational licensing” in the state. To combat this, they created a licensing database and recommended that state agencies be required to “submit and maintain proper information for the database on an ongoing basis.”<sup>89</sup> A 2018 Executive Order implemented this recommendation.<sup>90</sup> Other recommendations included increasing the public membership of existing licensing boards, forming an independent review commission, increasing reciprocity, and reviewing current restrictions based on criminal records, among others. They also created a blueprint for legislators to help determine the appropriate level of credentialing for a given occupation.<sup>91</sup>

### **Impact on Women and Women of Color**

As women are more likely to work in occupations that are licensed, and are more likely to earn less than men (both more generally as seen in the Women in the Workforce section above, and often within the same occupation),<sup>92</sup> the economic barriers to entry are likely to impact women. Licensing can offer higher wages, though as noted above this is not necessarily true across all licensed professions, but also requires education, training, and fees. High training and educational requirements can result in student loan debt, which aside from being an economic burden, can also be grounds for losing one’s license in at least a dozen states (though Missouri is not included in these).<sup>93</sup> Workers with a license are more likely than workers without a license to have borrowed money to pay for their education, borrowed larger sums of money than unlicensed workers, and to have outstanding debt. While this is largely driven by graduate-level education, it spans a variety of occupations with differing ability to repay those loans. For example, those going into

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<sup>87</sup> The White House. (2015, July). *Occupational licensing: A framework for policymakers*. [https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing\\_report\\_final\\_nonembargo.pdf](https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf).

<sup>88</sup> National Conference of State Legislatures. (2019, November). *The evolving state of occupational licensing: Research state policies and trends, 2nd edition*. [https://www.ncsl.org/Portals/1/Documents/employ/Occupational-Licensing-2nd-Edition\\_v02\\_web.pdf](https://www.ncsl.org/Portals/1/Documents/employ/Occupational-Licensing-2nd-Edition_v02_web.pdf).

<sup>89</sup> The Occupational Licensing Task Force. (2018, January 9). *Occupational licensing task force report: A study of occupational licensing in Oklahoma*. The Oklahoma Department of Labor. [https://oklahoma.gov/content/dam/ok/en/labor/documents/commissions/occupational/previous/01092018\\_SH\\_OLAC\\_TaskForceReport.pdf](https://oklahoma.gov/content/dam/ok/en/labor/documents/commissions/occupational/previous/01092018_SH_OLAC_TaskForceReport.pdf).

<sup>90</sup> Oklahoma Exec. Order No. 2018-02. (February 7, 2018).

<sup>91</sup> The Occupational Licensing Task Force. (2018, January 9). *Occupational licensing task force report: A study of occupational licensing in Oklahoma*. The Oklahoma Department of Labor. [https://oklahoma.gov/content/dam/ok/en/labor/documents/commissions/occupational/previous/01092018\\_SH\\_OLAC\\_TaskForceReport.pdf](https://oklahoma.gov/content/dam/ok/en/labor/documents/commissions/occupational/previous/01092018_SH_OLAC_TaskForceReport.pdf).

<sup>92</sup> U.S. Department of Labor, Women’s Bureau. (n.d.). *Employment and earnings by occupation*. <https://www.dol.gov/agencies/wb/data/occupations>.

<sup>93</sup> Sibilla, N. (2018, August 28). *Defaulting on a student loan could cost you your job in these professions*. NBC News. <https://www.nbcnews.com/think/opinion/defaulting-student-loan-could-cost-you-your-job-these-professions-ncna904476>. Accessed June 7, 2022.

social work or counseling take on a large amount of debt, but are less successful at repaying it than those in other fields.<sup>94</sup> Social workers, particularly new social workers, are nearly 90% women, and much more racially and ethnically diverse than other health care professions.<sup>95</sup> Sixty-five percent of educators under the age of 35 have incurred student loan debt, and among older educators, over 25% are still paying off their loans. These numbers are higher for educators of color.<sup>96</sup>

Some research suggests that licensing evens out the gender and racial wage gap, as having a license is associated with a reduction in the difference in wages between white men as the reference group and white women (40%), Black women (36%), and Black men (43%).<sup>97</sup>

## Administrative Barriers Updates

The previously identified administrative barriers associated with occupational licensing have shown varying levels of improvement since 2016. The barriers are:

- 1) *No cost-benefit analysis* – There is no required legislative or administrative process to conduct a cost-benefit analysis prior to forming a new board.
- 2) *Industry control* – Most boards are comprised almost entirely of practitioners, leaving the public with little impact on board processes or rule-making.
- 3) *No systematic data collection or measure of performance* – Data are not collected by boards or by the DPR in a consistent manner, and board websites are not standardized. This makes information difficult to access and analyze.

The first identified barrier, the lack of a cost-benefit analysis, has been addressed by the Missouri legislature. In 2018, House Bill 1500<sup>98</sup> was incorporated into RSMO 324.047, which codified the evaluation of governmental, economic, and societal costs and benefits prior to imposing a new regulation. It also states that the regulation adopted should be the least restrictive option while still protecting the public interest.

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<sup>94</sup> Timmons, E. J. and Bae, K. (2021, February). *On borrowed time: How occupational licensing affects student loan debt*. Mercatus Center. Policy Brief. <https://www.mercatus.org/publications/student-loan-crisis/borrowed-time-how-occupational-licensing-affects-student-loan-debt>.

