

By: Senator(s) Wilemon

To: Public Health and Welfare

SENATE BILL NO. 2324

1 AN ACT TO PROVIDE AN EXPEDITED MEDICAL LICENSE AND PHARMACIST
2 LICENSE APPLICATION PROCESS FOR PHYSICIANS AND PHARMACISTS SEEKING
3 TO PRACTICE IN UNDERSERVED AREAS OF THE STATE OF MISSISSIPPI; TO
4 AMEND SECTIONS 73-43-11 AND 73-21-83, MISSISSIPPI CODE OF 1972, IN
5 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) The Legislature recognizes the chronic
8 shortage of physicians and pharmacists and longstanding
9 difficulties in recruiting physicians and pharmacists to
10 underserved rural areas of this state and finds that these areas
11 qualify for expedited medical licensure.

12 (2) Applications for physician and pharmacist licensure
13 shall be expedited by the appropriate board's licensure division
14 provided the applicant submits an affidavit stating that:

15 (a) The applicant intends to practice in a rural
16 community as determined by the federal Office of Rural Health
17 Initiatives; or

18 (b) The applicant intends to practice in a Mississippi
19 border area with a shortage of physicians; or



20 (c) The applicant:
21 (i) Has requested and is eligible for an
22 immigration Visa waiver issued to physicians who trained in a U.S.
23 residency program under a J-1 Visa; and
24 (ii) Intends to practice medicine in a medically
25 underserved area or health professional shortage area designated
26 by the United States Department of Health and Human Services that
27 has a shortage of physicians.

28 **SECTION 2.** Section 73-43-11, Mississippi Code of 1972, is
29 amended as follows:

30 73-43-11. The State Board of Medical Licensure shall have
31 the following powers and responsibilities:

32 (a) Setting policies and professional standards
33 regarding the medical practice of physicians, osteopaths,
34 podiatrists and physician assistants practicing with physician
35 supervision;

36 (b) Considering applications for licensure;

37 (c) Conducting examinations for licensure;

38 (d) Investigating alleged violations of the medical
39 practice act;

40 (e) Conducting hearings on disciplinary matters
41 involving violations of state and federal law, probation,
42 suspension and revocation of licenses;



43 (f) Considering petitions for termination of
44 probationary and suspension periods, and restoration of revoked
45 licenses;

46 (g) To promulgate and publish reasonable rules and
47 regulations necessary to enable it to discharge its functions and
48 to enforce the provisions of law regulating the practice of
49 medicine;

50 (h) To enter into contracts with any other state or
51 federal agency, or with any private person, organization or group
52 capable of contracting, if it finds such action to be in the
53 public interest and in the furtherance of its
54 responsibilities; * * *

55 (i) Perform the duties prescribed by Sections 73-26-1
56 through 73-26-5 * * *; and

57 (j) To establish an expedited licensure process for
58 applicants intending to practice in underserved rural or border
59 areas of the state as provided under Section 1 of this act.

60 **SECTION 3.** Section 73-21-83, Mississippi Code of 1972, is
61 amended as follows:

62 73-21-83. (1) The board shall be responsible for the
63 control and regulation of the practice of pharmacy, to include the
64 regulation of pharmacy externs or interns and pharmacist
65 technicians, in this state, the regulation of the wholesaler
66 distribution of drugs and devices as defined in Section 73-21-73,
67 the distribution of sample drugs or devices by manufacturer's



68 distributors as defined in Section 73-21-73 by persons other than
69 the original manufacturer or distributor in this state and the
70 regulation of pharmacy benefit managers as defined in Section
71 73-21-153.

72 (2) A license for the practice of pharmacy shall be obtained
73 by all persons prior to their engaging in the practice of
74 pharmacy. However, the provisions of this chapter shall not apply
75 to physicians, dentists, veterinarians, osteopaths or other
76 practitioners of the healing arts who are licensed under the laws
77 of the State of Mississippi and are authorized to dispense and
78 administer prescription drugs in the course of their professional
79 practice.

80 (3) The initial licensure fee shall be set by the board but
81 shall not exceed Two Hundred Dollars (\$200.00), except the initial
82 licensure fee for pharmacy benefit managers shall be set by the
83 board but shall not exceed Five Hundred Dollars (\$500.00).

84 (4) All students actively enrolled in a professional school
85 of pharmacy accredited by the American Council on Pharmaceutical
86 Education who are making satisfactory progress toward graduation
87 and who act as an extern or intern under the direct supervision of
88 a pharmacist in a location permitted by the Board of Pharmacy must
89 obtain a pharmacy student registration prior to engaging in such
90 activity. The student registration fee shall be set by the board
91 but shall not exceed One Hundred Dollars (\$100.00).



92 (5) All persons licensed to practice pharmacy prior to July
93 1, 1991, by the State Board of Pharmacy under Section 73-21-89
94 shall continue to be licensed under the provisions of Section
95 73-21-91.

96 (6) The board shall establish an expedited licensure process
97 for pharmacists intending to practice in an underserved or border
98 area of the state as provided in Section 1 of this act.

99 (* * *7) This section shall stand repealed on July 1, 2016.

100 **SECTION 4.** This act shall take effect and be in force from
101 and after July 1, 2015.

