MISSISSIPPI LEGISLATURE

By: Senator(s) Wilemon

To: Public Health and Welfare

REGULAR SESSION 2015

S. B. No. 2324

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

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

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

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

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

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

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

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

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

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

(b) Considering applications for licensure;

(c) Conducting examinations for licensure;

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

(e) Conducting hearings on disciplinary matters involving violations of state and federal law, probation, suspension and revocation of licenses;
(f) Considering petitions for termination of probationary and suspension periods, and restoration of revoked licenses;

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

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

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

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

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

73-21-83. (1) The board shall be responsible for the control and regulation of the practice of pharmacy, to include the regulation of pharmacy externs or interns and pharmacist technicians, in this state, the regulation of the wholesaler distribution of drugs and devices as defined in Section 73-21-73, the distribution of sample drugs or devices by manufacturer's
distributors as defined in Section 73-21-73 by persons other than
the original manufacturer or distributor in this state and the
regulation of pharmacy benefit managers as defined in Section
73-21-153.

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

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

(4) All students actively enrolled in a professional school
of pharmacy accredited by the American Council on Pharmaceutical
Education who are making satisfactory progress toward graduation
and who act as an extern or intern under the direct supervision of
a pharmacist in a location permitted by the Board of Pharmacy must
obtain a pharmacy student registration prior to engaging in such
activity. The student registration fee shall be set by the board
but shall not exceed One Hundred Dollars ($100.00).
ST: Medical and pharmacist licensure; provide expedited application process in underserved areas of the state.

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

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

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

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