<sup>95</sup> Salsberg, E., Quigley, L., Richwine, C., Sliwa, S., Acquaviva, K., and Wyche, K. (2020, August). *The social work profession: Findings from three years of surveys of new social workers*. The Fitzhugh Mullan Institute for Health Workforce Equity at George Washington University. <https://www.cswe.org/CSWE/media/Workforce-Study/The-Social-Work-Profession-Findings-from-Three-Years-of-Surveys-of-New-Social-Workers-Dec-2020.pdf>.

<sup>96</sup> Hershcopf, M., Puckett Blais, M., Taylor, E.D., and Pelika, S. (2021). *Student loan debt among educators: A national crisis*. Washington, DC: National Education Association. <https://www.nea.org/sites/default/files/2021-07/Student%20Loan%20Debt%20among%20Educators.pdf>.

<sup>97</sup> Blair, P.Q. and Chung, B. W. (2018). *Job market signaling through occupational licensing*. National Bureau of Economic Research Working Paper 24791. [https://www.nber.org/system/files/working\\_papers/w24791/w24791.pdf](https://www.nber.org/system/files/working_papers/w24791/w24791.pdf).

<sup>98</sup> HB 609 (2017) contains substantially similar sections to HB 1500 (2018) and RSMO 324.047. The concepts of justifying new regulations with a cost-benefit analysis and of enacting the least restrictive type of regulation exists in both pieces of legislation and in the Missouri statutes.

The second identified barrier, industry control over licensing boards and committees, has seen less movement. A nationwide 2017 study of state licensing boards that impose significant licensure requirements found that 85% were dominated by licensed practitioners. Even those boards not comprised of a majority of practitioners were frequently still controlled by practitioners, as vacant seats were more likely to be those of lay-people or consumers. In Missouri, 70% of boards were classified as practitioner-dominated.<sup>99</sup> Additionally, there are still significant amounts of vacancies on Missouri boards and commissions; over half of boards have at least one vacancy, and of those, over half were public members. See Appendix A for details.

The final identified barrier, the lack of systematic data collection efforts or performance measures, has also seen less concrete examples of success than efforts to address the first barrier. There is no publicly available evidence of standardized data collection or publicly available standardized performance measures.

### Impact of COVID-19 on Existing Barriers

The pandemic is unlikely to have impacted the first identified barrier, the lack of a cost-benefit analysis, as a cost-benefit analysis had already been written into Missouri statute by early 2020. The pandemic may have exacerbated the second identified barrier, industry control over licensing boards and committees, by virtue of making it difficult to meet, appoint new members, or encourage public participation. COVID-19 is likely to have impacted the final barrier, lack of systematic data collection and performance benchmarks, through an increased difficulty collecting information. For example, the pandemic forced census data collection to stop, delaying the production of new data and potentially making defining performance measures more difficult.<sup>100</sup>

Aside from the above barriers, COVID-19 has presented challenges that have worsened existing barriers to obtaining or retaining an occupational license. First and foremost, the educational and training requirements for many occupations were impacted by state and local shutdowns, travel restrictions, and social distancing or stay-at-home orders. Many states recognized these increased difficulties and modified, suspended, or waived licensure, renewal, or reciprocity requirements, particularly for occupations necessary for responding to the pandemic.<sup>101</sup> In Missouri, every board and commission halted the testing required to obtain a license for several months, reinstating it during the summer of 2020, frequently with the addition of social distancing protocols.<sup>102</sup> It also made the process of applying for, paying for, and receiving a license more difficult, as this process is almost entirely paper-based.<sup>103</sup> Additionally, the economic requirements of acquiring a license may have been made more burdensome if job losses made it more difficult to afford to train for and obtain a license. This impact may have been even greater for women,

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<sup>99</sup> Allensworth, R. (2017). Foxes at the henhouse: Occupational licensing boards up close. *California Law Review*, 105(6), 1567-1610.

<sup>100</sup> U.S. Census Bureau. (2021, January). *Frequently asked questions: The impact of the coronavirus (COVID-19) pandemic on the Current Population Survey/Housing Vacancy Survey (CPS/HVS)*. [https://www.census.gov/housing/hvs/files/qtr420/impact\\_coronavirus\\_20q4.pdf](https://www.census.gov/housing/hvs/files/qtr420/impact_coronavirus_20q4.pdf).

<sup>101</sup> The Council of State Governments. (2022). *Occupational licensure policy: COVID-19 occupational licensure policy responses*. <https://licensing.csg.org/covid-policy-responses/>. Accessed June 7, 2022.

<sup>102</sup> Missouri Division of Professional Registration. (2020). *Missouri division of professional registration testing update*. <https://pr.mo.gov/common/TestingUpdates.pdf>.

