

By: False

To: Workforce Development

HOUSE BILL NO. 1263

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 AN APPLICANT WHO ESTABLISHES RESIDENCE IN THIS STATE
 4 IF THE APPLICANT HOLDS A CURRENT LICENSE IN GOOD STANDING FROM
 5 ANOTHER STATE, HAS BEEN LICENSED BY THE OTHER STATE FOR AT LEAST
 6 ONE YEAR AND SATISFIES CERTAIN OTHER CONDITIONS; TO PROVIDE THAT
 7 THE LICENSE ISSUED TO THE APPLICANT WILL BE IN THE DISCIPLINE
 8 APPLIED FOR AND AT THE SAME PRACTICE LEVEL AS DETERMINED BY THE
 9 OCCUPATIONAL LICENSING BOARD; TO AMEND SECTIONS 37-3-2, 73-1-21,
 10 73-2-11, 73-4-23, 73-5-21, 73-6-13, 73-7-23, 73-9-24, 73-10-15,
 11 73-11-51, 73-13-35, 73-14-25, 73-15-19, 73-15-21, 73-17-11,
 12 73-19-25, 73-21-87, 73-23-51, 73-23-53, 73-24-21, 73-25-21,
 13 73-27-5, 73-29-19, 73-30-15, 73-31-14, 73-31-15, 73-33-9,
 14 73-34-51, 73-35-7, 73-35-13, 73-36-31, 73-38-23, 73-39-71,
 15 73-53-13, 73-54-23, 73-60-25, 73-63-39, 73-65-7, 73-67-25,
 16 73-69-11, 73-71-21, 73-73-11 and 73-75-15, MISSISSIPPI CODE OF
 17 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED
 18 PURPOSES.

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

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

22 73-50-1. (1) This section shall be known as the "Military
 23 Family Freedom Act."

24 (2) As used in this section, the term:

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



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

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

38 (c) "Military" means the Armed Forces or Reserves of
39 the United States, including the Army, Navy, Marine Corps, Coast
40 Guard, Air Force, and the reserve components thereof, the National
41 Guard of any state, the military reserves of any state, or the
42 naval militia of any state.

43 (3) Notwithstanding any other provision of law, an
44 occupational licensing board shall issue a license to an applicant
45 who is a member of the military, or an applicant who is married to
46 or is a dependent of a member of the military, and shall issue a
47 license, in the discipline applied for and at the same practice
48 level as determined by the occupational licensing board, to an
49 applicant who establishes residence in this state, if, upon
50 application to an occupational licensing board, the applicant
51 satisfies the following conditions:



52 (a) The applicant has been awarded a military
53 occupational specialty, completed a military program of training,
54 completed testing or equivalent training and experience, and
55 performed in the occupational specialty; or

56 (b) The applicant holds a current and valid license in
57 good standing in another state in an occupation with a similar
58 scope of practice, as determined by the occupational licensing
59 board in Mississippi and has held this license from the
60 occupational licensing board in the other state for at least one
61 (1) year; and

62 (c) If when the applicant was licensed by another
63 state, there were minimum education requirements and, if
64 applicable, work experience and clinical supervision requirements
65 in effect, the other state verifies that the applicant met those
66 requirements in order to be licensed in that state; and

67 (d) The applicant has previously passed an examination
68 for the license if required by the other state; and

69 (e) The applicant has not committed any act in the
70 other state that would have constituted grounds for refusal,
71 suspension or revocation of a license to practice that occupation
72 in Mississippi at the time the act was committed, the occupational
73 licensing board in the other state holds the applicant in good
74 standing, and the applicant does not have a disqualifying criminal
75 record as determined by the occupational licensing board in
76 Mississippi under Mississippi law; and



77 (* * *f) The applicant did not surrender a license
78 because of negligence or intentional misconduct related to the
79 applicant's work in the occupation in another state; and

80 (* * *g) The applicant does not have a complaint,
81 allegation or investigation pending before an occupational
82 licensing board or other board in another state that relates to
83 unprofessional conduct or an alleged crime. If the applicant has
84 a complaint, allegation or investigation pending, the occupational
85 licensing board in Mississippi shall not issue or deny a license
86 to the applicant until the complaint, allegation or investigation
87 is resolved, or the applicant otherwise satisfies the criteria for
88 licensure in Mississippi to the satisfaction of the occupational
89 licensing board in Mississippi; and

90 (* * *h) The applicant pays all applicable fees in
91 Mississippi.

