

By: Representatives Currie, Steverson,  
Hobgood-Wilkes

To: Judiciary A

HOUSE BILL NO. 261

1 AN ACT TO AMEND SECTION 73-50-1, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE THAT MISSISSIPPI OCCUPATIONAL LICENSING BOARDS SHALL ISSUE  
 3 A LICENSE TO A PERSON WHO ESTABLISHES RESIDENCE IN THIS STATE OR A  
 4 MILITARY SPOUSE WHO IS MARRIED TO AN ACTIVE DUTY MEMBER OF THE  
 5 ARMED FORCES OF THE UNITED STATES AND WHO IS ACCOMPANYING THE  
 6 MEMBER TO AN OFFICIAL PERMANENT CHANGE OF STATION TO A MILITARY  
 7 INSTALLATION LOCATED IN THIS STATE, IF THE PERSON HOLDS A CURRENT  
 8 LICENSE IN GOOD STANDING FROM AT LEAST ONE OTHER JURISDICTION, HAS  
 9 BEEN LICENSED BY ANOTHER JURISDICTION FOR AT LEAST ONE YEAR AND  
 10 SATISFIES CERTAIN OTHER CONDITIONS; TO PROVIDE THAT THE LICENSE  
 11 ISSUED TO THE PERSON WILL BE IN THE DISCIPLINE APPLIED FOR AND AT  
 12 THE SAME PRACTICE LEVEL AS DETERMINED BY THE OCCUPATIONAL  
 13 LICENSING BOARD; TO AMEND SECTIONS 37-3-2, 73-1-21, 73-2-11,  
 14 73-4-23, 73-5-21, 73-6-13, 73-7-23, 73-9-24, 73-10-15, 73-11-51,  
 15 73-13-35, 73-14-25, 73-15-19, 73-15-21, 73-15-101, 73-17-11,  
 16 73-19-25, 73-21-87, 73-23-51, 73-23-53, 73-24-21, 73-25-21,  
 17 73-27-5, 73-29-19, 73-30-15, 73-31-14, 73-31-15, 73-33-9,  
 18 73-34-51, 73-35-7, 73-35-13, 73-36-31, 73-38-23, 73-39-71,  
 19 73-53-13, 73-54-23, 73-60-25, 73-63-39, 73-65-7, 73-67-25,  
 20 73-69-11, 73-71-21, 73-73-11 and 73-75-15, MISSISSIPPI CODE OF  
 21 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED  
 22 PURPOSES.

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

24 **SECTION 1.** Section 73-50-1, Mississippi Code of 1972, is  
 25 amended as follows:

26 73-50-1. (1) As used in this section, the term:

27 (a) "License" means any license (other than a privilege  
 28 license), certificate, registration, permit or other evidence of



29 qualification that an individual is required to obtain before he  
30 or she may engage in or represent himself or herself to be a  
31 member of a particular profession or occupation.

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

40 (2) Notwithstanding any other provision of law, an  
41 occupational licensing board shall issue a license \* \* \* to a  
42 military-trained applicant to allow the applicant to lawfully  
43 practice the applicant's occupation in Mississippi if, upon  
44 application to an occupational licensing board, the applicant  
45 satisfies the following conditions:

46 (a) Has been awarded a military occupational specialty  
47 and has done all of the following at a level that is substantially  
48 equivalent to or exceeds the requirements for licensure \* \* \* of  
49 the occupational licensing board from which the applicant is  
50 seeking licensure \* \* \* in this state: completed a military  
51 program of training, completed testing or equivalent training and  
52 experience as determined by the board, and performed in the  
53 occupational specialty \* \* \*;



54 (b) Has engaged in the active practice of the  
55 occupation for which the person is seeking a license \* \* \* from  
56 the occupational licensing board in this state for at least two  
57 (2) of the five (5) years preceding the date of the application  
58 under this section \* \* \*;

59 (c) Has not committed any act in any jurisdiction that  
60 would have constituted grounds for refusal, suspension or  
61 revocation of a license to practice that occupation in this state  
62 at the time the act was committed \* \* \*; and

63 (d) Pays any fees required by the occupational  
64 licensing board for which the applicant is seeking licensure \* \* \*  
65 in this state.

66 (3) Notwithstanding any other provision of law, an  
67 occupational licensing board shall issue a license, \* \* \* in the  
68 discipline applied for and at the same practice level as  
69 determined by the occupational licensing board, to a person who  
70 establishes residence in this state, or to a military spouse who  
71 is married to an active duty member of the Armed Forces of the  
72 United States and who is accompanying the member to an official  
73 permanent change of station to a military installation located in  
74 this state to allow the military spouse to lawfully practice the  
75 military spouse's occupation in Mississippi if, upon application  
76 to an occupational licensing board, the \* \* \* applicant satisfies  
77 all of the following conditions:



78           (a) The person holds a current license \* \* \* from \* \* \*  
79 at least one (1) other jurisdiction \* \* \* in the discipline  
80 applied for and at the same practice level as determined by the  
81 occupational licensing board and the license is in good standing  
82 in all jurisdictions in which the person holds a license;

83           (b) \* \* \* The person has been licensed by another  
84 jurisdiction for at least one (1) year;

85           (c) If when the person was licensed by another  
86 jurisdiction, there were minimum education requirements and, if  
87 applicable, work experience and clinical supervision requirements  
88 in effect, the other jurisdiction verifies that the person met  
89 those requirements in order to be licensed in that jurisdiction;

90           (d) The person has previously passed an examination for  
91 the license if required by the other jurisdiction;

92           (e) The person has not committed any act in any  
93 jurisdiction that would have constituted grounds for refusal,  
94 suspension or revocation of a license to practice that occupation  
95 in this state at the time the act was committed \* \* \*;

96           ( \* \* \*f) The person is in good standing and has not  
97 been disciplined by the \* \* \* occupational licensing board that  
98 had jurisdiction to issue the license \* \* \*. If another  
99 jurisdiction has taken disciplinary action against the person, the  
100 occupational licensing board in this state shall determine if the  
101 cause for the action was corrected and the matter resolved. If  
102 the matter has not been resolved by that jurisdiction, the



103 occupational licensing board may not issue or deny a license until  
104 the matter is resolved;

105 (g) The person has not voluntarily surrendered a  
106 license in any other jurisdiction while under investigation for  
107 unprofessional conduct;

108 (h) The person does not have a complaint, allegation or  
109 investigation pending before an occupational licensing board in  
110 another jurisdiction that relates to unprofessional conduct. If  
111 an applicant has any complaint, allegation or investigation  
112 pending, the occupational licensing board in this state shall  
113 suspend the application process and may not issue or deny a  
114 license to the applicant until the complaint, allegation or  
115 investigation is resolved;

116 (i) The person does not have a disqualifying criminal  
117 history records check as determined by the occupational licensing  
118 board; and

119 ( \* \* \*j) The person pays any fees required by the  
120 occupational licensing board for which the applicant is seeking  
121 licensure \* \* \* in this state.

122 (4) Except as provided in subsection (2) or (3) of this  
123 section, an occupational licensing board that administers an  
124 examination on laws of this state as part of its license  
125 application requirement may require an applicant to take and pass  
126 an examination specific to the laws of this state.



127           (5) A person who receives a license under this section is  
128 subject to the laws regulating the person's practice in this state  
129 and is subject to the occupational licensing board's jurisdiction.

130           (6) A license issued under this section is valid only in  
131 this state and does not make the person eligible to be part of an  
132 interstate compact. An occupational licensing board may determine  
133 eligibility for an applicant to be licensed under this section if  
134 the applicant is not part of an interstate compact.

135           ( \* \* \*7) An occupational licensing board issuing a  
136 license \* \* \* to a military spouse \* \* \* under subsection (3) of  
137 this section shall issue or deny the license \* \* \* within four (4)  
138 months of the military spouse's application if the spouse's orders  
139 are in Mississippi for thirty-six (36) months or less.

140           ( \* \* \*8) All relevant experience of a military service  
141 member in the discharge of official duties or, for a military  
142 spouse, all relevant experience, including full-time and part-time  
143 experience, regardless of whether in a paid or volunteer capacity,  
144 shall be credited in the calculation of years of practice in an  
145 occupation as required under subsection (2) or (3) of this  
146 section.

147           ( \* \* \*9) A nonresident licensed \* \* \* under this section  
148 shall be entitled to the same rights and subject to the same  
149 obligations as required of a resident licensed \* \* \* by an  
150 occupational licensing board in this state.



151 ( \* \* \* 10) An occupational licensing board may issue a  
152 temporary practice permit to a military-trained applicant or  
153 military spouse licensed \* \* \* in another jurisdiction while the  
154 military-trained applicant or military spouse is satisfying the  
155 requirements for licensure under subsection (2) or (3) of this  
156 section if that jurisdiction has licensure \* \* \* standards  
157 substantially equivalent to the standards for licensure \* \* \* of  
158 an occupational licensing board in this state. The  
159 military-trained applicant or military spouse may practice under  
160 the temporary permit until a license \* \* \* is granted or until a  
161 notice to deny a license \* \* \* is issued in accordance with rules  
162 adopted by the occupational licensing board.

163 \* \* \*

164 ( \* \* \* 11) Nothing in this section shall be construed to  
165 prohibit a military-trained applicant or military spouse from  
166 proceeding under the existing licensure \* \* \* requirements  
167 established by an occupational licensing board in this state.

168 ( \* \* \* 12) Nothing in this section shall be construed to  
169 apply to:

170 (a) The practice of law as regulated under Section  
171 73-3-1 et seq \* \* \*;

172 (b) Criteria for a license, permit or certificate of  
173 eligibility that is established by an interstate compact; or

174 (c) The ability of an occupational licensing board to  
175 require an applicant to submit fingerprints in order to access



176 state and federal criminal records information for noncriminal  
177 justice purposes.

178 ( \* \* \* 13) An occupational licensing board issuing a  
179 license \* \* \* under to this \* \* \* section is encouraged to reduce  
180 the fees required by the occupational licensing board for which  
181 the applicant is seeking licensure \* \* \* in this state.

182 (14) An occupational licensing board shall adopt rules  
183 necessary to implement this section by January 1, 2021.

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

186 37-3-2. (1) There is established within the State  
187 Department of Education the Commission on Teacher and  
188 Administrator Education, Certification and Licensure and  
189 Development. It shall be the purpose and duty of the commission  
190 to make recommendations to the State Board of Education regarding  
191 standards for the certification and licensure and continuing  
192 professional development of those who teach or perform tasks of an  
193 educational nature in the public schools of Mississippi.

194 (2) (a) The commission shall be composed of fifteen (15)  
195 qualified members. The membership of the commission shall be  
196 composed of the following members to be appointed, three (3) from  
197 each of the four (4) congressional districts, as such districts  
198 existed on January 1, 2011, in accordance with the population  
199 calculations determined by the 2010 federal decennial census,  
200 including: four (4) classroom teachers; three (3) school





201 administrators; one (1) representative of schools of education of  
202 public institutions of higher learning located within the state to  
203 be recommended by the Board of Trustees of State Institutions of  
204 Higher Learning; one (1) representative from the schools of  
205 education of independent institutions of higher learning to be  
206 recommended by the Board of the Mississippi Association of  
207 Independent Colleges; one (1) representative from public community  
208 and junior colleges located within the state to be recommended by  
209 the Mississippi Community College Board; one (1) local school  
210 board member; and four (4) laypersons. Three (3) members of the  
211 commission, at the sole discretion of the State Board of  
212 Education, shall be appointed from the state at large.

213 (b) All appointments shall be made by the State Board  
214 of Education after consultation with the State Superintendent of  
215 Public Education. The first appointments by the State Board of  
216 Education shall be made as follows: five (5) members shall be  
217 appointed for a term of one (1) year; five (5) members shall be  
218 appointed for a term of two (2) years; and five (5) members shall  
219 be appointed for a term of three (3) years. Thereafter, all  
220 members shall be appointed for a term of four (4) years.

221 (3) The State Board of Education when making appointments  
222 shall designate a chairman. The commission shall meet at least  
223 once every two (2) months or more often if needed. Members of the  
224 commission shall be compensated at a rate of per diem as



225 authorized by Section 25-3-69 and be reimbursed for actual and  
226 necessary expenses as authorized by Section 25-3-41.

227 (4) (a) An appropriate staff member of the State Department  
228 of Education shall be designated and assigned by the State  
229 Superintendent of Public Education to serve as executive secretary  
230 and coordinator for the commission. No less than two (2) other  
231 appropriate staff members of the State Department of Education  
232 shall be designated and assigned by the State Superintendent of  
233 Public Education to serve on the staff of the commission.

234 (b) An Office of Educator Misconduct Evaluations shall  
235 be established within the State Department of Education to assist  
236 the commission in responding to infractions and violations, and in  
237 conducting hearings and enforcing the provisions of subsections  
238 (11), (12), (13), (14) and (15) of this section, and violations of  
239 the Mississippi Educator Code of Ethics.

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

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

244 (b) Recommend to the State Board of Education each year  
245 approval or disapproval of each educator preparation program in  
246 the state, subject to a process and schedule determined by the  
247 State Board of Education;



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

251           (d) Establish, subject to the approval of the State  
252 Board of Education, standards for the renewal of teacher licenses  
253 in all fields;

254           (e) Review and evaluate objective measures of teacher  
255 performance, such as test scores, which may form part of the  
256 licensure process, and to make recommendations for their use;

257           (f) Review all existing requirements for certification  
258 and licensure;

259           (g) Consult with groups whose work may be affected by  
260 the commission's decisions;

261           (h) Prepare reports from time to time on current  
262 practices and issues in the general area of teacher education and  
263 certification and licensure;

264           (i) Hold hearings concerning standards for teachers'  
265 and administrators' education and certification and licensure with  
266 approval of the State Board of Education;

267           (j) Hire expert consultants with approval of the State  
268 Board of Education;

269           (k) Set up ad hoc committees to advise on specific  
270 areas; and



271 (1) Perform such other functions as may fall within  
272 their general charge and which may be delegated to them by the  
273 State Board of Education.

274 (6) (a) **Standard License - Approved Program Route.** An  
275 educator entering the school system of Mississippi for the first  
276 time and meeting all requirements as established by the State  
277 Board of Education shall be granted a standard five-year license.  
278 Persons who possess two (2) years of classroom experience as an  
279 assistant teacher or who have taught for one (1) year in an  
280 accredited public or private school shall be allowed to fulfill  
281 student teaching requirements under the supervision of a qualified  
282 participating teacher approved by an accredited college of  
283 education. The local school district in which the assistant  
284 teacher is employed shall compensate such assistant teachers at  
285 the required salary level during the period of time such  
286 individual is completing student teaching requirements.  
287 Applicants for a standard license shall submit to the department:

- 288 (i) An application on a department form;  
289 (ii) An official transcript of completion of a  
290 teacher education program approved by the department or a  
291 nationally accredited program, subject to the following:  
292 Licensure to teach in Mississippi prekindergarten through  
293 kindergarten classrooms shall require completion of a teacher  
294 education program or a Bachelor of Science degree with child  
295 development emphasis from a program accredited by the American



296 Association of Family and Consumer Sciences (AAFCS) or by the  
297 National Association for Education of Young Children (NAEYC) or by  
298 the National Council for Accreditation of Teacher Education  
299 (NCATE). Licensure to teach in Mississippi kindergarten, for  
300 those applicants who have completed a teacher education program,  
301 and in Grade 1 through Grade 4 shall require the completion of an  
302 interdisciplinary program of studies. Licenses for Grades 4  
303 through 8 shall require the completion of an interdisciplinary  
304 program of studies with two (2) or more areas of concentration.  
305 Licensure to teach in Mississippi Grades 7 through 12 shall  
306 require a major in an academic field other than education, or a  
307 combination of disciplines other than education. Students  
308 preparing to teach a subject shall complete a major in the  
309 respective subject discipline. All applicants for standard  
310 licensure shall demonstrate that such person's college preparation  
311 in those fields was in accordance with the standards set forth by  
312 the National Council for Accreditation of Teacher Education  
313 (NCATE) or the National Association of State Directors of Teacher  
314 Education and Certification (NASDTEC) or, for those applicants who  
315 have a Bachelor of Science degree with child development emphasis,  
316 the American Association of Family and Consumer Sciences (AAFCS).  
317 Effective July 1, 2016, for initial elementary education  
318 licensure, a teacher candidate must earn a passing score on a  
319 rigorous test of scientifically research-based reading instruction



320 and intervention and data-based decision-making principles as  
321 approved by the State Board of Education;

322 (iii) A copy of test scores evidencing  
323 satisfactory completion of nationally administered examinations of  
324 achievement, such as the Educational Testing Service's teacher  
325 testing examinations;

326 (iv) Any other document required by the State  
327 Board of Education; and

328 (v) From and after September 30, 2015, no teacher  
329 candidate shall be licensed to teach in Mississippi who did not  
330 meet the following criteria for entrance into an approved teacher  
331 education program:

332 1. Twenty-one (21) ACT equivalent or achieve  
333 the nationally recommended passing score on the Praxis Core  
334 Academic Skills for Educators examination; and

335 2. No less than 2.75 GPA on pre-major  
336 coursework of the institution's approved teacher education program  
337 provided that the accepted cohort of candidates meets or exceeds a  
338 3.0 GPA on pre-major coursework.

339 (b) **Standard License - Nontraditional Teaching Route.**

340 From and after September 30, 2015, no teacher candidate shall be  
341 licensed to teach in Mississippi under the alternate route who did  
342 not meet the following criteria:



343 (i) Twenty-one (21) ACT equivalent or achieve the  
344 nationally recommended passing score on the Praxis Core Academic  
345 Skills for Educators examination; and

346 (ii) No less than 2.75 GPA on content coursework  
347 in the requested area of certification or passing Praxis II scores  
348 at or above the national recommended score provided that the  
349 accepted cohort of candidates of the institution's teacher  
350 education program meets or exceeds a 3.0 GPA on pre-major  
351 coursework.