<sup>103</sup> Information provided by Director Sheila Solon.

who were already disproportionately economically affected by COVID-19.<sup>104</sup> One potential lessening of these barriers to access was the broad approval of waivers during the state of emergency allowing full reciprocity for out-of-state physicians and surgeons in Missouri, as well as the many additional temporary waivers centered on healthcare professions.<sup>105</sup>

### **American Rescue Plan Act (ARPA) Funding to Create an Online Licensing System**

The Division of Professional Registration recently secured \$21 million in ARPA funding to create and maintain a new licensing system that will empower the workforce and potentially enable improved data collection. Because the DPR currently uses a 25-year old system that is no longer supported by the vendor and has just two skilled ITSD personnel, last year the Division “manually processed 50,000 licensure paper applications, 55,000 paper renewals, 126,000 address changes, 80,000 name changes, and 5,000 complaints.”<sup>106</sup> License renewals are the only part of the Division for which applicants can use a credit card and apply online, and a survey included with the renewal forms shows an average of 93% satisfaction with the individual boards’ licensure processes in the 2020/2021 renewal year.<sup>107</sup> ARPA funds will be used to create an online system for the entirety of the licensure process, empowering “applicants and licensees to have more control over their own future by vastly improving access to their application status and the ability to enter their own data into the system.”<sup>108</sup> Round-the-clock access for applicants and licensees to their data will make the process of applying for and obtaining a license faster, easier, and more efficient, allowing professionals to enter the workforce more quickly.<sup>109</sup> It is likely that the creation of an online data system will also make it easier for the DPR to systematize data collection for use in developing performance benchmarks.

## **National Policy Updates Since 2016**

Since the prior report in 2016, there have been several policy changes across the U.S. related to occupational licensing. In 2017 the National Conference of State Legislatures, with support from the U.S. Department of Labor, created a voluntary consortium of states to discuss occupational licensing and create plans to remove barriers to entry. Eleven states (Arkansas, Colorado, Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Nevada, Wisconsin and Utah) participated in multi-state meetings, in-state meetings, webinars and peer-learning calls, received technical assistance, developed state action plans, and submitted progress reports and a final summary throughout the process. In 2019, case studies were

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<sup>104</sup> *More than statistics: How COVID-19 is impacting working women.* (2021, July 21). U.S. Department of Labor. <https://blog.dol.gov/2021/07/21/more-than-statistics-how-covid-19-is-impacting-working-women>; Heggeness M. L., and Fields, J. M. (2020, August 18). *Parents juggle work and child care during pandemic: Working moms bear brunt of home schooling while working during COVID-19.* U.S. Census Bureau. <https://www.census.gov/library/stories/2020/08/parents-juggle-work-and-child-care-during-pandemic.html>.

<sup>105</sup> Missouri Governor’s Office. (n.d.). *Governor Parson continues efforts to eliminate barriers, expand ability to provide health care during COVID-19 crisis.* <https://governor.mo.gov/press-releases/archive/governor-parson-continues-efforts-eliminate-barriers-expand-ability-provide>.

<sup>106</sup> Information provided by Director Sheila Solon.

<sup>107</sup> Information sourced from a brochure created by the Missouri Division of Professional Registration for legislators, published in January 2022 and provided to the authors by Director Solon.

<sup>108</sup> Information provided by Director Sheila Solon.

<sup>109</sup> Information provided by Director Sheila Solon.

conducted on each state’s progress towards their individualized goals. General progress included reducing regulatory requirements (particularly for veterans and those with criminal records), strengthening data collection and coordination, and drafting legislation to join interstate compacts. For example, Illinois passed a bill stating more clearly that licenses or certifications are not to be denied to individuals based on a prior criminal conviction and that mitigating factors around the arrest must be considered. Kentucky eased the process of licensure for current military service members, veterans, and their spouses, and began the process of creating an online “clearinghouse” for all state licensing boards. Additionally, a database of commonly licensed occupations and legislation concerning them was created.<sup>110</sup>

## Missouri Policy Updates Since 2016

Since the prior report in 2016, Missouri has enacted several policy changes related to licensure; the following subsections explore these changes.

### Executive Order 17-11

In April 2017, then-Governor Greitens signed Executive Order 17-11. This order established the Boards and Commissions Task Force to evaluate the purpose and necessity of existing boards and commissions, determine their effectiveness through a broad consideration of costs and benefits, identify opportunities to eliminate or consolidate boards and commissions and to reduce barriers to entry, and to recommend comprehensive executive and legislative reform proposals to the Governor by October of that year. This task force was comprised of 12 members and co-chaired by the Lieutenant Governor (now-Governor Mike Parson) and the Director of Boards and Commissions. Upon submission of its recommendations, the Task Force was dissolved.<sup>111</sup>

After sending a survey to all appointed boards and commissions, obtaining testimony from each department, and additional meetings, the Task Force’s recommendations were submitted on October 31, 2017. The Task Force found that vacancies were an issue, and 5% of boards and commissions were not meeting due to a lack of quorum. The report proceeds in two parts: recommendations by department and action items based on the collective recommendations. Key themes that reoccur throughout the document are continuing to evaluate reciprocal licensure, eliminating gubernatorial appointments through the consolidation of boards and committees, dissolving committees where functions are largely duplicated, and reducing board and committee membership positions, all where appropriate. Action has been taken on several key points of the report, including increasing reciprocity and making it easier to fill vacancies through legislation allowing the Director of the DPR or a board or commission to appoint advisory board members.<sup>112</sup>

### Cosmetology Occupations

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<sup>110</sup> National Conference of State Legislatures. (2020, December). *Assessing state policies and practices: Project overview and lessons learned from the occupational licensing learning consortium*. [Occupational Licensing Final Report: Assessing State Policies and Practices \(ncsl.org\)](https://www.ncsl.org/legislative-policy/occupational-licensing-final-report)

<sup>111</sup> Executive Order 17-11, April 11, 2017.

<sup>112</sup> Information provided by Director Sheila Solon.

Two significant advances have been made within the fields of Cosmetology and Barbering. The first is the exemption of hair braiders from needing a cosmetology license, and the second is the exemption of individuals who engage solely in shampooing from needing a cosmetology license.

