

By: Senator(s) Montgomery, Fillingane, Blount, Moran, Burton, Butler (36th), Butler (38th), Carmichael, Chassaniol, Clarke, Collins, Dawkins, Doty, Gandy, Gollott, Hale, Harkins, Hill, Hopson, Horhn, Jackson (11th), Jackson (32nd), Jolly, Jordan, Kirby, Lee, Massey, McDaniel, Parker, Parks, Polk, Simmons (12th), Simmons (13th), Smith, Sojourner, Stone, Tindell, Tollison, Ward, Watson, Wiggins

To: Veterans and Military Affairs

SENATE BILL NO. 2419

1 AN ACT TO PROVIDE THAT OCCUPATIONAL LICENSING BOARDS SHALL
2 ISSUE A LICENSE, CERTIFICATION OR REGISTRATION TO A
3 MILITARY-TRAINED APPLICANT TO ALLOW THE APPLICANT TO LAWFULLY
4 PRACTICE THE APPLICANT'S OCCUPATION IN MISSISSIPPI IF THE
5 APPLICANT SATISFIES CERTAIN CONDITIONS; TO PROVIDE THAT
6 OCCUPATIONAL LICENSING BOARDS SHALL ISSUE A LICENSE, CERTIFICATION
7 OR REGISTRATION TO A MILITARY SPOUSE TO ALLOW THE MILITARY SPOUSE
8 TO LAWFULLY PRACTICE THE MILITARY SPOUSE'S OCCUPATION IN
9 MISSISSIPPI IF THE MILITARY SPOUSE SATISFIES CERTAIN CONDITIONS;
10 TO AUTHORIZE OCCUPATIONAL LICENSING BOARDS TO ISSUE A TEMPORARY
11 PRACTICE PERMIT TO A MILITARY-TRAINED APPLICANT OR MILITARY SPOUSE
12 LICENSED, CERTIFIED OR REGISTERED IN ANOTHER JURISDICTION WHILE
13 THE MILITARY-TRAINED APPLICANT OR MILITARY SPOUSE IS SATISFYING
14 THE REQUIREMENTS FOR LICENSURE UNDER THIS ACT IF THAT JURISDICTION
15 HAS LICENSURE, CERTIFICATION OR REGISTRATION STANDARDS
16 SUBSTANTIALLY EQUIVALENT TO THE STANDARDS FOR LICENSURE,
17 CERTIFICATION OR REGISTRATION OF AN OCCUPATIONAL LICENSING BOARD
18 IN THIS STATE; TO PROVIDE THAT A NONRESIDENT LICENSED, CERTIFIED
19 OR REGISTERED UNDER THIS ACT SHALL BE ENTITLED TO THE SAME RIGHTS
20 AND SUBJECT TO THE SAME OBLIGATIONS AS REQUIRED OF A RESIDENT
21 LICENSED, CERTIFIED OR REGISTERED BY AN OCCUPATIONAL LICENSING
22 BOARD IN THIS STATE; TO PROVIDE THAT EACH OCCUPATIONAL LICENSING
23 BOARD REGULATING AN OCCUPATION IN THIS STATE SHALL IMPLEMENT THE
24 REQUIREMENTS OF THIS ACT WITHIN ONE YEAR FROM THE EFFECTIVE DATE
25 OF THIS ACT; TO AMEND SECTIONS 37-3-2, 73-1-21, 73-1-23, 73-2-11,
26 73-4-23, 73-5-21, 73-6-13, 73-7-23, 73-9-24, 73-10-15, 73-11-51,
27 73-13-35, 73-14-25, 73-15-19, 73-15-21, 73-15-101, 73-17-11,
28 73-19-25, 73-21-87, 73-23-51, 73-23-53, 73-24-21, 73-25-21,
29 73-27-5, 73-29-19, 73-30-15, 73-31-14, 73-31-15, 73-33-9,
30 73-34-51, 73-35-7, 73-35-13, 73-36-31, 73-38-23, 73-39-71,
31 73-53-13, 73-54-23, 73-60-25, 73-63-39, 73-65-7, 73-67-25,
32 73-69-11, 73-71-21, 73-73-11 AND 73-73-17, MISSISSIPPI CODE OF
33 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED
34 PURPOSES.



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

36 **SECTION 1.** (1) As used in this section, the term:

37 (a) "License" means any license (other than a privilege
38 license), certificate or other evidence of qualification that an
39 individual is required to obtain before he or she may engage in or
40 represent himself or herself to be a member of a particular
41 profession or occupation.

42 (b) "Occupational licensing board" means any state
43 board, commission, department or other agency in Mississippi that
44 is established for the primary purpose of regulating the entry of
45 persons into, and/or the conduct of persons within, a particular
46 profession or occupation, and which is authorized to issue
47 licenses. For the purposes of this section, the State Department
48 of Education shall be considered an occupational licensing board
49 when issuing teacher licenses under Section 37-3-2.

50 (2) Notwithstanding any other provision of law, an
51 occupational licensing board shall issue a license, certification
52 or registration to a military-trained applicant to allow the
53 applicant to lawfully practice the applicant's occupation in
54 Mississippi if, upon application to an occupational licensing
55 board, the applicant satisfies the following conditions:

56 (a) Has been awarded a military occupational specialty
57 and has done all of the following at a level that is substantially
58 equivalent to or exceeds the requirements for licensure,
59 certification or registration of the occupational licensing board



60 from which the applicant is seeking licensure, certification or
61 registration in this state: completed a military program of
62 training, completed testing or equivalent training and experience
63 as determined by the board, and performed in the occupational
64 specialty.

65 (b) Has engaged in the active practice of the
66 occupation for which the person is seeking a license,
67 certification or permit from the occupational licensing board in
68 this state for at least two (2) of the five (5) years preceding
69 the date of the application under this section.

70 (c) Has not committed any act in any jurisdiction that
71 would have constituted grounds for refusal, suspension or
72 revocation of a license to practice that occupation in this state
73 at the time the act was committed.

74 (d) Pays any fees required by the occupational
75 licensing board for which the applicant is seeking licensure,
76 certification or registration in this state.

77 (3) Notwithstanding any other provision of law, an
78 occupational licensing board shall issue a license, certification
79 or registration to a military spouse to allow the military spouse
80 to lawfully practice the military spouse's occupation in
81 Mississippi if, upon application to an occupational licensing
82 board, the military spouse satisfies the following conditions:

83 (a) Holds a current license, certification or
84 registration from another jurisdiction, and that jurisdiction's



85 requirements for licensure, certification or registration are
86 substantially equivalent to or exceed the requirements for
87 licensure, certification or registration of the occupational
88 licensing board for which the applicant is seeking licensure,
89 certification or registration in this state.

90 (b) Can demonstrate competency in the occupation
91 through methods as determined by the board, such as having
92 completed continuing education units or having had recent
93 experience for at least two (2) of the five (5) years preceding
94 the date of the application under this section.

95 (c) Has not committed any act in any jurisdiction that
96 would have constituted grounds for refusal, suspension or
97 revocation of a license to practice that occupation in this state
98 at the time the act was committed.

99 (d) Is in good standing and has not been disciplined by
100 the agency that had jurisdiction to issue the license,
101 certification or permit.

102 (e) Pays any fees required by the occupational
103 licensing board for which the applicant is seeking licensure,
104 certification or registration in this state.

105 (4) All relevant experience of a military service member in
106 the discharge of official duties or, for a military spouse, all
107 relevant experience, including full-time and part-time experience,
108 regardless of whether in a paid or volunteer capacity, shall be



109 credited in the calculation of years of practice in an occupation
110 as required under subsection (2) or (3) of this section.

111 (5) A nonresident licensed, certified or registered under
112 this section shall be entitled to the same rights and subject to
113 the same obligations as required of a resident licensed, certified
114 or registered by an occupational licensing board in this state.

115 (6) An occupational licensing board may issue a temporary
116 practice permit to a military-trained applicant or military spouse
117 licensed, certified or registered in another jurisdiction while
118 the military-trained applicant or military spouse is satisfying
119 the requirements for licensure under subsection (2) or (3) of this
120 section if that jurisdiction has licensure, certification or
121 registration standards substantially equivalent to the standards
122 for licensure, certification or registration of an occupational
123 licensing board in this state. The military-trained applicant or
124 military spouse may practice under the temporary permit until a
125 license, certification or registration is granted or until a
126 notice to deny a license, certification or registration is issued
127 in accordance with rules adopted by the occupational licensing
128 board.

129 (7) An occupational licensing board may adopt rules
130 necessary to implement this section.

131 (8) Nothing in this section shall be construed to prohibit a
132 military-trained applicant or military spouse from proceeding
133 under the existing licensure, certification or registration



134 requirements established by an occupational licensing board in
135 this state.

136 (9) Nothing in this section shall be construed to apply to
137 the practice of law as regulated under Section 73-3-1 et seq.

138 **SECTION 2.** Within one (1) year from the effective date of
139 this act, each occupational licensing board regulating an
140 occupation in this state shall implement the requirements of
141 Section 1 of this act.

142 **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, is
143 amended as follows:

144 37-3-2. (1) There is established within the State
145 Department of Education the Commission on Teacher and
146 Administrator Education, Certification and Licensure and
147 Development. It shall be the purpose and duty of the commission
148 to make recommendations to the State Board of Education regarding
149 standards for the certification and licensure and continuing
150 professional development of those who teach or perform tasks of an
151 educational nature in the public schools of Mississippi.

152 (2) The commission shall be composed of fifteen (15)
153 qualified members. The membership of the commission shall be
154 composed of the following members to be appointed, three (3) from
155 each congressional district: four (4) classroom teachers; three
156 (3) school administrators; one (1) representative of schools of
157 education of institutions of higher learning located within the
158 state to be recommended by the Board of Trustees of State



159 Institutions of Higher Learning; one (1) representative from the
160 schools of education of independent institutions of higher
161 learning to be recommended by the Board of the Mississippi
162 Association of Independent Colleges; one (1) representative from
163 public community and junior colleges located within the state to
164 be recommended by the State Board for Community and Junior
165 Colleges; one (1) local school board member; and four (4)
166 laypersons. All appointments shall be made by the State Board of
167 Education after consultation with the State Superintendent of
168 Public Education. The first appointments by the State Board of
169 Education shall be made as follows: five (5) members shall be
170 appointed for a term of one (1) year; five (5) members shall be
171 appointed for a term of two (2) years; and five (5) members shall
172 be appointed for a term of three (3) years. Thereafter, all
173 members shall be appointed for a term of four (4) years.

174 (3) The State Board of Education when making appointments
175 shall designate a chairman. The commission shall meet at least
176 once every two (2) months or more often if needed. Members of the
177 commission shall be compensated at a rate of per diem as
178 authorized by Section 25-3-69 and be reimbursed for actual and
179 necessary expenses as authorized by Section 25-3-41.

180 (4) (a) An appropriate staff member of the State Department
181 of Education shall be designated and assigned by the State
182 Superintendent of Public Education to serve as executive secretary
183 and coordinator for the commission. No less than two (2) other



184 appropriate staff members of the State Department of Education
185 shall be designated and assigned by the State Superintendent of
186 Public Education to serve on the staff of the commission.

187 (b) An Office of Educator Misconduct Evaluations shall
188 be established within the State Department of Education to assist
189 the commission in responding to infractions and violations, and in
190 conducting hearings and enforcing the provisions of Section
191 37-3-2(11), (12), (13), (14) and (15), Mississippi Code of 1972,
192 and violations of the Mississippi Educator Code of Ethics.

193 (5) It shall be the duty of the commission to:

194 (a) Set standards and criteria, subject to the approval
195 of the State Board of Education, for all educator preparation
196 programs in the state;

197 (b) Recommend to the State Board of Education each year
198 approval or disapproval of each educator preparation program in
199 the state, subject to a process and schedule determined by the
200 State Board of Education;

201 (c) Establish, subject to the approval of the State
202 Board of Education, standards for initial teacher certification
203 and licensure in all fields;

204 (d) Establish, subject to the approval of the State
205 Board of Education, standards for the renewal of teacher licenses
206 in all fields;



207 (e) Review and evaluate objective measures of teacher
208 performance, such as test scores, which may form part of the
209 licensure process, and to make recommendations for their use;
210 (f) Review all existing requirements for certification
211 and licensure;
212 (g) Consult with groups whose work may be affected by
213 the commission's decisions;
214 (h) Prepare reports from time to time on current
215 practices and issues in the general area of teacher education and
216 certification and licensure;
217 (i) Hold hearings concerning standards for teachers'
218 and administrators' education and certification and licensure with
219 approval of the State Board of Education;
220 (j) Hire expert consultants with approval of the State
221 Board of Education;
222 (k) Set up ad hoc committees to advise on specific
223 areas; and
224 (l) Perform such other functions as may fall within
225 their general charge and which may be delegated to them by the
226 State Board of Education.

227 (6) (a) **Standard License - Approved Program Route.** An
228 educator entering the school system of Mississippi for the first
229 time and meeting all requirements as established by the State
230 Board of Education shall be granted a standard five-year license.
231 Persons who possess two (2) years of classroom experience as an



232 assistant teacher or who have taught for one (1) year in an
233 accredited public or private school shall be allowed to fulfill
234 student teaching requirements under the supervision of a qualified
235 participating teacher approved by an accredited college of
236 education. The local school district in which the assistant
237 teacher is employed shall compensate such assistant teachers at
238 the required salary level during the period of time such
239 individual is completing student teaching requirements.

240 Applicants for a standard license shall submit to the department:

241 (i) An application on a department form;

242 (ii) An official transcript of completion of a
243 teacher education program approved by the department or a
244 nationally accredited program, subject to the following:

245 Licensure to teach in Mississippi prekindergarten through
246 kindergarten classrooms shall require completion of a teacher
247 education program or a bachelor of science degree with child
248 development emphasis from a program accredited by the American
249 Association of Family and Consumer Sciences (AAFCS) or by the
250 National Association for Education of Young Children (NAEYC) or by
251 the National Council for Accreditation of Teacher Education
252 (NCATE). Licensure to teach in Mississippi kindergarten, for
253 those applicants who have completed a teacher education program,
254 and in Grade 1 through Grade 4 shall require the completion of an
255 interdisciplinary program of studies. Licenses for Grades 4
256 through 8 shall require the completion of an interdisciplinary



257 program of studies with two (2) or more areas of concentration.
258 Licensure to teach in Mississippi Grades 7 through 12 shall
259 require a major in an academic field other than education, or a
260 combination of disciplines other than education. Students
261 preparing to teach a subject shall complete a major in the
262 respective subject discipline. All applicants for standard
263 licensure shall demonstrate that such person's college preparation
264 in those fields was in accordance with the standards set forth by
265 the National Council for Accreditation of Teacher Education
266 (NCATE) or the National Association of State Directors of Teacher
267 Education and Certification (NASDTEC) or, for those applicants who
268 have a bachelor of science degree with child development emphasis,
269 the American Association of Family and Consumer Sciences (AAFCS);

270 (iii) A copy of test scores evidencing
271 satisfactory completion of nationally administered examinations of
272 achievement, such as the Educational Testing Service's teacher
273 testing examinations; and

274 (iv) Any other document required by the State
275 Board of Education.

276 (b) **Standard License - Nontraditional Teaching Route.**
277 Beginning January 1, 2004, an individual who has a passing score
278 on the Praxis I Basic Skills and Praxis II Specialty Area Test in
279 the requested area of endorsement may apply for the Teach
280 Mississippi Institute (TMI) program to teach students in Grades 7
281 through 12 if the individual meets the requirements of this



282 paragraph (b). The State Board of Education shall adopt rules
283 requiring that teacher preparation institutions which provide the
284 Teach Mississippi Institute (TMI) program for the preparation of
285 nontraditional teachers shall meet the standards and comply with
286 the provisions of this paragraph.