352 Beginning January 1, 2004, an individual who has a passing  
353 score on the Praxis I Basic Skills and Praxis II Specialty Area  
354 Test in the requested area of endorsement may apply for the Teach  
355 Mississippi Institute (TMI) program to teach students in Grades 7  
356 through 12 if the individual meets the requirements of this  
357 paragraph (b). The State Board of Education shall adopt rules  
358 requiring that teacher preparation institutions which provide the  
359 Teach Mississippi Institute (TMI) program for the preparation of  
360 nontraditional teachers shall meet the standards and comply with  
361 the provisions of this paragraph.

362 (i) The Teach Mississippi Institute (TMI) shall  
363 include an intensive eight-week, nine-semester-hour summer program  
364 or a curriculum of study in which the student matriculates in the  
365 fall or spring semester, which shall include, but not be limited  
366 to, instruction in education, effective teaching strategies,  
367 classroom management, state curriculum requirements, planning and



368 instruction, instructional methods and pedagogy, using test  
369 results to improve instruction, and a one (1) semester three-hour  
370 supervised internship to be completed while the teacher is  
371 employed as a full-time teacher intern in a local school district.  
372 The TMI shall be implemented on a pilot program basis, with  
373 courses to be offered at up to four (4) locations in the state,  
374 with one (1) TMI site to be located in each of the three (3)  
375 Mississippi Supreme Court districts.

376                   (ii) The school sponsoring the teacher intern  
377 shall enter into a written agreement with the institution  
378 providing the Teach Mississippi Institute (TMI) program, under  
379 terms and conditions as agreed upon by the contracting parties,  
380 providing that the school district shall provide teacher interns  
381 seeking a nontraditional provisional teaching license with a  
382 one-year classroom teaching experience. The teacher intern shall  
383 successfully complete the one (1) semester three-hour intensive  
384 internship in the school district during the semester immediately  
385 following successful completion of the TMI and prior to the end of  
386 the one-year classroom teaching experience.

387                   (iii) Upon completion of the nine-semester-hour  
388 TMI or the fall or spring semester option, the individual shall  
389 submit his transcript to the commission for provisional licensure  
390 of the intern teacher, and the intern teacher shall be issued a  
391 provisional teaching license by the commission, which will allow





392 the individual to legally serve as a teacher while the person  
393 completes a nontraditional teacher preparation internship program.

394 (iv) During the semester of internship in the  
395 school district, the teacher preparation institution shall monitor  
396 the performance of the intern teacher. The school district that  
397 employs the provisional teacher shall supervise the provisional  
398 teacher during the teacher's intern year of employment under a  
399 nontraditional provisional license, and shall, in consultation  
400 with the teacher intern's mentor at the school district of  
401 employment, submit to the commission a comprehensive evaluation of  
402 the teacher's performance sixty (60) days prior to the expiration  
403 of the nontraditional provisional license. If the comprehensive  
404 evaluation establishes that the provisional teacher intern's  
405 performance fails to meet the standards of the approved  
406 nontraditional teacher preparation internship program, the  
407 individual shall not be approved for a standard license.

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

413 (vi) Upon successful completion of the TMI and the  
414 internship provisional license period, applicants for a Standard  
415 License - Nontraditional Route shall submit to the commission a  
416 transcript of successful completion of the twelve (12) semester



417 hours required in the internship program, and the employing school  
418 district shall submit to the commission a recommendation for  
419 standard licensure of the intern. If the school district  
420 recommends licensure, the applicant shall be issued a Standard  
421 License - Nontraditional Route which shall be valid for a  
422 five-year period and be renewable.

423 (vii) At the discretion of the teacher preparation  
424 institution, the individual shall be allowed to credit the twelve  
425 (12) semester hours earned in the nontraditional teacher  
426 internship program toward the graduate hours required for a Master  
427 of Arts in Teacher (MAT) Degree.

428 (viii) The local school district in which the  
429 nontraditional teacher intern or provisional licensee is employed  
430 shall compensate such teacher interns at Step 1 of the required  
431 salary level during the period of time such individual is  
432 completing teacher internship requirements and shall compensate  
433 such Standard License - Nontraditional Route teachers at Step 3 of  
434 the required salary level when they complete license requirements.

435 Implementation of the TMI program provided for under this  
436 paragraph (b) shall be contingent upon the availability of funds  
437 appropriated specifically for such purpose by the Legislature.  
438 Such implementation of the TMI program may not be deemed to  
439 prohibit the State Board of Education from developing and  
440 implementing additional alternative route teacher licensure  
441 programs, as deemed appropriate by the board. The emergency



442 certification program in effect prior to July 1, 2002, shall  
443 remain in effect.

444 A Standard License - Approved Program Route shall be issued  
445 for a five-year period, and may be renewed. Recognizing teaching  
446 as a profession, a hiring preference shall be granted to persons  
447 holding a Standard License - Approved Program Route or Standard  
448 License - Nontraditional Teaching Route over persons holding any  
449 other license.

450 (c) **Special License - Expert Citizen.** In order to  
451 allow a school district to offer specialized or technical courses,  
452 the State Department of Education, in accordance with rules and  
453 regulations established by the State Board of Education, may grant  
454 a one-year expert citizen-teacher license to local business or  
455 other professional personnel to teach in a public school or  
456 nonpublic school accredited or approved by the state. Such person  
457 may begin teaching upon his employment by the local school board  
458 and licensure by the Mississippi Department of Education. The  
459 board shall adopt rules and regulations to administer the expert  
460 citizen-teacher license. A Special License - Expert Citizen may  
461 be renewed in accordance with the established rules and  
462 regulations of the State Department of Education.

463 (d) **Special License - Nonrenewable.** The State Board of  
464 Education is authorized to establish rules and regulations to  
465 allow those educators not meeting requirements in paragraph (a),  
466 (b) or (c) of this subsection (6) to be licensed for a period of



467 not more than three (3) years, except by special approval of the  
468 State Board of Education.

469           (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
470 person may teach for a maximum of three (3) periods per teaching  
471 day in a public school district or a nonpublic school  
472 accredited/approved by the state. Such person shall submit to the  
473 department a transcript or record of his education and experience  
474 which substantiates his preparation for the subject to be taught  
475 and shall meet other qualifications specified by the commission  
476 and approved by the State Board of Education. In no case shall  
477 any local school board hire nonlicensed personnel as authorized  
478 under this paragraph in excess of five percent (5%) of the total  
479 number of licensed personnel in any single school.

480           (f) **Special License - Transitional Bilingual Education.**  
481 Beginning July 1, 2003, the commission shall grant special  
482 licenses to teachers of transitional bilingual education who  
483 possess such qualifications as are prescribed in this section.  
484 Teachers of transitional bilingual education shall be compensated  
485 by local school boards at not less than one (1) step on the  
486 regular salary schedule applicable to permanent teachers licensed  
487 under this section. The commission shall grant special licenses  
488 to teachers of transitional bilingual education who present the  
489 commission with satisfactory evidence that they (i) possess a  
490 speaking and reading ability in a language, other than English, in  
491 which bilingual education is offered and communicative skills in



492 English; (ii) are in good health and sound moral character; (iii)  
493 possess a bachelor's degree or an associate's degree in teacher  
494 education from an accredited institution of higher education; (iv)  
495 meet such requirements as to courses of study, semester hours  
496 therein, experience and training as may be required by the  
497 commission; and (v) are legally present in the United States and  
498 possess legal authorization for employment. A teacher of  
499 transitional bilingual education serving under a special license  
500 shall be under an exemption from standard licensure if he achieves  
501 the requisite qualifications therefor. Two (2) years of service  
502 by a teacher of transitional bilingual education under such an  
503 exemption shall be credited to the teacher in acquiring a Standard  
504 Educator License. Nothing in this paragraph shall be deemed to  
505 prohibit a local school board from employing a teacher licensed in  
506 an appropriate field as approved by the State Department of  
507 Education to teach in a program in transitional bilingual  
508 education.

509 (g) In the event any school district meets the highest  
510 accreditation standards as defined by the State Board of Education  
511 in the accountability system, the State Board of Education, in its  
512 discretion, may exempt such school district from any restrictions  
513 in paragraph (e) relating to the employment of nonlicensed  
514 teaching personnel.

515 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,  
516 any teacher from any state meeting the federal definition of



517 highly qualified, as described in the No Child Left Behind Act,  
518 must be granted a standard five-year license by the State  
519 Department of Education.

520 (7) **Administrator License.** The State Board of Education is  
521 authorized to establish rules and regulations and to administer  
522 the licensure process of the school administrators in the State of  
523 Mississippi. There will be four (4) categories of administrator  
524 licensure with exceptions only through special approval of the  
525 State Board of Education.

526 (a) **Administrator License - Nonpracticing.** Those  
527 educators holding administrative endorsement but having no  
528 administrative experience or not serving in an administrative  
529 position on January 15, 1997.

530 (b) **Administrator License - Entry Level.** Those  
531 educators holding administrative endorsement and having met the  
532 department's qualifications to be eligible for employment in a  
533 Mississippi school district. Administrator License - Entry Level  
534 shall be issued for a five-year period and shall be nonrenewable.

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

538 (d) **Administrator License - Nontraditional Route.** The  
539 board may establish a nontraditional route for licensing  
540 administrative personnel. Such nontraditional route for  
541 administrative licensure shall be available for persons holding,



542 but not limited to, a master of business administration degree, a  
543 master of public administration degree, a master of public  
544 planning and policy degree or a doctor of jurisprudence degree  
545 from an accredited college or university, with five (5) years of  
546 administrative or supervisory experience. Successful completion  
547 of the requirements of alternate route licensure for  
548 administrators shall qualify the person for a standard  
549 administrator license.

550 Individuals seeking school administrator licensure under  
551 paragraph (b), (c) or (d) shall successfully complete a training  
552 program and an assessment process prescribed by the State Board of  
553 Education. All applicants for school administrator licensure  
554 shall meet all requirements prescribed by the department under  
555 paragraph (b), (c) or (d), and the cost of the assessment process  
556 required shall be paid by the applicant.

557 (8) **Reciprocity.** (a) The department shall grant a standard  
558 license to any individual who possesses a valid standard license  
559 from another state and meets minimum Mississippi license  
560 requirements or equivalent requirements as determined by the State  
561 Board of Education. The issuance of a license by reciprocity to a  
562 military-trained applicant \* \* \*, military spouse or person who  
563 establishes residence in this state shall be subject to the  
564 provisions of Section 73-50-1.

565 (b) The department shall grant a nonrenewable special  
566 license to any individual who possesses a credential which is less



567 than a standard license or certification from another state. Such  
568 special license shall be valid for the current school year plus  
569 one (1) additional school year to expire on June 30 of the second  
570 year, not to exceed a total period of twenty-four (24) months,  
571 during which time the applicant shall be required to complete the  
572 requirements for a standard license in Mississippi.

573         (9) **Renewal and Reinstatement of Licenses.** The State Board  
574 of Education is authorized to establish rules and regulations for  
575 the renewal and reinstatement of educator and administrator  
576 licenses. Effective May 15, 1997, the valid standard license held  
577 by an educator shall be extended five (5) years beyond the  
578 expiration date of the license in order to afford the educator  
579 adequate time to fulfill new renewal requirements established  
580 pursuant to this subsection. An educator completing a master of  
581 education, educational specialist or doctor of education degree in  
582 May 1997 for the purpose of upgrading the educator's license to a  
583 higher class shall be given this extension of five (5) years plus  
584 five (5) additional years for completion of a higher degree.

585         (10) All controversies involving the issuance, revocation,  
586 suspension or any change whatsoever in the licensure of an  
587 educator required to hold a license shall be initially heard in a  
588 hearing de novo, by the commission or by a subcommittee  
589 established by the commission and composed of commission members,  
590 or by a hearing officer retained and appointed by the commission,  
591 for the purpose of holding hearings. Any complaint seeking the





592 denial of issuance, revocation or suspension of a license shall be  
593 by sworn affidavit filed with the Commission on Teacher and  
594 Administrator Education, Certification and Licensure and  
595 Development. The decision thereon by the commission, its  
596 subcommittee or hearing officer, shall be final, unless the  
597 aggrieved party shall appeal to the State Board of Education,  
598 within ten (10) days, of the decision of the commission, its  
599 subcommittee or hearing officer. An appeal to the State Board of  
600 Education shall be perfected upon filing a notice of the appeal  
601 and by the prepayment of the costs of the preparation of the  
602 record of proceedings by the commission, its subcommittee or  
603 hearing officer. An appeal shall be on the record previously made  
604 before the commission, its subcommittee or hearing officer, unless  
605 otherwise provided by rules and regulations adopted by the board.  
606 The decision of the commission, its subcommittee or hearing  
607 officer shall not be disturbed on appeal if supported by  
608 substantial evidence, was not arbitrary or capricious, within the  
609 authority of the commission, and did not violate some statutory or  
610 constitutional right. The State Board of Education in its  
611 authority may reverse, or remand with instructions, the decision  
612 of the commission, its subcommittee or hearing officer. The  
613 decision of the State Board of Education shall be final.

614 (11) (a) The State Board of Education, acting through the  
615 commission, may deny an application for any teacher or  
616 administrator license for one or more of the following:



617 (i) Lack of qualifications which are prescribed by  
618 law or regulations adopted by the State Board of Education;

619 (ii) The applicant has a physical, emotional or  
620 mental disability that renders the applicant unfit to perform the  
621 duties authorized by the license, as certified by a licensed  
622 psychologist or psychiatrist;

623 (iii) The applicant is actively addicted to or  
624 actively dependent on alcohol or other habit-forming drugs or is a  
625 habitual user of narcotics, barbiturates, amphetamines,  
626 hallucinogens or other drugs having similar effect, at the time of  
627 application for a license;

628 (iv) Fraud or deceit committed by the applicant in  
629 securing or attempting to secure such certification and license;

630 (v) Failing or refusing to furnish reasonable  
631 evidence of identification;

632 (vi) The applicant has been convicted, has pled  
633 guilty or entered a plea of nolo contendere to a felony, as  
634 defined by federal or state law. For purposes of this  
635 subparagraph (vi) of this paragraph (a), a "guilty plea" includes  
636 a plea of guilty, entry of a plea of nolo contendere, or entry of  
637 an order granting pretrial or judicial diversion;

638 (vii) The applicant or licensee is on probation or  
639 post-release supervision for a felony or conviction, as defined by  
640 federal or state law. However, this disqualification expires upon  
641 the end of the probationary or post-release supervision period.



642 (b) The State Board of Education, acting through the  
643 commission, shall deny an application for any teacher or  
644 administrator license, or immediately revoke the current teacher  
645 or administrator license, for one or more of the following:

646 (i) If the applicant or licensee has been  
647 convicted, has pled guilty or entered a plea of nolo contendere to  
648 a sex offense as defined by federal or state law. For purposes of  
649 this subparagraph (i) of this paragraph (b), a "guilty plea"  
650 includes a plea of guilty, entry of a plea of nolo contendere, or  
651 entry of an order granting pretrial or judicial diversion;

652 (ii) The applicant or licensee is on probation or  
653 post-release supervision for a sex offense conviction, as defined  
654 by federal or state law;

655 (iii) The license holder has fondled a student as  
656 described in Section 97-5-23, or had any type of sexual  
657 involvement with a student as described in Section 97-3-95; or

658 (iv) The license holder has failed to report  
659 sexual involvement of a school employee with a student as required  
660 by Section 97-5-24.

661 (12) The State Board of Education, acting through the  
662 commission, may revoke, suspend or refuse to renew any teacher or  
663 administrator license for specified periods of time or may place  
664 on probation, reprimand a licensee, or take other disciplinary  
665 action with regard to any license issued under this chapter for  
666 one or more of the following:



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

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

673 (c) Suspension or revocation of a certificate or  
674 license by another state shall result in immediate suspension or  
675 revocation and shall continue until records in the prior state  
676 have been cleared;

677 (d) The license holder has been convicted, has pled  
678 guilty or entered a plea of nolo contendere to a felony, as  
679 defined by federal or state law. For purposes of this paragraph,  
680 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
681 contendere, or entry of an order granting pretrial or judicial  
682 diversion;

683 (e) The license holder knowingly and willfully  
684 committing any of the acts affecting validity of mandatory uniform  
685 test results as provided in Section 37-16-4(1);

686 (f) The license holder has engaged in unethical conduct  
687 relating to an educator/student relationship as identified by the  
688 State Board of Education in its rules;

689 (g) The license holder served as superintendent or  
690 principal in a school district during the time preceding and/or



691 that resulted in the Governor declaring a state of emergency and  
692 the State Board of Education appointing a conservator;

693 (h) The license holder submitted a false certification  
694 to the State Department of Education that a statewide test was  
695 administered in strict accordance with the Requirements of the  
696 Mississippi Statewide Assessment System; or

697 (i) The license holder has failed to comply with the  
698 Procedures for Reporting Infractions as promulgated by the  
699 commission and approved by the State Board of Education pursuant  
700 to subsection (15) of this section.

701 For purposes of this subsection, probation shall be defined  
702 as a length of time determined by the commission, its subcommittee  
703 or hearing officer, and based on the severity of the offense in  
704 which the license holder shall meet certain requirements as  
705 prescribed by the commission, its subcommittee or hearing officer.  
706 Failure to complete the requirements in the time specified shall  
707 result in immediate suspension of the license for one (1) year.

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

713 (b) Any offense committed or attempted in any other  
714 state shall result in the same penalty as if committed or  
715 attempted in this state.