### House Bill 1500 (2018) – Hair Braiding

In 2014 the Institute for Justice filed a lawsuit against the Board of Cosmetology and Barber Examiners on behalf of two Missouri women, Joba Niang and Tameka Stigers, who own African-style hair braiding businesses. Before the court could make a decision, the Missouri legislature passed House Bill 1500, which among other licensing reforms, allowed hair braiders to register, pay a \$20 fee, watch a four- to six-hour training video, and submit to board inspections instead of obtaining a license. The passing of this bill, sponsored by Representative Dogan and supported by testimony from the Women’s Foundation (now United WE), rendered the Missouri Supreme Court’s decision moot, and in October of 2018 the Court accepted a motion by the Institute for Justice (IJ) and the Missouri Attorney General to vacate the case to a lower court where it was dismissed.<sup>113</sup>

### House Bill 273 (2021) – Shampooing, Reciprocity, and Additional Reforms

Another instance of licensing reform is House Bill 273, sponsored by Representative Hannegan. This bill “prohibits the [DPR] from requiring a license if a person engages solely in shampooing under the supervision of a licensed barber or cosmetologist.”<sup>114</sup> Although shampooing is still part of the curriculum required to be a cosmetologist or barber, those who only practice as a shampooer no longer have to complete the hundreds of hours of training and pay potentially over \$100 in fees to become a licensed cosmetologist or barber. This reduces the economic burden on shampooers and may make it easier for hair salons and barbershops to hire them.<sup>115</sup>

This bill also allows those with valid military-issued licenses to apply for an equivalent Missouri license, and adopts the Occupational Therapy Licensure Compact.<sup>116</sup> A further element of this bill requires licensing

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<sup>113</sup> Institute for Justice. (n.d.) *Missouri hair braiding: Untangling entrepreneurs from Missouri’s cosmetology laws*. <https://ij.org/case/missouri-hair-braiding/>; United WE. (2019, May). *New laws mean fewer licensing regulations and lower fees for veterans and women entrepreneurs*. <https://united-we.org/news/2019/5/7/new-laws-mean-fewer-licensing-regulations-and-lower-fees-for-veterans-and-women-entrepreneurs?rq=missouri>; United WE. (2018, January). *Women’s Foundation testifies for bill to reduce licensing regulations on hair braiders*. <https://united-we.org/news/2018/1/8/womens-foundation-testifies-for-bill-to-reduce-licensing-regulations-on-hair-braiders>; Wimer, A. (2018, October). *U.S. Supreme Court rules in Missouri hair braiding case*. Institute for Justice. <https://ij.org/press-release/u-s-supreme-court-rules-in-missouri-hair-braiding-case/>.

<sup>114</sup> H.B. 273, 101st Gen. Assemb., (Missouri 2021). <https://house.mo.gov/Bill.aspx?bill=HB273&year=2021&code=R>

<sup>115</sup> Haughey, J. (2021, May 19). After 2020 revamp, ‘small steps’ for Missouri occupational licensing reform in 2021. *The Center Square*. [https://www.thecentersquare.com/missouri/after-2020-revamp-small-steps-for-missouri-occupational-licensing-reform-in-2021/article\\_1b0f6692-b8cd-11eb-a0df-f77e32f5afe3.html](https://www.thecentersquare.com/missouri/after-2020-revamp-small-steps-for-missouri-occupational-licensing-reform-in-2021/article_1b0f6692-b8cd-11eb-a0df-f77e32f5afe3.html); (n.d.). Missouri Secretary of State. Division 2085 - board of cosmetology and barber examiners. <https://www.sos.mo.gov/adrules/csr/current/20csr/20csr.asp#20-2085>.

<sup>116</sup> H.B. 273, 101st Gen. Assemb., (Missouri 2021); United WE. (2021, June). *Statement on signing of licensing bills*. <https://united-we.org/news/2021/6/22/statement-on-signing-of-licensing-bills?rq=shampooing>.

authorities to provide those whose applications for a license were denied with written notification of why they were denied, without exception. This is particularly important for individuals with criminal records, who can currently petition a licensing authority to tell them whether that criminal record will disqualify them.

### RSMO 324.027 – Cost-Benefit Analysis

This statute concerns the regulation of certain occupations and professions; the “purpose of this section is to promote general welfare by establishing guidelines for the regulation of occupations and professions not regulated prior to January 1, 2019, and... combining any additional occupations or professions under a single license regulated by the state prior to January 1, 2019.” Changes went into effect on August 28, 2020.

Occupations are to be regulated if leaving them unregulated could harm the public, the public could benefit from assured qualifications and, the “general welfare cannot be sufficiently protected by other means.”

When deciding whether these conditions apply, the general assembly should consider the “governmental, economic, and societal costs and benefits” of regulating the occupation if “other regulatory structures, such as bonding, insurance, registration, and certification, insufficiently protect the general welfare from recognizable harm.” After 2019, if any bill was filed proposing new regulation, descriptions of several factors, including potential costs and benefits, are to be provided to the general assembly.