287 (i) The Teach Mississippi Institute (TMI) shall
288 include an intensive eight-week, nine-semester-hour summer program
289 or a curriculum of study in which the student matriculates in the
290 fall or spring semester, which shall include, but not be limited
291 to, instruction in education, effective teaching strategies,
292 classroom management, state curriculum requirements, planning and
293 instruction, instructional methods and pedagogy, using test
294 results to improve instruction, and a one (1) semester three-hour
295 supervised internship to be completed while the teacher is
296 employed as a full-time teacher intern in a local school district.
297 The TMI shall be implemented on a pilot program basis, with
298 courses to be offered at up to four (4) locations in the state,
299 with one (1) TMI site to be located in each of the three (3)
300 Mississippi Supreme Court districts.

301 (ii) The school sponsoring the teacher intern
302 shall enter into a written agreement with the institution
303 providing the Teach Mississippi Institute (TMI) program, under
304 terms and conditions as agreed upon by the contracting parties,
305 providing that the school district shall provide teacher interns
306 seeking a nontraditional provisional teaching license with a



307 one-year classroom teaching experience. The teacher intern shall
308 successfully complete the one (1) semester three-hour intensive
309 internship in the school district during the semester immediately
310 following successful completion of the TMI and prior to the end of
311 the one-year classroom teaching experience.

312 (iii) Upon completion of the nine-semester-hour
313 TMI or the fall or spring semester option, the individual shall
314 submit his transcript to the commission for provisional licensure
315 of the intern teacher, and the intern teacher shall be issued a
316 provisional teaching license by the commission, which will allow
317 the individual to legally serve as a teacher while the person
318 completes a nontraditional teacher preparation internship program.

319 (iv) During the semester of internship in the
320 school district, the teacher preparation institution shall monitor
321 the performance of the intern teacher. The school district that
322 employs the provisional teacher shall supervise the provisional
323 teacher during the teacher's intern year of employment under a
324 nontraditional provisional license, and shall, in consultation
325 with the teacher intern's mentor at the school district of
326 employment, submit to the commission a comprehensive evaluation of
327 the teacher's performance sixty (60) days prior to the expiration
328 of the nontraditional provisional license. If the comprehensive
329 evaluation establishes that the provisional teacher intern's
330 performance fails to meet the standards of the approved



331 nontraditional teacher preparation internship program, the
332 individual shall not be approved for a standard license.

333 (v) An individual issued a provisional teaching
334 license under this nontraditional route shall successfully
335 complete, at a minimum, a one-year beginning teacher mentoring and
336 induction program administered by the employing school district
337 with the assistance of the State Department of Education.

338 (vi) Upon successful completion of the TMI and the
339 internship provisional license period, applicants for a Standard
340 License - Nontraditional Route shall submit to the commission a
341 transcript of successful completion of the twelve (12) semester
342 hours required in the internship program, and the employing school
343 district shall submit to the commission a recommendation for
344 standard licensure of the intern. If the school district
345 recommends licensure, the applicant shall be issued a Standard
346 License - Nontraditional Route which shall be valid for a
347 five-year period and be renewable.

348 (vii) At the discretion of the teacher preparation
349 institution, the individual shall be allowed to credit the twelve
350 (12) semester hours earned in the nontraditional teacher
351 internship program toward the graduate hours required for a Master
352 of Arts in Teacher (MAT) Degree.

353 (viii) The local school district in which the
354 nontraditional teacher intern or provisional licensee is employed
355 shall compensate such teacher interns at Step 1 of the required



356 salary level during the period of time such individual is
357 completing teacher internship requirements and shall compensate
358 such Standard License - Nontraditional Route teachers at Step 3 of
359 the required salary level when they complete license requirements.

360 Implementation of the TMI program provided for under this
361 paragraph (b) shall be contingent upon the availability of funds
362 appropriated specifically for such purpose by the Legislature.
363 Such implementation of the TMI program may not be deemed to
364 prohibit the State Board of Education from developing and
365 implementing additional alternative route teacher licensure
366 programs, as deemed appropriate by the board. The emergency
367 certification program in effect prior to July 1, 2002, shall
368 remain in effect.

369 A Standard License - Approved Program Route shall be issued
370 for a five-year period, and may be renewed. Recognizing teaching
371 as a profession, a hiring preference shall be granted to persons
372 holding a Standard License - Approved Program Route or Standard
373 License - Nontraditional Teaching Route over persons holding any
374 other license.

375 (c) **Special License - Expert Citizen.** In order to
376 allow a school district to offer specialized or technical courses,
377 the State Department of Education, in accordance with rules and
378 regulations established by the State Board of Education, may grant
379 a one-year expert citizen-teacher license to local business or
380 other professional personnel to teach in a public school or



381 nonpublic school accredited or approved by the state. Such person
382 may begin teaching upon his employment by the local school board
383 and licensure by the Mississippi Department of Education. The
384 board shall adopt rules and regulations to administer the expert
385 citizen-teacher license. A Special License - Expert Citizen may
386 be renewed in accordance with the established rules and
387 regulations of the State Department of Education.

388 (d) **Special License - Nonrenewable.** The State Board of
389 Education is authorized to establish rules and regulations to
390 allow those educators not meeting requirements in subsection
391 (6) (a), (b) or (c) to be licensed for a period of not more than
392 three (3) years, except by special approval of the State Board of
393 Education.

394 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
395 person may teach for a maximum of three (3) periods per teaching
396 day in a public school or a nonpublic school accredited/approved
397 by the state. Such person shall submit to the department a
398 transcript or record of his education and experience which
399 substantiates his preparation for the subject to be taught and
400 shall meet other qualifications specified by the commission and
401 approved by the State Board of Education. In no case shall any
402 local school board hire nonlicensed personnel as authorized under
403 this paragraph in excess of five percent (5%) of the total number
404 of licensed personnel in any single school.



405 (f) **Special License - Transitional Bilingual Education.**
406 Beginning July 1, 2003, the commission shall grant special
407 licenses to teachers of transitional bilingual education who
408 possess such qualifications as are prescribed in this section.
409 Teachers of transitional bilingual education shall be compensated
410 by local school boards at not less than one (1) step on the
411 regular salary schedule applicable to permanent teachers licensed
412 under this section. The commission shall grant special licenses
413 to teachers of transitional bilingual education who present the
414 commission with satisfactory evidence that they (i) possess a
415 speaking and reading ability in a language, other than English, in
416 which bilingual education is offered and communicative skills in
417 English; (ii) are in good health and sound moral character; (iii)
418 possess a bachelor's degree or an associate's degree in teacher
419 education from an accredited institution of higher education; (iv)
420 meet such requirements as to courses of study, semester hours
421 therein, experience and training as may be required by the
422 commission; and (v) are legally present in the United States and
423 possess legal authorization for employment. A teacher of
424 transitional bilingual education serving under a special license
425 shall be under an exemption from standard licensure if he achieves
426 the requisite qualifications therefor. Two (2) years of service
427 by a teacher of transitional bilingual education under such an
428 exemption shall be credited to the teacher in acquiring a Standard
429 Educator License. Nothing in this paragraph shall be deemed to



430 prohibit a local school board from employing a teacher licensed in
431 an appropriate field as approved by the State Department of
432 Education to teach in a program in transitional bilingual
433 education.

434 (g) In the event any school district meets the highest
435 accreditation standards as defined by the State Board of Education
436 in the accountability system, the State Board of Education, in its
437 discretion, may exempt such school district from any restrictions
438 in paragraph (e) relating to the employment of nonlicensed
439 teaching personnel.

440 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,
441 any teacher from any state meeting the federal definition of
442 highly qualified, as described in the No Child Left Behind Act,
443 must be granted a standard five-year license by the State
444 Department of Education.

445 (7) **Administrator License.** The State Board of Education is
446 authorized to establish rules and regulations and to administer
447 the licensure process of the school administrators in the State of
448 Mississippi. There will be four (4) categories of administrator
449 licensure with exceptions only through special approval of the
450 State Board of Education.

451 (a) **Administrator License - Nonpracticing.** Those
452 educators holding administrative endorsement but having no
453 administrative experience or not serving in an administrative
454 position on January 15, 1997.



455 (b) **Administrator License - Entry Level.** Those
456 educators holding administrative endorsement and having met the
457 department's qualifications to be eligible for employment in a
458 Mississippi school district. Administrator License - Entry Level
459 shall be issued for a five-year period and shall be nonrenewable.

460 (c) **Standard Administrator License - Career Level.** An
461 administrator who has met all the requirements of the department
462 for standard administrator licensure.

463 (d) **Administrator License - Nontraditional Route.** The
464 board may establish a nontraditional route for licensing
465 administrative personnel. Such nontraditional route for
466 administrative licensure shall be available for persons holding,
467 but not limited to, a master of business administration degree, a
468 master of public administration degree, a master of public
469 planning and policy degree or a doctor of jurisprudence degree
470 from an accredited college or university, with five (5) years of
471 administrative or supervisory experience. Successful completion
472 of the requirements of alternate route licensure for
473 administrators shall qualify the person for a standard
474 administrator license.

475 Individuals seeking school administrator licensure under
476 paragraph (b), (c) or (d) shall successfully complete a training
477 program and an assessment process prescribed by the State Board of
478 Education. All applicants for school administrator licensure
479 shall meet all requirements prescribed by the department under



480 paragraph (b), (c) or (d), and the cost of the assessment process
481 required shall be paid by the applicant.

482 (8) Reciprocity. (a) The department shall grant a standard
483 license to any individual who possesses a valid standard license
484 from another state and meets minimum Mississippi license
485 requirements or equivalent requirements as determined by the State
486 Board of Education. The issuance of a license by reciprocity to a
487 military-trained applicant or military spouse shall be subject to
488 the provisions of Section 1 of this act.

489 (b) The department shall grant a nonrenewable special
490 license to any individual who possesses a credential which is less
491 than a standard license or certification from another state. Such
492 special license shall be valid for the current school year plus
493 one (1) additional school year to expire on June 30 of the second
494 year, not to exceed a total period of twenty-four (24) months,
495 during which time the applicant shall be required to complete the
496 requirements for a standard license in Mississippi.

497 (9) Renewal and Reinstatement of Licenses. The State Board
498 of Education is authorized to establish rules and regulations for
499 the renewal and reinstatement of educator and administrator
500 licenses. Effective May 15, 1997, the valid standard license held
501 by an educator shall be extended five (5) years beyond the
502 expiration date of the license in order to afford the educator
503 adequate time to fulfill new renewal requirements established
504 pursuant to this subsection. An educator completing a master of



505 education, educational specialist or doctor of education degree in
506 May 1997 for the purpose of upgrading the educator's license to a
507 higher class shall be given this extension of five (5) years plus
508 five (5) additional years for completion of a higher degree.

509 (10) All controversies involving the issuance, revocation,
510 suspension or any change whatsoever in the licensure of an
511 educator required to hold a license shall be initially heard in a
512 hearing de novo, by the commission or by a subcommittee
513 established by the commission and composed of commission members
514 for the purpose of holding hearings. Any complaint seeking the
515 denial of issuance, revocation or suspension of a license shall be
516 by sworn affidavit filed with the Commission of Teacher and
517 Administrator Education, Certification and Licensure and
518 Development. The decision thereon by the commission or its
519 subcommittee shall be final, unless the aggrieved party shall
520 appeal to the State Board of Education, within ten (10) days, of
521 the decision of the committee or its subcommittee. An appeal to
522 the State Board of Education shall be on the record previously
523 made before the commission or its subcommittee unless otherwise
524 provided by rules and regulations adopted by the board. The State
525 Board of Education in its authority may reverse, or remand with
526 instructions, the decision of the committee or its subcommittee.
527 The decision of the State Board of Education shall be final.



528 (11) The State Board of Education, acting through the
529 commission, may deny an application for any teacher or
530 administrator license for one or more of the following:

531 (a) Lack of qualifications which are prescribed by law
532 or regulations adopted by the State Board of Education;

533 (b) The applicant has a physical, emotional or mental
534 disability that renders the applicant unfit to perform the duties
535 authorized by the license, as certified by a licensed psychologist
536 or psychiatrist;

537 (c) The applicant is actively addicted to or actively
538 dependent on alcohol or other habit-forming drugs or is a habitual
539 user of narcotics, barbiturates, amphetamines, hallucinogens or
540 other drugs having similar effect, at the time of application for
541 a license;

542 (d) Revocation or suspension of an applicant's
543 certificate or license by another state;

544 (e) Fraud or deceit committed by the applicant in
545 securing or attempting to secure such certification and license;

546 (f) Failing or refusing to furnish reasonable evidence
547 of identification;

548 (g) The applicant has been convicted, has pled guilty
549 or entered a plea of nolo contendere to a felony, as defined by
550 federal or state law; or



551 (h) The applicant has been convicted, has pled guilty
552 or entered a plea of nolo contendere to a sex offense as defined
553 by federal or state law.

554 (12) The State Board of Education, acting on the
555 recommendation of the commission, may revoke or suspend any
556 teacher or administrator license for specified periods of time for
557 one or more of the following:

558 (a) Breach of contract or abandonment of employment may
559 result in the suspension of the license for one (1) school year as
560 provided in Section 37-9-57;

561 (b) Obtaining a license by fraudulent means shall
562 result in immediate suspension and continued suspension for one
563 (1) year after correction is made;

564 (c) Suspension or revocation of a certificate or
565 license by another state shall result in immediate suspension or
566 revocation and shall continue until records in the prior state
567 have been cleared;

568 (d) The license holder has been convicted, has pled
569 guilty or entered a plea of nolo contendere to a felony, as
570 defined by federal or state law;

571 (e) The license holder has been convicted, has pled
572 guilty or entered a plea of nolo contendere to a sex offense, as
573 defined by federal or state law;



574 (f) The license holder knowingly and willfully
575 committing any of the acts affecting validity of mandatory uniform
576 test results as provided in Section 37-16-4(1);

577 (g) The license holder has engaged in unethical conduct
578 relating to an educator/student relationship as identified by the
579 State Board of Education in its rules;

580 (h) The license holder has fondled a student as
581 described in Section 97-5-23, or had any type of sexual
582 involvement with a student as described in Section 97-3-95; or

583 (i) The license holder has failed to report sexual
584 involvement of a school employee with a student as required by
585 Section 97-5-24.

586 (13) (a) Dismissal or suspension of a licensed employee by
587 a local school board pursuant to Section 37-9-59 may result in the
588 suspension or revocation of a license for a length of time which
589 shall be determined by the commission and based upon the severity
590 of the offense.

591 (b) Any offense committed or attempted in any other
592 state shall result in the same penalty as if committed or
593 attempted in this state.

594 (c) A person may voluntarily surrender a license. The
595 surrender of such license may result in the commission
596 recommending any of the above penalties without the necessity of a
597 hearing. However, any such license which has voluntarily been
598 surrendered by a licensed employee may only be reinstated by a



599 majority vote of all members of the commission present at the
600 meeting called for such purpose.

601 (14) A person whose license has been suspended on any
602 grounds except criminal grounds may petition for reinstatement of
603 the license after one (1) year from the date of suspension, or
604 after one-half (1/2) of the suspended time has lapsed, whichever
605 is greater. A license suspended or revoked on the criminal
606 grounds may be reinstated upon petition to the commission filed
607 after expiration of the sentence and parole or probationary period
608 imposed upon conviction. A revoked, suspended or surrendered
609 license may be reinstated upon satisfactory showing of evidence of
610 rehabilitation. The commission shall require all who petition for
611 reinstatement to furnish evidence satisfactory to the commission
612 of good character, good mental, emotional and physical health and
613 such other evidence as the commission may deem necessary to
614 establish the petitioner's rehabilitation and fitness to perform
615 the duties authorized by the license.

616 (15) Reporting procedures and hearing procedures for dealing
617 with infractions under this section shall be promulgated by the
618 commission, subject to the approval of the State Board of
619 Education. The revocation or suspension of a license shall be
620 effected at the time indicated on the notice of suspension or
621 revocation. The commission shall immediately notify the
622 superintendent of the school district or school board where the
623 teacher or administrator is employed of any disciplinary action



624 and also notify the teacher or administrator of such revocation or
625 suspension and shall maintain records of action taken. The State
626 Board of Education may reverse or remand with instructions any
627 decision of the commission regarding a petition for reinstatement
628 of a license, and any such decision of the State Board of
629 Education shall be final.