716 (c) A person may voluntarily surrender a license. The  
717 surrender of such license may result in the commission  
718 recommending any of the above penalties without the necessity of a  
719 hearing. However, any such license which has voluntarily been  
720 surrendered by a licensed employee may only be reinstated by a  
721 majority vote of all members of the commission present at the  
722 meeting called for such purpose.

723 (14) (a) A person whose license has been suspended or  
724 surrendered on any grounds except criminal grounds may petition  
725 for reinstatement of the license after one (1) year from the date  
726 of suspension or surrender, or after one-half (1/2) of the  
727 suspended or surrendered time has lapsed, whichever is greater. A  
728 person whose license has been suspended or revoked on any grounds  
729 or violations under subsection (12) of this section may be  
730 reinstated automatically or approved for a reinstatement hearing,  
731 upon submission of a written request to the commission. A license  
732 suspended, revoked or surrendered on criminal grounds may be  
733 reinstated upon petition to the commission filed after expiration  
734 of the sentence and parole or probationary period imposed upon  
735 conviction. A revoked, suspended or surrendered license may be  
736 reinstated upon satisfactory showing of evidence of  
737 rehabilitation. The commission shall require all who petition for  
738 reinstatement to furnish evidence satisfactory to the commission  
739 of good character, good mental, emotional and physical health and  
740 such other evidence as the commission may deem necessary to



741 establish the petitioner's rehabilitation and fitness to perform  
742 the duties authorized by the license.

743 (b) A person whose license expires while under  
744 investigation by the Office of Educator Misconduct for an alleged  
745 violation may not be reinstated without a hearing before the  
746 commission if required based on the results of the investigation.

747 (15) Reporting procedures and hearing procedures for dealing  
748 with infractions under this section shall be promulgated by the  
749 commission, subject to the approval of the State Board of  
750 Education. The revocation or suspension of a license shall be  
751 effected at the time indicated on the notice of suspension or  
752 revocation. The commission shall immediately notify the  
753 superintendent of the school district or school board where the  
754 teacher or administrator is employed of any disciplinary action  
755 and also notify the teacher or administrator of such revocation or  
756 suspension and shall maintain records of action taken. The State  
757 Board of Education may reverse or remand with instructions any  
758 decision of the commission, its subcommittee or hearing officer  
759 regarding a petition for reinstatement of a license, and any such  
760 decision of the State Board of Education shall be final.

761 (16) An appeal from the action of the State Board of  
762 Education in denying an application, revoking or suspending a  
763 license or otherwise disciplining any person under the provisions  
764 of this section shall be filed in the Chancery Court of the First  
765 Judicial District of Hinds County, Mississippi, on the record



766 made, including a verbatim transcript of the testimony at the  
767 hearing. The appeal shall be filed within thirty (30) days after  
768 notification of the action of the board is mailed or served and  
769 the proceedings in chancery court shall be conducted as other  
770 matters coming before the court. The appeal shall be perfected  
771 upon filing notice of the appeal and by the prepayment of all  
772 costs, including the cost of preparation of the record of the  
773 proceedings by the State Board of Education, and the filing of a  
774 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
775 if the action of the board be affirmed by the chancery court, the  
776 applicant or license holder shall pay the costs of the appeal and  
777 the action of the chancery court.

778 (17) All such programs, rules, regulations, standards and  
779 criteria recommended or authorized by the commission shall become  
780 effective upon approval by the State Board of Education as  
781 designated by appropriate orders entered upon the minutes thereof.

782 (18) The granting of a license shall not be deemed a  
783 property right nor a guarantee of employment in any public school  
784 district. A license is a privilege indicating minimal eligibility  
785 for teaching in the public school districts of Mississippi. This  
786 section shall in no way alter or abridge the authority of local  
787 school districts to require greater qualifications or standards of  
788 performance as a prerequisite of initial or continued employment  
789 in such districts.





790 (19) In addition to the reasons specified in subsections  
791 (12) and (13) of this section, the board shall be authorized to  
792 suspend the license of any licensee for being out of compliance  
793 with an order for support, as defined in Section 93-11-153. The  
794 procedure for suspension of a license for being out of compliance  
795 with an order for support, and the procedure for the reissuance or  
796 reinstatement of a license suspended for that purpose, and the  
797 payment of any fees for the reissuance or reinstatement of a  
798 license suspended for that purpose, shall be governed by Section  
799 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
800 board in suspending a license when required by Section 93-11-157  
801 or 93-11-163 are not actions from which an appeal may be taken  
802 under this section. Any appeal of a license suspension that is  
803 required by Section 93-11-157 or 93-11-163 shall be taken in  
804 accordance with the appeal procedure specified in Section  
805 93-11-157 or 93-11-163, as the case may be, rather than the  
806 procedure specified in this section. If there is any conflict  
807 between any provision of Section 93-11-157 or 93-11-163 and any  
808 provision of this chapter, the provisions of Section 93-11-157 or  
809 93-11-163, as the case may be, shall control.

810 **SECTION 3.** Section 73-1-21, Mississippi Code of 1972, is  
811 amended as follows:

812 73-1-21. Any architect residing outside this state may  
813 obtain a certificate to practice in the State of Mississippi by  
814 complying with Section 73-1-13, and by paying the fees prescribed



815 by the rules of the board; however, no such nonresident applicant  
816 shall receive a certificate to practice in this state unless the  
817 applicant furnishes evidence satisfactory to the board that the  
818 applicant holds a current and valid registration issued by a  
819 registration authority recognized by the board, holds a National  
820 Council of Architectural Registration Board's certificate, has  
821 never been restrained from practicing architecture, and has never  
822 had a certificate or license revoked. Each nonresident applicant  
823 shall submit, as a part of the application, a sworn affidavit  
824 stating that neither such applicant nor any person in, or agent  
825 of, the applicant's firm has practiced or is practicing  
826 architectural work in this state prior to the applicant having  
827 been licensed by the board unless such person or agent holds a  
828 license to practice architecture in this state. Failure to submit  
829 this affidavit is just cause for disapproval of the application.  
830 Every applicant for reciprocity registration shall comply fully  
831 with the requirements for resident applicants, except that  
832 nonresident applicants who met the requirements for issuance of a  
833 certificate of registration by the board prior to January 1, 1987,  
834 and who, on that date, held a current and valid registration by a  
835 registration authority recognized by the board or were qualified  
836 exam candidates in another jurisdiction recognized by the board,  
837 shall not be required to meet the degree requirements of Section  
838 73-1-13. The board shall have the further right to exercise its



839 discretion as to whether such nonresident architect shall be  
840 issued such certificate to practice.

841 The issuance of a certificate by reciprocity to a  
842 military-trained applicant \* \* \*, military spouse or person who  
843 establishes residence in this state shall be subject to the  
844 provisions of Section 73-50-1.

845 **SECTION 4.** Section 73-2-11, Mississippi Code of 1972, is  
846 amended as follows:

847 73-2-11. The board may exempt from examination any applicant  
848 who holds a license or certificate to practice landscape  
849 architecture issued to him upon examination by a legally  
850 constituted board of examiners of any other state or Washington,  
851 D.C., or any other territory or possession under the control of  
852 the United States, provided that such requirements of the state in  
853 which the applicant is registered are equivalent to those of this  
854 state.

855 Each nonresident applicant shall submit, as part of the  
856 application, a sworn affidavit stating that neither such applicant  
857 nor any person in or agent of the applicant's firm has practiced  
858 or is practicing landscape architectural work in this state prior  
859 to the applicant having been licensed by the board unless such  
860 person or agent holds a license to practice landscape architecture  
861 in this state. Failure to submit this affidavit or submitting an  
862 affidavit which is false in any respect shall constitute just  
863 cause for denial of the application.



864 An applicant who is a licensed landscape architect but who  
865 was admitted in a jurisdiction which did not offer a written  
866 examination acceptable to the board or was admitted without the  
867 requirement of passing a written examination may be issued a  
868 license to practice landscape architecture in this state upon the  
869 taking and passing of any examination or procedure as may be  
870 adopted by the board, provided that such applicant meets all other  
871 requirements for issuance of a license to practice landscape  
872 architecture in this state.

873 The issuance of a license by reciprocity to a  
874 military-trained applicant \* \* \*, military spouse or person who  
875 establishes residence in this state shall be subject to the  
876 provisions of Section 73-50-1.

877 **SECTION 5.** Section 73-4-23, Mississippi Code of 1972, is  
878 amended as follows:

879 73-4-23. Any auctioneer who is licensed in a state that (a)  
880 has requirements equal to the requirements of this chapter, (b)  
881 has requirements that have been approved by the commission, after  
882 a review of such state's licensing law, and (c) has entered into a  
883 reciprocal licensing agreement with the State of Mississippi  
884 through such state's regulatory authority over auctioneering, may  
885 apply for and be granted a license without examination.  
886 Applicants for a license through reciprocity shall furnish the  
887 commission by application the same information as that required of  
888 resident applicants. In addition to the biennial license fee,



889 nonresidents shall pay to the commission a fee of Two Hundred  
890 Fifty Dollars (\$250.00). A nonresident auctioneer shall furnish  
891 to the commission a surety bond, obligated to the State of  
892 Mississippi, in the amount of Ten Thousand Dollars (\$10,000.00)  
893 prior to being issued a license. The bond shall be executed by  
894 the person seeking the license as principal and by a corporate  
895 surety, licensed to do business in this state, as surety. The  
896 bond shall otherwise be in accordance with the provisions of this  
897 chapter.

898 The issuance of a license by reciprocity to a  
899 military-trained applicant \* \* \*, military spouse or person who  
900 establishes residence in this state shall be subject to the  
901 provisions of Section 73-50-1.

902 **SECTION 6.** Section 73-5-21, Mississippi Code of 1972, is  
903 amended as follows:

904 73-5-21. Any person possessed of the following  
905 qualifications shall, upon payment of the required fee, receive a  
906 certificate of registration as a registered barber:

- 907 (a) Is at least eighteen (18) years old;  
908 (b) Is of good moral character and temperate habits;  
909 and

910 (c) Either has a license or certificate of registration  
911 as a practicing barber in another state or country that has  
912 substantially the same requirements for licensing or registration  
913 of barbers as are contained in this chapter, or can prove by sworn



914 affidavits that he has lawfully practiced as a barber in another  
915 state or country for at least five (5) years immediately before  
916 making application in this state, or can show to the satisfaction  
917 of the board that he had held a rating in a branch of the military  
918 service for two (2) or more years that required him to perform the  
919 duties of a barber. The issuance of a certificate of registration  
920 by reciprocity to a military-trained applicant \* \* \*, military  
921 spouse or person who establishes residence in this state shall be  
922 subject to the provisions of Section 73-50-1.

923 In addition to the above, the board may require the applicant  
924 to successfully demonstrate sufficient knowledge of the Barber Law  
925 of the State of Mississippi, as well as sufficient practical skill  
926 by requiring the applicant to take a practical examination  
927 approved by the board.

928 **SECTION 7.** Section 73-6-13, Mississippi Code of 1972, is  
929 amended as follows:

930 73-6-13. (1) Any adult of good moral character who has (a)  
931 graduated from a school or college of chiropractic recognized by  
932 the State Board of Chiropractic Examiners, preceded by the  
933 successful completion of at least two (2) academic years at an  
934 accredited institution of higher learning, or accredited junior  
935 college, and (b) successfully completed parts 1, 2, 3 and 4 and  
936 the physical modality section of the examination prepared by the  
937 National Board of Chiropractic Examiners, shall be entitled to  
938 take the examination for a license to practice chiropractic in



939 Mississippi. The State Board of Chiropractic Examiners shall keep  
940 on file a list of schools or colleges of chiropractic which are so  
941 recognized. No chiropractic school shall be approved unless it is  
942 recognized and approved by the Council on Chiropractic Education,  
943 its successor or an equivalent accrediting agency, offers an  
944 accredited course of study of not less than four (4) academic  
945 years of at least nine (9) months in length, and requires its  
946 graduates to receive not less than forty (40) clock hours of  
947 instruction in the operation of x-ray machinery and not less than  
948 forty (40) clock hours of instruction in x-ray interpretation and  
949 diagnosis.

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

953 (3) The examination to practice chiropractic used by the  
954 board shall consist of testing on the statutes and the rules and  
955 regulations regarding the practice of chiropractic in the State of  
956 Mississippi.

957 (4) Reciprocity privileges for a chiropractor from another  
958 state shall be granted at the board's option on an individual  
959 basis and by a majority vote of the State Board of Chiropractic  
960 Examiners to an adult of good moral character who (a) is currently  
961 an active competent practitioner for at least eight (8) years and  
962 holds an active chiropractic license in another state with no  
963 disciplinary proceeding or unresolved complaint pending anywhere



964 at the time a license is to be issued by this state, (b)  
965 demonstrates having obtained licensure as a chiropractor in  
966 another state under the same education requirements which were  
967 equivalent to the education requirements in this state to obtain a  
968 chiropractic license at the time the applicant obtained the  
969 license in the other state, (c) satisfactorily passes the  
970 examination administered by the State Board of Chiropractic  
971 Examiners, and (d) meets the requirements of Section 73-6-1(3)  
972 pertaining to therapeutic modalities. The issuance of a license  
973 by reciprocity to a military-trained applicant \* \* \*, military  
974 spouse or person who establishes residence in this state shall be  
975 subject to the provisions of Section 73-50-1.

976 **SECTION 8.** Section 73-7-23, Mississippi Code of 1972, is  
977 amended as follows:

978 73-7-23. (1) The board may, upon application, issue a  
979 license by reciprocity to any cosmetologist, esthetician or  
980 manicurist over the age of seventeen (17) years from any other  
981 state who has satisfactorily completed the required number of  
982 accredited hours in that state, provided the state board from  
983 which the applicant comes issues to cosmetologists, estheticians  
984 or manicurists, as the case may be, from the State of Mississippi  
985 a license under the same conditions. Applications must be  
986 accompanied by (a) proof satisfactory to the board that the  
987 required hours have been completed, and (b) the required  
988 reciprocity fee, which shall be paid to the board.





989           (2) An instructor from any other state may be qualified for  
990 a Mississippi instructor's license upon presenting a valid  
991 instructor's license and proof of a high school education or its  
992 equivalent, provided that the instructor (a) is not less than  
993 twenty-one (21) years of age, (b) has completed training  
994 equivalent to the State of Mississippi's training as provided in  
995 Section 73-7-15 or has three (3) years or more of experience as a  
996 licensed instructor prior to application, (c) can read, write and  
997 speak English, (d) has completed twelve (12) semester hours in  
998 college courses approved by the board, and (e) has completed a  
999 minimum of five (5) continuing education hours in Mississippi  
1000 board laws, rules and regulations. Such application must be  
1001 accompanied by two (2) recent passport photographs of the  
1002 applicant. Applicants shall pay the required license fee.

1003           (3) An applicant for a Mississippi instructor's license by  
1004 reciprocity who has not completed the college courses requirement  
1005 at the time of application may apply for a onetime temporary  
1006 teaching permit, which shall be valid for six (6) months and shall  
1007 be nonrenewable. Such application must be accompanied by proof of  
1008 enrollment in college course(s), required permit fee, two (2)  
1009 recent passport photographs of the applicant and other  
1010 documentation as required for application for a Mississippi  
1011 instructor's license by reciprocity. Upon proof of completion of  
1012 college courses and payment of the required license fee, a  
1013 Mississippi instructor's license shall be issued.



1014 (4) The issuance of a license by reciprocity to a  
1015 military-trained applicant \* \* \*, military spouse or person who  
1016 establishes residence in this state shall be subject to the  
1017 provisions of Section 73-50-1.

1018 **SECTION 9.** Section 73-9-24, Mississippi Code of 1972, is  
1019 amended as follows:

1020 73-9-24. (1) In addition to the method for obtaining a  
1021 license to practice dentistry or dental hygiene by way of  
1022 examination as provided by Section 73-9-23, the board, in its sole  
1023 discretion, may grant a license to a candidate who meets the  
1024 following criteria:

1025 (a) Submit proof of graduation from a dental school or  
1026 school of dental hygiene accredited by the Commission on Dental  
1027 Accreditation of the American Dental Association (ADA), or its  
1028 successor commission;

1029 (b) Be engaged in the active practice of dentistry or  
1030 dental hygiene or in full-time dental education or dental hygiene  
1031 education for the past five (5) years;

1032 (c) Currently hold a valid, unrestricted and unexpired  
1033 license in a state whose standards for licensure are determined by  
1034 the board as equivalent to Mississippi's standards, and which  
1035 state grants reciprocity or licensure by credentials to licensees  
1036 of the State of Mississippi;



1037 (d) Provides an endorsement from all states in which he  
1038 or she is currently licensed or has ever been licensed to practice  
1039 dentistry or dental hygiene;

1040 (e) Has not been the subject of pending or final  
1041 disciplinary action in any state in which the applicant has been  
1042 licensed;

1043 (f) Is not the subject of a pending investigation in  
1044 any other state or jurisdiction;

1045 (g) Has passed a state or regional clinical licensure  
1046 examination and, within the past five (5) years, has not failed a  
1047 clinical licensure examination administered by another state,  
1048 jurisdiction, or regional licensing board;

1049 (h) Has not failed at any time, a licensure examination  
1050 administered by the Mississippi State Board of Dental Examiners;

1051 (i) Provides a written statement agreeing to appear for  
1052 interviews at the request of the board;

1053 (j) Has successfully completed all parts of the  
1054 National Board Examinations of the Joint Commission on National  
1055 Dental Examinations, or its successor commission, unless the  
1056 applicant graduated from an accredited dental or dental hygiene  
1057 school before 1960;

1058 (k) Successfully passes a written jurisprudence  
1059 examination;

1060 (l) Provides payment of a nonrefundable application fee  
1061 as provided in Section 73-9-43; and



1062 (m) In addition, the State Board of Dental Examiners  
1063 may consider the following in accepting, rejecting or denying an  
1064 application for licensure by credentialing:

1065 (i) Information from the National Practitioner  
1066 Data Bank, the Healthcare Integrity and Protection Data Bank  
1067 and/or the American Association of Dental Examiners Clearinghouse  
1068 for Disciplinary Information.