92 (4) Notwithstanding any other law, the occupational
93 licensing board shall issue a license to an applicant who is a
94 member of the military, or an applicant who is married to or is a
95 dependent of a member of the military, upon application based on
96 work experience in another state, if all the following apply:

97 (a) The applicant worked in a state that does not use a
98 license to regulate a lawful occupation, but Mississippi uses a
99 license to regulate a lawful occupation with a similar scope of
100 practice, as determined by the occupational licensing board;



101 (b) The applicant worked for at least three (3) years
102 in the lawful occupation; and

103 (c) The applicant satisfies the provisions of
104 paragraphs (* * *e) through (* * *h) of subsection (3) of this
105 section.

106 (5) An occupational licensing board may require an applicant
107 to pass a jurisprudential examination specific to relevant state
108 laws in Mississippi that regulate the occupation if the issuance
109 of a license in Mississippi requires an applicant to pass a
110 jurisprudential examination specific to relevant state statutes
111 and administrative rules in Mississippi that regulate the
112 occupation.

113 (6) A person who receives a license under this section is
114 subject to the laws regulating the person's practice in this state
115 and is subject to the occupational licensing board's jurisdiction.

116 (7) A license issued under this section is valid only in
117 this state and does not make the person eligible to be part of an
118 interstate compact. An occupational licensing board may determine
119 eligibility for an applicant to be licensed under this section if
120 the applicant is not part of an interstate compact.

121 (8) The occupational licensing board shall issue or deny the
122 license to the applicant within one hundred twenty days (120) days
123 after receiving an application.

124 If the application requires longer than two (2) weeks to
125 process, the occupational licensing board shall issue a temporary



126 practice permit within thirty (30) days after receiving the
127 application if the applicant submits an affidavit, under penalties
128 of perjury, affirming that he or she satisfies the provisions of
129 subsection (3) (a) or subsection (3) (b) of this section and
130 subsection (3) (c) through (* * *g) and pays all applicable fees
131 as required by subsection (3) (* * *h), or satisfies the
132 provisions of subsection (4) (a) through (c) and pays all
133 applicable fees as required by subsection (3) (* * *h).

134 The applicant may practice under the temporary permit until a
135 license is granted, or until a notice to deny the license is
136 issued, in accordance with rules adopted by the occupational
137 licensing board. A temporary license will expire in three hundred
138 sixty-five (365) days after its issuance if the applicant fails to
139 satisfy the requirement for licensure in subsection (5), if
140 applicable.

141 (* * *9) (a) The applicant may appeal any of the following
142 decisions of an occupational licensing board to a court of general
143 jurisdiction:

- 144 (i) Denial of a license;
145 (ii) Determination of the occupation;
146 (iii) Determination of the similarity of the scope
147 of practice of the license issued; or
148 (iv) Other determinations under this section.

149 (b) The court shall determine all questions of law,
150 including the interpretation of a constitutional or statutory



151 provision or a rule adopted by an occupational licensing board,
152 without regard to any previous determination that may have been
153 made on the question in any action before the occupational
154 licensing board.

155 (* * *10) An occupational licensing board shall prominently
156 print the following on all license applications, any communication
157 denying a license, and on the board's website: "Pursuant to the
158 provisions of the Military Family Freedom Act, Mississippi shall
159 recognize occupational licenses obtained from other states for
160 military members and their families." An occupational licensing
161 board shall prepare and place on the board's website an annual
162 report detailing the number of applications submitted to the
163 licensing board under this section during a calendar year and the
164 actions taken by the board on the applications.

165 (* * *11) An occupational licensing board shall adopt rules
166 necessary to implement this section by January 1, 2021. In
167 addition, an occupational licensing board shall make all
168 reasonable efforts to issue a license to an applicant for a
169 license under this section.

