

By: Moody, Barnett (92nd)

To: Public Health and Welfare

HOUSE BILL NO. 643

1 AN ACT TO AMEND SECTIONS 73-25-14 AND 73-27-12, MISSISSIPPI  
2 CODE OF 1972, TO AUTHORIZE ANY PHYSICIAN, OSTEOPATH OR PODIATRIST  
3 PRACTICING IN THE STATE WHOSE LICENSE HAS LAPSED AND WHO IS DEEMED  
4 TO BE AN ILLEGAL PRACTITIONER TO PETITION THE STATE BOARD OF  
5 MEDICAL LICENSURE FOR REINSTATEMENT OF HIS LICENSE ON A  
6 RETROACTIVE BASIS, IF THE PRACTITIONER WAS UNABLE TO MEET THE  
7 LICENSE RENEWAL DEADLINE DUE TO EXTRAORDINARY OR OTHER LEGITIMATE  
8 REASONS; TO PROVIDE THAT RETROACTIVE REINSTATEMENT OF LICENSURE  
9 MAY BE GRANTED OR DENIED WITHIN THE SOLE DISCRETION OF THE BOARD;  
10 TO PROVIDE THAT ANY SUCH PRACTITIONER WHO IS NOT PRACTICING IN THE  
11 STATE WHOSE LICENSE HAS LAPSED MAY BE REINSTATED BY THE BOARD UPON  
12 PAYMENT OF THE ARREARAGES FOR THE PREVIOUS FIVE YEARS, RATHER THAN  
13 ALL ARREARAGES; AND FOR RELATED PURPOSES.

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

15 SECTION 1. Section 73-25-14, Mississippi Code of 1972, is  
16 amended as follows:[RF1]

17 73-25-14. (1) The license of every person licensed to  
18 practice medicine or osteopathy in the State of Mississippi shall  
19 be renewed annually.

20 On or before May 1 of each year, the State Board of Medical  
21 Licensure shall mail an application for renewal of license to  
22 every physician or osteopath to whom a license was issued or  
23 renewed during the current licensing year. The applicant shall  
24 complete the application and return it to the board before June 30  
25 with the renewal fee of an amount established by the board, but  
26 not to exceed Two Hundred Dollars (\$200.00), a portion of which

27 fee shall be used to support a program to aid impaired physicians  
28 and osteopaths. The payment of the annual license renewal fee  
29 shall be optional with all physicians over the age of seventy (70)  
30 years. Upon receipt of the application and fee, the board shall  
31 verify the accuracy of the application and issue to applicant a  
32 certificate or renewal for the ensuing year, beginning July 1 and  
33 expiring June 30 of the succeeding calendar year. That renewal  
34 shall render the holder thereof a legal practitioner as stated on  
35 the renewal form.

36 (2) Any physician or osteopath practicing in Mississippi who  
37 allows his license to lapse by failing to renew the license as  
38 provided in subsection (1) may be reinstated by the board \* \* \* on  
39 satisfactory explanation for the failure to renew, by completion  
40 of a reinstatement form, and upon payment of the renewal fee for  
41 the current year, and shall be assessed a fine of Twenty-five  
42 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)  
43 for each month thereafter that the license renewal remains  
44 delinquent.

45 (3) Any physician or osteopath not practicing in Mississippi  
46 who allows his license to lapse by failing to renew the license as  
47 provided in subsection (1) may be reinstated by the board on  
48 satisfactory explanation for the failure to renew, by completion  
49 of a reinstatement form and upon payment of the arrearages for the  
50 previous five (5) years and the renewal fee for the current year.

51 (4) Any physician or osteopath who allows his license to  
52 lapse shall be notified by the board within thirty (30) days of  
53 such lapse.

54 (5) Any person practicing as a licensed physician or  
55 osteopath during the time his license has lapsed shall be  
56 considered an illegal practitioner and shall be subject to  
57 penalties provided for violation of the Medical Practice Act,

58 provided he had not submitted the required reinstatement form and  
59 fee within fifteen (15) days after notification by the board \* \* \*  
60 of the lapse.