1069 (ii) Questioning under oath.

1070 (iii) Results of peer review reports from  
1071 constituent societies and/or federal dental services.

1072 (iv) Substance abuse testing or treatment.

1073 (v) Background checks for criminal or fraudulent  
1074 activities.

1075 (vi) Participation in continuing education.

1076 (vii) A current certificate in cardiopulmonary  
1077 resuscitation.

1078 (viii) Recent patient case reports and/or oral  
1079 defense of diagnosis and treatment plans.

1080 (ix) No physical or psychological impairment that  
1081 would adversely affect the ability to deliver quality dental care.

1082 (x) Agreement to initiate practice in the  
1083 credentialing jurisdiction within a reasonable period of time.

1084 (xi) Proof of professional liability coverage and  
1085 that the coverage has not been refused, declined, canceled,  
1086 nonrenewed or modified.



1087 (xii) Any additional information or documentation  
1088 that the board may stipulate by rule or regulation as necessary to  
1089 qualify for a license by credentialing.

1090 (2) The board shall be granted sufficient time to conduct a  
1091 complete inquiry into the applicant's qualifications for licensure  
1092 by credentials, and the board may adopt such rules and regulations  
1093 pertaining to the time needed to conduct investigations and the  
1094 responsibility of applicants to produce verifiable documentation.

1095 (3) Any applicant failing to meet the criteria in subsection  
1096 (1) of this section shall not be eligible for a license based on  
1097 credentials. Upon meeting the criteria in subsection (1) of this  
1098 section, the Mississippi State Board of Dental Examiners may, in  
1099 its discretion, issue to the applicant a license to practice  
1100 dentistry, or dental hygiene, unless grounds for denial of  
1101 licensure exist as enumerated in Section 73-9-61. Evidence of  
1102 falsification in the application for licensure through  
1103 credentialing will result in revocation of the license.

1104 (4) Any applicant applying for a specialty license by  
1105 credentials must stay within his or her board recognized specialty  
1106 and must practice only that specialty within the State of  
1107 Mississippi. A specialty license holder must hold a general  
1108 dentistry license before obtaining a specialty license.

1109 (5) The issuance of a license by reciprocity to a  
1110 military-trained applicant \* \* \*, military spouse or person who



1111 establishes residence in this state shall be subject to the  
1112 provisions of Section 73-50-1.

1113         **SECTION 10.** Section 73-10-15, Mississippi Code of 1972, is  
1114 amended as follows:

1115             73-10-15. (1) A nonresident dietitian may practice  
1116 dietetics in Mississippi for five (5) days per year with current  
1117 other state's licensure or with current registration with the  
1118 Commission on Dietetics Registration.

1119             (2) The board may waive the prescribed examination for  
1120 licensure and grant a license to any person who shall present  
1121 proof of current licensure as a dietitian in another state, the  
1122 District of Columbia, or territory of the United States which  
1123 requires standards for licensure considered by the advisory  
1124 council to be greater than or equal to the requirements for  
1125 licensure of this chapter, if such state or territory extends  
1126 reciprocity to licensees of the State of Mississippi. The  
1127 issuance of a license by reciprocity to a military-trained  
1128 applicant \* \* \*, military spouse or person who establishes  
1129 residence in this state shall be subject to the provisions of  
1130 Section 73-50-1.

1131         **SECTION 11.** Section 73-11-51, Mississippi Code of 1972, is  
1132 amended as follows:

1133             73-11-51. (1) No person shall engage in the business or  
1134 practice of funeral service, including embalming, and/or funeral  
1135 directing or hold himself out as transacting or practicing or



1136 being entitled to transact or practice funeral service, including  
1137 embalming, and/or funeral directing in this state unless duly  
1138 licensed under the provisions of this chapter.

1139         (2) The board is authorized and empowered to examine  
1140 applicants for licenses for the practice of funeral service and  
1141 funeral directing and shall issue the proper license to those  
1142 persons who successfully pass the applicable examination and  
1143 otherwise comply with the provisions of this chapter.

1144         (3) To be licensed for the practice of funeral directing  
1145 under this chapter, a person must furnish satisfactory evidence to  
1146 the board that he or she:

1147                 (a) Is at least eighteen (18) years of age;

1148                 (b) Has a high school diploma or the equivalent  
1149 thereof;

1150                 (c) Has served as a resident trainee for not less than  
1151 twenty-four (24) months under the supervision of a person licensed  
1152 for the practice of funeral service or funeral directing in this  
1153 state;

1154                 (d) Has successfully passed a written and/or oral  
1155 examination as prepared or approved by the board; and

1156                 (e) Is of good moral character.

1157         (4) To be licensed for the practice of funeral service under  
1158 this chapter, a person must furnish satisfactory evidence to the  
1159 board that he or she:

1160                 (a) Is at least eighteen (18) years of age;



1161 (b) Has a high school diploma or the equivalent  
1162 thereof;

1163 (c) Has successfully completed twelve (12) months or  
1164 more of academic and professional instruction from an institution  
1165 accredited by the United States Department of Education for  
1166 funeral service education and have a certificate of completion  
1167 from an institution accredited by the American Board of Funeral  
1168 Service Education or any other successor recognized by the United  
1169 States Department of Education for funeral service education;

1170 (d) Has served as a resident trainee for not less than  
1171 twelve (12) months, either before or after graduation from an  
1172 accredited institution mentioned above, under the supervision of a  
1173 person licensed for the practice of funeral service in this state  
1174 and in an establishment licensed in this state;

1175 (e) Has successfully passed the National Conference of  
1176 Funeral Examiners examination and/or such other examination as  
1177 approved by the board; and

1178 (f) Is of good moral character.

1179 (5) All applications for examination and license for the  
1180 practice of funeral service or funeral directing shall be upon  
1181 forms furnished by the board and shall be accompanied by an  
1182 examination fee, a licensing fee and a nonrefundable application  
1183 fee in amounts fixed by the board in accordance with Section  
1184 73-11-56. The fee for an initial license, however, may be  
1185 prorated in proportion to the period of time from the date of





1186 issuance to the date of biennial license renewal prescribed in  
1187 subsection (8) of this section. All applications for examination  
1188 shall be filed with the board office at least sixty (60) days  
1189 before the date of examination. A candidate shall be deemed to  
1190 have abandoned the application for examination if he does not  
1191 appear on the scheduled date of examination unless such failure to  
1192 appear has been approved by the board.

1193 (6) The practice of funeral service or funeral directing  
1194 must be engaged in at a licensed funeral establishment, at least  
1195 one (1) of which is listed as the licensee's place of business;  
1196 and no person, partnership, corporation, association or other  
1197 organization shall open or maintain a funeral establishment at  
1198 which to engage in or conduct or hold himself or itself out as  
1199 engaging in the practice of funeral service or funeral directing  
1200 until such establishment has complied with the licensing  
1201 requirements of this chapter. A license for the practice of  
1202 funeral service or funeral directing shall be used only at  
1203 licensed funeral establishments; however, this provision shall not  
1204 prevent a person licensed for the practice of funeral service or  
1205 funeral directing from conducting a funeral service at a church, a  
1206 residence, public hall, lodge room or cemetery chapel, if such  
1207 person maintains a fixed licensed funeral establishment of his own  
1208 or is in the employ of or an agent of a licensed funeral  
1209 establishment.



1210 (7) Any person holding a valid, unrevoked and unexpired  
1211 nonreciprocal license in another state or territory having  
1212 requirements greater than or equal to those of this state as  
1213 determined by the board may apply for a license to practice in  
1214 this state by filing with the board a certified statement from the  
1215 secretary of the licensing board of the state or territory in  
1216 which the applicant holds his license certifying to his  
1217 qualifications and good standing with that board. He/she must  
1218 also successfully pass a written and/or oral examination on the  
1219 Mississippi Funeral Service licensing law and rules and  
1220 regulations as prepared or approved by the board, and must pay a  
1221 nonrefundable application fee set by the board. If the board  
1222 finds that the applicant has fulfilled aforesaid requirements and  
1223 has fulfilled substantially similar requirements of those required  
1224 for a Mississippi licensee, the board shall grant such license  
1225 upon receipt of a fee in an amount equal to the renewal fee set by  
1226 the board for a license for the practice of funeral service or  
1227 funeral directing, as the case may be, in this state. The board  
1228 may issue a temporary funeral service or funeral directing work  
1229 permit before a license is granted, before the next regular  
1230 meeting of the board, if the applicant for a reciprocal license  
1231 has complied with all requirements, rules and regulations of the  
1232 board. The temporary permit will expire at the next regular  
1233 meeting of the board. The issuance of a license or temporary  
1234 permit by reciprocity to a military-trained applicant \* \* \*l



1235 military spouse or person who establishes residence in this state  
1236 shall be subject to the provisions of Section 73-50-1.

1237 (8) (a) Except as provided in Section 33-1-39, any person  
1238 holding a license for the practice of funeral service or funeral  
1239 directing may have the same renewed for a period of two (2) years  
1240 by making and filing with the board an application on or before  
1241 the due date. Payment of the renewal fee shall be in an amount  
1242 set by the board in accordance with Section 73-11-56. The board  
1243 shall mail the notice of renewal and the due date for the payment  
1244 of the renewal fee to the last-known address of each licensee at  
1245 least thirty (30) days before that date. It is the responsibility  
1246 of the licensee to notify the board in writing of any change of  
1247 address. An application will be considered late if the  
1248 application and proper fees are not in the board's office or  
1249 postmarked by the due date. Failure of a license holder to  
1250 receive the notice of renewal shall not exempt or excuse a license  
1251 holder from the requirement of renewing the license on or before  
1252 the license expiration date.

1253 (b) If the renewal fee is not paid on or postmarked by  
1254 the due date, the license of such person shall by operation of law  
1255 automatically expire and become void without further action of the  
1256 board. The board may reinstate such license if application for  
1257 licensure is made within a period of five (5) years, upon payment  
1258 of the renewal fee for the current year, all renewal fees in  
1259 arrears, and a reinstatement fee. After a period of five (5)



1260 years, the licensee must make application, pay the current renewal  
1261 fee, all fees in arrears, and pass a written and/or oral  
1262 examination as prepared or approved by the board.

1263 (9) No license shall be assignable or valid for any person  
1264 other than the original licensee.

1265 (10) The board may, in its discretion, if there is a major  
1266 disaster or emergency where human death is likely to occur,  
1267 temporarily authorize the practice of funeral directing and  
1268 funeral service by persons licensed to practice in another state  
1269 but not licensed to practice in this state. Only persons licensed  
1270 in this state, however, may sign death certificates.

1271 (11) Any funeral service technology or mortuary science  
1272 program accredited by the American Board of Funeral Service  
1273 Education in the State of Mississippi, as well as students  
1274 enrolled in such a program, shall be exempt from licensing under  
1275 this chapter when embalming or otherwise preparing a deceased  
1276 human body for disposition as part of a student practicum  
1277 experience, when the student is directly supervised by an  
1278 instructor or preceptor who holds a current funeral service  
1279 license. This exemption shall apply to practicum experiences  
1280 performed at an accredited institution of funeral service  
1281 technology or mortuary science program or at a duly licensed  
1282 funeral establishment or commercial mortuary service. Nothing in  
1283 this subsection shall be construed to allow any funeral service  
1284 technology or mortuary science program, or those students enrolled



1285 in such a program, to engage in practicum experiences for  
1286 remuneration.

1287 (12) Each application or filing made under this section  
1288 shall include the social security number(s) of the applicant in  
1289 accordance with Section 93-11-64.

1290 **SECTION 12.** Section 73-13-35, Mississippi Code of 1972, is  
1291 amended as follows:

1292 73-13-35. The board may, upon application therefor and the  
1293 payment of a fee in accordance with Section 73-13-25, issue a  
1294 certificate of licensure as a professional engineer to any person  
1295 who holds a certificate of qualification or licensure issued to  
1296 him by proper authority of any state or territory or possession of  
1297 the United States, or of any country, provided that the  
1298 applicant's qualifications meet the requirements of Sections  
1299 73-13-1 through 73-13-45 and the rules established by the board.  
1300 The issuance of a certificate of licensure by reciprocity to a  
1301 military-trained applicant \* \* \*, military spouse or person who  
1302 establishes residence in this state shall be subject to the  
1303 provisions of Section 73-50-1.

1304 **SECTION 13.** Section 73-14-25, Mississippi Code of 1972, is  
1305 amended as follows:

1306 73-14-25. The department may license as a hearing aid  
1307 specialist, and furnish a certificate of licensure, to any  
1308 applicant who presents evidence, satisfactory to the department of  
1309 having passed an examination before a similar lawfully authorized



1310 examining agency or board of hearing aid specialists of another  
1311 state or the District of Columbia, if the standards for  
1312 registration of hearing aid specialists or for licensure as a  
1313 hearing aid specialist in such state or district are determined by  
1314 the department to be as high as those of this state, and if that  
1315 jurisdiction affords licensees of this state reciprocity.

1316 Any person making application for licensure under the  
1317 provisions of this section may, at the discretion of the board, be  
1318 required to pass an examination selected by the board.

1319 The issuance of a license by reciprocity to a  
1320 military-trained applicant \* \* \*, military spouse or person who  
1321 establishes residence in this state shall be subject to the  
1322 provisions of Section 73-50-1.

1323 **SECTION 14.** Section 73-15-19, Mississippi Code of 1972, is  
1324 amended as follows:

1325 73-15-19. (1) **Registered nurse applicant qualifications.**

1326 Any applicant for a license to practice as a registered nurse  
1327 shall submit to the board:

1328 (a) An attested written application on a Board of  
1329 Nursing form;

1330 (b) Written official evidence of completion of a  
1331 nursing program approved by the Board of Trustees of State  
1332 Institutions of Higher Learning, or one approved by a legal  
1333 accrediting agency of another state, territory or possession of



1334 the United States, the District of Columbia, or a foreign country  
1335 which is satisfactory to this board;

1336 (c) Evidence of competence in English related to  
1337 nursing, provided the first language is not English;

1338 (d) Any other official records required by the board.

1339 In addition to the requirements specified in paragraphs (a)  
1340 through (d) of this subsection, in order to qualify for a license  
1341 to practice as a registered nurse, an applicant must have  
1342 successfully been cleared for licensure through an investigation  
1343 that shall consist of a determination as to good moral character  
1344 and verification that the prospective licensee is not guilty of or  
1345 in violation of any statutory ground for denial of licensure as  
1346 set forth in Section 73-15-29 or guilty of any offense specified  
1347 in Section 73-15-33. To assist the board in conducting its  
1348 licensure investigation, all applicants shall undergo a  
1349 fingerprint-based criminal history records check of the  
1350 Mississippi central criminal database and the Federal Bureau of  
1351 Investigation criminal history database. Each applicant shall  
1352 submit a full set of his or her fingerprints in a form and manner  
1353 prescribed by the board, which shall be forwarded to the  
1354 Mississippi Department of Public Safety (department) and the  
1355 Federal Bureau of Investigation Identification Division for this  
1356 purpose.

1357 Any and all state or national criminal history records  
1358 information obtained by the board that is not already a matter of



1359 public record shall be deemed nonpublic and confidential  
1360 information restricted to the exclusive use of the board, its  
1361 members, officers, investigators, agents and attorneys in  
1362 evaluating the applicant's eligibility or disqualification for  
1363 licensure, and shall be exempt from the Mississippi Public Records  
1364 Act of 1983. Except when introduced into evidence in a hearing  
1365 before the board to determine licensure, no such information or  
1366 records related thereto shall, except with the written consent of  
1367 the applicant or by order of a court of competent jurisdiction, be  
1368 released or otherwise disclosed by the board to any other person  
1369 or agency.

1370         The board shall provide to the department the fingerprints of  
1371 the applicant, any additional information that may be required by  
1372 the department, and a form signed by the applicant consenting to  
1373 the check of the criminal records and to the use of the  
1374 fingerprints and other identifying information required by the  
1375 state or national repositories.

1376         The board shall charge and collect from the applicant, in  
1377 addition to all other applicable fees and costs, such amount as  
1378 may be incurred by the board in requesting and obtaining state and  
1379 national criminal history records information on the applicant.

1380         The board may, in its discretion, refuse to accept the  
1381 application of any person who has been convicted of a criminal  
1382 offense under any provision of Title 97 of the Mississippi Code of





1383 1972, as now or hereafter amended, or any provision of this  
1384 article.

1385           (2) **Licensure by examination.** (a) Upon the board being  
1386 satisfied that an applicant for a license as a registered nurse  
1387 has met the qualifications set forth in subsection (1) of this  
1388 section, the board shall proceed to examine such applicant in such  
1389 subjects as the board shall, in its discretion, determine. The  
1390 subjects in which applicants shall be examined shall be in  
1391 conformity with curricula in schools of nursing approved by the  
1392 Board of Trustees of State Institutions of Higher Learning, or one  
1393 approved by a legal accrediting agency of another state, territory  
1394 or possession of the United States, the District of Columbia, or a  
1395 foreign country which is satisfactory to the board.

1396           (b) The applicant shall be required to pass the written  
1397 examination as selected by the board.

1398           (c) Upon successful completion of such examination, the  
1399 board shall issue to the applicant a license to practice as a  
1400 registered nurse.