This is in line with sunshine laws in general, which tend to require that new regulation be evaluated for its costs and benefits, and that the legislature must decide whether consumers will be harmed if the profession is not regulated.<sup>117</sup>

### Reciprocity Policy Updates

One of the recommendations of the Governor’s Task Force was to continue evaluating reciprocal licensure; to this end, “the Division worked cooperatively with the legislature” to pass legislation allowing “applicants to effectively and efficiently obtain a Missouri license based on reciprocity.”<sup>118</sup> Several bills since 2016 have included updates to several occupations’ policies on reciprocity. One of the broadest was House Bill 2046 (2020), which removed restrictions on which individuals could apply for reciprocity in Missouri, opening the opportunity for nonresidents (previously only Missouri residents) in almost any occupation (healthcare, public education, and architect occupations were previously exempt) to apply for a Missouri license equivalent to that of their current, valid license in any other state or Washington, D.C. The bill also changes the requirement for the applicant’s licensing requirements to be similar or stricter than Missouri’s to requiring a minimum level of education, and any applicable work or clinical supervision. It does however add the requirement that the license-holder must have had their license for one year, and to protect Missouri citizens, this reciprocity is unavailable to individuals with complaints pending, are under investigation, or have had their license revoked in their home state. Upon signing, Governor Parson stated that this bill eliminates barriers to employment, which hastens citizens’ ability to find work in Missouri, “...helping fill critical jobs in our economy [and highlighting] Missouri as an ideal state to live and work.”<sup>119</sup>

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<sup>117</sup> *Sunrise, sunset, and state agency audits.* (2021). Council on Licensure, Enforcement & Regulation. <https://www.clearhq.org/page-486181>

<sup>118</sup> Information provided by Director Sheila Solon.

<sup>119</sup> Gerber, C. (2020, July 6). Parson expands license reciprocity in Missouri. *The Missouri Times*. <https://themissouritimes.com/parson-expands-license-reciprocity-in-missouri/>.

House Bills 273 (2021) and 476 (2021), both passed in June 2021, include very similar language on reciprocity, particularly for service members and veterans, and both adopt the Occupational Therapy Licensure Compact. HB 273 specifies that any service member with a valid, current license issued by the military can apply for a Missouri license of the same type, and HB 476 classifies a Military Occupational Specialty as a type of licensure issued by the military.

## Fee Waivers

There are two primary groups benefiting from relatively recent efforts to waive occupational licensing fees: military families and low-income individuals. SB 843, passed in 2018, offers a two-year waiver of all fees associated with occupational licensing for active-duty service members, military spouses, veterans, and individuals who are low income (those with a household income of less than 130% of the federal poverty line or those enrolled in state or federal public assistance). These waivers are only available to be used once per person. Since the passage of the bill, the DPR has issued close to 100 fee waivers, nearly all to military families.<sup>120</sup>

## Nursing Policy Updates

As mentioned above, the field of nursing had been facing workforce shortages for years before COVID-19 made these shortages even more severe. The Board of Nursing implemented several reforms to counter this; in 2017, the Board approved a USAF Medical Technician program as a Practical Nursing program, allowing service members to test for and potentially obtain an LPN license after leaving the military; by 2019, over 100 veterans had been licensed through this partnership.<sup>121</sup> In 2018, workforce development was identified by Governor Parson as a top priority, and in 2019 the Board of Nursing implemented several measures to address the shortage. They approved expansions to state nursing schools, adding up to 252 seats in five nursing programs across the state.<sup>122</sup> They also approved a new model of education in nursing schools that allows nursing students in their fourth semester of an associate degree of nursing to earn a wage while completing an apprenticeship.<sup>123</sup> The Board also facilitated connections between a St. Louis-area healthcare provider and educational institution and eliminated exam fees for all first-time RN and LPN candidates.<sup>124</sup> Strategies are in place in Missouri to address building resiliency and mental health wellness,

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<sup>120</sup> Information provided by Director Sheila Solon.

<sup>121</sup> Missouri Department of Commerce & Insurance. (2019, June 3). *Missouri Board of Nursing and members of U.S. Air Force meet to streamline the transition for military service members, veterans and their spouses into the civilian workforce*. DCI News. <https://dci.mo.gov/news/newsitem/uuid/84e45205-9b0e-40dc-a8a3-3a6a2172117f>; Missouri Department of Commerce & Insurance. (2019, November 8). *MO State Board of Nursing reaches milestone of licensing 100 individuals through the Air Force's education and training program*. DCI News. <https://dci.mo.gov/news/newsitem/uuid/580e2781-1793-4b2f-a9bf-cfa0b40885e9>.

<sup>122</sup> Missouri Department of Commerce & Insurance. (2019, March 14). *Missouri State Board of Nursing approves major expansions for nursing programs to address statewide workforce shortage*. DCI News. <https://dci.mo.gov/news/newsitem/uuid/fd31afb8-92a4-46ab-83ec-1cab79e49c87>.

<sup>123</sup> Missouri Department of Commerce & Insurance I. (2019, December 19). *Missouri Nursing Board approves "Earn While You Learn to Be an RN" program in an ongoing effort to combat state nursing shortage*. DCI News. <https://dci.mo.gov/news/newsitem/uuid/f861d6dd-b166-4398-b922-c2d8044bb6ce>.

<sup>124</sup> Missouri Department of Commerce & Insurance. (2019, December 12). *Innovative partnerships help combat the nursing shortage in Missouri*. DCI News. <https://dci.mo.gov/news/newsitem/uuid/ffdb98ac-f4eb-4bfc-8585-17497e32dc76>; DCI. (2019, August 30). Fee rule change, effective today, eases the financial

developing further academic/clinical partnerships, and to address nursing faculty shortages and resource issues.<sup>125</sup>

## Comparison to Neighboring States Updates

In this section, we again examine the five states reviewed previously (Arkansas, Illinois, Iowa, Kansas, and Nebraska) as well as Oklahoma, as neighboring states to which Missouri can be compared.