630 (16) An appeal from the action of the State Board of
631 Education in denying an application, revoking or suspending a
632 license or otherwise disciplining any person under the provisions
633 of this section shall be filed in the Chancery Court of the First
634 Judicial District of Hinds County, Mississippi, on the record
635 made, including a verbatim transcript of the testimony at the
636 hearing. The appeal shall be filed within thirty (30) days after
637 notification of the action of the board is mailed or served and
638 the proceedings in chancery court shall be conducted as other
639 matters coming before the court. The appeal shall be perfected
640 upon filing notice of the appeal and by the prepayment of all
641 costs, including the cost of preparation of the record of the
642 proceedings by the State Board of Education, and the filing of a
643 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
644 if the action of the board be affirmed by the chancery court, the
645 applicant or license holder shall pay the costs of the appeal and
646 the action of the chancery court.

647 (17) All such programs, rules, regulations, standards and
648 criteria recommended or authorized by the commission shall become



649 effective upon approval by the State Board of Education as
650 designated by appropriate orders entered upon the minutes thereof.

651 (18) The granting of a license shall not be deemed a
652 property right nor a guarantee of employment in any public school
653 district. A license is a privilege indicating minimal eligibility
654 for teaching in the public schools of Mississippi. This section
655 shall in no way alter or abridge the authority of local school
656 districts to require greater qualifications or standards of
657 performance as a prerequisite of initial or continued employment
658 in such districts.

659 (19) In addition to the reasons specified in subsections
660 (12) and (13) of this section, the board shall be authorized to
661 suspend the license of any licensee for being out of compliance
662 with an order for support, as defined in Section 93-11-153. The
663 procedure for suspension of a license for being out of compliance
664 with an order for support, and the procedure for the reissuance or
665 reinstatement of a license suspended for that purpose, and the
666 payment of any fees for the reissuance or reinstatement of a
667 license suspended for that purpose, shall be governed by Section
668 93-11-157 or 93-11-163, as the case may be. Actions taken by the
669 board in suspending a license when required by Section 93-11-157
670 or 93-11-163 are not actions from which an appeal may be taken
671 under this section. Any appeal of a license suspension that is
672 required by Section 93-11-157 or 93-11-163 shall be taken in
673 accordance with the appeal procedure specified in Section



674 93-11-157 or 93-11-163, as the case may be, rather than the
675 procedure specified in this section. If there is any conflict
676 between any provision of Section 93-11-157 or 93-11-163 and any
677 provision of this chapter, the provisions of Section 93-11-157 or
678 93-11-163, as the case may be, shall control.

679 **SECTION 4.** Section 73-1-21, Mississippi Code of 1972, is
680 amended as follows:

681 73-1-21. Any architect residing outside this state may
682 obtain a certificate to practice in the State of Mississippi by
683 complying with Section 73-1-13, and by paying the fees prescribed
684 by the rules of the board; * * * however, no such nonresident
685 applicant shall receive a certificate to practice in this state
686 unless the applicant furnishes evidence satisfactory to the board
687 that the applicant holds a current and valid registration issued
688 by a registration authority recognized by the board, holds a
689 National Council of Architectural Registration Board's
690 certificate, has never been restrained from practicing
691 architecture, and has never had a certificate or license revoked.
692 Each nonresident applicant shall submit, as a part of the
693 application, a sworn affidavit stating that neither such applicant
694 nor any person in, or agent of, the applicant's firm has practiced
695 or is practicing architectural work in this state prior to the
696 applicant having been licensed by the board unless such person or
697 agent holds a license to practice architecture in this state.
698 Failure to submit this affidavit is just cause for disapproval of



699 the application. Every applicant for reciprocity registration
700 shall comply fully with the requirements for resident applicants,
701 except that nonresident applicants who met the requirements for
702 issuance of a certificate of registration by the board prior to
703 January 1, 1987, and who, on that date, held a current and valid
704 registration by a registration authority recognized by the board
705 or were qualified exam candidates in another jurisdiction
706 recognized by the board, shall not be required to meet the degree
707 requirements of Section 73-1-13. The board shall have the further
708 right to exercise its discretion as to whether such nonresident
709 architect shall be issued such certificate to practice.

710 The issuance of a certificate by reciprocity to a
711 military-trained applicant or military spouse shall be subject to
712 the provisions of Section 1 of this act.

713 **SECTION 5.** Section 73-1-23, Mississippi Code of 1972, is
714 amended as follows:

715 73-1-23. No temporary license to practice shall be issued by
716 the board, except as authorized under Section 1 of this act.

717 **SECTION 6.** Section 73-2-11, Mississippi Code of 1972, is
718 amended as follows:

719 73-2-11. The board may exempt from examination any applicant
720 who holds a license or certificate to practice landscape
721 architecture issued to him upon examination by a legally
722 constituted board of examiners of any other state or Washington,
723 D.C., or any other territory or possession under the control of



724 the United States, provided that such requirements of the state in
725 which the applicant is registered are equivalent to those of this
726 state.

727 Each nonresident applicant shall submit, as part of the
728 application, a sworn affidavit stating that neither such applicant
729 nor any person in or agent of the applicant's firm has practiced
730 or is practicing landscape architectural work in this state prior
731 to the applicant having been licensed by the board unless such
732 person or agent holds a license to practice landscape architecture
733 in this state. Failure to submit this affidavit or submitting an
734 affidavit which is false in any respect shall constitute just
735 cause for denial of the application.

736 An applicant who is a licensed landscape architect but who
737 was admitted in a jurisdiction which did not offer a written
738 examination acceptable to the board or was admitted without the
739 requirement of passing a written examination may be issued a
740 license to practice landscape architecture in this state upon the
741 taking and passing of any examination or procedure as may be
742 adopted by the board, provided that such applicant meets all other
743 requirements for issuance of a license to practice landscape
744 architecture in this state.

745 The issuance of a license by reciprocity to a
746 military-trained applicant or military spouse shall be subject to
747 the provisions of Section 1 of this act.



748 **SECTION 7.** Section 73-4-23, Mississippi Code of 1972, is
749 amended as follows:

750 73-4-23. Any auctioneer who is licensed in a state that (a)
751 has requirements equal to the requirements of this chapter, (b)
752 has requirements that have been approved by the commission, after
753 a review of such state's licensing law, and (c) has entered into a
754 reciprocal licensing agreement with the State of Mississippi
755 through such state's regulatory authority over auctioneering, may
756 apply for and be granted a license without examination.
757 Applicants for a license through reciprocity shall furnish the
758 commission by application the same information as that required of
759 resident applicants. In addition to the * * * biennial license
760 fee, nonresidents shall pay to the commission a fee of Two Hundred
761 Fifty Dollars (\$250.00). A nonresident auctioneer shall furnish
762 to the commission a surety bond, obligated to the State of
763 Mississippi, in the amount of Ten Thousand Dollars (\$10,000.00)
764 prior to being issued a license. The bond shall be executed by
765 the person seeking the license as principal and by a corporate
766 surety, licensed to do business in this state, as surety. The
767 bond shall otherwise be in accordance with the provisions of this
768 chapter.

769 The issuance of a license by reciprocity to a
770 military-trained applicant or military spouse shall be subject to
771 the provisions of Section 1 of this act.



772 **SECTION 8.** Section 73-5-21, Mississippi Code of 1972, is
773 amended as follows:

774 73-5-21. Any person possessed of the following
775 qualifications shall, upon payment of the required fee, receive a
776 certificate of registration as a registered barber:

777 (a) Is at least eighteen (18) years old;

778 (b) Is of good moral character and temperate habits;

779 and

780 (c) Either has a license or certificate of registration
781 as a practicing barber in another state or country that has
782 substantially the same requirements for licensing or registration
783 of barbers as are contained in this chapter, or can prove by sworn
784 affidavits that he has lawfully practiced as a barber in another
785 state or country for at least five (5) years immediately before
786 making application in this state, or can show to the satisfaction
787 of the board that he had held a rating in a branch of the military
788 service for two (2) or more years that required him to perform the
789 duties of a barber. The issuance of a certificate of registration
790 by reciprocity to a military-trained applicant or military spouse
791 shall be subject to the provisions of Section 1 of this act.

792 In addition to the above, the board may require the applicant
793 to successfully demonstrate sufficient knowledge of the Barber Law
794 of the State of Mississippi, as well as sufficient practical skill
795 by requiring the applicant to take a practical examination
796 approved by the board.



797 **SECTION 9.** Section 73-6-13, Mississippi Code of 1972, is
798 amended as follows:

799 73-6-13. (1) Any adult of good moral character who has (a)
800 graduated from a school or college of chiropractic recognized by
801 the State Board of Chiropractic Examiners, preceded by the
802 successful completion of at least two (2) academic years at an
803 accredited institution of higher learning, or accredited junior
804 college, and (b) successfully completed parts 1, 2, 3 and 4 and
805 the physical modality section of the examination prepared by the
806 National Board of Chiropractic Examiners, shall be entitled to
807 take the examination for a license to practice chiropractic in
808 Mississippi. The State Board of Chiropractic Examiners shall keep
809 on file a list of schools or colleges of chiropractic which are so
810 recognized. No chiropractic school shall be approved unless it is
811 recognized and approved by the Council on Chiropractic Education,
812 its successor or an equivalent accrediting agency, offers an
813 accredited course of study of not less than four (4) academic
814 years of at least nine (9) months in length, and requires its
815 graduates to receive not less than forty (40) clock hours of
816 instruction in the operation of x-ray machinery and not less than
817 forty (40) clock hours of instruction in x-ray interpretation and
818 diagnosis.

819 (2) Except as otherwise provided in this section, the State
820 Board of Health shall prescribe rules and regulations for the
821 operation and use of x-ray machines.



822 (3) The examination to practice chiropractic used by the
823 board shall consist of testing on the statutes and the rules and
824 regulations regarding the practice of chiropractic in the State of
825 Mississippi.

826 (4) Reciprocity privileges for a chiropractor from another
827 state shall be granted at the board's option on an individual
828 basis and by a majority vote of the State Board of Chiropractic
829 Examiners to an adult of good moral character who (a) is currently
830 an active competent practitioner for at least eight (8) years and
831 holds an active chiropractic license in another state with no
832 disciplinary proceeding or unresolved complaint pending anywhere
833 at the time a license is to be issued by this state, (b)
834 demonstrates having obtained licensure as a chiropractor in
835 another state under the same education requirements which were
836 equivalent to the education requirements in this state to obtain a
837 chiropractic license at the time the applicant obtained the
838 license in the other state, (c) satisfactorily passes the
839 examination administered by the State Board of Chiropractic
840 Examiners, and (d) meets the requirements of Section 73-6-1(3)
841 pertaining to therapeutic modalities. The issuance of a license
842 by reciprocity to a military-trained applicant or military spouse
843 shall be subject to the provisions of Section 1 of this act.

844 **SECTION 10.** Section 73-7-23, Mississippi Code of 1972, is
845 amended as follows:



846 73-7-23. The board may, upon application, issue a license by
847 reciprocity to any cosmetologist, esthetician, manicurist or wig
848 specialist over the age of seventeen (17) years from any other
849 state who has satisfactorily completed the required number of
850 accredited hours in that state, provided the state board from
851 which the applicant comes issues to cosmetologists, estheticians,
852 manicurists or wig specialists, as the case may be, from the State
853 of Mississippi a license under the same conditions. Applications
854 must be accompanied by (a) proof satisfactory to the board that
855 the required hours have been completed, and (b) the required
856 reciprocity fee, which shall be paid to the board.

857 An instructor from any other state may be qualified for
858 instructor's examination upon presenting a valid instructor's
859 license and proof of a high school education or its equivalent,
860 provided that the instructor (a) has had three (3) years or more
861 of experience as a licensed instructor prior to application, (b)
862 can read, write and speak English, and (c) has completed twelve
863 (12) semester hours in college courses approved by the board.
864 Such application must be accompanied by two (2) recent head
865 photographs of the applicant. Applicants shall pay the required
866 examination fee and license fee.

867 The issuance of a license by reciprocity to a
868 military-trained applicant or military spouse shall be subject to
869 the provisions of Section 1 of this act.



870 **SECTION 11.** Section 73-9-24, Mississippi Code of 1972, is
871 amended as follows:

872 73-9-24. (1) In addition to the method for obtaining a
873 license to practice dentistry or dental hygiene by way of
874 examination as provided by Section 73-9-23, the board, in its sole
875 discretion, may grant a license to a candidate who meets the
876 following criteria:

877 (a) Submit proof of graduation from a dental school or
878 school of dental hygiene accredited by the Commission on Dental
879 Accreditation of the American Dental Association (ADA), or its
880 successor commission;

881 (b) Be engaged in the active practice of dentistry or
882 dental hygiene or in full-time dental education or dental hygiene
883 education for the past five (5) years;

884 (c) Currently hold a valid, unrestricted and unexpired
885 license in a state whose standards for licensure are determined by
886 the board as equivalent to Mississippi's standards, and which
887 state grants reciprocity or licensure by credentials to licensees
888 of the State of Mississippi;

889 (d) Provides an endorsement from all states in which he
890 or she is currently licensed or has ever been licensed to practice
891 dentistry or dental hygiene;

892 (e) Has not been the subject of pending or final
893 disciplinary action in any state in which the applicant has been
894 licensed;



895 (f) Is not the subject of a pending investigation in
896 any other state or jurisdiction;

897 (g) Has passed a state or regional clinical licensure
898 examination and, within the past five (5) years, has not failed a
899 clinical licensure examination administered by another state,
900 jurisdiction, or regional licensing board;

901 (h) Has not failed at any time, a licensure examination
902 administered by the Mississippi State Board of Dental Examiners;

903 (i) Provides a written statement agreeing to appear for
904 interviews at the request of the board;

905 (j) Has successfully completed all parts of the
906 National Board Examinations of the Joint Commission on National
907 Dental Examinations, or its successor commission, unless the
908 applicant graduated from an accredited dental or dental hygiene
909 school before 1960;

910 (k) Successfully passes a written jurisprudence
911 examination;

912 (l) Provides payment of a nonrefundable application fee
913 as provided in Section 73-9-43; and

914 (m) In addition, the State Board of Dental Examiners
915 may consider the following in accepting, rejecting or denying an
916 application for licensure by credentialing:

917 (i) Information from the National Practitioner
918 Data Bank, the Healthcare Integrity and Protection Data Bank



919 and/or the American Association of Dental Examiners Clearinghouse
920 for Disciplinary Information.

921 (ii) Questioning under oath.

922 (iii) Results of peer review reports from
923 constituent societies and/or federal dental services.

924 (iv) Substance abuse testing or treatment.

925 (v) Background checks for criminal or fraudulent
926 activities.

927 (vi) Participation in continuing education.

928 (vii) A current certificate in cardiopulmonary
929 resuscitation.

930 (viii) Recent patient case reports and/or oral
931 defense of diagnosis and treatment plans.

932 (ix) No physical or psychological impairment that
933 would adversely affect the ability to deliver quality dental care.

934 (x) Agreement to initiate practice in the
935 credentialing jurisdiction within a reasonable period of time.

936 (xi) Proof of professional liability coverage and
937 that the coverage has not been refused, declined, canceled,
938 nonrenewed or modified.

939 (xii) Any additional information or documentation
940 that the board may stipulate by rule or regulation as necessary to
941 qualify for a license by credentialing.

942 (2) The board shall be granted sufficient time to conduct a
943 complete inquiry into the applicant's qualifications for licensure



944 by credentials, and the board may adopt such rules and regulations
945 pertaining to the time needed to conduct investigations and the
946 responsibility of applicants to produce verifiable documentation.