1401           (d) The board may use any part or all of the state  
1402 board test pool examination for registered nurse licensure, its  
1403 successor examination, or any other nationally standardized  
1404 examination identified by the board in its rules. The passing  
1405 score shall be established by the board in its rules.

1406           (3) **Licensure by endorsement.** The board may issue a license  
1407 to practice nursing as a registered nurse without examination to



1408 an applicant who has been duly licensed as a registered nurse  
1409 under the laws of another state, territory or possession of the  
1410 United States, the District of Columbia, or a foreign country if,  
1411 in the opinion of the board, the applicant meets the  
1412 qualifications required of licensed registered nurses in this  
1413 state and has previously achieved the passing score or scores on  
1414 the licensing examination required by this state, at the time of  
1415 his or her graduation. The issuance of a license by endorsement  
1416 to a military-trained applicant \* \* \*, military spouse or person  
1417 who establishes residence in this state shall be subject to the  
1418 provisions of Section 73-50-1.

1419 (4) **Requirements for rewriting the examination.** The board  
1420 shall establish in its rules the requirements for rewriting the  
1421 examination for those persons failing the examination on the first  
1422 writing or subsequent rewriting.

1423 (5) **Fee.** The applicant applying for a license by  
1424 examination or by endorsement to practice as a registered nurse  
1425 shall pay a fee not to exceed One Hundred Dollars (\$100.00) to the  
1426 board.

1427 (6) **Temporary permit.** (a) The board may issue a temporary  
1428 permit to practice nursing to a graduate of an approved school of  
1429 nursing pending the results of the examination in Mississippi, and  
1430 to a qualified applicant from another state, territory or  
1431 possession of the United States, or District of Columbia, or



1432 pending licensure procedures as provided for elsewhere in this  
1433 article. The fee shall not exceed Twenty-five Dollars (\$25.00).

1434 (b) The board may issue a temporary permit for a period  
1435 of ninety (90) days to a registered nurse who is currently  
1436 licensed in another state, territory or possession of the United  
1437 States or the District of Columbia and who is an applicant for  
1438 licensure by endorsement. Such permit is not renewable except by  
1439 board action. The issuance of a temporary permit to a  
1440 military-trained applicant \* \* \*, military spouse or person who  
1441 establishes residence in this state shall be subject to the  
1442 provisions of Section 73-50-1.

1443 (c) The board may issue a temporary permit to a  
1444 graduate of an approved school of nursing pending the results of  
1445 the first licensing examination scheduled after application. Such  
1446 permit is not renewable except by board action.

1447 (d) The board may issue a temporary permit for a period  
1448 of thirty (30) days to any registered nurse during the time  
1449 enrolled in a nursing reorientation program. This time period may  
1450 be extended by board action. The fee shall not exceed Twenty-five  
1451 Dollars (\$25.00).

1452 (e) The board may adopt such regulations as are  
1453 necessary to limit the practice of persons to whom temporary  
1454 permits are issued.

1455 (7) **Temporary license.** The board may issue a temporary  
1456 license to practice nursing at a youth camp licensed by the State



1457 Board of Health to nonresident registered nurses and retired  
1458 resident registered nurses under the provisions of Section  
1459 75-74-8.

1460 (8) **Title and abbreviation.** Any person who holds a license  
1461 or holds the privilege to practice as a registered nurse in this  
1462 state shall have the right to use the title "registered nurse" and  
1463 the abbreviation "R.N." No other person shall assume such title  
1464 or use such abbreviation, or any words, letters, signs or devices  
1465 to indicate that the person using the same is a registered nurse.

1466 (9) **Registered nurses licensed under a previous law.** Any  
1467 person holding a license to practice nursing as a registered nurse  
1468 issued by this board which is valid on July 1, 1981, shall  
1469 thereafter be deemed to be licensed as a registered nurse under  
1470 the provisions of this article upon payment of the fee provided in  
1471 Section 73-15-27.

1472 (10) Each application or filing made under this section  
1473 shall include the social security number(s) of the applicant in  
1474 accordance with Section 93-11-64.

1475 **SECTION 15.** Section 73-15-21, Mississippi Code of 1972, is  
1476 amended as follows:

1477 73-15-21. (1) **Licensed practical nurse applicant**  
1478 **qualifications.** Any applicant for a license to practice practical  
1479 nursing as a licensed practical nurse shall submit to the board:

1480 (a) An attested written application on a Board of  
1481 Nursing form;



1482 (b) A diploma from an approved high school or the  
1483 equivalent thereof, as determined by the appropriate educational  
1484 agency;

1485 (c) Written official evidence of completion of a  
1486 practical nursing program approved by the State Department of  
1487 Education through its Division of Vocational Education, or one  
1488 approved by a legal accrediting agency of another state, territory  
1489 or possession of the United States, the District of Columbia, or a  
1490 foreign country which is satisfactory to this board;

1491 (d) Evidence of competence in English related to  
1492 nursing, provided the first language is not English;

1493 (e) Any other official records required by the board.

1494 In addition to the requirements specified in paragraphs (a)  
1495 through (e) of this subsection, in order to qualify for a license  
1496 to practice practical nursing as a licensed practical nurse, an  
1497 applicant must have successfully been cleared for licensure  
1498 through an investigation that shall consist of a determination as  
1499 to good moral character and verification that the prospective  
1500 licensee is not guilty of or in violation of any statutory ground  
1501 for denial of licensure as set forth in Section 73-15-29 or guilty  
1502 of any offense specified in Section 73-15-33. To assist the board  
1503 in conducting its licensure investigation, all applicants shall  
1504 undergo a fingerprint-based criminal history records check of the  
1505 Mississippi central criminal database and the Federal Bureau of  
1506 Investigation criminal history database. Each applicant shall



1507 submit a full set of his or her fingerprints in a form and manner  
1508 prescribed by the board, which shall be forwarded to the  
1509 Mississippi Department of Public Safety (department) and the  
1510 Federal Bureau of Investigation Identification Division for this  
1511 purpose.

1512 Any and all state or national criminal history records  
1513 information obtained by the board that is not already a matter of  
1514 public record shall be deemed nonpublic and confidential  
1515 information restricted to the exclusive use of the board, its  
1516 members, officers, investigators, agents and attorneys in  
1517 evaluating the applicant's eligibility or disqualification for  
1518 licensure, and shall be exempt from the Mississippi Public Records  
1519 Act of 1983. Except when introduced into evidence in a hearing  
1520 before the board to determine licensure, no such information or  
1521 records related thereto shall, except with the written consent of  
1522 the applicant or by order of a court of competent jurisdiction, be  
1523 released or otherwise disclosed by the board to any other person  
1524 or agency.

1525 The board shall provide to the department the fingerprints of  
1526 the applicant, any additional information that may be required by  
1527 the department, and a form signed by the applicant consenting to  
1528 the check of the criminal records and to the use of the  
1529 fingerprints and other identifying information required by the  
1530 state or national repositories.



1531           The board shall charge and collect from the applicant, in  
1532 addition to all other applicable fees and costs, such amount as  
1533 may be incurred by the board in requesting and obtaining state and  
1534 national criminal history records information on the applicant.

1535           The board may, in its discretion, refuse to accept the  
1536 application of any person who has been convicted of a criminal  
1537 offense under any provision of Title 97 of the Mississippi Code of  
1538 1972, as now or hereafter amended, or any provision of this  
1539 article.

1540           (2)   **Licensure by examination.**   (a)   Upon the board being  
1541 satisfied that an applicant for a license as a practical nurse has  
1542 met the qualifications set forth in subsection (1) of this  
1543 section, the board shall proceed to examine such applicant in such  
1544 subjects as the board shall, in its discretion, determine. The  
1545 subjects in which applicants shall be examined shall be in  
1546 conformity with curricula in schools of practical nursing approved  
1547 by the State Department of Education.

1548                   (b)   The applicant shall be required to pass the written  
1549 examination selected by the board.

1550                   (c)   Upon successful completion of such examination, the  
1551 board shall issue to the applicant a license to practice as a  
1552 licensed practical nurse.

1553                   (d)   The board may use any part or all of the state  
1554 board test pool examination for practical nurse licensure, its  
1555 successor examination, or any other nationally standardized



1556 examination identified by the board in its rules. The passing  
1557 score shall be established by the board in its rules.

1558       (3) **Licensure by endorsement.** The board may issue a license  
1559 to practice practical nursing as a licensed practical nurse  
1560 without examination to an applicant who has been duly licensed as  
1561 a licensed practical nurse under the laws of another state,  
1562 territory or possession of the United States, the District of  
1563 Columbia, or a foreign country if, in the opinion of the board,  
1564 the applicant meets the qualifications required of licensed  
1565 practical nurses in this state and has previously achieved the  
1566 passing score or scores on the licensing examination required by  
1567 this state at the time of his or her graduation. The issuance of  
1568 a license by endorsement to a military-trained applicant \* \* \*,  
1569 military spouse or person who establishes residence in this state  
1570 shall be subject to the provisions of Section 73-50-1.

1571       (4) **Licensure by equivalent amount of theory and clinical**  
1572 **experience.** In the discretion of the board, former students of a  
1573 state-accredited school preparing students to become registered  
1574 nurses may be granted permission to take the examination for  
1575 licensure to practice as a licensed practical nurse, provided the  
1576 applicant's record or transcript indicates the former student  
1577 completed an equivalent amount of theory and clinical experiences  
1578 as required of a graduate of a practical nursing program, and  
1579 provided the school attended was, at the time of the student's  
1580 attendance, an accredited school of nursing.





1581           (5) **Requirements for rewriting the examination.** The board  
1582 shall establish in its rules the requirements for rewriting the  
1583 examination for those persons failing the examination on the first  
1584 writing or subsequent writing.

1585           (6) **Fee.** The applicant applying for a license by  
1586 examination or by endorsement to practice as a licensed practical  
1587 nurse shall pay a fee not to exceed Sixty Dollars (\$60.00) to the  
1588 board.

1589           (7) **Temporary permit.** (a) The board may issue a temporary  
1590 permit to practice practical nursing to a graduate of an approved  
1591 school of practical nursing pending the results of the examination  
1592 in Mississippi, and to a qualified applicant from another state,  
1593 territory or possession of the United States, or the District of  
1594 Columbia, pending licensing procedures as provided for elsewhere  
1595 in this article. The fee shall not exceed Twenty-five Dollars  
1596 (\$25.00).

1597                       (b) The board may issue a temporary permit for a period  
1598 of ninety (90) days to a licensed practical nurse who is currently  
1599 licensed in another state, territory or possession of the United  
1600 States or the District of Columbia and who is an applicant for  
1601 licensure by endorsement. Such permit is not renewable except by  
1602 board action. The issuance of a temporary permit to a  
1603 military-trained applicant \* \* \*, military spouse or person who  
1604 establishes residence in this state shall be subject to the  
1605 provisions of Section 73-50-1.



1606 (c) The board may issue a temporary permit to a  
1607 graduate of an approved practical nursing education program or an  
1608 equivalent program satisfactory to the board pending the results  
1609 of the first licensing examination scheduled after application.  
1610 Such permit is not renewable except by board action.

1611 (d) The board may issue a temporary permit for a period  
1612 of thirty (30) days to any licensed practical nurse during the  
1613 time enrolled in a nursing reorientation program. This time  
1614 period may be extended by board action. The fee shall not exceed  
1615 Twenty-five Dollars (\$25.00).

1616 (e) The board may adopt such regulations as are  
1617 necessary to limit the practice of persons to whom temporary  
1618 permits are issued.

1619 (8) **Title and abbreviation.** Any person who holds a license  
1620 or holds the privilege to practice as a licensed practical nurse  
1621 in this state shall have the right to use the title "licensed  
1622 practical nurse" and the abbreviation "L.P.N." No other person  
1623 shall assume such title or use such abbreviation, or any words,  
1624 letters, signs or devices to indicate that a person using the same  
1625 is a licensed practical nurse.

1626 (9) **Licensed practical nurses licensed under a previous law.**  
1627 Any person holding a license to practice nursing as a practical  
1628 nurse issued by this board which is valid on July 1, 1981, shall  
1629 thereafter be deemed to be licensed as a practical nurse under the



1630 provisions of this article upon payment of the fee prescribed in  
1631 Section 73-15-27.

1632 (10) Each application or filing made under this section  
1633 shall include the social security number(s) of the applicant in  
1634 accordance with Section 93-11-64.

1635 **SECTION 16.** Section 73-15-101, Mississippi Code of 1972, is  
1636 amended as follows:

1637 73-15-101. (1) A statewide program for certification of  
1638 hemodialysis technicians is created under the Mississippi Board of  
1639 Nursing.

1640 (2) Unless certified as a certified hemodialysis technician  
1641 under this section, no person shall:

1642 (a) Practice as a certified hemodialysis technician; or

1643 (b) Use the title "certified hemodialysis technician,"  
1644 "hemodialysis technician," or other title, abbreviation, letters,  
1645 figures, signs, or devices to indicate or imply that the person is  
1646 a certified hemodialysis technician.

1647 (3) The Board of Nursing is authorized and empowered to:

1648 (a) Maintain a permanent register of all certified  
1649 hemodialysis technicians;

1650 (b) Adopt rules and regulations for certified  
1651 hemodialysis technician training programs, including standards and  
1652 curricula;

1653 (c) Provide for periodic evaluation of training  
1654 programs;



1655 (d) Grant, deny or withdraw approval from a training  
1656 program that fails to meet prescribed standards or fails to  
1657 maintain a current contract with the board;

1658 (e) Develop, maintain and administer a certification  
1659 examination, or grant, deny or withdraw approval of a  
1660 certification examination(s);

1661 (f) Adopt rules and regulations for certification of  
1662 hemodialysis technicians by examination, endorsement, renewal and  
1663 reinstatement; however, the certification by endorsement of a  
1664 military-trained applicant \* \* \*, military spouse or person who  
1665 establishes residence in this state shall be subject to the  
1666 provisions of Section 73-50-1; and

1667 (g) Conduct disciplinary hearings of certified  
1668 hemodialysis technicians concerning the restriction, denial,  
1669 suspension, revocation and/or discipline of a certificate holder  
1670 in any manner specified in rules and regulations of the board.

1671 (4) Any applicant for certification to practice as a  
1672 hemodialysis technician shall submit to the Board of Nursing:

1673 (a) An attested written application on a Board of  
1674 Nursing form;

1675 (b) A diploma from an approved high school or the  
1676 equivalent thereof, as determined by the appropriate education  
1677 agency;

1678 (c) Written official evidence of completion of a  
1679 hemodialysis technician program approved by the Board of Nursing;



1680 (d) Evidence of competence in English related to health  
1681 care/nursing if the first language is not English;

1682 (e) Written official evidence that the applicant has  
1683 passed the certification examination as approved by the Board of  
1684 Nursing; and

1685 (f) Any other official records required by the Board of  
1686 Nursing.

1687 The Board of Nursing may, in its discretion, refuse to accept  
1688 the application of any person who has been convicted of a criminal  
1689 offense under any provision of Title 97 of the Mississippi Code of  
1690 1972, or any offense listed in Section 43-11-13(5), or any sex  
1691 offense included in Section 45-33-23(h), as now or hereafter  
1692 amended.

1693 (5) Every certificate issued by the Board of Nursing to  
1694 practice as a certified hemodialysis technician shall be renewed  
1695 every two (2) years. The certified hemodialysis technician  
1696 seeking renewal shall submit proof of employment as a certified  
1697 hemodialysis technician, proof of having met continuing education  
1698 requirements adopted by the Board of Nursing and any other  
1699 official records required by the Board of Nursing.

1700 (6) The Board of Nursing shall establish nonrefundable fees  
1701 necessary for the administration of this section, including, but  
1702 not limited to, fees for initial certification by initial or later  
1703 examination, renewal of certification, reinstatement of a lapsed  
1704 certificate, endorsement, initial review and approval of a



1705 training program, and later review and approval of a training  
1706 program.

1707           **SECTION 17.** Section 73-17-11, Mississippi Code of 1972, is  
1708 amended as follows:

1709           73-17-11. (1) From and after July 1, 2011, in order to be  
1710 eligible to be licensed as a nursing home administrator, an  
1711 individual must submit evidence satisfactory to the board that he  
1712 or she:

1713                   (a) Is at least twenty-one (21) years of age;

1714                   (b) Is of good moral character, including evidence of a  
1715 criminal background check within the last six (6) months, under  
1716 Section 43-11-13 and Section G.407.3 of the Minimum Standards for  
1717 Institutions for the Aged or Infirm;

1718                   (c) Is in good health;

1719                   (d) Has satisfied at least one (1) of the following  
1720 requirements for education and experience:

1721                           (i) Has sixty-four (64) hours of college work from  
1722 an accredited institution and has worked in a supervisory capacity  
1723 in a Mississippi-licensed nursing home for a minimum of two (2)  
1724 years immediately before making application for the  
1725 Administrator-in-Training Program established by board rule;

1726                           (ii) Has an associate degree from an accredited  
1727 institution and has worked in a supervisory capacity in a  
1728 Mississippi-licensed nursing home for a minimum of two (2) years



1729 immediately before making application for the  
1730 Administrator-in-Training Program established by board rule;  
1731 (iii) Has a bachelor's degree in any other field  
1732 of study from an accredited institution before making application  
1733 for the Administrator-in-Training Program established by board  
1734 rule; or

1735 (iv) Has a bachelor's degree in health care  
1736 administration or a health care related field or business from an  
1737 accredited institution before making application for the  
1738 Administrator-in-Training Program established by board rule;

1739 (e) Has (i) completed a nursing home  
1740 Administrator-in-Training Program and successfully completed the  
1741 National Association of Long-Term Care Administrator Board (NAB)  
1742 examination, or (ii) completed an Administrator-in-Training  
1743 Program in Long-Term Care Administration from an academic  
1744 institution during which time the institution held National  
1745 Association of Long-Term Care Administrator Board (NAB) Program  
1746 Approval through the academic approval process, to the  
1747 satisfaction of the board;

1748 (f) Has successfully passed the National Association of  
1749 Long-Term Care Administrator Board (NAB) examination and the  
1750 Mississippi State Board of Nursing Home Administrators examination  
1751 to test his or her proficiency and basic knowledge in the area of  
1752 nursing home administration. The board may establish the



1753 frequency of the offering of those examinations and the contents  
1754 thereof; and

1755 (g) Has met all of the requirements established by  
1756 federal law.