At the time the 2016 report was published, it used the latest data available from the Institute of Justice concerning the burden of licensure in each state, which was released in 2012. Updated information from IJ was released in 2017, and shows that Missouri has since increased its overall burden of licensure, with six additional low-income occupations licensed. These added occupations are: landscape contractor (commercial,) landscape contractor (residential), child care home (family), make-up artist, shampooer (now defunct), and psychiatric technician. It should be noted that one occupation listed as regulated in Missouri in 2012 has since been removed (backflow prevention assembly tester) and one occupation (truck driver) was split into two (truck driver, tractor-trailer; and truck driver, other). This and other factors lead to a 13-point increase in the ranking of average burden among low-income occupations and a 4-point increase in the ranking by number and average burden of requirements. Average fees increased from \$100 in 2012 (\$107 with inflation to 2017 dollars) to \$179 in 2017; average days of education required increased from 220 to 348 days. Despite these increases, Missouri still ranks in the top ten least-burdensome states. Nebraska had the least required amount of average fees (\$76) while Nevada required the highest average fees (\$704). In terms of state rankings by number and average burden of licensing requirements combined, California is the most restrictive while Wyoming is the least restrictive.

**Table 8: Burden of Licensure, Missouri and Neighboring States, 2017**

States	MO	IL	IA	KS	AR	NE	OK
Number of low-income occupations licensed out of 102	37 ↑	40 ↔	71 ↑	35 ↑	72 ↑	63 ↑	41 -
Ranking by average burden among low-income occupations	22 ↑	35 ↓	37 ↑	40 ↑	6 ↓	51 ↓	18 -
Ranking by number and average burden of requirements	43 ↑	39 ↓	12 ↑	45 ↓	3 ↑	27 ↑	35 -
Average annual fees	\$179	\$244	\$178	\$133	\$246	\$76	\$234

burden for those entering the nursing profession. DCI News.

<https://dci.mo.gov/news/newsitem/uuid/45a52a52-22e3-4045-9a6d-c4e1ad28cea4>.

<sup>125</sup> Missouri State Board of Nursing. (n.d.) *Missouri state board of nursing strategies to address the nursing workforce shortage*; Missouri Hospital Association. (2021, May). *2021 workforce report*.

[https://www.mhanet.com/mhaimages/Workforce/2021/2021\\_WF\\_report.pdf](https://www.mhanet.com/mhaimages/Workforce/2021/2021_WF_report.pdf).

Average days of education/experience	348	249	288	200	642	118	399
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\*Source: Institute of Justice, 2017 (1 – most licensed, 50 – least licensed)

\*Upward arrows indicate increased burden since 2012, downward arrows indicate decreased burden since 2012

An alternative source of licensing data found that as of 2018, 29.1% of Missouri’s workforce was licensed or certified, which ranked the state as the 8<sup>th</sup> most licensed and certified state.<sup>126</sup>

Aside from the number of occupations requiring a license, an alternate measure of burden is the fees required for licensure. In 2018, the DPR announced that nearly every renewal fee in the state was reduced or held constant, and just over half of those fees are \$50 or under.<sup>127</sup> As of 2020, Missouri had several occupations for which initial and/or renewal fees were the lowest in the country,<sup>128</sup> and frequently was below the national average and the national median.<sup>129</sup>

## Policy and Practice Considerations

The 2016 report identified several actions that the state and related organizations could take to address or reduce issues created by professional registration. These were organized into three broad categories based on which actor could implement them: the community, administration, or legislature. Community-based efforts included mentoring programs for women entrepreneurs, applications for boards and commissions, and making public comments to licensing boards. Administrative efforts include rule changes proposed by board members, data collection for performance measurement, setting performance benchmarks, and standardizing public-facing websites for each board and commission. Legislative actions include adopting sunrise and sunset legislation, and revisions to existing statutes to increase reciprocity, decrease licensing requirements relative to less burdensome credentialing, and deregulate existing licensing boards.<sup>130</sup>

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<sup>126</sup> Pennsylvania Department of State (2021, May). *50 state comparison report: A comparison of state occupational licensure requirements and processes*.

<https://www.dos.pa.gov/ProfessionalLicensing/Documents/50-State-Licensing-Comparison/50-State-Comparison-Report-full.pdf>.

<sup>127</sup> DCI News. (2018, July 2). *Missouri division of professional registration saves professional licensees over \$11 million dollars since 2009*. <https://dci.mo.gov/news/newsitem/uuid/91c2ef9e-7473-4cd9-9dd4-3c1fea26e2fb>. Accessed June 2, 2022.

<sup>128</sup> Renewal fee: Professional Engineer, Professional Land Surveyor, Occupational Therapist; Initial fee: Audiologist, Perfusionist, Physical Therapist, Physical Therapy Assistant; Both: Occupational Therapy Assistant, Speech-Language Pathologist

<sup>129</sup> Pennsylvania Department of State. (2021, May). *50 state comparison report: A comparison of state occupational licensure requirements and processes*.

<https://www.dos.pa.gov/ProfessionalLicensing/Documents/50-State-Licensing-Comparison/50-State-Comparison-Report-full.pdf>.