947 (3) Any applicant failing to meet the criteria in subsection
948 (1) of this section shall not be eligible for a license based on
949 credentials. Upon meeting the criteria in subsection (1) of this
950 section, the Mississippi State Board of Dental Examiners may, in
951 its discretion, issue to the applicant a license to practice
952 dentistry, or dental hygiene, unless grounds for denial of
953 licensure exist as enumerated in Section 73-9-61. Evidence of
954 falsification in the application for licensure through
955 credentialing will result in revocation of the license.

956 (4) Any applicant applying for a specialty license by
957 credentials must stay within his or her board recognized specialty
958 and must practice only that specialty within the State of
959 Mississippi. A specialty license holder must hold a general
960 dentistry license before obtaining a specialty license.

961 (5) The issuance of a license by reciprocity to a
962 military-trained applicant or military spouse shall be subject to
963 the provisions of Section 1 of this act.

964 **SECTION 12.** Section 73-10-15, Mississippi Code of 1972, is
965 amended as follows:

966 73-10-15. (1) A nonresident dietitian may practice
967 dietetics in Mississippi for five (5) days per year with current



968 other state's licensure or with current registration with the
969 Commission on Dietetics Registration.

970 (2) The board may waive the prescribed examination for
971 licensure and grant a license to any person who shall present
972 proof of current licensure as a dietitian in another state, the
973 District of Columbia, or territory of the United States which
974 requires standards for licensure considered by the advisory
975 council to be greater than or equal to the requirements for
976 licensure of this chapter, if such state or territory extends
977 reciprocity to licensees of the State of Mississippi. The
978 issuance of a license by reciprocity to a military-trained
979 applicant or military spouse shall be subject to the provisions of
980 Section 1 of this act.

981 **SECTION 13.** Section 73-11-51, Mississippi Code of 1972, is
982 amended as follows:

983 73-11-51. (1) No person shall engage in the business or
984 practice of funeral service, including embalming, and/or funeral
985 directing or hold himself out as transacting or practicing or
986 being entitled to transact or practice funeral service, including
987 embalming, and/or funeral directing in this state unless duly
988 licensed under the provisions of this chapter.

989 (2) The board is authorized and empowered to examine
990 applicants for licenses for the practice of funeral service and
991 funeral directing and shall issue the proper license to those



992 persons who successfully pass the applicable examination and
993 otherwise comply with the provisions of this chapter.

994 (3) To be licensed for the practice of funeral directing
995 under this chapter, a person must furnish satisfactory evidence to
996 the board that he or she:

997 (a) Is at least eighteen (18) years of age;

998 (b) Has a high school diploma or the equivalent
999 thereof;

1000 (c) Has served as a resident trainee for not less than
1001 twenty-four (24) months under the supervision of a person licensed
1002 for the practice of funeral service or funeral directing in this
1003 state;

1004 (d) Has successfully passed a written and/or oral
1005 examination as prepared or approved by the board; and

1006 (e) Is of good moral character.

1007 (4) To be licensed for the practice of funeral service under
1008 this chapter, a person must furnish satisfactory evidence to the
1009 board that he or she:

1010 (a) Is at least eighteen (18) years of age;

1011 (b) Has a high school diploma or the equivalent
1012 thereof;

1013 (c) Has successfully completed twelve (12) months or
1014 more of academic and professional instruction from an institution
1015 accredited by the United States Department of Education for
1016 funeral service education and have a certificate of completion



1017 from an institution accredited by the American Board of Funeral
1018 Service Education or any other successor recognized by the United
1019 States Department of Education for funeral service education;

1020 (d) Has served as a resident trainee for not less than
1021 twelve (12) months, either before or after graduation from an
1022 accredited institution mentioned above, under the supervision of a
1023 person licensed for the practice of funeral service in this state
1024 and in an establishment licensed in this state;

1025 (e) Has successfully passed the National Conference of
1026 Funeral Examiners examination and/or such other examination as
1027 approved by the board; and

1028 (f) Is of good moral character.

1029 (5) All applications for examination and license for the
1030 practice of funeral service or funeral directing shall be upon
1031 forms furnished by the board and shall be accompanied by an
1032 examination fee, a licensing fee and a nonrefundable application
1033 fee in amounts fixed by the board in accordance with Section
1034 73-11-56. The fee for an initial license, however, may be
1035 prorated in proportion to the period of time from the date of
1036 issuance to the date of biennial license renewal prescribed in
1037 subsection (8) of this section. All applications for examination
1038 shall be filed with the board office at least sixty (60) days
1039 before the date of examination. A candidate shall be deemed to
1040 have abandoned the application for examination if he does not



1041 appear on the scheduled date of examination unless such failure to
1042 appear has been approved by the board.

1043 (6) The practice of funeral service or funeral directing
1044 must be engaged in at a licensed funeral establishment, at least
1045 one (1) of which is listed as the licensee's place of business;
1046 and no person, partnership, corporation, association or other
1047 organization shall open or maintain a funeral establishment at
1048 which to engage in or conduct or hold himself or itself out as
1049 engaging in the practice of funeral service or funeral directing
1050 until such establishment has complied with the licensing
1051 requirements of this chapter. A license for the practice of
1052 funeral service or funeral directing shall be used only at
1053 licensed funeral establishments; however, this provision shall not
1054 prevent a person licensed for the practice of funeral service or
1055 funeral directing from conducting a funeral service at a church, a
1056 residence, public hall, lodge room or cemetery chapel, if such
1057 person maintains a fixed licensed funeral establishment of his own
1058 or is in the employ of or an agent of a licensed funeral
1059 establishment.

1060 (7) Any person holding a valid, unrevoked and unexpired
1061 nonreciprocal license in another state or territory having
1062 requirements greater than or equal to those of this state as
1063 determined by the board may apply for a license to practice in
1064 this state by filing with the board a certified statement from the
1065 secretary of the licensing board of the state or territory in



1066 which the applicant holds his license certifying to his
1067 qualifications and good standing with that board. He/she must
1068 also successfully pass a written and/or oral examination on the
1069 Mississippi Funeral Service licensing law and rules and
1070 regulations as prepared or approved by the board, and must pay a
1071 nonrefundable application fee set by the board. If the board
1072 finds that the applicant has fulfilled aforesaid requirements and
1073 has fulfilled substantially similar requirements of those required
1074 for a Mississippi licensee, the board shall grant such license
1075 upon receipt of a fee in an amount equal to the renewal fee set by
1076 the board for a license for the practice of funeral service or
1077 funeral directing, as the case may be, in this state. The board
1078 may issue a temporary funeral service or funeral directing work
1079 permit before a license is granted, before the next regular
1080 meeting of the board, if the applicant for a reciprocal license
1081 has complied with all requirements, rules and regulations of the
1082 board. The temporary permit will expire at the next regular
1083 meeting of the board. The issuance of a license or temporary
1084 permit by reciprocity to a military-trained applicant or military
1085 spouse shall be subject to the provisions of Section 1 of this
1086 act.

1087 (8) (a) Except as provided in Section 33-1-39, any person
1088 holding a license for the practice of funeral service or funeral
1089 directing may have the same renewed for a period of two (2) years
1090 by making and filing with the board an application on or before



1091 the due date. Payment of the renewal fee shall be in an amount
1092 set by the board in accordance with Section 73-11-56. The board
1093 shall mail the notice of renewal and the due date for the payment
1094 of the renewal fee to the last-known address of each licensee at
1095 least thirty (30) days before that date. It is the responsibility
1096 of the licensee to notify the board in writing of any change of
1097 address. An application will be considered late if the
1098 application and proper fees are not in the board's office or
1099 postmarked by the due date. Failure of a license holder to
1100 receive the notice of renewal shall not exempt or excuse a license
1101 holder from the requirement of renewing the license on or before
1102 the license expiration date.

1103 (b) If the renewal fee is not paid on or postmarked by
1104 the due date, the license of such person shall by operation of law
1105 automatically expire and become void without further action of the
1106 board. The board may reinstate such license if application for
1107 licensure is made within a period of five (5) years, upon payment
1108 of the renewal fee for the current year, all renewal fees in
1109 arrears, and a reinstatement fee. After a period of five (5)
1110 years, the licensee must make application, pay the current renewal
1111 fee, all fees in arrears, and pass a written and/or oral
1112 examination as prepared or approved by the board.

1113 (9) No license shall be assignable or valid for any person
1114 other than the original licensee.



1115 (10) The board may, in its discretion, if there is a major
1116 disaster or emergency where human death is likely to occur,
1117 temporarily authorize the practice of funeral directing and
1118 funeral service by persons licensed to practice in another state
1119 but not licensed to practice in this state. Only persons licensed
1120 in this state, however, may sign death certificates.

1121 (11) Any funeral service technology or mortuary science
1122 program accredited by the American Board of Funeral Service
1123 Education in the State of Mississippi, as well as students
1124 enrolled in such a program, shall be exempt from licensing under
1125 this chapter when embalming or otherwise preparing a deceased
1126 human body for disposition as part of a student practicum
1127 experience, when the student is directly supervised by an
1128 instructor or preceptor who holds a current funeral service
1129 license. This exemption shall apply to practicum experiences
1130 performed at an accredited institution of funeral service
1131 technology or mortuary science program or at a duly licensed
1132 funeral establishment or commercial mortuary service. Nothing in
1133 this subsection shall be construed to allow any funeral service
1134 technology or mortuary science program, or those students enrolled
1135 in such a program, to engage in practicum experiences for
1136 remuneration.

1137 (12) Each application or filing made under this section
1138 shall include the social security number(s) of the applicant in
1139 accordance with Section 93-11-64.



1140 **SECTION 14.** Section 73-13-35, Mississippi Code of 1972, is
1141 amended as follows:

1142 73-13-35. The board may, upon application therefor and the
1143 payment of a fee in accordance with Section 73-13-25, issue a
1144 certificate of licensure as a professional engineer to any person
1145 who holds a certificate of qualification or licensure issued to
1146 him by proper authority of any state or territory or possession of
1147 the United States, or of any country, provided that the
1148 applicant's qualifications meet the requirements of Sections
1149 73-13-1 through 73-13-45 and the rules established by the board.
1150 The issuance of a certificate of licensure by reciprocity to a
1151 military-trained applicant or military spouse shall be subject to
1152 the provisions of Section 1 of this act.

1153 **SECTION 15.** Section 73-14-25, Mississippi Code of 1972, is
1154 amended as follows:

1155 73-14-25. The department may license as a hearing aid
1156 specialist, and furnish a certificate of licensure, to any
1157 applicant who presents evidence, satisfactory to the department of
1158 having passed an examination before a similar lawfully authorized
1159 examining agency or board of hearing aid specialists of another
1160 state or the District of Columbia, if the standards for
1161 registration of hearing aid specialists or for licensure as a
1162 hearing aid specialist in such state or district are determined by
1163 the department to be as high as those of this state, and if that
1164 jurisdiction affords licensees of this state reciprocity.



1165 Any person making application for licensure under the
1166 provisions of this section may, at the discretion of the board, be
1167 required to pass an examination selected by the board.

1168 The issuance of a license by reciprocity to a
1169 military-trained applicant or military spouse shall be subject to
1170 the provisions of Section 1 of this act.

1171 **SECTION 16.** Section 73-15-19, Mississippi Code of 1972, is
1172 amended as follows:

1173 73-15-19. (1) **Registered nurse applicant qualifications.**

1174 Any applicant for a license to practice as a registered nurse
1175 shall submit to the board:

1176 (a) An attested written application on a Board of
1177 Nursing form;

1178 (b) Written official evidence of completion of a
1179 nursing program approved by the Board of Trustees of State
1180 Institutions of Higher Learning, or one approved by a legal
1181 accrediting agency of another state, territory or possession of
1182 the United States, the District of Columbia, or a foreign country
1183 which is satisfactory to this board;

1184 (c) Evidence of competence in English related to
1185 nursing, provided the first language is not English;

1186 (d) Any other official records required by the board.

1187 In addition to the requirements specified in paragraphs (a)
1188 through (d) of this subsection, in order to qualify for a license
1189 to practice as a registered nurse, an applicant must have



1190 successfully been cleared for licensure through an investigation
1191 that shall consist of a determination as to good moral character
1192 and verification that the prospective licensee is not guilty of or
1193 in violation of any statutory ground for denial of licensure as
1194 set forth in Section 73-15-29 or guilty of any offense specified
1195 in Section 73-15-33. To assist the board in conducting its
1196 licensure investigation, all applicants shall undergo a
1197 fingerprint-based criminal history records check of the
1198 Mississippi central criminal database and the Federal Bureau of
1199 Investigation criminal history database. Each applicant shall
1200 submit a full set of his or her fingerprints in a form and manner
1201 prescribed by the board, which shall be forwarded to the
1202 Mississippi Department of Public Safety (department) and the
1203 Federal Bureau of Investigation Identification Division for this
1204 purpose.

1205 Any and all state or national criminal history records
1206 information obtained by the board that is not already a matter of
1207 public record shall be deemed nonpublic and confidential
1208 information restricted to the exclusive use of the board, its
1209 members, officers, investigators, agents and attorneys in
1210 evaluating the applicant's eligibility or disqualification for
1211 licensure, and shall be exempt from the Mississippi Public Records
1212 Act of 1983. Except when introduced into evidence in a hearing
1213 before the board to determine licensure, no such information or
1214 records related thereto shall, except with the written consent of



1215 the applicant or by order of a court of competent jurisdiction, be
1216 released or otherwise disclosed by the board to any other person
1217 or agency.

1218 The board shall provide to the department the fingerprints of
1219 the applicant, any additional information that may be required by
1220 the department, and a form signed by the applicant consenting to
1221 the check of the criminal records and to the use of the
1222 fingerprints and other identifying information required by the
1223 state or national repositories.

1224 The board shall charge and collect from the applicant, in
1225 addition to all other applicable fees and costs, such amount as
1226 may be incurred by the board in requesting and obtaining state and
1227 national criminal history records information on the applicant.

1228 The board may, in its discretion, refuse to accept the
1229 application of any person who has been convicted of a criminal
1230 offense under any provision of Title 97 of the Mississippi Code of
1231 1972, as now or hereafter amended, or any provision of this
1232 article.

1233 (2) **Licensure by examination.** (a) Upon the board being
1234 satisfied that an applicant for a license as a registered nurse
1235 has met the qualifications set forth in subsection (1) of this
1236 section, the board shall proceed to examine such applicant in such
1237 subjects as the board shall, in its discretion, determine. The
1238 subjects in which applicants shall be examined shall be in
1239 conformity with curricula in schools of nursing approved by the



1240 Board of Trustees of State Institutions of Higher Learning, or one
1241 approved by a legal accrediting agency of another state, territory
1242 or possession of the United States, the District of Columbia, or a
1243 foreign country which is satisfactory to the board.

1244 (b) The applicant shall be required to pass the written
1245 examination as selected by the board.

1246 (c) Upon successful completion of such examination, the
1247 board shall issue to the applicant a license to practice as a
1248 registered nurse.

1249 (d) The board may use any part or all of the state
1250 board test pool examination for registered nurse licensure, its
1251 successor examination, or any other nationally standardized
1252 examination identified by the board in its rules. The passing
1253 score shall be established by the board in its rules.

1254 (3) **Licensure by endorsement.** The board may issue a license
1255 to practice nursing as a registered nurse without examination to
1256 an applicant who has been duly licensed as a registered nurse
1257 under the laws of another state, territory or possession of the
1258 United States, the District of Columbia, or a foreign country if,
1259 in the opinion of the board, the applicant meets the
1260 qualifications required of licensed registered nurses in this
1261 state and has previously achieved the passing score or scores on
1262 the licensing examination required by this state, at the time of
1263 his or her graduation. The issuance of a license by endorsement



1264 to a military-trained applicant or military spouse shall be
1265 subject to the provisions of Section 1 of this act.

1266 (4) **Requirements for rewriting the examination.** The board
1267 shall establish in its rules the requirements for rewriting the
1268 examination for those persons failing the examination on the first
1269 writing or subsequent rewriting.

1270 (5) **Fee.** The applicant applying for a license by
1271 examination or by endorsement to practice as a registered nurse
1272 shall pay a fee not to exceed One Hundred Dollars (\$100.00) to the
1273 board.