1757 (2) Reciprocity shall be extended to individuals holding  
1758 licenses as nursing home administrators in other states, upon  
1759 proper application and a finding on the part of the board that:

1760 (a) The applicant possesses the basic qualifications  
1761 listed in this chapter and in the rules and regulations adopted  
1762 under federal law;

1763 (b) The applicant has met all of the requirements  
1764 established by federal law; and

1765 (c) The standards for licensure in the other states are  
1766 at least the substantial equivalent of those in this state,  
1767 including education and experience, and the applicant has passed  
1768 both the National Association of Long-Term Care Administrator  
1769 Board (NAB) and the state exams.

1770 The issuance of a license by reciprocity to a  
1771 military-trained applicant \* \* \*, military spouse or person who  
1772 establishes residence in this state shall be subject to the  
1773 provisions of Section 73-50-1.

1774 (3) The board may prescribe appropriate fees for the taking  
1775 of those examinations and for the issuance of licenses. Those  
1776 fees shall be not more than the cost of the examinations and Five  
1777 Hundred Dollars (\$500.00) for the issuance of a license. However,





1778 the fee for an initial license may be prorated in proportion to  
1779 the period of time from the date of issuance and the date of  
1780 biennial license renewal prescribed in subsection (4). All  
1781 licenses issued under this chapter shall be for a maximum period  
1782 of two (2) years.

1783 (4) Except as provided in Section 33-1-39, the board may  
1784 renew licenses biennially upon the payment of a fee to be  
1785 established by the board, which shall be not more than Five  
1786 Hundred Dollars (\$500.00), plus any administrative costs for late  
1787 payment.

1788 (5) Any person who is not licensed under this chapter on  
1789 July 1, 2011, who makes application with the board on or before  
1790 June 30, 2012, may qualify for a license under this chapter  
1791 provided that on or before January 31, 2014, he or she  
1792 demonstrates to the satisfaction of the board that he or she (a)  
1793 meets the eligibility requirements for a nursing home  
1794 administrator's license prescribed in this section as those  
1795 requirements existed on June 30, 2011; (b) has successfully  
1796 completed the Administrator-in-Training Program requirements  
1797 existing on June 30, 2011; and (c) has paid all required fees for  
1798 licensure.

1799 (6) Current licensure by the Department of Mental Health  
1800 under Section 41-4-7(r) as a mental health/intellectual disability  
1801 program administrator shall exempt the licensee from the  
1802 requirement of licensure as a nursing home administrator if the



1803 licensee is employed in the state mental health system as  
1804 Administrator of Intermediate Care Facility or Facilities for  
1805 Persons with Intellectual Disabilities (ICF/ID) no larger than  
1806 sixteen (16) beds.

1807 (7) This section shall stand repealed on July 1, 2021.

1808 **SECTION 18.** Section 73-19-25, Mississippi Code of 1972, is  
1809 amended as follows:

1810 73-19-25. An applicant for a certificate of licensure who  
1811 has been examined by the state board of another state which,  
1812 through reciprocity, similarly accredits the holder of a  
1813 certificate issued by the board of this state to the full  
1814 privileges of practice within such state, on the payment of a fee  
1815 of not more than Fifty Dollars (\$50.00) to the board and on filing  
1816 in the office of the board a true and attested copy of the the  
1817 license, certified by the president or secretary of the state  
1818 board issuing the same, and showing also that the standard  
1819 requirements adopted and enforced by the board are equal to that  
1820 provided by this state, may, without further examination, receive  
1821 a certificate of licensure, provided that such applicant has not  
1822 previously failed at an examination held by the board of this  
1823 state. The issuance of a certificate of licensure by reciprocity  
1824 to a military-trained applicant \* \* \*, military spouse or person  
1825 who establishes residence in this state shall be subject to the  
1826 provisions of Section 73-50-1.



1827           **SECTION 19.** Section 73-21-87, Mississippi Code of 1972, is  
1828 amended as follows:

1829           73-21-87. (1) To obtain a license to engage in the practice  
1830 of pharmacy by reciprocity or license transfer, the applicant  
1831 shall:

1832                   (a) Have submitted a written application on the form  
1833 prescribed by the board;

1834                   (b) Be of good moral character;

1835                   (c) Have possessed at the time of initial licensure as  
1836 a pharmacist such other qualifications necessary to have been  
1837 eligible for licensure at that time in that state;

1838                   (d) Have presented to the board proof that any license  
1839 or licenses granted to the applicant by any other states have not  
1840 been suspended, revoked, cancelled or otherwise restricted for any  
1841 reason except nonrenewal or the failure to obtain required  
1842 continuing education credits; and

1843                   (e) Have paid all fees specified by the board for  
1844 licensure.

1845           (2) No applicant shall be eligible for licensure by  
1846 reciprocity or license transfer unless the state in which the  
1847 applicant was initially licensed also grants a reciprocal license  
1848 or transfer license to pharmacists licensed by this state under  
1849 like circumstances and conditions.

1850           (3) The issuance of a license by reciprocity to a  
1851 military-trained applicant \* \* \*, military spouse or person who



1852 establishes residence in this state shall be subject to the  
1853 provisions of Section 73-50-1.

1854 (4) Each application or filing made under this section shall  
1855 include the social security number(s) of the applicant in  
1856 accordance with Section 93-11-64.

1857 **SECTION 20.** Section 73-23-51, Mississippi Code of 1972, is  
1858 amended as follows:

1859 73-23-51. (1) The board may license as a physical therapist  
1860 or as a physical therapist assistant, and furnish a certificate of  
1861 licensure without examination to, any applicant who presents  
1862 evidence, satisfactory to the board, of having passed an  
1863 examination before a similar lawfully authorized examining agency  
1864 or board in physical therapy of another state or the District of  
1865 Columbia, if the standards for registration in physical therapy or  
1866 for licensure as a physical therapist assistant in such other  
1867 state or district are determined by the board to be as high as  
1868 those of this state. The issuance of a license by reciprocity to  
1869 a military-trained applicant \* \* \*, military spouse or person who  
1870 establishes residence in this state shall be subject to the  
1871 provisions of Section 73-50-1.

1872 (2) Any person who has been trained as a physical therapist  
1873 in a foreign country and desires to be licensed under this chapter  
1874 and who: (a) is of good moral character; (b) holds a diploma from  
1875 an educational program for physical therapists approved by the  
1876 board; (c) submits documentary evidence to the board that he has



1877 completed a course of professional instruction substantially  
1878 equivalent to that obtained by an applicant for licensure; (d)  
1879 demonstrates satisfactory proof of proficiency in the English  
1880 language; and (e) meets other requirements established by rules of  
1881 the board, may make application on a form furnished by the board  
1882 for examination as a foreign-trained physical therapist. At the  
1883 time of making such application, the applicant shall pay the fee  
1884 prescribed by the board, no portion of which shall be returned.

1885 Any person who desires to be licensed under this subsection  
1886 shall take an examination approved by the board and shall obtain a  
1887 permanent license. If this requirement is not met, the license of  
1888 the foreign-trained therapist may be revoked.

1889 **SECTION 21.** Section 73-23-53, Mississippi Code of 1972, is  
1890 amended as follows:

1891 73-23-53. (1) A temporary license to practice as a physical  
1892 therapist or physical therapist assistant may be granted to those  
1893 persons meeting the requirements stated in Section 73-23-47 and  
1894 who (a) have not taken the approved examination, or (b) have taken  
1895 the approved examination but have not received the results of the  
1896 examination. The temporary license shall be granted for a period  
1897 not to exceed ninety (90) days. Any physical therapist granted a  
1898 temporary license under the provisions of this subsection shall  
1899 restrict his practice to the State of Mississippi and shall be  
1900 under the direct supervision of a physical therapist licensed in  
1901 Mississippi (physical therapy assistants shall be under the direct



1902 on-site supervision of a Mississippi licensed physical therapist).  
1903 Documentation verifying the supervision shall be on file with the  
1904 board before a temporary license is granted.

1905 (2) The board may by rule provide for the issuance of a  
1906 temporary license to a physical therapist or a physical therapist  
1907 assistant licensed in another state who is moving into the state  
1908 and has filed an application with the board for a permanent  
1909 license in this state. This temporary license will be granted for  
1910 a period not to exceed sixty (60) days. The issuance of a  
1911 temporary license to a military-trained applicant \* \* \*,  
1912 spouse or person who establishes residence in this state shall be  
1913 subject to the provisions of Section 73-50-1.

1914 (3) Any person granted a temporary license who is required  
1915 to take the approved examination and fails to take the exam as  
1916 required by the board or does not pass the required exam shall  
1917 have the temporary license automatically expire by operation of  
1918 law and without further action of the board and no license of any  
1919 type shall be issued until such person has passed an approved  
1920 examination.

1921 (4) Any person who has taken but not passed the required  
1922 examination in this or another jurisdiction shall not be eligible  
1923 for a license of any type until an approved examination is passed.

1924 (5) Any person who has been trained as a physical therapist  
1925 or physical therapist assistant in a foreign country and desires  
1926 to be temporarily licensed under this subsection shall, in



1927 addition to satisfying such other requirements established by the  
1928 board, demonstrate proficiency in the English language and meet  
1929 the other requirements of Section 73-23-51(2) before such  
1930 temporary license shall be issued.

1931 (6) During a lawfully declared local, state or national  
1932 disaster or emergency, the board may issue a temporary license to  
1933 any otherwise qualified physical therapist or physical therapist  
1934 assistant licensed and in good standing in another state or  
1935 territory of the United States and who meets such other  
1936 requirements as the board may prescribe by rule and regulation.

1937 **SECTION 22.** Section 73-24-21, Mississippi Code of 1972, is  
1938 amended as follows:

1939 73-24-21. (1) The board shall grant a license to any person  
1940 certified prior to July 1, 1988, as an Occupational Therapist  
1941 Registered (OTR) or a Certified Occupational Therapy Assistant  
1942 (COTA) by the American Occupational Therapy Association (AOTA).  
1943 The board may waive the examination, education or experience  
1944 requirements and grant a license to any person certified by AOTA  
1945 after July 1, 1988, if the board determines the requirements for  
1946 such certification are equivalent to the requirements for  
1947 licensure in this chapter.

1948 (2) The board may waive the examination, education or  
1949 experience requirements and grant a license to any applicant who  
1950 shall present proof of current licensure as an occupational  
1951 therapist or occupational therapy assistant in another state, the



1952 District of Columbia or territory of the United States which  
1953 requires standards for licensure considered by the board to be  
1954 equivalent to the requirements for licensure of this chapter. The  
1955 issuance of a license by reciprocity to a military-trained  
1956 applicant \* \* \*, military spouse or person who establishes  
1957 residence in this state shall be subject to the provisions of  
1958 Section 73-50-1.

1959 (3) Foreign-trained occupational therapists and occupational  
1960 therapy assistants shall satisfy the examination requirements of  
1961 Section 73-24-19. The board shall require foreign-trained  
1962 applicants to furnish proof of good moral character and completion  
1963 of educational and supervised fieldwork requirements substantially  
1964 equal to those contained in Section 73-24-19 before taking the  
1965 examination.

1966 **SECTION 23.** Section 73-25-21, Mississippi Code of 1972, is  
1967 amended as follows:

1968 73-25-21. The State Board of Medical Licensure may grant  
1969 license to practice medicine without examination as to learning to  
1970 graduates in medicine or osteopathic medicine who hold license to  
1971 practice medicine from another state, provided the requirements in  
1972 such state are equal to those required by the State Board of  
1973 Medical Licensure. The State Board of Medical Licensure may  
1974 affiliate with and recognize for the purpose of waiving  
1975 examination diplomates of the National Board of Medical Examiners,  
1976 or the National Board of Examiners for Osteopathic Physicians and





1977 Surgeons in granting license to practice medicine in Mississippi.  
1978 In addition, the board may grant a license to practice medicine  
1979 without examination to Licentiates of the Medical Council of  
1980 Canada (LMCC) who are graduates of Canadian medical schools which  
1981 are accredited by the Liaison Committee on Medical Education, as  
1982 sponsored by the American Medical Association and the Association  
1983 of American Medical Colleges, and by the Committee for  
1984 Accreditation of Canadian Medical Schools, as sponsored by the  
1985 Canadian Medical Association and the Association of Canadian  
1986 Medical Colleges.

1987 The issuance of a license by reciprocity to a  
1988 military-trained applicant \* \* \*, military spouse or person who  
1989 establishes residence in this state shall be subject to the  
1990 provisions of Section 73-50-1.

1991 **SECTION 24.** Section 73-27-5, Mississippi Code of 1972, is  
1992 amended as follows:

1993 73-27-5. All applicants for license shall have attained the  
1994 age of twenty-one (21) years, and shall be of good moral  
1995 character; they shall have had at least four (4) years high school  
1996 and be graduates of same; they shall have at least one (1) year  
1997 prepodiatry college education and be graduates of some college of  
1998 podiatry recognized as being in good standing by the State Board  
1999 of Medical Licensure. No college of podiatry or chiropody shall  
2000 be accredited by the board as a college of good standing that does  
2001 not require for graduation a course of study of at least four (4)



2002 years (eight and one-half (8-1/2) months each) and be recognized  
2003 by the Council on Education of the American Podiatry Association.  
2004 However, all podiatrists actively engaged in the practice of  
2005 podiatry in the State of Mississippi, prior to January 1, 1938,  
2006 whether graduates or not, shall, upon furnishing proof thereof by  
2007 displaying their state privilege tax license to the Secretary of  
2008 the State Board of Medical Licensure, and upon payment of fee of  
2009 Ten Dollars and Twenty-five Cents (\$10.25), be entitled to a  
2010 license without an examination, and applications for the license  
2011 shall be filed not later than sixty (60) days after February 17,  
2012 1938. Upon payment of a fee prescribed by the State Board of  
2013 Medical Licensure, not to exceed Five Hundred Dollars (\$500.00), a  
2014 license without examination may be issued to podiatrists of other  
2015 states maintaining equal statutory requirements for the practice  
2016 of podiatry and extending the same reciprocal privileges to this  
2017 state. The State Board of Medical Licensure may affiliate with  
2018 the National Board of Chiropractic or Podiatry Licensure in granting  
2019 licenses to practice podiatry in Mississippi, provided the written  
2020 examination covers at least two-thirds (2/3) of the subjects set  
2021 forth in Section 73-27-9. The issuance of a license by  
2022 reciprocity to a military-trained applicant \* \* \*, military spouse  
2023 or person who establishes residence in this state shall be subject  
2024 to the provisions of Section 73-50-1.

2025 To qualify for a Mississippi podiatry license, an applicant  
2026 must have successfully been cleared for licensure through an



2027 investigation that shall consist of a determination as to good  
2028 moral character and verification that the prospective licensee is  
2029 not guilty of or in violation of any statutory ground for denial  
2030 of licensure as set forth in Section 73-27-13. To assist the  
2031 board in conducting its licensure investigation, all applicants  
2032 shall undergo a fingerprint-based criminal history records check  
2033 of the Mississippi central criminal database and the Federal  
2034 Bureau of Investigation criminal history database. Each applicant  
2035 shall submit a full set of the applicant's fingerprints in a form  
2036 and manner prescribed by the board, which shall be forwarded to  
2037 the Mississippi Department of Public Safety (department) and the  
2038 Federal Bureau of Investigation Identification Division for this  
2039 purpose.

2040 Any and all state or national criminal history records  
2041 information obtained by the board that is not already a matter of  
2042 public record shall be deemed nonpublic and confidential  
2043 information restricted to the exclusive use of the board, its  
2044 members, officers, investigators, agents and attorneys in  
2045 evaluating the applicant's eligibility or disqualification for  
2046 licensure, and shall be exempt from the Mississippi Public Records  
2047 Act of 1983. Except when introduced into evidence in a hearing  
2048 before the board to determine licensure, no such information or  
2049 records related thereto shall, except with the written consent of  
2050 the applicant or by order of a court of competent jurisdiction, be



2051 released or otherwise disclosed by the board to any other person  
2052 or agency.

2053         The board shall provide to the department the fingerprints of  
2054 the applicant, any additional information that may be required by  
2055 the department, and a form signed by the applicant consenting to  
2056 the check of the criminal records and to the use of the  
2057 fingerprints and other identifying information required by the  
2058 state or national repositories.

2059         The board shall charge and collect from the applicant, in  
2060 addition to all other applicable fees and costs, such amount as  
2061 may be incurred by the board in requesting and obtaining state and  
2062 national criminal history records information on the applicant.

2063         Each application or filing made under this section shall  
2064 include the social security number(s) of the applicant in  
2065 accordance with Section 93-11-64.