61 (6) Any physician or osteopath practicing in the State of  
62 Mississippi whose license has lapsed and is deemed an illegal  
63 practitioner under subsection (5) of this section may petition the  
64 board for reinstatement of his license on a retroactive basis, if  
65 the physician or osteopath was unable to meet the June 30 deadline  
66 due to extraordinary or other legitimate reasons. Retroactive  
67 reinstatement of licensure may be granted or denied within the  
68 sole discretion of the board. Failure to advise the board of  
69 change of address shall not be considered a basis of  
70 reinstatement.

71 (7) None of the fees or fines provided for in this section  
72 shall be applicable to the renewal of a special volunteer medical  
73 license authorized under Section 73-25-18.

74 (8) Fees collected under the provisions of this section  
75 shall be used by the board to defray expenses of administering the  
76 licensure provisions of the Medical Practice Act (Title 73,  
77 Chapter 25, Mississippi Code of 1972) and to support a program to  
78 aid impaired physicians and osteopaths in an amount determined by  
79 the board.

80 SECTION 2. Section 73-27-12, Mississippi Code of 1972, is  
81 amended as follows:

82 73-27-12. (1) The license of every person licensed to  
83 practice podiatry in the State of Mississippi shall be renewed  
84 annually.

85 On or before May 1 of each year, the \* \* \* board \* \* \* shall

86 mail an application for renewal of license to every podiatrist to  
87 whom a license was issued or renewed during the current licensing  
88 year. The applicant shall complete the application and return it  
89 to the board before June 30 with the renewal fee of an amount  
90 established by the board, but not to exceed Two Hundred Dollars  
91 (\$200.00), a portion of which fee shall be used to support a  
92 program to aid impaired podiatrists. Upon receipt of the  
93 application and fee, the board shall verify the accuracy of the  
94 application and issue to applicant a certificate of renewal for  
95 the ensuing year, beginning July 1 and expiring June 30 of the  
96 succeeding calendar year. That renewal shall render the holder  
97 thereof a legal practitioner as stated on the renewal form.

98 (2) Any podiatrist practicing in Mississippi who allows his  
99 license to lapse by failing to renew the license as provided in  
100 subsection (1) may be reinstated by the board on satisfactory  
101 explanation for the failure to renew, by completion of a  
102 reinstatement form, and upon payment of the renewal fee for the  
103 current year, and shall be assessed a fine of Twenty-five Dollars  
104 (\$25.00) plus an additional fine of Five Dollars (\$5.00) for each  
105 month thereafter that the license renewal remains delinquent.

106 (3) Any podiatrist not practicing in Mississippi who allows  
107 his license to lapse by failing to renew the license as provided  
108 in subsection (1) may be reinstated by the board on satisfactory  
109 explanation for the failure to renew, by completion of a  
110 reinstatement form and upon payment of the arrearages for the  
111 previous five (5) years and the renewal fee for the current year.

112 (4) Any podiatrist who allows his license to lapse shall be  
113 notified by the board \* \* \* within thirty (30) days of such lapse.

114           (5) Any person practicing as a licensed podiatrist during  
115 the time his license has lapsed shall be considered an illegal  
116 practitioner and shall be subject to penalties set forth in  
117 Section 73-27-17, provided he has not submitted the required  
118 reinstatement form and fee within fifteen (15) days after  
119 notification by the board of the lapse.

120           (6) Any podiatrist practicing in the State of Mississippi  
121 whose license has lapsed and is deemed an illegal practitioner  
122 under subsection (5) of this section may petition the board for  
123 reinstatement of his license on a retroactive basis, if the  
124 podiatrist was unable to meet the June 30 deadline due to  
125 extraordinary or other legitimate reasons. Retroactive  
126 reinstatement of licensure may be granted or denied within the  
127 sole discretion of the board. Failure to advise the board of  
128 change of address shall not be considered a basis for  
129 reinstatement.

130           (7) Fees collected under the provisions of this section  
131 shall be used by the board to defray expenses of administering the  
132 licensure provisions of Title 73, Chapter 27, Mississippi Code of  
133 1972, and to support a program to aid impaired podiatrists in an  
134 amount determined by the board.

135           SECTION 3. This act shall take effect and be in force from  
136 and after July 1, 2000.