1274 (6) **Temporary permit.** (a) The board may issue a temporary
1275 permit to practice nursing to a graduate of an approved school of
1276 nursing pending the results of the examination in Mississippi, and
1277 to a qualified applicant from another state, territory or
1278 possession of the United States, or District of Columbia, or
1279 pending licensure procedures as provided for elsewhere in this
1280 article. The fee shall not exceed Twenty-five Dollars (\$25.00).

1281 (b) The board may issue a temporary permit for a period
1282 of ninety (90) days to a registered nurse who is currently
1283 licensed in another state, territory or possession of the United
1284 States or the District of Columbia and who is an applicant for
1285 licensure by endorsement. Such permit is not renewable except by
1286 board action. The issuance of a temporary permit to a
1287 military-trained applicant or military spouse shall be subject to
1288 the provisions of Section 1 of this act.



1289 (c) The board may issue a temporary permit to a
1290 graduate of an approved school of nursing pending the results of
1291 the first licensing examination scheduled after application. Such
1292 permit is not renewable except by board action.

1293 (d) The board may issue a temporary permit for a period
1294 of thirty (30) days to any registered nurse during the time
1295 enrolled in a nursing reorientation program. This time period may
1296 be extended by board action. The fee shall not exceed Twenty-five
1297 Dollars (\$25.00).

1298 (e) The board may adopt such regulations as are
1299 necessary to limit the practice of persons to whom temporary
1300 permits are issued.

1301 (7) **Temporary license.** The board may issue a temporary
1302 license to practice nursing at a youth camp licensed by the State
1303 Board of Health to nonresident registered nurses and retired
1304 resident registered nurses under the provisions of Section
1305 75-74-8.

1306 (8) **Title and abbreviation.** Any person who holds a license
1307 or holds the privilege to practice as a registered nurse in this
1308 state shall have the right to use the title "registered nurse" and
1309 the abbreviation "R.N." No other person shall assume such title
1310 or use such abbreviation, or any words, letters, signs or devices
1311 to indicate that the person using the same is a registered nurse.

1312 (9) **Registered nurses licensed under a previous law.** Any
1313 person holding a license to practice nursing as a registered nurse



1314 issued by this board which is valid on July 1, 1981, shall
1315 thereafter be deemed to be licensed as a registered nurse under
1316 the provisions of this article upon payment of the fee provided in
1317 Section 73-15-27.

1318 (10) Each application or filing made under this section
1319 shall include the social security number(s) of the applicant in
1320 accordance with Section 93-11-64.

1321 **SECTION 17.** Section 73-15-21, Mississippi Code of 1972, is
1322 amended as follows:

1323 73-15-21. (1) **Licensed practical nurse applicant**
1324 **qualifications.** Any applicant for a license to practice practical
1325 nursing as a licensed practical nurse shall submit to the board:

1326 (a) An attested written application on a Board of
1327 Nursing form;

1328 (b) A diploma from an approved high school or the
1329 equivalent thereof, as determined by the appropriate educational
1330 agency;

1331 (c) Written official evidence of completion of a
1332 practical nursing program approved by the State Department of
1333 Education through its Division of Vocational Education, or one
1334 approved by a legal accrediting agency of another state, territory
1335 or possession of the United States, the District of Columbia, or a
1336 foreign country which is satisfactory to this board;

1337 (d) Evidence of competence in English related to
1338 nursing, provided the first language is not English;



1339 (e) Any other official records required by the board.

1340 In addition to the requirements specified in paragraphs (a)
1341 through (e) of this subsection, in order to qualify for a license
1342 to practice practical nursing as a licensed practical nurse, an
1343 applicant must have successfully been cleared for licensure
1344 through an investigation that shall consist of a determination as
1345 to good moral character and verification that the prospective
1346 licensee is not guilty of or in violation of any statutory ground
1347 for denial of licensure as set forth in Section 73-15-29 or guilty
1348 of any offense specified in Section 73-15-33. To assist the board
1349 in conducting its licensure investigation, all applicants shall
1350 undergo a fingerprint-based criminal history records check of the
1351 Mississippi central criminal database and the Federal Bureau of
1352 Investigation criminal history database. Each applicant shall
1353 submit a full set of his or her fingerprints in a form and manner
1354 prescribed by the board, which shall be forwarded to the
1355 Mississippi Department of Public Safety (department) and the
1356 Federal Bureau of Investigation Identification Division for this
1357 purpose.

1358 Any and all state or national criminal history records
1359 information obtained by the board that is not already a matter of
1360 public record shall be deemed nonpublic and confidential
1361 information restricted to the exclusive use of the board, its
1362 members, officers, investigators, agents and attorneys in
1363 evaluating the applicant's eligibility or disqualification for



1364 licensure, and shall be exempt from the Mississippi Public Records
1365 Act of 1983. Except when introduced into evidence in a hearing
1366 before the board to determine licensure, no such information or
1367 records related thereto shall, except with the written consent of
1368 the applicant or by order of a court of competent jurisdiction, be
1369 released or otherwise disclosed by the board to any other person
1370 or agency.

1371 The board shall provide to the department the fingerprints of
1372 the applicant, any additional information that may be required by
1373 the department, and a form signed by the applicant consenting to
1374 the check of the criminal records and to the use of the
1375 fingerprints and other identifying information required by the
1376 state or national repositories.

1377 The board shall charge and collect from the applicant, in
1378 addition to all other applicable fees and costs, such amount as
1379 may be incurred by the board in requesting and obtaining state and
1380 national criminal history records information on the applicant.

1381 The board may, in its discretion, refuse to accept the
1382 application of any person who has been convicted of a criminal
1383 offense under any provision of Title 97 of the Mississippi Code of
1384 1972, as now or hereafter amended, or any provision of this
1385 article.

1386 (2) **Licensure by examination.** (a) Upon the board being
1387 satisfied that an applicant for a license as a practical nurse has
1388 met the qualifications set forth in subsection (1) of this



1389 section, the board shall proceed to examine such applicant in such
1390 subjects as the board shall, in its discretion, determine. The
1391 subjects in which applicants shall be examined shall be in
1392 conformity with curricula in schools of practical nursing approved
1393 by the State Department of Education.

1394 (b) The applicant shall be required to pass the written
1395 examination selected by the board.

1396 (c) Upon successful completion of such examination, the
1397 board shall issue to the applicant a license to practice as a
1398 licensed practical nurse.

1399 (d) The board may use any part or all of the state
1400 board test pool examination for practical nurse licensure, its
1401 successor examination, or any other nationally standardized
1402 examination identified by the board in its rules. The passing
1403 score shall be established by the board in its rules.

1404 (3) **Licensure by endorsement.** The board may issue a license
1405 to practice practical nursing as a licensed practical nurse
1406 without examination to an applicant who has been duly licensed as
1407 a licensed practical nurse under the laws of another state,
1408 territory or possession of the United States, the District of
1409 Columbia, or a foreign country if, in the opinion of the board,
1410 the applicant meets the qualifications required of licensed
1411 practical nurses in this state and has previously achieved the
1412 passing score or scores on the licensing examination required by
1413 this state at the time of his or her graduation. The issuance of



1414 a license by endorsement to a military-trained applicant or
1415 military spouse shall be subject to the provisions of Section 1 of
1416 this act.

1417 (4) **Licensure by equivalent amount of theory and clinical**
1418 **experience.** In the discretion of the board, former students of a
1419 state accredited school preparing students to become registered
1420 nurses may be granted permission to take the examination for
1421 licensure to practice as a licensed practical nurse, provided the
1422 applicant's record or transcript indicates the former student
1423 completed an equivalent amount of theory and clinical experiences
1424 as required of a graduate of a practical nursing program, and
1425 provided the school attended was, at the time of the student's
1426 attendance, an accredited school of nursing.

1427 (5) **Requirements for rewriting the examination.** The board
1428 shall establish in its rules the requirements for rewriting the
1429 examination for those persons failing the examination on the first
1430 writing or subsequent writing.

1431 (6) **Fee.** The applicant applying for a license by
1432 examination or by endorsement to practice as a licensed practical
1433 nurse shall pay a fee not to exceed Sixty Dollars (\$60.00) to the
1434 board.

1435 (7) **Temporary permit.** (a) The board may issue a temporary
1436 permit to practice practical nursing to a graduate of an approved
1437 school of practical nursing pending the results of the examination
1438 in Mississippi, and to a qualified applicant from another state,



1439 territory or possession of the United States, or the District of
1440 Columbia, pending licensing procedures as provided for elsewhere
1441 in this article. The fee shall not exceed Twenty-five Dollars
1442 (\$25.00).

1443 (b) The board may issue a temporary permit for a period
1444 of ninety (90) days to a licensed practical nurse who is currently
1445 licensed in another state, territory or possession of the United
1446 States or the District of Columbia and who is an applicant for
1447 licensure by endorsement. Such permit is not renewable except by
1448 board action. The issuance of a temporary permit to a
1449 military-trained applicant or military spouse shall be subject to
1450 the provisions of Section 1 of this act.

1451 (c) The board may issue a temporary permit to a
1452 graduate of an approved practical nursing education program or an
1453 equivalent program satisfactory to the board pending the results
1454 of the first licensing examination scheduled after application.
1455 Such permit is not renewable except by board action.

1456 (d) The board may issue a temporary permit for a period
1457 of thirty (30) days to any licensed practical nurse during the
1458 time enrolled in a nursing reorientation program. This time
1459 period may be extended by board action. The fee shall not exceed
1460 Twenty-five Dollars (\$25.00).

1461 (e) The board may adopt such regulations as are
1462 necessary to limit the practice of persons to whom temporary
1463 permits are issued.



1464 (8) **Title and abbreviation.** Any person who holds a license
1465 or holds the privilege to practice as a licensed practical nurse
1466 in this state shall have the right to use the title "licensed
1467 practical nurse" and the abbreviation "L.P.N." No other person
1468 shall assume such title or use such abbreviation, or any words,
1469 letters, signs or devices to indicate that a person using the same
1470 is a licensed practical nurse.

1471 (9) **Licensed practical nurses licensed under a previous law.**
1472 Any person holding a license to practice nursing as a practical
1473 nurse issued by this board which is valid on July 1, 1981, shall
1474 thereafter be deemed to be licensed as a practical nurse under the
1475 provisions of this article upon payment of the fee prescribed in
1476 Section 73-15-27.

1477 (10) Each application or filing made under this section
1478 shall include the social security number(s) of the applicant in
1479 accordance with Section 93-11-64.

1480 **SECTION 18.** Section 73-15-101, Mississippi Code of 1972, is
1481 amended as follows:

1482 73-15-101. (1) A statewide program for certification of
1483 hemodialysis technicians is created under the Mississippi Board of
1484 Nursing.

1485 (2) Unless certified as a certified hemodialysis technician
1486 under this section, no person shall:

1487 (a) Practice as a certified hemodialysis technician; or



1488 (b) Use the title "certified hemodialysis technician,"
1489 "hemodialysis technician," or other title, abbreviation, letters,
1490 figures, signs, or devices to indicate or imply that the person is
1491 a certified hemodialysis technician.

1492 (3) The Board of Nursing is authorized and empowered to:

1493 (a) Maintain a permanent register of all certified
1494 hemodialysis technicians;

1495 (b) Adopt rules and regulations for certified
1496 hemodialysis technician training programs, including standards and
1497 curricula;

1498 (c) Provide for periodic evaluation of training
1499 programs;

1500 (d) Grant, deny or withdraw approval from a training
1501 program that fails to meet prescribed standards or fails to
1502 maintain a current contract with the board;

1503 (e) Develop, maintain and administer a certification
1504 examination, or grant, deny or withdraw approval of a
1505 certification examination(s);

1506 (f) Adopt rules and regulations for certification of
1507 hemodialysis technicians by examination, endorsement, renewal and
1508 reinstatement; however, the certification by endorsement of a
1509 military-trained applicant or military spouse shall be subject to
1510 the provisions of Section 1 of this act; and

1511 (g) Conduct disciplinary hearings of certified
1512 hemodialysis technicians concerning the restriction, denial,



1513 suspension, revocation and/or discipline of a certificate holder
1514 in any manner specified in rules and regulations of the board.

1515 (4) Any applicant for certification to practice as a
1516 hemodialysis technician shall submit to the Board of Nursing:

1517 (a) An attested written application on a Board of
1518 Nursing form;

1519 (b) A diploma from an approved high school or the
1520 equivalent thereof, as determined by the appropriate education
1521 agency;

1522 (c) Written official evidence of completion of a
1523 hemodialysis technician program approved by the Board of Nursing;

1524 (d) Evidence of competence in English related to health
1525 care/nursing if the first language is not English;

1526 (e) Written official evidence that the applicant has
1527 passed the certification examination as approved by the Board of
1528 Nursing; and

1529 (f) Any other official records required by the Board of
1530 Nursing.

1531 The Board of Nursing may, in its discretion, refuse to accept
1532 the application of any person who has been convicted of a criminal
1533 offense under any provision of Title 97 of the Mississippi Code of
1534 1972, or any offense listed in Section 43-11-13(5), or any sex
1535 offense included in Section 45-33-23(g), as now or hereafter
1536 amended.



1537 (5) Every certificate issued by the Board of Nursing to
1538 practice as a certified hemodialysis technician shall be renewed
1539 every two (2) years. The certified hemodialysis technician
1540 seeking renewal shall submit proof of employment as a certified
1541 hemodialysis technician, proof of having met continuing education
1542 requirements adopted by the Board of Nursing and any other
1543 official records required by the Board of Nursing.

1544 (6) The Board of Nursing shall establish nonrefundable fees
1545 necessary for the administration of this section, including, but
1546 not limited to, fees for initial certification by initial or later
1547 examination, renewal of certification, reinstatement of a lapsed
1548 certificate, endorsement, initial review and approval of a
1549 training program, and later review and approval of a training
1550 program.

1551 **SECTION 19.** Section 73-17-11, Mississippi Code of 1972, is
1552 amended as follows:

1553 73-17-11. (1) From and after July 1, 2011, in order to be
1554 eligible to be licensed as a nursing home administrator, an
1555 individual must submit evidence satisfactory to the board that he
1556 or she:

1557 (a) Is at least twenty-one (21) years of age;

1558 (b) Is of good moral character, including evidence of a
1559 criminal background check within the last six (6) months, under
1560 Section 43-11-13 and Section G.407.3 of the Minimum Standards for
1561 Institutions for the Aged or Infirm;



1562 (c) Is in good health;

1563 (d) Has satisfied at least one (1) of the following
1564 requirements for education and experience:

1565 (i) Has sixty-four (64) hours of college work from
1566 an accredited institution and has worked in a supervisory capacity
1567 in a Mississippi-licensed nursing home for a minimum of two (2)
1568 years immediately before making application for the
1569 Administrator-in-Training Program established by board rule;

1570 (ii) Has an associate degree from an accredited
1571 institution and has worked in a supervisory capacity in a
1572 Mississippi-licensed nursing home for a minimum of two (2) years
1573 immediately before making application for the
1574 Administrator-in-Training Program established by board rule;

1575 (iii) Has a bachelor's degree in any other field
1576 of study from an accredited institution before making application
1577 for the Administrator-in-Training Program established by board
1578 rule; or

1579 (iv) Has a bachelor's degree in health care
1580 administration or a health care related field or business from an
1581 accredited institution before making application for the
1582 Administrator-in-Training Program established by board rule;

1583 (e) Has (i) completed a nursing home
1584 Administrator-in-Training Program and successfully completed the
1585 National Association of Long-Term Care Administrator Board (NAB)
1586 examination, or (ii) completed an Administrator-in-Training



1587 Program in Long-Term Care Administration from an academic
1588 institution during which time the institution held National
1589 Association of Long-Term Care Administrator Board (NAB) Program
1590 Approval through the Academic Approval process, to the
1591 satisfaction of the board;

1592 (f) Has successfully passed the National Association of
1593 Long-Term Care Administrator Board (NAB) examination and the
1594 Mississippi State Board of Nursing Home Administrators examination
1595 to test his or her proficiency and basic knowledge in the area of
1596 nursing home administration. The board may establish the
1597 frequency of the offering of those examinations and the contents
1598 thereof; and

1599 (g) Has met all of the requirements established by
1600 federal law.