170 (* * *12) Nothing in this section shall be construed to
171 prohibit a military applicant, spouse or dependent from proceeding
172 under the existing licensure requirements established by an
173 occupational licensing board in Mississippi.

174 (* * *13) Nothing in this chapter shall be construed to
175 prevent Mississippi from entering into a licensing compact or



176 reciprocity agreement with another state, foreign province or
177 foreign country. A license issued under this section is valid
178 only in Mississippi. It does not make the person eligible to work
179 in another state under an interstate compact or reciprocity
180 agreement unless otherwise provided in Mississippi law.

181 (* * *14) Nothing in this section shall be construed to
182 apply to:

183 (a) The practice of law as regulated under Section
184 73-3-1 et seq.;

185 (b) Criteria for a license that is established by an
186 interstate compact; or

187 (c) The ability of an occupational licensing board to
188 require an applicant to submit fingerprints in order to access
189 state and federal criminal records information for noncriminal
190 justice purposes.

191 (* * *15) This section preempts any ordinances of any
192 municipality, county and other political subdivisions of the State
193 of Mississippi that regulate licenses.

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

196 37-3-2. (1) There is established within the State
197 Department of Education the Commission on Teacher and
198 Administrator Education, Certification and Licensure and
199 Development. It shall be the purpose and duty of the commission
200 to make recommendations to the State Board of Education regarding



201 standards for the certification and licensure and continuing
202 professional development of those who teach or perform tasks of an
203 educational nature in the public schools of Mississippi.

204 (2) (a) The commission shall be composed of fifteen (15)
205 qualified members. The membership of the commission shall be
206 composed of the following members to be appointed, three (3) from
207 each of the four (4) congressional districts, as such districts
208 existed on January 1, 2011, in accordance with the population
209 calculations determined by the 2010 federal decennial census,
210 including: four (4) classroom teachers; three (3) school
211 administrators; one (1) representative of schools of education of
212 public institutions of higher learning located within the state to
213 be recommended by the Board of Trustees of State Institutions of
214 Higher Learning; one (1) representative from the schools of
215 education of independent institutions of higher learning to be
216 recommended by the Board of the Mississippi Association of
217 Independent Colleges; one (1) representative from public community
218 and junior colleges located within the state to be recommended by
219 the Mississippi Community College Board; one (1) local school
220 board member; and four (4) laypersons. Three (3) members of the
221 commission, at the sole discretion of the State Board of
222 Education, shall be appointed from the state at large.

223 (b) All appointments shall be made by the State Board
224 of Education after consultation with the State Superintendent of
225 Public Education. The first appointments by the State Board of



226 Education shall be made as follows: five (5) members shall be
227 appointed for a term of one (1) year; five (5) members shall be
228 appointed for a term of two (2) years; and five (5) members shall
229 be appointed for a term of three (3) years. Thereafter, all
230 members shall be appointed for a term of four (4) years.

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

237 (4) (a) An appropriate staff member of the State Department
238 of Education shall be designated and assigned by the State
239 Superintendent of Public Education to serve as executive secretary
240 and coordinator for the commission. No less than two (2) other
241 appropriate staff members of the State Department of Education
242 shall be designated and assigned by the State Superintendent of
243 Public Education to serve on the staff of the commission.

244 (b) An Office of Educator Misconduct Evaluations shall
245 be established within the State Department of Education to assist
246 the commission in responding to infractions and violations, and in
247 conducting hearings and enforcing the provisions of subsections
248 (11), (12), (13), (14) and (15) of this section, and violations of
249 the Mississippi Educator Code of Ethics.

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



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

254 (b) Recommend to the State Board of Education each year
255 approval or disapproval of each educator preparation program in
256 the state, subject to a process and schedule determined by the
257 State Board of Education;

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

261 (d) Establish, subject to the approval of the State
262 Board of Education, standards for the renewal of teacher licenses
263 in all fields;

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

267 (f) Review all existing requirements for certification
268 and licensure;

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

271 (h) Prepare reports from time to time on current
272 practices and issues in the general area of teacher education and
273 certification and licensure;



274 (i) Hold hearings concerning standards for teachers'
275 and administrators' education and certification and licensure with
276 approval of the State Board of Education;

277 (j) Hire expert consultants with approval of the State
278 Board of Education;

279 (k) Set up ad hoc committees to advise on specific
280 areas; and

281 (l) Perform such other functions as may fall within
282 their general charge and which may be delegated to them by the
283 State Board of Education.

