

By: Representative Holland

To: Public Health and Human Services

HOUSE BILL NO. 1072

1 AN ACT TO AMEND SECTION 73-15-27, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE MAXIMUM AMOUNT OF THE FEES THAT THE MISSISSIPPI
3 BOARD OF NURSING MAY CHARGE FOR LICENSE RENEWAL AND LICENSE
4 REINSTATEMENT UNDER THE NURSING PRACTICE LAW; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 73-15-27, Mississippi Code of 1972, is
8 amended as follows:

9 73-15-27. The license of every person licensed under the
10 provisions of this chapter shall be renewed biennially except as
11 hereinafter provided:

12 (a) Registered nurses:

13 (i) The license to practice as a registered nurse
14 shall be valid for two (2) calendar years, beginning January 1 of
15 each uneven-numbered year and expiring December 31 in each
16 even-numbered year of the biennial period and subject to renewal
17 for each period of two (2) years thereafter.

18 (ii) A notice for renewal of licensure will be
19 mailed by the board on or before November 1 of the year the
20 license expires to every person to whom a license was issued or
21 renewed during the biennial period. An application shall be
22 completed and returned to the board by December 31 of that year
23 with the biennial renewal fee to be set at the discretion of the
24 board, but not to exceed Two Hundred Fifty Dollars (\$250.00).

25 (iii) Upon receipt of the application and fee, the
26 board shall verify the accuracy of the application and issue to
27 the applicant a certificate of renewal for the ensuing period of

28 two (2) years. Such renewal shall render the holder thereof the
29 right to practice as a registered nurse.

30 (iv) A registered nurse may request in writing to
31 the board that his or her license be placed on inactive status.
32 The board may grant such request and shall have authority, in its
33 discretion, to attach conditions to the licensure of such
34 registered nurse while on inactive status. A biennial renewal fee
35 for inactive registered nurses shall be set at the discretion of
36 the board, not to exceed Fifty Dollars (\$50.00).

37 (v) Any registered nurse applying for a license,
38 renewal of an active license, reinstatement of a lapsed license,
39 or change from inactive to active status may be required to
40 provide evidence of continuing basic nursing competencies when
41 such nurse has not practiced nursing for compensation or performed
42 the function of a registered nurse in a voluntary capacity with or
43 without compensation within the five-year period immediately prior
44 to such application for a license, renewal, reinstatement or
45 change of status.

46 (vi) Any registered nurse who permits his or her
47 license to lapse by failing to renew the license as provided above
48 may be reinstated by the board on satisfactory explanation for
49 such failure to renew his or her license, by compliance with all
50 other applicable provisions of this chapter, by completion of a
51 reinstatement form, and upon payment of a reinstatement fee not to
52 exceed Two Hundred Fifty Dollars (\$250.00), which shall not
53 include the renewal fee for the current biennial period. Any
54 registered nurse who permits his or her license to lapse shall be
55 notified by the board within fifteen (15) days of such lapse.

56 (vii) Any person practicing as a registered nurse
57 during the time his or her license has lapsed shall be considered
58 in violation of this chapter and shall be subject to the penalties
59 provided for violation of this chapter, provided the registered
60 nurse has not submitted the required reinstatement form and fees

61 within fifteen (15) days after notification by the board of such
62 lapse.

63 (b) Licensed practical nurses:

64 (i) The license to practice as a licensed
65 practical nurse shall be valid for two (2) calendar years,
66 beginning January 1 of each even-numbered year and expiring
67 December 31 in each uneven-numbered year of the biennial period
68 and subject to renewal for each period of two (2) years
69 thereafter.

70 (ii) A notice for renewal of licensure will be
71 mailed by the board on or before November 1 of the year the
72 license expires to every person to whom a license was issued or
73 renewed during the biennial period. An application shall be
74 completed and returned to the board by December 31 of that year
75 with the biennial renewal fee to be set at the discretion of the
76 board, but not to exceed Two Hundred Fifty Dollars (\$250.00).

77 (iii) Upon receipt of the application and fee, the
78 board shall verify the accuracy of the application and issue to
79 the applicant a certificate of renewal for the ensuing period of
80 two (2) years. Such renewal shall render the holder thereof the
81 right to practice as a licensed practical nurse.

82 (iv) A licensed practical nurse may request in
83 writing to the board that his or her license be placed on inactive
84 status. The board may grant such request and shall have
85 authority, in its discretion, to attach conditions to the
86 licensure of such licensed practical nurse while on inactive
87 status. A biennial renewal fee for inactive licensed practical
88 nurses shall be set at the discretion of the board, not to exceed
89 Fifty Dollars (\$50.00).

90 (v) Any licensed practical nurse applying for a
91 license, renewal of an active license, reinstatement of a lapsed
92 license, or change from inactive to active status may be required
93 to provide evidence of continuing basic nursing competencies when

94 such nurse has not practiced nursing for compensation or performed
95 the function of a licensed practical nurse in a voluntary capacity
96 with or without compensation within the five-year period
97 immediately prior to such application for a license, renewal,
98 reinstatement or change of status.

99 (vi) Any licensed practical nurse who permits his
100 or her license to lapse by failing to renew the license as
101 provided above may be reinstated by the board upon satisfactory
102 explanation for such failure to renew his or her license, by
103 compliance with all other applicable provisions of this chapter,
104 by completion of a reinstatement form, and upon payment of the
105 reinstatement fee not to exceed Two Hundred Fifty Dollars
106 (\$250.00), which shall not include the renewal fee for the current
107 biennial period. Any licensed practical nurse who permits his or
108 her license to lapse shall be notified by the board within fifteen
109 (15) days of such lapse.

110 (vii) Any person practicing as a licensed
111 practical nurse during the time his or her license has lapsed
112 shall be considered an illegal practitioner and shall be subject
113 to the penalties provided for violation of this chapter, provided
114 the licensed practical nurse has not submitted the required
115 reinstatement form and fees within fifteen (15) days after
116 notification by the board of such lapse.

117 **SECTION 2.** This act shall take effect and be in force from
118 and after July 1, 2007.