1601 (2) Reciprocity shall be extended to individuals holding
1602 licenses as nursing home administrators in other states, upon
1603 proper application and a finding on the part of the board that:

1604 (a) The applicant possesses the basic qualifications
1605 listed in this chapter and in the rules and regulations adopted
1606 under federal law;

1607 (b) The applicant has met all of the requirements
1608 established by federal law; and

1609 (c) The standards for licensure in the other state are
1610 at least the substantial equivalent of those in this state,
1611 including education and experience, and the applicant has passed



1612 both the National Association of Long-Term Care Administrator
1613 Board (NAB) and the state exams.

1614 The issuance of a license by reciprocity to a
1615 military-trained applicant or military spouse shall be subject to
1616 the provisions of Section 1 of this act.

1617 (3) The board may prescribe appropriate fees for the taking
1618 of those examinations and for the issuance of licenses. Those
1619 fees shall be not more than the cost of the examinations and Five
1620 Hundred Dollars (\$500.00) for the issuance of a license. However,
1621 the fee for an initial license may be prorated in proportion to
1622 the period of time from the date of issuance and the date of
1623 biennial license renewal prescribed in subsection (4). All
1624 licenses issued under this chapter shall be for a maximum period
1625 of two (2) years.

1626 (4) Except as provided in Section 33-1-39, the board may
1627 renew licenses biennially upon the payment of a fee to be
1628 established by the board, which shall be not more than Five
1629 Hundred Dollars (\$500.00), plus any administrative costs for late
1630 payment.

1631 (5) Any person who is not licensed under this chapter on
1632 July 1, 2011, who makes application with the board on or before
1633 June 30, 2012, may qualify for a license under this chapter
1634 provided that on or before January 31, 2014, he or she
1635 demonstrates to the satisfaction of the board that he or she (a)
1636 meets the eligibility requirements for a nursing home



1637 administrator's license prescribed in this section as those
1638 requirements existed on June 30, 2011; (b) has successfully
1639 completed the Administrator-in-Training Program requirements
1640 existing on June 30, 2011; and (c) has paid all required fees for
1641 licensure.

1642 (6) This section shall stand repealed on July 1, 2015.

1643 **SECTION 20.** Section 73-19-25, Mississippi Code of 1972, is
1644 amended as follows:

1645 73-19-25. An applicant for a certificate of licensure who
1646 has been examined by the state board of another state which,
1647 through reciprocity, similarly accredits the holder of a
1648 certificate issued by the board of this state to the full
1649 privileges of practice within such state, on the payment of a fee
1650 of not more than Fifty Dollars (\$50.00) to the * * * board and on
1651 filing in the office of the board a true and attested copy of
1652 the * * * the license, certified by the president or secretary of
1653 the state board issuing the same, and showing also that the
1654 standard requirements adopted and enforced by * * * the board are
1655 equal to that provided by this state, may, without further
1656 examination, receive a certificate of licensure, provided that
1657 such applicant has not previously failed at an examination held by
1658 the board of this state. The issuance of a certificate of
1659 licensure by reciprocity to a military-trained applicant or
1660 military spouse shall be subject to the provisions of Section 1 of
1661 this act.



1662 **SECTION 21.** Section 73-21-87, Mississippi Code of 1972, is
1663 amended as follows:

1664 73-21-87. (1) To obtain a license to engage in the practice
1665 of pharmacy by reciprocity or license transfer, the applicant
1666 shall:

1667 (a) Have submitted a written application on the form
1668 prescribed by the board;

1669 (b) Be of good moral character;

1670 (c) Have possessed at the time of initial licensure as
1671 a pharmacist such other qualifications necessary to have been
1672 eligible for licensure at that time in that state;

1673 (d) Have presented to the board proof that any license
1674 or licenses granted to the applicant by any other states have not
1675 been suspended, revoked, cancelled or otherwise restricted for any
1676 reason except nonrenewal or the failure to obtain required
1677 continuing education credits; and

1678 (e) Have paid all fees specified by the board for
1679 licensure.

1680 (2) No applicant shall be eligible for licensure by
1681 reciprocity or license transfer unless the state in which the
1682 applicant was initially licensed also grants a reciprocal license
1683 or transfer license to pharmacists licensed by this state under
1684 like circumstances and conditions.



1685 (3) The issuance of a license by reciprocity to a
1686 military-trained applicant or military spouse shall be subject to
1687 the provisions of Section 1 of this act.

1688 (* * *4) Each application or filing made under this section
1689 shall include the social security number(s) of the applicant in
1690 accordance with Section 93-11-64 * * *.

1691 **SECTION 22.** Section 73-23-51, Mississippi Code of 1972, is
1692 amended as follows:

1693 73-23-51. (1) The board may license as a physical therapist
1694 or as a physical therapist assistant, and furnish a certificate of
1695 licensure without examination to, any applicant who presents
1696 evidence, satisfactory to the board, of having passed an
1697 examination before a similar lawfully authorized examining agency
1698 or board in physical therapy of another state or the District of
1699 Columbia, if the standards for registration in physical therapy or
1700 for licensure as a physical therapist assistant in such other
1701 state or district are determined by the board to be as high as
1702 those of this state. The issuance of a license by reciprocity to
1703 a military-trained applicant or military spouse shall be subject
1704 to the provisions of Section 1 of this act.

1705 (2) Any person who has been trained as a physical therapist
1706 in a foreign country and desires to be licensed under this chapter
1707 and who: (a) is of good moral character; (b) holds a diploma from
1708 an educational program for physical therapists approved by the
1709 board; (c) submits documentary evidence to the board that he has



1710 completed a course of professional instruction substantially
1711 equivalent to that obtained by an applicant for licensure; (d)
1712 demonstrates satisfactory proof of proficiency in the English
1713 language; and (e) meets other requirements established by rules of
1714 the board, may make application on a form furnished by the board
1715 for examination as a foreign-trained physical therapist. At the
1716 time of making such application, the applicant shall pay the fee
1717 prescribed by the board, no portion of which shall be returned.

1718 Any person who desires to be licensed under this subsection
1719 shall take an examination approved by the board and shall obtain a
1720 permanent license. If this requirement is not met, the license of
1721 the foreign-trained therapist may be revoked.

1722 **SECTION 23.** Section 73-23-53, Mississippi Code of 1972, is
1723 amended as follows:

1724 73-23-53. (1) A temporary license to practice as a physical
1725 therapist or physical therapist assistant may be granted to those
1726 persons meeting the requirements stated in Section 73-23-47 and
1727 who (a) have not taken the approved examination, or (b) have taken
1728 the approved examination but have not received the results of the
1729 examination. The temporary license shall be granted for a period
1730 not to exceed ninety (90) days. Any physical therapist granted a
1731 temporary license under the provisions of this subsection shall
1732 restrict his practice to the State of Mississippi and shall be
1733 under the direct supervision of a physical therapist licensed in
1734 Mississippi (physical therapy assistants shall be under the direct



1735 on-site supervision of a Mississippi licensed physical therapist).
1736 Documentation verifying the supervision shall be on file with the
1737 board before a temporary license is granted.

1738 (2) The board may by rule provide for the issuance of a
1739 temporary license to a physical therapist or a physical therapist
1740 assistant licensed in another state who is moving into the state
1741 and has filed an application with the board for a permanent
1742 license in this state. This temporary license will be granted for
1743 a period not to exceed sixty (60) days. The issuance of a
1744 temporary license to a military-trained applicant or military
1745 spouse shall be subject to the provisions of Section 1 of this
1746 act.

1747 (3) Any person granted a temporary license who is required
1748 to take the approved examination and fails to take the exam as
1749 required by the board or does not pass the required exam shall
1750 have the temporary license automatically expire by operation of
1751 law and without further action of the board and no license of any
1752 type shall be issued until such person has passed an approved
1753 examination.

1754 (4) Any person who has taken but not passed the required
1755 examination in this or another jurisdiction shall not be eligible
1756 for a license of any type until an approved examination is passed.

1757 (5) Any person who has been trained as a physical therapist
1758 or physical therapist assistant in a foreign country and desires
1759 to be temporarily licensed under this subsection shall, in



1760 addition to satisfying such other requirements established by the
1761 board, demonstrate proficiency in the English language and meet
1762 the other requirements of Section 73-23-51(2) before such
1763 temporary license shall be issued.

1764 (6) During a lawfully declared local, state or national
1765 disaster or emergency, the board may issue a temporary license to
1766 any otherwise qualified physical therapist or physical therapist
1767 assistant licensed and in good standing in another state or
1768 territory of the United States and who meets such other
1769 requirements as the board may prescribe by rule and regulation.

1770 **SECTION 24.** Section 73-24-21, Mississippi Code of 1972, is
1771 amended as follows:

1772 73-24-21. (1) The board shall grant a license to any person
1773 certified prior to July 1, 1988, as an Occupational Therapist
1774 Registered (OTR) or a Certified Occupational Therapy Assistant
1775 (COTA) by the American Occupational Therapy Association (AOTA).
1776 The board may waive the examination, education or experience
1777 requirements and grant a license to any person certified by AOTA
1778 after July 1, 1988, if the board determines the requirements for
1779 such certification are equivalent to the requirements for
1780 licensure in this chapter.

1781 (2) The board may waive the examination, education or
1782 experience requirements and grant a license to any applicant who
1783 shall present proof of current licensure as an occupational
1784 therapist or occupational therapy assistant in another state, the



1785 District of Columbia or territory of the United States which
1786 requires standards for licensure considered by the board to be
1787 equivalent to the requirements for licensure of this chapter. The
1788 issuance of a license by reciprocity to a military-trained
1789 applicant or military spouse shall be subject to the provisions of
1790 Section 1 of this act.

1791 (3) Foreign trained occupational therapists and occupational
1792 therapy assistants shall satisfy the examination requirements of
1793 Section 73-24-19. The board shall require foreign trained
1794 applicants to furnish proof of good moral character and completion
1795 of educational and supervised fieldwork requirements substantially
1796 equal to those contained in Section 73-24-19 before taking the
1797 examination.

1798 **SECTION 25.** Section 73-25-21, Mississippi Code of 1972, is
1799 amended as follows:

1800 73-25-21. The State Board of Medical Licensure may grant
1801 license to practice medicine without examination as to learning to
1802 graduates in medicine or osteopathic medicine who hold license to
1803 practice medicine from another state, provided the requirements in
1804 such state are equal to those required by the State Board of
1805 Medical Licensure * * *. The State Board of Medical Licensure may
1806 affiliate with and recognize for the purpose of waiving
1807 examination diplomates of the National Board of Medical Examiners,
1808 or the National Board of Examiners for Osteopathic Physicians and
1809 Surgeons in granting license to practice medicine in Mississippi.



1810 In addition, the board may grant a license to practice medicine
1811 without examination to Licentiates of the Medical Council of
1812 Canada (LMCC) who are graduates of Canadian medical schools which
1813 are accredited by the Liaison Committee on Medical Education, as
1814 sponsored by the American Medical Association and the Association
1815 of American Medical Colleges, and by the Committee for
1816 Accreditation of Canadian Medical Schools, as sponsored by the
1817 Canadian Medical Association and the Association of Canadian
1818 Medical Colleges.

1819 The issuance of a license by reciprocity to a
1820 military-trained applicant or military spouse shall be subject to
1821 the provisions of Section 1 of this act.

1822 **SECTION 26.** Section 73-27-5, Mississippi Code of 1972, is
1823 amended as follows:

1824 73-27-5. All applicants for license shall have attained the
1825 age of twenty-one (21) years, and shall be of good moral
1826 character; they shall have had at least four (4) years high school
1827 and be graduates of same; they shall have at least one (1) year
1828 prepodiatry college education and be graduates of some college of
1829 podiatry recognized as being in good standing by the State Board
1830 of Medical Licensure. No college of podiatry or chiropody shall
1831 be accredited by the board as a college of good standing that does
1832 not require for graduation a course of study of at least four (4)
1833 years (eight and one-half (8-1/2) months each) and be recognized
1834 by the Council on Education of the American Podiatry Association.



1835 However, all podiatrists actively engaged in the practice of
1836 podiatry in the State of Mississippi, prior to January 1, 1938,
1837 whether graduates or not, shall, upon furnishing proof thereof by
1838 displaying their state privilege tax license to the Secretary of
1839 the State Board of Medical Licensure, and upon payment of fee of
1840 Ten Dollars and Twenty-five Cents (\$10.25), be entitled to a
1841 license without an examination, and applications for the license
1842 shall be filed not later than sixty (60) days after the passage of
1843 this chapter. Upon payment of a fee prescribed by the State Board
1844 of Medical Licensure, not to exceed Five Hundred Dollars
1845 (\$500.00), a license without examination may be issued to
1846 podiatrists of other states maintaining equal statutory
1847 requirements for the practice of podiatry and extending the same
1848 reciprocal privileges to this state. The State Board of Medical
1849 Licensure may affiliate with the National Board of Chiropractic or
1850 Podiatry Licensure in granting licenses to practice podiatry in
1851 Mississippi, provided the written examination covers at least
1852 two-thirds (2/3) of the subjects set forth in Section 73-27-9.
1853 The issuance of a license by reciprocity to a military-trained
1854 applicant or military spouse shall be subject to the provisions of
1855 Section 1 of this act.

1856 To qualify for a Mississippi podiatry license, an applicant
1857 must have successfully been cleared for licensure through an
1858 investigation that shall consist of a determination as to good
1859 moral character and verification that the prospective licensee is



1860 not guilty of or in violation of any statutory ground for denial
1861 of licensure as set forth in Section 73-27-13. To assist the
1862 board in conducting its licensure investigation, all applicants
1863 shall undergo a fingerprint-based criminal history records check
1864 of the Mississippi central criminal database and the Federal
1865 Bureau of Investigation criminal history database. Each applicant
1866 shall submit a full set of the applicant's fingerprints in a form
1867 and manner prescribed by the board, which shall be forwarded to
1868 the Mississippi Department of Public Safety (department) and the
1869 Federal Bureau of Investigation Identification Division for this
1870 purpose.

1871 Any and all state or national criminal history records
1872 information obtained by the board that is not already a matter of
1873 public record shall be deemed nonpublic and confidential
1874 information restricted to the exclusive use of the board, its
1875 members, officers, investigators, agents and attorneys in
1876 evaluating the applicant's eligibility or disqualification for
1877 licensure, and shall be exempt from the Mississippi Public Records
1878 Act of 1983. Except when introduced into evidence in a hearing
1879 before the board to determine licensure, no such information or
1880 records related thereto shall, except with the written consent of
1881 the applicant or by order of a court of competent jurisdiction, be
1882 released or otherwise disclosed by the board to any other person
1883 or agency.



1884 The board shall provide to the department the fingerprints of
1885 the applicant, any additional information that may be required by
1886 the department, and a form signed by the applicant consenting to
1887 the check of the criminal records and to the use of the
1888 fingerprints and other identifying information required by the
1889 state or national repositories.

1890 The board shall charge and collect from the applicant, in
1891 addition to all other applicable fees and costs, such amount as
1892 may be incurred by the board in requesting and obtaining state and
1893 national criminal history records information on the applicant.

1894 Each application or filing made under this section shall
1895 include the social security number(s) of the applicant in
1896 accordance with Section 93-11-64.