2066         **SECTION 25.** Section 73-29-19, Mississippi Code of 1972, is  
2067 amended as follows:

2068         73-29-19. An applicant who is a polygraph examiner licensed  
2069 under the laws of another state or territory of the United States  
2070 may be issued a license upon payment of a fee of Fifty Dollars  
2071 (\$50.00) and the production of satisfactory proof that:

- 2072                 (1) He is at least twenty-one (21) years of age;
- 2073                 (2) He is a citizen of the United States;
- 2074                 (3) He is of good moral character;



2075 (4) The requirements for the licensing of polygraph  
2076 examiners in such particular state or territory of the United  
2077 States were, at the date of the applicant's licensing therein,  
2078 substantially equivalent to the requirements now in force in this  
2079 state;

2080 (5) The applicant had lawfully engaged in the  
2081 administration of polygraph examinations under the laws of such  
2082 state or territory for at least two (2) years prior to his  
2083 application for license hereunder;

2084 (6) Such other state or territory grants similar  
2085 reciprocity to license holders of this state; and

2086 (7) He has complied with Section 73-29-17.

2087 The issuance of a license by reciprocity to a  
2088 military-trained applicant \* \* \*, military spouse or person who  
2089 establishes residence in this state shall be subject to the  
2090 provisions of Section 73-50-1.

2091 **SECTION 26.** Section 73-30-15, Mississippi Code of 1972, is  
2092 amended as follows:

2093 73-30-15. The board shall enter into a reciprocal agreement  
2094 with any state which licenses counselors if the board finds that  
2095 such state has substantially the same requirements for licensure.  
2096 The issuance of a license by reciprocity to a military-trained  
2097 applicant \* \* \*, military spouse or person who establishes  
2098 residence in this state shall be subject to the provisions of  
2099 Section 73-50-1.



2100           **SECTION 27.** Section 73-31-14, Mississippi Code of 1972, is  
2101 amended as follows:

2102           73-31-14. (1) Psychologists who are duly licensed in other  
2103 jurisdictions and not currently under investigation by another  
2104 licensure board may, upon application for licensure, apply for a  
2105 temporary license, which shall be valid until the next  
2106 administration of the oral examination. The temporary license  
2107 shall be issued upon the applicant's passage of the Examination  
2108 for Professional Practice of Psychology (EPPP) at the level  
2109 established by the board in its rules and regulations and  
2110 equivalent to that required for permanent licensure. Each  
2111 applicant for a temporary license shall file an application upon a  
2112 form and in the manner as the board prescribes, accompanied by a  
2113 fee equal to the amount required for permanent licensure. A  
2114 temporary license will lapse for any person who has failed the  
2115 oral examination or has had his or her license suspended or  
2116 revoked by the board. Procedures for the issuance of temporary  
2117 licenses shall be established by the board in its rules and  
2118 regulations. The issuance of a temporary license to a  
2119 military-trained applicant \* \* \*, military spouse or person who  
2120 establishes residence in this state shall be subject to the  
2121 provisions of Section 73-50-1.

2122           (2) Psychologists who are duly licensed in other  
2123 jurisdictions may apply for a temporary practice certificate that  
2124 allows them to practice psychology on a temporary basis in the



2125 State of Mississippi. That practice must be limited in scope and  
2126 duration, not exceeding thirty (30) days during a consecutive  
2127 twelve-month period. Applicants for a temporary practice  
2128 certificate shall provide to the board the nature of the practice  
2129 before providing that service, and shall make available to the  
2130 board a current copy of his or her license or verification of a  
2131 valid license in good standing. Psychologists who receive  
2132 temporary practice certificates are subject to a jurisprudence  
2133 examination at the request of the board. This authority for a  
2134 temporary practice certificate does not apply to a psychologist  
2135 who has been denied licensure in Mississippi, is a legal resident  
2136 of Mississippi, or intends to practice full-time or a major  
2137 portion of their time in Mississippi. Each applicant for a  
2138 temporary practice certificate shall file an application upon a  
2139 form and in the manner as the board prescribes, accompanied by a  
2140 fee in an amount determined by the board, but not to exceed Three  
2141 Hundred Dollars (\$300.00).

2142 (3) Applicants awaiting licensure in Mississippi are  
2143 prohibited from the practice of psychology without a temporary  
2144 license issued by the board. For the purposes of this subsection,  
2145 the practice of psychology shall be construed without regard to  
2146 the means of service provision (e.g., face-to-face, telephone,  
2147 Internet, telehealth).

2148 **SECTION 28.** Section 73-31-15, Mississippi Code of 1972, is  
2149 amended as follows:



2150           73-31-15. (1) Upon application accompanied by the proper  
2151 fee, the board may issue a license to any psychologist who  
2152 furnishes, upon a form and in the manner as the board prescribes,  
2153 evidence satisfactory to the board that he or she is a diplomate  
2154 in good standing of the American Board of Examiners in  
2155 Professional Psychology; or possesses a valid Certificate of  
2156 Professional Qualification (CPQ) granted by the Association of  
2157 State and Provincial Psychology Boards; or has at least twenty  
2158 (20) years of licensure to practice in another state, territorial  
2159 possession of the United States, District of Columbia, or  
2160 Commonwealth of Puerto Rico or Canadian Province when that license  
2161 was based on a doctoral degree; and

2162                   (a) Has had no disciplinary sanction during the entire  
2163 period of licensure; and

2164                   (b) Is not currently under investigation by another  
2165 licensure board; and

2166                   (c) Has demonstrated current qualification by  
2167 successfully passing the oral examination and jurisprudence  
2168 examination.

2169           (2) The issuance of a license by reciprocity to a  
2170 military-trained applicant \* \* \*, military spouse or person who  
2171 establishes residence in this state shall be subject to the  
2172 provisions of Section 73-50-1.

2173           **SECTION 29.** Section 73-33-9, Mississippi Code of 1972, is  
2174 amended as follows:





2175           73-33-9. The Mississippi State Board of Public Accountancy  
2176 may, in its discretion, issue a reciprocal certified public  
2177 accountant license to practice to any holder of any certified  
2178 public accountant's certificate or license issued under the law of  
2179 another state, which shall entitle the holder to use the  
2180 abbreviation, "CPA," in this state provided that the state issuing  
2181 the original certificate or license grants similar privileges to  
2182 the certified public accountants of this state. The fee for a  
2183 license shall be in such reasonable amount as determined by the  
2184 board. Such license shall not allow the holder thereof to engage  
2185 in the practice of public accounting as a certified public  
2186 accountant unless the holder meets the requirements of the  
2187 Mississippi State Board of Public Accountancy. This section shall  
2188 apply only to a person who wishes to obtain a license issued by  
2189 the State of Mississippi and shall not apply to those persons  
2190 practicing in this state under Section 73-33-17. The issuance of  
2191 a license by reciprocity to a military-trained applicant \* \* \*,  
2192 military spouse or person who establishes residence in this state  
2193 shall be subject to the provisions of Section 73-50-1.

2194           **SECTION 30.** Section 73-34-51, Mississippi Code of 1972, is  
2195 amended as follows:

2196           73-34-51. (1) Each applicant for licensure under this  
2197 chapter who is not a resident of this state shall submit, with his  
2198 application, an irrevocable consent that legal action arising out  
2199 of his activities as a real estate appraiser in this state may be



2200 commenced against him in the proper court of any county of this  
2201 state in which a cause of action may arise or in which the  
2202 plaintiff may reside by service of process or pleading authorized  
2203 by laws of this state, by the Secretary of State, or by the  
2204 Administrator of the Mississippi Real Estate Commission. The  
2205 consent shall stipulate that the service of process or pleading  
2206 shall be taken in all courts to be valid and binding as if  
2207 personal service had been made upon the nonresident licensee in  
2208 this state. The consent shall be duly acknowledged. Every  
2209 nonresident licensee shall consent to have any hearings conducted  
2210 by the board pursuant to Section 73-34-35 at a place designated by  
2211 the board.

2212 (2) Any service of process or pleading shall be served on  
2213 the Administrator of the Mississippi Real Estate Commission by  
2214 filing duplicate copies, one (1) of which shall be filed in the  
2215 office of the board and the other forwarded by certified mail to  
2216 the last-known principal address of the nonresident licensee  
2217 against whom the process or pleading is directed.

2218 (3) If, in the determination of the board, another state or  
2219 territory or the District of Columbia is deemed to have  
2220 substantially equivalent licensure laws for real estate  
2221 appraisers, an applicant for licensure in this state who is  
2222 licensed under the law of such other state, territory or district  
2223 may obtain a license as a real estate appraiser in this state upon  
2224 such terms and conditions as may be determined by the board



2225 provided that disciplinary proceedings are not pending against  
2226 such applicant in his state of licensure. The issuance of a  
2227 license by reciprocity to a military-trained applicant \* \* \*,  
2228 military spouse or person who establishes residence in this state  
2229 shall be subject to the provisions of Section 73-50-1.

2230 **SECTION 31.** Section 73-35-7, Mississippi Code of 1972, is  
2231 amended as follows:

2232 73-35-7. Licenses shall be granted only to persons who  
2233 present, and to corporations, partnerships, companies or  
2234 associations whose officers, associates or partners present  
2235 satisfactory proof to the commission that they are trustworthy and  
2236 competent to transact the business of a real estate broker or real  
2237 estate salesperson in such manner as to safeguard the interests of  
2238 the public. Every person who applies for a resident license as a  
2239 real estate broker: (a) shall be age twenty-one (21) years or  
2240 over, and have his legal domicile in the State of Mississippi at  
2241 the time he applies; (b) shall be subject to the jurisdiction of  
2242 this state, subject to the income tax laws and other excise laws  
2243 thereof, subject to the road and bridge privilege tax laws  
2244 thereof; (c) shall not be an elector in any other state; (d) shall  
2245 have held a license as an active real estate salesperson for  
2246 twelve (12) months immediately prior to making application for the  
2247 broker's examination hereafter specified; (e) shall have  
2248 successfully completed a minimum of one hundred twenty (120) hours  
2249 of courses in real estate as hereafter specified; (f) shall have



2250 successfully completed the real estate broker's examination as  
2251 hereafter specified; and (g) shall have successfully been cleared  
2252 for licensure by the commission's background investigation as  
2253 provided in Section 73-35-10.

2254 An applicant who has not held an active real estate  
2255 salesperson's license for a period of at least twelve (12) months  
2256 immediately prior to submitting an application shall have  
2257 successfully completed a minimum of one hundred fifty (150)  
2258 classroom hours in real estate courses, which courses are  
2259 acceptable for credit toward a degree at a college or university  
2260 as approved by the Southern Association of Colleges and Schools.

2261 Every applicant for a resident license as a real estate  
2262 salesperson shall be age eighteen (18) years or over, shall be a  
2263 bona fide resident of the State of Mississippi prior to filing his  
2264 application, shall have successfully completed a minimum of sixty  
2265 (60) hours in courses in real estate as hereafter specified, and  
2266 shall have successfully completed the real estate salesperson's  
2267 examination as hereafter specified.

2268 The residency requirements set forth in this section shall  
2269 not apply to those licensees of other states who qualify and  
2270 obtain nonresident licenses in this state.

2271 The commission is authorized to exempt from such prelicensing  
2272 educational requirements, in whole or in part, a real estate  
2273 licensee of another state who desires to obtain a license under  
2274 this chapter, provided that the prelicensing educational



2275 requirements in the other state are determined by the commission  
2276 to be equivalent to prelicensing educational requirements in this  
2277 state and provided that such state extends this same privilege or  
2278 exemption to Mississippi real estate licensees. The issuance of a  
2279 license by reciprocity to a military-trained applicant \* \* \*,  
2280 military spouse or person who establishes residence in this state  
2281 shall be subject to the provisions of Section 73-50-1.

2282         **SECTION 32.** Section 73-35-13, Mississippi Code of 1972, is  
2283 amended as follows:

2284         73-35-13. (1) In addition to proof of his honesty,  
2285 trustworthiness and good reputation, the applicant shall take a  
2286 written examination which shall be held at least four (4) times  
2287 each year at regular intervals and on stated times by the  
2288 commission and shall test reading, writing, spelling, elementary  
2289 arithmetic and his general knowledge of the statutes of this state  
2290 relating to real property, deeds, mortgages, agreements of sale,  
2291 agency, contract, leases, ethics, appraisals, the provisions of  
2292 this chapter and such other matters the commission certifies as  
2293 necessary to the practice of real estate brokerage in the State of  
2294 Mississippi. The examination for a broker's license shall differ  
2295 from the examination for a salesperson's license, in that it shall  
2296 be of a more exacting nature and require higher standards of  
2297 knowledge of real estate. The commission shall cause examinations  
2298 to be conducted at such times and places as it shall determine.



2299           (2) In event the license of any real estate broker or  
2300 salesperson is revoked by the commission subsequent to the  
2301 enactment of this chapter, no new license shall be issued to such  
2302 person unless he complies with the provisions of this chapter.

2303           (3) No person shall be permitted or authorized to act as a  
2304 real estate broker or salesperson until he has qualified by  
2305 examination, except as hereinbefore provided. Any individual who  
2306 fails to pass the examination for salesperson upon two (2)  
2307 occasions, shall be ineligible for a similar examination, until  
2308 after the expiration of three (3) months from the time such  
2309 individual last took the examination. Any individual who fails to  
2310 pass the broker's examination upon two (2) occasions, shall be  
2311 ineligible for a similar examination until after the expiration of  
2312 six (6) months from the time such individual last took the  
2313 examination, and then only upon making application as in the first  
2314 instance.

2315           (4) If the applicant is a partnership, association or  
2316 corporation, the examination shall be taken on behalf of the  
2317 partnership, association or corporation by the member or officer  
2318 thereof who is designated in the application as the person to  
2319 receive a license by virtue of the issuing of a license to such  
2320 partnership, association or corporation.

2321           (5) Upon satisfactorily passing such examination and upon  
2322 complying with all other provisions of law and conditions of this  
2323 chapter, a license shall thereupon be issued to the successful



2324 applicant who, upon receiving such license, is authorized to  
2325 conduct the business of a real estate broker or real estate  
2326 salesperson in this state.

2327 (6) The commission is authorized to exempt from such  
2328 examination, in whole or in part, a real estate licensee of  
2329 another state who desires to obtain a license under this chapter,  
2330 provided that the examination administered in the other state is  
2331 determined by the commission to be equivalent to such examination  
2332 given in this state and provided that such other state extends  
2333 this same privilege or exemption to Mississippi real estate  
2334 licensees. The issuance of a license by reciprocity to a  
2335 military-trained applicant \* \* \*, military spouse or person who  
2336 establishes residence in this state shall be subject to the  
2337 provisions of Section 73-50-1.

2338 **SECTION 33.** Section 73-36-31, Mississippi Code of 1972, is  
2339 amended as follows:

2340 73-36-31. A person not a resident of and having no  
2341 established place of business in Mississippi, or who has recently  
2342 become a resident, may use the title of registered forester in  
2343 Mississippi, provided: (a) such person is legally licensed as a  
2344 registered forester in his own state or county and has submitted  
2345 evidence to the board that he is so licensed and that the  
2346 requirements for registration are at least substantially  
2347 equivalent to the requirements of this chapter; and (b) the state  
2348 or county in which he is so licensed observes these same rules of



2349 reciprocity in regard to persons licensed under this chapter.  
2350 Each person seeking the privileges of reciprocity granted under  
2351 this chapter shall submit his application to the board and must  
2352 receive a card or certificate from the board before exercising  
2353 such privileges. The fee for obtaining a license through  
2354 reciprocity shall be the same as charged a Mississippi licensee.  
2355 The issuance of a license by reciprocity to a military-trained  
2356 applicant \* \* \*, military spouse or person who establishes  
2357 residence in this state shall be subject to the provisions of  
2358 Section 73-50-1.

2359       **SECTION 34.** Section 73-38-23, Mississippi Code of 1972, is  
2360 amended as follows:

2361       73-38-23. (1) The board may waive the examination for  
2362 licensure of any applicant who presents proof of current licensure  
2363 in another state, including the District of Columbia, or territory  
2364 of the United States which maintains professional standards  
2365 considered by the council to be equivalent to those set forth in  
2366 this chapter. The issuance of a license by reciprocity to a  
2367 military-trained applicant \* \* \*, military spouse or person who  
2368 establishes residence in this state shall be subject to the  
2369 provisions of Section 73-50-1.

2370       (2) The board shall waive the examination for licensure of  
2371 any person certified as clinically competent by ASHA in the area  
2372 for which such person is applying for licensure.





2373           **SECTION 35.** Section 73-39-71, Mississippi Code of 1972, is  
2374 amended as follows:

2375           73-39-71. (1) The board may issue a license by endorsement  
2376 to an applicant who furnishes satisfactory proof that he is a  
2377 graduate of an accredited college of veterinary medicine or the  
2378 educational equivalence. The applicant must also show that he is  
2379 a person of good moral character and is licensed to practice  
2380 veterinary medicine in at least one (1) state, territory or  
2381 district of the United States and has practiced veterinary  
2382 medicine in one or more of those states without disciplinary  
2383 action by any state or federal agency for at least the three (3)  
2384 years immediately before filing the application.

2385           (2) The board may examine any person qualifying for  
2386 licensing under this section.

2387           (3) The issuance of a license by endorsement to a  
2388 military-trained applicant \* \* \*, military spouse or person who  
2389 establishes residence in this state shall be subject to the  
2390 provisions of Section 73-50-1.

2391           **SECTION 36.** Section 73-53-13, Mississippi Code of 1972, is  
2392 amended as follows:

2393           73-53-13. The board shall issue the appropriate license to  
2394 applicants who meet the qualifications of this section.

2395           (a) A license as a "licensed social worker" shall be  
2396 issued to an applicant who demonstrates to the satisfaction of the  
2397 board that he or she meets the following qualifications:



2398                   (i) Has a baccalaureate degree in social work from  
2399 a college or university accredited by the Council on Social Work  
2400 Education or Southern Association of Colleges and Schools and has  
2401 satisfactorily completed the Association for Social Work Boards  
2402 (ASWB) examination for this license; or

2403                   (ii) Has a comparable license or registration from  
2404 another state or territory of the United States of America that  
2405 imposes qualifications substantially similar to those of this  
2406 chapter.