<sup>130</sup> Johnson, E., Aggarwal, S., Bezjak, S., Butitova, D., Muinul Islam, M., and Poudel, H. (2016, November). *Occupational licensing and women entrepreneurs in Missouri: A report to the women’s foundation*. The Institute of Public Policy at the University of Missouri.

The 2016 report also created a rubric for each actor that included actions to take, the area of impact (on the individual, on procedure, or on policy), and the potential impact of these actions. This report updates that rubric with information concerning actions taken, progress still to be made, and new recommendations. In every category, progress is intended to be continuous, as these actions are ongoing. In the Community section, all of the prior action items have seen ongoing progress. Women entrepreneurs can find assistance through programs like the Missouri Women’s Business Center, women receive assistance in applying for boards and commissions through programs like the Appointments Project®, and public comments are allowed on proposed new rules. The new recommendation is to review the Governor’s Task Force recommendations and advocate for applicable changes. Reviewing the Governor’s Task force recommendations will increase public knowledge of professional registration and increase public engagement.

In the Administration section, all of the previous recommendations have not yet seen the type of ongoing progress noted in the other sections. The new recommendations are to review COVID-19 specific executive orders for potential permanent changes to Missouri statute, rules, and/or boards and commissions. During the declared state of emergency, the DPR “had over 150 waivers of statutes and regulations for most of its boards... The Division’s boards continue to evaluate the statutes and regulations that were waived looking to make permanent changes. For instance, the Division’s Boards of Nursing and Registration for the Healing Arts have discussed a permanent change in the jointly promulgated regulation that requires collaborative practice practitioners to be within 75 miles of each other.”<sup>131</sup> This recommendation may also require coordination with legislative actors. Implementing the online licensing operating system will give applicants more flexibility, control, and ease of access and speed entry into the workforce and allow for data collection.

In the Legislative section, some action items have seen progress, while others have not. Although it is not called a “sunrise” law, legislation has been passed to write a cost-benefit analysis into Missouri statute. Reciprocity has increased, and certain occupations have been de-licensed. Areas to improve include establishing a sunset provision and allowing for less stringent forms of regulation than licenses where possible. The new recommendation is to continue to review the Task Force’s recommendations. See Appendix B for an updated policy and practice considerations rubric.

Another measure of progress can also be determined using legislative data and categories from the NCSL occupational licensing legislation database.<sup>132</sup> Created in 2020 by the NCSL in partnership with the U.S. Department of Labor, the National Governor’s Association, and the Council of State Governments and updated continuously, this database collects legislation concerning occupational licensing relating to 34 occupations licensed in over half of U.S. states. The main topics of interest were listed in the 2020 report, though they are arranged here in order of least restrictive to most restrictive. Appendix C displays Missouri’s legislative efforts.

Missouri has introduced relatively few pieces of legislation in 2022, as well as in 2021 and 2020. Relatively more bills were introduced in 2019, though still fewer than those introduced in the first half of 2022 by other midwestern states. Illinois, for example, introduced 49 bills, Oklahoma introduced 34 bills, Iowa introduced 28 bills, and Kansas introduced 20 bills. Arkansas has not yet introduced any bills in 2022.

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<sup>131</sup> Information provided by Director Sheila Solon.

<sup>132</sup> *Occupational licensing legislation database*. (2022, updated). National Conference of State Legislatures. <https://www.ncsl.org/research/labor-and-employment/occupational-licensing636476435.aspx>.

### **Impact on Women of Color**

Some of the de-licensing efforts have benefited occupations that are predominantly filled by Black women, like hair braiding, and some community-based efforts to help women apply for boards and commissions specifically emphasize racial equity as well. The Missouri Women’s Business Center offers development assistance with a “focus on minority and low-to-moderate income-based entrepreneurs.”<sup>133</sup> Other efforts, like temporary reciprocity increases for healthcare professions or standardization of public-facing websites, are less likely to have an effect specifically on women of color.

## **Conclusion**

Occupational licensing balances protecting the public while not unduly limiting economic opportunity. Women still tend to be employed in licensed occupations to a greater degree than men, and many occupations dominated by women require a license or certification. The last several years of policy changes have focused on increasing license reciprocity and decreasing the burden of licensure where it is unnecessarily heavy. The COVID-19 pandemic has highlighted some of these efforts, as increasing the flexibility of licensed healthcare providers became increasingly important. Efforts to fine-tune this balance between safety and opportunity in Missouri have seen progress over the last several years, though there are still remedies highlighted in the previous report and in this update that could be implemented to alleviate barriers while protecting the health and safety of Missourians.

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<sup>133</sup> Missouri Women’s Business Center. (2022.) *What we do*. <https://mowbc.org/>.

# Appendix A

## Vacancies in MO Boards and Committees

Name of Board	Total Seats	Total Serving	Expired Terms	Vacancies
Accountancy, Board of	7	7	3	0
Acupuncturists**	5	3	UN	2
Architects, Prof. Engineers, Prof. Land Surveyors, & Prof. Landscape Architects	15	6	8	1
Real Estate Appraisers Commission	7	6	4	1
Behavior Analyst Advisory Board	7	5	4	2*
Chiropractic Examiners, Board of	7	6	3	1*
Cosmetology and Barber Examiners, Board of	11	8	6	3*
Counselors, Committee for Professional	6	5	5	1*
Dental Board	7	7	1	0
Dieticians, Committee of	6	5	4	1
Embalmers and Funeral Directors, Board of	6	2	1	4*
Geologist Registration, Board of	8	5	4	3*
Healing Arts, Board of Registration for	9	9	5	0
Athletic Trainer Advisory Committee	6	5	UN	1
Clinical Perfusionists, Advisory Commission for	5	5	UN	0