1897 **SECTION 27.** Section 73-29-19, Mississippi Code of 1972, is
1898 amended as follows:

1899 73-29-19. An applicant who is a polygraph examiner licensed
1900 under the laws of another state or territory of the United States
1901 may be issued a license upon payment of a fee of Fifty Dollars
1902 (\$50.00) and the production of satisfactory proof that:

- 1903 (1) He is at least twenty-one (21) years of age;
- 1904 (2) He is a citizen of the United States;
- 1905 (3) He is of good moral character;
- 1906 (4) The requirements for the licensing of polygraph
1907 examiners in such particular state or territory of the United
1908 States were, at the date of the applicant's licensing therein,



1909 substantially equivalent to the requirements now in force in this
1910 state;

1911 (5) The applicant had lawfully engaged in the
1912 administration of polygraph examinations under the laws of such
1913 state or territory for at least two (2) years prior to his
1914 application for license hereunder;

1915 (6) Such other state or territory grants similar
1916 reciprocity to license holders of this state; and

1917 (7) He has complied with Section 73-29-17.

1918 The issuance of a license by reciprocity to a
1919 military-trained applicant or military spouse shall be subject to
1920 the provisions of Section 1 of this act.

1921 **SECTION 28.** Section 73-30-15, Mississippi Code of 1972, is
1922 amended as follows:

1923 73-30-15. The board shall enter into a reciprocal agreement
1924 with any state which licenses counselors if the board finds that
1925 such state has substantially the same requirements for licensure.
1926 The issuance of a license by reciprocity to a military-trained
1927 applicant or military spouse shall be subject to the provisions of
1928 Section 1 of this act.

1929 **SECTION 29.** Section 73-31-14, Mississippi Code of 1972, is
1930 amended as follows:

1931 73-31-14. (1) Psychologists who are duly licensed in other
1932 jurisdictions and not currently under investigation by another
1933 licensure board may, upon application for licensure, apply for a



1934 temporary license, which shall be valid until the next
1935 administration of the oral examination. The temporary license
1936 shall be issued upon the applicant's passage of the Examination
1937 for Professional Practice of Psychology (EPPP) at the level
1938 established by the board in its rules and regulations and
1939 equivalent to that required for permanent licensure. Each
1940 applicant for a temporary license shall file an application upon a
1941 form and in the manner as the board prescribes, accompanied by a
1942 fee equal to the amount required for permanent licensure. A
1943 temporary license will lapse for any person who has failed the
1944 oral examination or has had his or her license suspended or
1945 revoked by the board. Procedures for the issuance of temporary
1946 licenses shall be established by the board in its rules and
1947 regulations. The issuance of a temporary license to a
1948 military-trained applicant or military spouse shall be subject to
1949 the provisions of Section 1 of this act.

1950 (2) Psychologists who are duly licensed in other
1951 jurisdictions may apply for a temporary practice certificate that
1952 allows them to practice psychology on a temporary basis in the
1953 State of Mississippi. That practice must be limited in scope and
1954 duration, not exceeding thirty (30) days during a consecutive
1955 twelve-month period. Applicants for a temporary practice
1956 certificate shall provide to the board the nature of the practice
1957 before providing that service, and shall make available to the
1958 board a current copy of his or her license or verification of a



1959 valid license in good standing. Psychologists who receive
1960 temporary practice certificates are subject to a jurisprudence
1961 examination at the request of the board. This authority for a
1962 temporary practice certificate does not apply to a psychologist
1963 who has been denied licensure in Mississippi, is a legal resident
1964 of Mississippi, or intends to practice full-time or a major
1965 portion of their time in Mississippi. Each applicant for a
1966 temporary practice certificate shall file an application upon a
1967 form and in the manner as the board prescribes, accompanied by a
1968 fee in an amount determined by the board, but not to exceed Three
1969 Hundred Dollars (\$300.00).

1970 (3) Applicants awaiting licensure in Mississippi are
1971 prohibited from the practice of psychology without a temporary
1972 license issued by the board. For the purposes of this subsection,
1973 the practice of psychology shall be construed without regard to
1974 the means of service provision (e.g., face-to-face, telephone,
1975 Internet, telehealth).

1976 **SECTION 30.** Section 73-31-15, Mississippi Code of 1972, is
1977 amended as follows:

1978 73-31-15. (1) Upon application accompanied by the proper
1979 fee, the board may, without written or oral examination, issue a
1980 license to any person who furnishes, upon a form and in the manner
1981 as the board prescribes, evidence satisfactory to the board that
1982 he or she (a) is licensed or certified as a psychologist by
1983 another state, territorial possession of the United States,



1984 District of Columbia, Commonwealth of Puerto Rico or Canadian
1985 Province, if the requirements for that license or certification
1986 are the substantial equivalent of this chapter; or (b) is a
1987 diplomate in good standing of the American Board of Examiners in
1988 Professional Psychology; or (c) possesses a valid Certificate of
1989 Professional Qualification (CPQ) granted by the Association of
1990 State and Provincial Psychology Boards.

1991 (2) In addition, the board may issue a license, without
1992 written examination, to an applicant who:

1993 (a) Has at least twenty (20) years of licensure to
1994 practice in another state, territorial possession of the United
1995 States, District of Columbia, or Commonwealth of Puerto Rico or
1996 Canadian Province when that license was based on a doctoral
1997 degree; and

1998 (b) Has had no disciplinary sanction during the entire
1999 period of licensure; and

2000 (c) Is not currently under investigation by another
2001 licensure board; and

2002 (d) Has demonstrated current qualification by
2003 successfully passing the oral examination; and

2004 (e) Has completed the appropriate application and paid
2005 the fees as required by the board.

2006 (3) The issuance of a license by reciprocity to a
2007 military-trained applicant or military spouse shall be subject to
2008 the provisions of Section 1 of this act.



2009 **SECTION 31.** Section 73-33-9, Mississippi Code of 1972, is
2010 amended as follows:

2011 73-33-9. The Mississippi State Board of Public Accountancy
2012 may, in its discretion, issue a reciprocal certified public
2013 accountant license to practice to any holder of any certified
2014 public accountant's certificate or license issued under the law of
2015 another state, which shall entitle the holder to use the
2016 abbreviation, "CPA," in this state provided that the state issuing
2017 the original certificate or license grants similar privileges to
2018 the certified public accountants of this state. The fee for a
2019 license shall be in such reasonable amount as determined by the
2020 board. Such license shall not allow the holder thereof to engage
2021 in the practice of public accounting as a certified public
2022 accountant unless the holder meets the requirements of the
2023 Mississippi State Board of Public Accountancy. This section shall
2024 apply only to a person who wishes to obtain a license issued by
2025 the State of Mississippi and shall not apply to those persons
2026 practicing in this state under Section 77-33-17. The issuance of
2027 a license by reciprocity to a military-trained applicant or
2028 military spouse shall be subject to the provisions of Section 1 of
2029 this act.

2030 **SECTION 32.** Section 73-34-51, Mississippi Code of 1972, is
2031 amended as follows:

2032 73-34-51. (1) Each applicant for licensure under this
2033 chapter who is not a resident of this state shall submit, with



2034 such applicant's application, an irrevocable consent that service
2035 of process upon him or her may be made by delivery of the process
2036 to the Secretary of State of this state if, in an action against
2037 the applicant in a court of this state arising out of the
2038 applicant's activities as a real estate appraiser in this state,
2039 the plaintiff cannot, in the exercise of due diligence, effect
2040 personal service upon the applicant.

2041 (2) If, in the determination of the board, another state or
2042 territory or the District of Columbia is deemed to have
2043 substantially equivalent licensure laws for real estate
2044 appraisers, an applicant for licensure in this state who is
2045 licensed under the law of such other state, territory or district
2046 may obtain a license as a real estate appraiser in this state upon
2047 such terms and conditions as may be determined by the board * * *
2048 provided * * * that disciplinary proceedings are not pending
2049 against such applicant in his state of licensure. The issuance of
2050 a license by reciprocity to a military-trained applicant or
2051 military spouse shall be subject to the provisions of Section 1 of
2052 this act.

2053 **SECTION 33.** Section 73-35-7, Mississippi Code of 1972, is
2054 amended as follows:

2055 73-35-7. Licenses shall be granted only to persons who
2056 present, and to corporations, partnerships, companies or
2057 associations whose officers, associates or partners present
2058 satisfactory proof to the commission that they are trustworthy and



2059 competent to transact the business of a real estate broker or real
2060 estate salesperson in such manner as to safeguard the interests of
2061 the public. Every person who applies for a resident license as a
2062 real estate broker: (a) shall be age twenty-one (21) years or
2063 over, and have his legal domicile in the State of Mississippi at
2064 the time he applies; (b) shall be subject to the jurisdiction of
2065 this state, subject to the income tax laws and other excise laws
2066 thereof, subject to the road and bridge privilege tax laws
2067 thereof; (c) shall not be an elector in any other state; (d) shall
2068 have held a license as an active real estate salesperson for
2069 twelve (12) months immediately prior to making application for the
2070 broker's examination hereafter specified; (e) shall have
2071 successfully completed a minimum of one hundred twenty (120) hours
2072 of courses in real estate as hereafter specified; and (f) shall
2073 have successfully completed the real estate broker's examination
2074 as hereafter specified.

2075 An applicant who has not held an active real estate
2076 salesperson's license for a period of at least twelve (12) months
2077 immediately prior to submitting an application shall have
2078 successfully completed a minimum of one hundred fifty (150)
2079 classroom hours in real estate courses, which courses are
2080 acceptable for credit toward a degree at a college or university
2081 as approved by the Southern Association of Colleges and Schools.

2082 Every applicant for a resident license as a real estate
2083 salesperson shall be age eighteen (18) years or over, shall be a



2084 bona fide resident of the State of Mississippi prior to filing his
2085 application, and shall have successfully completed a minimum of
2086 sixty (60) hours in courses in real estate as hereafter specified;
2087 and shall have successfully completed the real estate
2088 salesperson's examination as hereafter specified.

2089 The residency requirements set forth in this section shall
2090 not apply to those licensees of other states who qualify and
2091 obtain nonresident licenses in this state.

2092 The commission is authorized to exempt from such prelicensing
2093 educational requirements, in whole or in part, a real estate
2094 licensee of another state who desires to obtain a license under
2095 this chapter * * *, provided * * * that the prelicensing
2096 educational requirements in the other state are determined by the
2097 commission to be equivalent to prelicensing educational
2098 requirements in this state and provided that such state extends
2099 this same privilege or exemption to Mississippi real estate
2100 licensees. The issuance of a license by reciprocity to a
2101 military-trained applicant or military spouse shall be subject to
2102 the provisions of Section 1 of this act.

2103 **SECTION 34.** Section 73-35-13, Mississippi Code of 1972, is
2104 amended as follows:

2105 73-35-13. (1) In addition to proof of his honesty,
2106 trustworthiness and good reputation, the applicant shall take a
2107 written examination which shall be held at least four (4) times
2108 each year at regular intervals and on stated times by the



2109 commission and shall test reading, writing, spelling, elementary
2110 arithmetic and his general knowledge of the statutes of this state
2111 relating to real property, deeds, mortgages, agreements of sale,
2112 agency, contract, leases, ethics, appraisals, the provisions of
2113 this chapter and such other matters the commission certifies as
2114 necessary to the practice of real estate brokerage in the State of
2115 Mississippi. The examination for a broker's license shall differ
2116 from the examination for a salesperson's license, in that it shall
2117 be of a more exacting nature and require higher standards of
2118 knowledge of real estate. The commission shall cause examinations
2119 to be conducted at such times and places as it shall determine.

2120 (2) In event the license of any real estate broker or
2121 salesperson is revoked by the commission subsequent to the
2122 enactment of this chapter, no new license shall be issued to such
2123 person unless he complies with the provisions of this chapter.

2124 (3) No person shall be permitted or authorized to act as a
2125 real estate broker or salesperson until he has qualified by
2126 examination, except as hereinbefore provided. Any individual who
2127 fails to pass the examination for salesperson upon two (2)
2128 occasions, shall be ineligible for a similar examination, until
2129 after the expiration of three (3) months from the time such
2130 individual last took the examination. Any individual who fails to
2131 pass the broker's examination upon two (2) occasions, shall be
2132 ineligible for a similar examination until after the expiration of
2133 six (6) months from the time such individual last took the



2134 examination, and then only upon making application as in the first
2135 instance.

2136 (4) If the applicant is a partnership, association or
2137 corporation, * * * the examination shall be taken on behalf of
2138 * * * the partnership, association or corporation by the member
2139 or officer thereof who is designated in the application as the
2140 person to receive a license by virtue of the issuing of a license
2141 to such partnership, association or corporation.

2142 (5) Upon satisfactorily passing such examination and upon
2143 complying with all other provisions of law and conditions of this
2144 chapter, a license shall thereupon be issued to the successful
2145 applicant who, upon receiving such license, is authorized to
2146 conduct the business of a real estate broker or real estate
2147 salesperson in this state.

2148 (6) The commission is authorized to exempt from such
2149 examination, in whole or in part, a real estate licensee of
2150 another state who desires to obtain a license under this
2151 chapter * * * provided * * * that the examination administered in
2152 the other state is determined by the commission to be equivalent
2153 to such examination given in this state and provided that such
2154 other state extends this same privilege or exemption to
2155 Mississippi real estate licensees. The issuance of a license by
2156 reciprocity to a military-trained applicant or military spouse
2157 shall be subject to the provisions of Section 1 of this act.



2158 **SECTION 35.** Section 73-36-31, Mississippi Code of 1972, is
2159 amended as follows:

2160 73-36-31. A person not a resident of and having no
2161 established place of business in Mississippi, or who has recently
2162 become a resident, may use the title of registered forester in
2163 Mississippi, provided: (a) such person is legally licensed as a
2164 registered forester in his own state or county and has submitted
2165 evidence to the board that he is so licensed and that the
2166 requirements for registration are at least substantially
2167 equivalent to the requirements of this chapter; and (b) the state
2168 or county in which he is so licensed observes these same rules of
2169 reciprocity in regard to persons licensed under this chapter.
2170 Each person seeking the privileges of reciprocity granted under
2171 this chapter shall submit his application to the board and must
2172 receive a card or certificate from the board before exercising
2173 such privileges. The fee for obtaining a license through
2174 reciprocity shall be the same as charged a Mississippi licensee.
2175 The issuance of a license by reciprocity to a military-trained
2176 applicant or military spouse shall be subject to the provisions of
2177 Section 1 of this act.

2178 **SECTION 36.** Section 73-38-23, Mississippi Code of 1972, is
2179 amended as follows:

2180 73-38-23. (1) The board may waive the examination for
2181 licensure of any applicant who * * * presents proof of current
2182 licensure in another state, including the District of Columbia, or



2183 territory of the United States which maintains professional
2184 standards considered by the council to be equivalent to those set
2185 forth in this chapter. The issuance of a license by reciprocity
2186 to a military-trained applicant or military spouse shall be
2187 subject to the provisions of Section 1 of this act.

2188 (2) The board shall waive the examination for licensure of
2189 any person certified as clinically competent by ASHA in the area
2190 for which such person is applying for licensure.

2191 **SECTION 37.** Section 73-39-71, Mississippi Code of 1972, is
2192 amended as follows:

2193 73-39-71. (1) The board may issue a license by endorsement
2194 to an applicant who furnishes satisfactory proof that he is a
2195 graduate of an accredited college of veterinary medicine or the
2196 educational equivalence. The applicant must also show that he is
2197 a person of good moral character and is licensed to practice
2198 veterinary medicine in at least one (1) state, territory or
2199 district of the United States and has practiced veterinary
2200 medicine in one or more of those states without disciplinary
2201 action by any state or federal agency for at least the three (3)
2202 years immediately before filing the application.

2203 (2) The board may examine any person qualifying for
2204 licensing under this section.

2205 (3) The issuance of a license by endorsement to a
2206 military-trained applicant or military spouse shall be subject to
2207 the provisions of Section 1 of this act.



2208 **SECTION 38.** Section 73-53-13, Mississippi Code of 1972, is
2209 amended as follows:

2210 73-53-13. The board shall issue the appropriate license to
2211 applicants who meet the qualifications of this section.