2407                   (b) A license as a "licensed master's social worker"  
2408 shall be issued to an applicant who demonstrates to the  
2409 satisfaction of the board that he or she meets the following  
2410 qualifications:

2411                   (i) Has a doctorate or master's degree from a  
2412 school of social work accredited by the Council on Social Work  
2413 Education; and

2414                   (ii) Has satisfactorily completed the ASWB  
2415 examination for this license; or

2416                   (iii) Has a comparable license or registration  
2417 from another state or territory of the United States of America  
2418 that imposes qualifications substantially similar to those of this  
2419 chapter.

2420                   (c) A license as a "licensed certified social worker"  
2421 shall be issued to an applicant who demonstrates to the



2422 satisfaction of the board that he or she meets the following  
2423 qualifications:

2424 (i) Is licensed under this section as a "master's  
2425 social worker"; and

2426 (ii) Has twenty-four (24) months of professional  
2427 supervision and clinical or macro social work practice experience  
2428 acceptable to the board, under appropriate supervision; and

2429 (iii) Has satisfactorily completed the ASWB  
2430 examination for this license; or

2431 (iv) Has a comparable license or registration from  
2432 another state or territory of the United States of America that  
2433 imposes qualifications substantially similar to those of this  
2434 chapter.

2435 (d) In addition to the above qualifications, an  
2436 applicant for any of the above licenses must prove to the board's  
2437 satisfaction:

2438 (i) Age of at least twenty-one (21) years, and

2439 (ii) Good moral character, which is a continuing  
2440 requirement for licensure, and

2441 (iii) United States of America citizenship or  
2442 status as a legal resident alien, and

2443 (iv) Absence of conviction of a felony related to  
2444 the practice of social work for the last ten (10) years.

2445 Conviction, as used in this subparagraph, includes a deferred  
2446 conviction, deferred prosecution, deferred sentence, finding or



2447 verdict of guilt, an admission of guilty, or a plea of nolo  
2448 contendere, and

2449 (v) That the applicant has not been declared  
2450 mentally incompetent by any court, and if any such decree has ever  
2451 been rendered, that the decree has since been changed, and

2452 (vi) Freedom from dependency on alcohol or drugs,  
2453 and

2454 (vii) Complete criminal history records check,  
2455 including a fingerprint and an acceptable sex offender check, by  
2456 appropriate governmental authorities as prescribed by the board.

2457 (e) Only individuals licensed as "certified social  
2458 workers" shall be permitted to call themselves "clinical social  
2459 workers."

2460 The issuance of a license by reciprocity to a  
2461 military-trained applicant \* \* \*, military spouse or person who  
2462 establishes residence in this state shall be subject to the  
2463 provisions of Section 73-50-1.

2464 Each application or filing made under this section shall  
2465 include the social security number(s) of the applicant in  
2466 accordance with Section 93-11-64.

2467 **SECTION 37.** Section 73-54-23, Mississippi Code of 1972, is  
2468 amended as follows:

2469 73-54-23. The board shall issue a license by examination of  
2470 credentials to any applicant licensed or certified as a marriage  
2471 and family therapist in another state that has such requirements



2472 for the license or certificate that the board is of the opinion  
2473 that the applicant is competent to engage in the practice of  
2474 marriage and family therapy in this state, provided that the  
2475 applicant submits an application on forms prescribed by the board,  
2476 has passed the national Examination in Marital and Family Therapy,  
2477 and pays the original licensure fee prescribed by Section  
2478 73-54-25. The issuance of a license by reciprocity to a  
2479 military-trained applicant \* \* \*, military spouse or person who  
2480 establishes residence in this state shall be subject to the  
2481 provisions of Section 73-50-1.

2482       **SECTION 38.** Section 73-60-25, Mississippi Code of 1972, is  
2483 amended as follows:

2484       73-60-25. A home inspector license may be issued to a home  
2485 inspector from another state who satisfies one (1) of the  
2486 following requirements: (a) holds a valid certificate of  
2487 certification, registration or home inspector license in good  
2488 standing issued by another state, which has requirements for  
2489 licensure substantially identical to those of this state, or (b)  
2490 has passed the examination offered by the American Society of Home  
2491 Inspectors or the National Association of Home Inspectors. The  
2492 issuance of a license by reciprocity to a military-trained  
2493 applicant \* \* \*, military spouse or person who establishes  
2494 residence in this state shall be subject to the provisions of  
2495 Section 73-50-1.



2496           **SECTION 39.** Section 73-63-39, Mississippi Code of 1972, is  
2497 amended as follows:

2498           73-63-39. (1) The board may sign agreements with boards of  
2499 registration, licensure or certification in other states, and with  
2500 other appropriate organizations and agencies, for the purposes of:

- 2501                   (a) Developing uniform standards for registration of
- 2502 professional geologists or enrollment of geologists-in-training;
- 2503                   (b) Accrediting educational programs;
- 2504                   (c) Establishing reciprocity, comity, temporary
- 2505 registration, or mutual recognition of registration or enrollment;
- 2506                   (d) Developing regional or national examinations;
- 2507                   (e) Evaluating applicants; or
- 2508                   (f) Other purposes consistent with this chapter.

2509           (2) Any person holding a valid certificate of registration,  
2510 licensure or certification for the practice of geology or a  
2511 recognized specialty of geology, issued under the laws of any  
2512 state or territory or possession of the United States, or any  
2513 foreign country, shall be eligible for registration, without  
2514 examination. The board may issue a certificate of registration to  
2515 any person who has made application, provided proof of  
2516 registration, licensure or certification under requirements which  
2517 the board determines to be substantially similar to those  
2518 established under this chapter and paid all applicable fees. The  
2519 issuance of a certificate of registration by reciprocity to a  
2520 military-trained applicant \* \* \*, military spouse or person who



2521 establishes residence in this state shall be subject to the  
2522 provisions of Section 73-50-1.

2523         **SECTION 40.** Section 73-65-7, Mississippi Code of 1972, is  
2524 amended as follows:

2525             73-65-7. (1) The board shall issue a license as a licensed  
2526 professional art therapist to any person who files a completed  
2527 application, accompanied by the required fees, and who submits  
2528 satisfactory evidence that the applicant is at least twenty-one  
2529 (21) years of age, is a registered art therapist as defined by the  
2530 Art Therapy Credentials Board, Inc., demonstrates professional  
2531 competency by satisfactorily passing the required examination, and  
2532 is a board-certified art therapist as defined by the Art Therapy  
2533 Credentials Board, Inc.

2534             (2) The board may approve on a case-by-case basis applicants  
2535 who have a master's degree or a doctoral degree from nonaccredited  
2536 institutions.

2537             (3) If an applicant has met all of the requirements for  
2538 licensure except satisfactorily passing the required examination,  
2539 the applicant shall be scheduled to take the next examination  
2540 following the approval of the examination.

2541             (4) The board may issue a license to an applicant without  
2542 examination if the person possesses a valid regulatory document  
2543 issued by the appropriate examining board under the laws of any  
2544 other state or territory of the United States, the District of  
2545 Columbia, or any foreign nation that in the judgment of the board



2546 has requirements substantially equivalent to or exceeding the  
2547 requirements in this section. The issuance of a license by  
2548 reciprocity to a military-trained applicant \* \* \*, military spouse  
2549 or person who establishes residence in this state shall be subject  
2550 to the provisions of Section 73-50-1.

2551 (5) The board may issue provisional licensure as a  
2552 professional art therapist to any person who has completed the  
2553 educational requirements established by the Art Therapy  
2554 Credentials Board, Inc., and has met all requirements for  
2555 licensure as a professional art therapist, except the experience  
2556 and/or examination requirements, and is under the supervision of a  
2557 supervisor acceptable to the board.

2558 (6) The board may set criteria for continuing education and  
2559 supervisory experience.

2560 **SECTION 41.** Section 73-67-25, Mississippi Code of 1972, is  
2561 amended as follows:

2562 73-67-25. (1) An applicant may be licensed by demonstrating  
2563 proof that the applicant holds a valid, current license in another  
2564 state with similar educational requirements to those required by  
2565 this chapter, and that all other licensure requirements under this  
2566 chapter are met. This is subject to investigation by the board  
2567 and excludes grandfathering by other states.

2568 (2) If an individual who is licensed in another state that  
2569 has licensing standards substantially equivalent to the standards  
2570 under this chapter applies for licensure, the board may issue a





2571 provisional permit authorizing the applicant to practice massage  
2572 therapy pending completion of documentation that the applicant  
2573 meets the requirements for licensure under this chapter. The  
2574 provisional permit may reflect statutory limitations on the scope  
2575 of practice. The provisional permit shall not be issued until an  
2576 applicant has successfully passed the Mississippi State Law  
2577 Examination.

2578 (3) A current massage therapy license issued by the board  
2579 shall at all times be prominently displayed in any place where  
2580 massage therapy is being practiced.

2581 (4) A license issued under this chapter is not transferable  
2582 or assignable.

2583 The issuance of a license or provisional permit by  
2584 reciprocity to a military-trained applicant \* \* \*, military spouse  
2585 or person who establishes residence in this state shall be subject  
2586 to the provisions of Section 73-50-1.

2587 **SECTION 42.** Section 73-69-11, Mississippi Code of 1972, is  
2588 amended as follows:

2589 73-69-11. (1) Any person employed by an alarm contracting  
2590 company shall hold an individual license issued by the State Fire  
2591 Marshal. Such license shall authorize its holder to engage in  
2592 alarm contracting, only to the extent of the terms as further  
2593 provided in this chapter.

2594 (2) Such application shall be accompanied by:



2595           (a) Two (2) suitable photographs of the applicant  
2596 acceptable to the State Fire Marshal. The State Fire Marshal  
2597 shall keep one (1) photograph on file and shall make the other  
2598 photograph a part of any license subsequently issued to the  
2599 applicant.

2600           (b) Documentation that the applicant meets educational  
2601 requirements applicable to the type of license for which he is  
2602 applying, as follows:

2603                   (i) For a Class B license: a minimum of  
2604 Electronic Security Association, Level 2 A and Level 2 B Burglar  
2605 Alarm training course or the Electronic Security Association, Fire  
2606 Alarm Installation Methods and Advanced Intrusion Systems training  
2607 courses, or equivalent training approved by the State Fire  
2608 Marshal, and documentation proving residency within a radius of  
2609 one hundred fifty (150) miles of the office to which he is  
2610 assigned.

2611                   (ii) For a Class C license: a minimum of  
2612 Electronic Security Association Level 1 Certified Alarm/Security  
2613 Technician training course, or equivalent training approved by the  
2614 State Fire Marshal.

2615                   (iii) For a Class D license: a minimum of  
2616 Electronic Security Association, Understanding Electronic Security  
2617 Systems training course, or equivalent training approved by the  
2618 State Fire Marshal.



2619                   (iv) For a Class H license: application a Class B  
2620 or Class C license holder that they will provide direct  
2621 supervision of the Class H licensee.

2622                   (c) (i) A statement by the applicant that he has not  
2623 been convicted of a felony, received a first-time offender pardon  
2624 for a felony, or entered a plea of guilty or nolo contendere to a  
2625 felony charge. A felony that has been dismissed pursuant to the  
2626 Mississippi Criminal Code or equivalent judicial dismissal shall  
2627 not apply to this paragraph.

2628                   (ii) A conviction or a plea of guilty or nolo  
2629 contendere to a felony charge or receipt of a first-time offender  
2630 pardon shall not constitute an automatic disqualification as  
2631 otherwise required pursuant to subparagraph (i) if ten (10) or  
2632 more years have elapsed between the date of application and the  
2633 successful completion or service of any sentence, deferred  
2634 adjudication or period of probation or parole.

2635                   (iii) Subparagraph (ii) shall not apply to any  
2636 person convicted of a felony crime of violence or a sex offense as  
2637 defined within the Mississippi Criminal Code.

2638                   (d) The State Fire Marshal shall have the authority to  
2639 conduct criminal history verification on a local, state or  
2640 national level. Beginning on July 1, 2014, in order to assist the  
2641 Office of the State Fire Marshal in determining an applicant's  
2642 suitability for a license under this chapter, an applicant shall  
2643 submit a set of fingerprints with the submission of an application



2644 for license. The Office of the State Fire Marshal shall forward  
2645 the fingerprints to the Department of Public Safety for the  
2646 purpose of conducting a criminal history record check. If no  
2647 disqualifying record is identified at the state level, the  
2648 fingerprints shall be forwarded by the Department of Public Safety  
2649 to the Federal Bureau of Investigation for a national criminal  
2650 history record check. Fees related to the criminal history record  
2651 check shall be paid by the applicant to the State Fire Marshal and  
2652 the monies from such fees shall be deposited in the special fund  
2653 in the State Treasury designated as the Electronic Protection  
2654 Licensing Fund.

2655 (e) The application fee authorized by this chapter.

2656 (3) The State Fire Marshal shall have the authority to  
2657 determine if information submitted by an applicant is in a form  
2658 acceptable to him. The State Fire Marshal shall verify or have  
2659 another entity verify information submitted by each applicant.

2660 (4) If the State Fire Marshal finds that an applicant has  
2661 met the applicable requirements of the alarm licensing law, he  
2662 shall issue the appropriate type of license to the applicant upon  
2663 payment of the license fee authorized by this chapter.

2664 (5) Each individual license holder shall maintain his  
2665 license on his person while engaging in any type of alarm  
2666 contracting as applicable. Each such license holder shall present  
2667 his license for inspection upon demand by an employee of the  
2668 Office of the State Fire Marshal or a law enforcement officer.



2669           (6) Each individual license holder shall notify the State  
2670 Fire Marshal, on a form specified and provided by the State Fire  
2671 Marshal, within ten (10) days of the following:

2672                   (a) Any change in business or home address.

2673                   (b) Any separation from an employer or change in  
2674 employer.

2675                   (c) Any conviction for a felony or entry of a plea of  
2676 guilty or nolo contendere to a felony charge or receipt of a  
2677 first-time offender pardon.

2678           (7) No individual licensed under this chapter shall contract  
2679 for his services as an independent contractor or agent without  
2680 applying for and being issued a Class A license per Section  
2681 73-69-9. No alarm contracting company shall contract for the  
2682 independent services of a holder of an individual license under  
2683 this section.

2684           (8) The State Fire Marshal may enter into reciprocal  
2685 agreements with other states for mutual recognition of individual  
2686 license holders, if the State Fire Marshal has established the  
2687 criteria for acceptance of reciprocal agreements by rule or  
2688 regulation. The issuance of a license by reciprocity to a  
2689 military-trained applicant \* \* \*, military spouse or person who  
2690 establishes residence in this state shall be subject to the  
2691 provisions of Section 73-50-1.

2692           (9) If the action by the State Fire Marshal is to nonrenew  
2693 or to deny an application for license, the State Fire Marshal



2694 shall notify the applicant or licensee and advise, in writing, the  
2695 applicant or licensee of the reason for the denial or nonrenewal  
2696 of the applicant's or licensee's license. The applicant or  
2697 licensee may make written demand upon the State Fire Marshal  
2698 within ten (10) days for a hearing before the State Fire Marshal  
2699 to determine the reasonableness of the State Fire Marshal's  
2700 action. The hearing shall be held within thirty (30) days.

2701 **SECTION 43.** Section 73-71-21, Mississippi Code of 1972, is  
2702 amended as follows:

2703 73-71-21. The board may, at its discretion, issue a license  
2704 without examination to an acupuncture practitioner who has been  
2705 licensed, certified or otherwise formally legally recognized as an  
2706 acupuncturist or acupuncture practitioner in any state or  
2707 territory if all three (3) of the following conditions are met to  
2708 its satisfaction:

2709 (a) The applicant meets the requirements of practice in  
2710 the state or territory in which the applicant is licensed,  
2711 certified, or registered as an acupuncturist or acupuncture  
2712 practitioner;

2713 (b) The requirements for practice in the state or  
2714 territory in which the applicant is licensed, certified or  
2715 registered as an acupuncturist or acupuncture practitioner are at  
2716 least as stringent as those of this state; and

2717 (c) The state or territory in which the applicant is  
2718 licensed, certified or legally recognized as an acupuncturist or



2719 acupuncture practitioner permits an acupuncture practitioner  
2720 licensed in this state to practice acupuncture or acupuncture in  
2721 that jurisdiction by credentials examination.

2722 The issuance of a license by reciprocity to a  
2723 military-trained applicant \* \* \*, military spouse or person who  
2724 establishes residence in this state shall be subject to the  
2725 provisions of Section 73-50-1.

2726 **SECTION 44.** Section 73-73-11, Mississippi Code of 1972, is  
2727 amended as follows:

2728 73-73-11. The board and IDAC may accept applications for  
2729 Mississippi certification from an interior designer in another  
2730 jurisdiction pursuant to Section 73-73-7 or 73-73-9. The issuance  
2731 of a certification by reciprocity to a military-trained  
2732 applicant \* \* \*, military spouse or person who establishes  
2733 residence in this state shall be subject to the provisions of  
2734 Section 73-50-1.

2735 **SECTION 45.** Section 73-75-15, Mississippi Code of 1972, is  
2736 amended as follows:

2737 73-75-15. **Waiver of eligibility requirements.** The board may  
2738 waive the examination for licensure of any applicant who presents  
2739 proof of current licensure in another state, including the  
2740 District of Columbia, or territory of the United States which  
2741 maintains professional standards considered by the board to be  
2742 equivalent to those set forth in this chapter. The issuance of a  
2743 license by reciprocity to a military-trained applicant \* \* \*,



2744 military spouse or person who establishes residence in this state  
2745 shall be subject to the provisions of Section 73-50-1.

2746           **SECTION 46.** This act shall take effect and be in force from  
2747 and after July 1, 2020.