Physical Therapists, Advisory Commission for	5	4	UN	1
Physician Assistants, Advisory Commission for	5	2	UN	3
Speech-Language Pathologists & Audiologists	7	5	UN	2
Hearing Instrument Specialists	8	5	2	3
Interior Design**	5	4	UN	1
Marital and Family Therapists, Committee of	6	4	1	2*
Therapeutic Massage, Board of	8	5	4	3*
Nursing, Board of	9	6	0	3*
Occupational Therapy, Board of	6	4	4	2*
Optometry, Board of	6	5	4	1*
Pharmacy, Board of	7	7	7	0
Podiatric Medicine, Board of	5	4	2	1*
Private Invest. & Public Fire Investigator Examiners	7	5	4	2*
Psychologists, Committee of	8	6	4	2*
Real Estate (Broker) Commission	7	6	1	1*
Respiratory Care, Board for	7	5	5	2
Sign Language Interpreters (board of certification)	3	2	2	1*

Interpreters (Committee of)	7	6	6	1
Social Workers, Committee for	10	6	6	4*
Veterinary Medical Board	6	5	3	1

\*At least one of these vacancies was the public member

\*\*These boards did not appear on the Boards and Committees webpage

## Appendix B

2022 Rubric

 Progress

 = Ongoing recommendation

 = New recommendation

COMMUNITY				
Actions	Areas of Impact			Potential Impact
	Individual	Procedure	Policy	
1. Provide mentoring to women entrepreneurs	X			Women entrepreneurs are provided technical assistance for entry into the profession
2. Apply for board positions with support from program like the Appointments Project	X	X		Concerned members of the public hold positions usually held by industry insiders and make rules expanding access
3. Provide public comments to boards	X	X		Concerned members of the public suggest rules that expand access
4. Review Task Force recommendations, advocate for applicable changes	X	X		Increased public knowledge of professional registration; concerned members of the public suggest changes to lower fees, improve efficiencies

## ADMINISTRATION

Actions	Areas of Impact			Potential Impact
	Individual	Procedure	Policy	
1. Propose new rule or changes to existing rules	X	X		Board members suggest rule changes to reduce burdens and expand access
2. Collect data and analyze for trends and conduct internal audits to measure performance		X		Boards or the Division collect data to analyze trends and measure performance
3. Set performance benchmarks related to audit findings		X		Boards or the Division set benchmarks to improve performance
4. Standardize all board and commission websites				The public will have easier access to important information regarding licensing
5. Review COVID-19-specific executive orders for potential permanent changes		X	X	Access is improved through making permanent waivers shown to be effective
6. Implement online operating system	X	X		Applicants and professionals can more easily apply for credentials and access their information; state agencies can more easily collect data

LEGISLATURE				
Actions	Areas of Impact			Potential Impact
	Individual	Procedure	Policy	

1.	Establish periodic review – sunrise provisions	X	X	X	Legislators establish a sunrise provision to determine if there is a need for new licensing
2.	Establish periodic review – sunset review	X	X	X	Legislators establish a sunset provision to determine need for existing licensing
3.	Revise statute – increase reciprocity	X	X	X	Legislators allow reciprocity for all professions
4.	Revise statute – require registration only	X	X	X	Legislators revise statute to allow for certification & registration instead of license
5.	Revise statute – deregulate	X	X	X	Legislators deregulate licensed professions
6.	Continue to review Task Force recommendations	X	X	X	Legislators retain focus on state priorities, continue to make progress on implementation

## Appendix C

Table A3. Enacted Missouri Legislation by NCSL Topic

Bill	NCSL Topic											
	De-licensing	Fee/requirement reduction	Reciprocity	Temp. permit	Work Permit	Extensions	Sunrise*	Sunset	Scope/exemption	Requirement clarification	Fee/requirement increase	New license
<b>2022</b>												
HB 2149			X								X	
<b>2021</b>												
HB 273	X		X							X		
HB 476	X		X							X	X	
<b>2020**</b>												
HB 2046		X	X				X			X	X	
<b>2019</b>												

HB 7												
SB 514						X				X	X	
<b>2018</b>												
SB 843		X							X	X		
SB 862		X								X		
SB 870			X							X	X	
HB 1268		X			X							
HB 1500	X		X				X			X		
HB 1719	X	X	X				X			X	X	

\*Bills marked “sunrise” here are sunrise provisions establishing cost-benefit analyses and/or provisions such as enacting the least burdensome qualification requirement.

\*\*Only 1 piece of legislation introduced concerning occupational licensing, there were many executive orders passed to expand reciprocity, relax requirements, and grant temporary permits.

**Total and Enacted Bills, Missouri and Neighboring States**

Year	Total Bills (Bills Passed)
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	MO	AR	IL	IA	KS	OK
2022	3 (1)	0	49 (17)	28 (5)	20 (7)	34 (34)
2021	3 (2)	44 (31)	45 (12)	28 (4)	18 (5)	31 (31)
2020	1 (1)	0	61 (23)	32 (7)	10 (2)	31 (17)
2019	16 (2)	61 (35)	60 (22)	29 (6)	10 (2)	30 (16)
2018	16 (6)	2 (2)	55 (27)	20 (10)	13 (6)	20 (12)

## References