2212 (a) A license as a "licensed social worker" shall be
2213 issued to an applicant who demonstrates to the satisfaction of the
2214 board that he or she meets the following qualifications:

2215 (i) Has a baccalaureate degree in social work from
2216 a college or university accredited by the Council on Social Work
2217 Education or Southern Association of Colleges and Schools and has
2218 satisfactorily completed the Association for Social Work Boards
2219 (ASWB) examination for this license; or

2220 (ii) Has a comparable license or registration from
2221 another state or territory of the United States of America that
2222 imposes qualifications substantially similar to those of this
2223 chapter.

2224 (b) A license as a "licensed master's social worker"
2225 shall be issued to an applicant who demonstrates to the
2226 satisfaction of the board that he or she meets the following
2227 qualifications:

2228 (i) Has a doctorate or master's degree from a
2229 school of social work accredited by the Council on Social Work
2230 Education; and

2231 (ii) Has satisfactorily completed the ASWB
2232 examination for this license; or



2233 (iii) Has a comparable license or registration
2234 from another state or territory of the United States of America
2235 that imposes qualifications substantially similar to those of this
2236 chapter.

2237 (c) A license as a "licensed certified social worker"
2238 shall be issued to an applicant who demonstrates to the
2239 satisfaction of the board that he or she meets the following
2240 qualifications:

2241 (i) Is licensed under this section as a "master's
2242 social worker"; and

2243 (ii) Has twenty-four (24) months of professional
2244 supervision and clinical or macro social work practice experience
2245 acceptable to the board, under appropriate supervision; and

2246 (iii) Has satisfactorily completed the ASWB
2247 examination for this license; or

2248 (iv) Has a comparable license or registration from
2249 another state or territory of the United States of America that
2250 imposes qualifications substantially similar to those of this
2251 chapter.

2252 (d) In addition to the above qualifications, an
2253 applicant for any of the above licenses must prove to the board's
2254 satisfaction:

2255 (i) Age of at least twenty-one (21) years, and

2256 (ii) Good moral character, which is a continuing
2257 requirement for licensure, and



2258 (iii) United States of America citizenship or
2259 status as a legal resident alien, and

2260 (iv) Absence of conviction of a felony related to
2261 the practice of social work for the last ten (10) years.

2262 Conviction, as used in this subparagraph, includes a deferred
2263 conviction, deferred prosecution, deferred sentence, finding or
2264 verdict of guilt, an admission of guilty, or a plea of nolo
2265 contendere, and

2266 (v) That the applicant has not been declared
2267 mentally incompetent by any court, and if any such decree has ever
2268 been rendered, that the decree has since been changed, and

2269 (vi) Freedom from dependency on alcohol or drugs,
2270 and

2271 (vii) Complete criminal history records check,
2272 including a fingerprint and an acceptable sex offender check, by
2273 appropriate governmental authorities as prescribed by the board.

2274 (e) Only individuals licensed as "certified social
2275 workers" shall be permitted to call themselves "clinical social
2276 workers."

2277 The issuance of a license by reciprocity to a
2278 military-trained applicant or military spouse shall be subject to
2279 the provisions of Section 1 of this act.

2280 Each application or filing made under this section shall
2281 include the social security number(s) of the applicant in
2282 accordance with Section 93-11-64.



2283 **SECTION 39.** Section 73-54-23, Mississippi Code of 1972, is
2284 amended as follows:

2285 73-54-23. The board shall issue a license by examination of
2286 credentials to any applicant licensed or certified as a marriage
2287 and family therapist in another state that has such requirements
2288 for the license or certificate that the board is of the opinion
2289 that the applicant is competent to engage in the practice of
2290 marriage and family therapy in this state, provided that the
2291 applicant submits an application on forms prescribed by the board,
2292 has passed the national Examination in Marital and Family Therapy,
2293 and pays the original licensure fee prescribed by Section
2294 73-54-25. The issuance of a license by reciprocity to a
2295 military-trained applicant or military spouse shall be subject to
2296 the provisions of Section 1 of this act.

2297 **SECTION 40.** Section 73-60-25, Mississippi Code of 1972, is
2298 amended as follows:

2299 73-60-25. A home inspector license may be issued to a home
2300 inspector from another state who satisfies one (1) of the
2301 following requirements: (a) holds a valid certificate of
2302 certification, registration or home inspector license in good
2303 standing issued by another state, which has requirements for
2304 licensure substantially identical to those of this state, or (b)
2305 has passed the examination offered by the American Society of Home
2306 Inspectors or the National Association of Home Inspectors. The
2307 issuance of a license by reciprocity to a military-trained



2308 applicant or military spouse shall be subject to the provisions of
2309 Section 1 of this act.

2310 **SECTION 41.** Section 73-63-39, Mississippi Code of 1972, is
2311 amended as follows:

2312 73-63-39. (1) The board may sign agreements with boards of
2313 registration, licensure or certification in other states, and with
2314 other appropriate organizations and agencies, for the purposes of:

2315 (a) Developing uniform standards for registration of
2316 professional geologists or enrollment of geologists-in-training;

2317 (b) Accrediting educational programs;

2318 (c) Establishing reciprocity, comity, temporary
2319 registration, or mutual recognition of registration or enrollment;

2320 (d) Developing regional or national examinations;

2321 (e) Evaluating applicants; or

2322 (f) Other purposes consistent with this chapter.

2323 (2) Any person holding a valid certificate of registration,
2324 licensure or certification for the practice of geology or a
2325 recognized specialty of geology, issued under the laws of any
2326 state or territory or possession of the United States, or any
2327 foreign country, shall be eligible for registration, without
2328 examination. The board may issue a certificate of registration to
2329 any person who has made application, provided proof of
2330 registration, licensure or certification under requirements which
2331 the board determines to be substantially similar to those
2332 established under this chapter and paid all applicable fees. The



2333 issuance of a certificate of registration by reciprocity to a
2334 military-trained applicant or military spouse shall be subject to
2335 the provisions of Section 1 of this act.

2336 **SECTION 42.** Section 73-65-7, Mississippi Code of 1972, is
2337 amended as follows:

2338 73-65-7. (1) The board shall issue a license as a licensed
2339 professional art therapist to any person who files a completed
2340 application, accompanied by the required fees, and who submits
2341 satisfactory evidence that the applicant is at least twenty-one
2342 (21) years of age, is a registered art therapist as defined by the
2343 Art Therapy Credentials Board, Inc., demonstrates professional
2344 competency by satisfactorily passing the required examination, and
2345 is a board certified art therapist as defined by the Art Therapy
2346 Credentials Board, Inc.

2347 (2) The board may approve on a case-by-case basis applicants
2348 who have a master's degree or a doctoral degree from nonaccredited
2349 institutions.

2350 (3) If an applicant has met all of the requirements for
2351 licensure except satisfactorily passing the required examination,
2352 the applicant shall be scheduled to take the next examination
2353 following the approval of the examination.

2354 (4) The board may issue a license to an applicant without
2355 examination if the person possesses a valid regulatory document
2356 issued by the appropriate examining board under the laws of any
2357 other state or territory of the United States, the District of



2358 Columbia, or any foreign nation that in the judgment of the board
2359 has requirements substantially equivalent to or exceeding the
2360 requirements in this section. The issuance of a license by
2361 reciprocity to a military-trained applicant or military spouse
2362 shall be subject to the provisions of Section 1 of this act.

2363 (5) The board may issue provisional licensure as a
2364 professional art therapist to any person who has completed the
2365 educational requirements established by the Art Therapy
2366 Credentials Board, Inc., and has met all requirements for
2367 licensure as a professional art therapist, except the experience
2368 and/or examination requirements, and is under the supervision of a
2369 supervisor acceptable to the board.

2370 (6) The board may set criteria for continuing education and
2371 supervisory experience.

2372 **SECTION 43.** Section 73-67-25, Mississippi Code of 1972, is
2373 amended as follows:

2374 73-67-25. (1) An applicant may be licensed by demonstrating
2375 proof that the applicant holds a valid, current license in another
2376 state with similar educational requirements to those required by
2377 this chapter, and that all other licensure requirements under this
2378 chapter are met. This is subject to investigation by the board
2379 and excludes grandfathering by other states.

2380 (2) If an individual who is licensed in another state that
2381 has licensing standards substantially equivalent to the standards
2382 under this chapter applies for licensure, the board may issue a



2383 provisional permit authorizing the applicant to practice massage
2384 therapy pending completion of documentation that the applicant
2385 meets the requirements for licensure under this chapter,
2386 including, but not limited to, the Mississippi law examination.
2387 The provisional permit may reflect statutory limitations on the
2388 scope of practice.

2389 (3) A current massage therapy license issued by the board
2390 shall at all times be prominently displayed in any place where
2391 massage therapy is being practiced.

2392 (4) A license issued under this chapter is not transferable
2393 or assignable.

2394 The issuance of a license or provisional permit by
2395 reciprocity to a military-trained applicant or military spouse
2396 shall be subject to the provisions of Section 1 of this act.

2397 **SECTION 44.** Section 73-69-11, Mississippi Code of 1972, is
2398 amended as follows:

2399 73-69-11. (1) Any person employed by an alarm contracting
2400 company shall hold an individual license issued by the State Fire
2401 Marshal. Such a license shall authorize its holder to engage in
2402 alarm contracting or closed_circuit television alarm system
2403 contracting, only to the extent of the terms as further provided
2404 in this chapter.

2405 (2) Any person desiring to engage in alarm contracting or
2406 closed_circuit television alarm system contracting shall hold a



2407 Class B license issued by the State Fire Marshal. Such
2408 application shall be accompanied by:

2409 (a) Two (2) suitable photographs of the applicant
2410 acceptable to the State Fire Marshal. The State Fire Marshal
2411 shall keep one (1) photograph on file and shall make the other
2412 photograph a part of any license subsequently issued to the
2413 applicant.

2414 (b) Except as provided in subsection (9), documentation
2415 that the applicant meets educational requirements applicable to
2416 the type of license for which he is applying, as follows:

2417 (i) For a Class B license: a minimum of National
2418 Burglar and Fire Alarm Association, Level 2 A&B Burglar Alarm
2419 training course or equivalent training approved by the State Fire
2420 Marshal, and documentation proving residency within a radius of
2421 one hundred fifty (150) miles of the office to which he is
2422 assigned.

2423 (ii) For a Class C license: a minimum of National
2424 Burglar and Fire Alarm Association, Level 1 Burglar Alarm training
2425 course, or equivalent training approved by the State Fire Marshal.

2426 (iii) For a Class D license: a minimum of
2427 National Burglar and Fire Alarm Association, Sales Understanding
2428 Alarms training course, or equivalent training approved by the
2429 State Fire Marshal, or a minimum of two (2) years of design and
2430 sales experience in the alarm industry attested to in a notarized
2431 affidavit and payroll records provided by the applicant.



2432 (iv) For a Class T license: application for a
2433 Class B, Class C or Class D license, accompanied by a letter of
2434 intent to complete the training requirements of such license types
2435 within twelve (12) months.

2436 (c) (i) A statement by the applicant that he has not
2437 been convicted of a felony, received a first-time offender pardon
2438 for a felony, or entered a plea of guilty or nolo contendere to a
2439 felony charge. A felony that has been dismissed pursuant to the
2440 Mississippi Criminal Code or equivalent judicial dismissal shall
2441 not apply to this paragraph.

2442 (ii) A conviction or a plea of guilty or nolo
2443 contendere to a felony charge or receipt of a first-time offender
2444 pardon shall not constitute an automatic disqualification as
2445 otherwise required pursuant to subparagraph (i) if ten (10) or
2446 more years have elapsed between the date of application and the
2447 successful completion or service of any sentence, deferred
2448 adjudication or period of probation or parole.

2449 (iii) Subparagraph (ii) shall not apply to any
2450 person convicted of a felony crime of violence or a sex offense as
2451 defined within the Mississippi Criminal Code.

2452 (d) A statement authorizing the State Fire Marshal to
2453 order fingerprint analysis or any other analysis or documents
2454 deemed necessary by the State Fire Marshal for the purpose of
2455 verifying the applicant's criminal history. The State Fire



2456 Marshal shall have the authority to conduct criminal history
2457 verification on a local, state or national level.

2458 (e) The application fee authorized by this chapter.

2459 (3) The State Fire Marshal shall have the authority to
2460 determine if information submitted by an applicant is in a form
2461 acceptable to him. The State Fire Marshal shall verify or have
2462 another entity verify information submitted by each applicant.

2463 (4) If the State Fire Marshal finds that an applicant has
2464 met the applicable requirements of the alarm licensing law, he
2465 shall issue the appropriate type of license to the applicant upon
2466 payment of the license fee authorized by this chapter.

2467 (5) Each individual license holder shall maintain his
2468 license on his person while engaging in any type of alarm
2469 contracting or closed-circuit television alarm system contracting
2470 as applicable. Each such license holder shall present his license
2471 for inspection upon demand by an employee of the Office of the
2472 State Fire Marshal or a law enforcement officer.

2473 (6) Each individual license holder shall notify the State
2474 Fire Marshal, on a form specified and provided by the State Fire
2475 Marshal, within ten (10) days of the following:

2476 (a) Any change in business or home address.

2477 (b) Any separation from an employer or change in
2478 employer.



2479 (c) Any conviction for a felony or entry of a plea of
2480 guilty or nolo contendere to a felony charge or receipt of a
2481 first-time offender pardon.

2482 (7) No individual licensed under this chapter shall contract
2483 for his services as an independent contractor or agent without
2484 applying for and being issued a Class B license under this
2485 chapter. No alarm contracting company or closed-circuit
2486 television alarm system contracting company shall contract for the
2487 independent services of a holder of an individual license under
2488 this section.

2489 (8) The State Fire Marshal may enter into reciprocal
2490 agreements with other states for mutual recognition of individual
2491 license holders, if the State Fire Marshal has established the
2492 criteria for acceptance of reciprocal agreements by rule or
2493 regulation. The issuance of a license by reciprocity to a
2494 military-trained applicant or military spouse shall be subject to
2495 the provisions of Section 1 of this act.

2496 (9) Any person engaged in alarm contracting or
2497 closed-circuit television alarm system contracting, on or before
2498 July 1, 2006, shall automatically be issued a license without
2499 having to show documentation that the applicant meets the
2500 educational requirements applicable to the type of license for
2501 which he is applying.

2502 **SECTION 45.** Section 73-71-21, Mississippi Code of 1972, is
2503 amended as follows:



2504 73-71-21. The board may, at its discretion, issue a license
2505 without examination to an acupuncture practitioner who has been
2506 licensed, certified or otherwise formally legally recognized as an
2507 acupuncturist or acupuncture practitioner in any state or
2508 territory if all three (3) of the following conditions are met to
2509 its satisfaction:

2510 (a) The applicant meets the requirements of practice in
2511 the state or territory in which the applicant is licensed,
2512 certified, or registered as an acupuncturist or acupuncture
2513 practitioner;

2514 (b) The requirements for practice in the state or
2515 territory in which the applicant is licensed, certified or
2516 registered as an acupuncturist or acupuncture practitioner are at
2517 least as stringent as those of this state; and

2518 (c) The state or territory in which the applicant is
2519 licensed, certified or legally recognized as an acupuncturist or
2520 acupuncture practitioner permits an acupuncture practitioner
2521 licensed in this state to practice acupuncture or acupuncture in
2522 that jurisdiction by credentials examination.

2523 The issuance of a license by reciprocity to a
2524 military-trained applicant or military spouse shall be subject to
2525 the provisions of Section 1 of this act.

2526 **SECTION 46.** Section 73-73-11, Mississippi Code of 1972, is
2527 amended as follows:



2528 73-73-11. The board and IDAC may accept applications for
2529 Mississippi certification from an interior designer in another
2530 jurisdiction pursuant to Section 73-73-7 or 73-73-9. The issuance
2531 of a certification by reciprocity to a military-trained applicant
2532 or military spouse shall be subject to the provisions of Section 1
2533 of this act.

2534 **SECTION 47.** Section 73-73-17, Mississippi Code of 1972, is
2535 amended as follows:

2536 73-73-17. The board shall not issue a temporary certificate,
2537 except as authorized under Section 1 of this act.

2538 **SECTION 48.** This act shall take effect and be in force from
2539 and after July 1, 2013.