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

298 (i) An application on a department form;



299 (ii) An official transcript of completion of a
300 teacher education program approved by the department or a
301 nationally accredited program, subject to the following:
302 Licensure to teach in Mississippi prekindergarten through
303 kindergarten classrooms shall require completion of a teacher
304 education program or a Bachelor of Science degree with child
305 development emphasis from a program accredited by the American
306 Association of Family and Consumer Sciences (AAFCS) or by the
307 National Association for Education of Young Children (NAEYC) or by
308 the National Council for Accreditation of Teacher Education
309 (NCATE). Licensure to teach in Mississippi kindergarten, for
310 those applicants who have completed a teacher education program,
311 and in Grade 1 through Grade 4 shall require the completion of an
312 interdisciplinary program of studies. Licenses for Grades 4
313 through 8 shall require the completion of an interdisciplinary
314 program of studies with two (2) or more areas of concentration.
315 Licensure to teach in Mississippi Grades 7 through 12 shall
316 require a major in an academic field other than education, or a
317 combination of disciplines other than education. Students
318 preparing to teach a subject shall complete a major in the
319 respective subject discipline. All applicants for standard
320 licensure shall demonstrate that such person's college preparation
321 in those fields was in accordance with the standards set forth by
322 the National Council for Accreditation of Teacher Education
323 (NCATE) or the National Association of State Directors of Teacher



324 Education and Certification (NASDTEC) or, for those applicants who
325 have a Bachelor of Science degree with child development emphasis,
326 the American Association of Family and Consumer Sciences (AAFCS).
327 Effective July 1, 2016, for initial elementary education
328 licensure, a teacher candidate must earn a passing score on a
329 rigorous test of scientifically research-based reading instruction
330 and intervention and data-based decision-making principles as
331 approved by the State Board of Education;

332 (iii) A copy of test scores evidencing
333 satisfactory completion of nationally administered examinations of
334 achievement, such as the Educational Testing Service's teacher
335 testing examinations;

336 (iv) Any other document required by the State
337 Board of Education; and

338 (v) From and after July 1, 2020, no teacher
339 candidate shall be licensed to teach in Mississippi who did not
340 meet the following criteria for entrance into an approved teacher
341 education program:

342 1. An ACT Score of twenty-one (21) (or SAT
343 equivalent); or

344 2. Achieve a qualifying passing score on the
345 Praxis Core Academic Skills for Educators examination as
346 established by the State Board of Education; or

347 3. A minimum GPA of 3.0 on coursework prior
348 to admission to an approved teacher education program.



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

350 From and after July 1, 2020, no teacher candidate shall be
351 licensed to teach in Mississippi under the alternate route who did
352 not meet the following criteria:

353 (i) An ACT Score of twenty-one (21) (or SAT
354 equivalent); or

355 (ii) Achieve a qualifying passing score on the
356 Praxis Core Academic Skills for Educators examination as
357 established by the State Board of Education; or

358 (iii) A minimum GPA of 3.0 on coursework prior to
359 admission to an approved teacher education program.

360 Beginning July 1, 2020, an individual who has attained a
361 passing score on the Praxis Core Academic Skills for Educators or
362 an ACT Score of twenty-one (21) (or SAT equivalent) or a minimum
363 GPA of 3.0 on coursework prior to admission to an approved teacher
364 education program and a passing score on the Praxis Subject
365 Assessment in the requested area of endorsement may apply for
366 admission to the Teach Mississippi Institute (TMI) program to
367 teach students in Grades 7 through 12 if the individual meets the
368 requirements of this paragraph (b). The State Board of Education
369 shall adopt rules requiring that teacher preparation institutions
370 which provide the Teach Mississippi Institute (TMI) program for
371 the preparation of nontraditional teachers shall meet the
372 standards and comply with the provisions of this paragraph.



373 (i) The Teach Mississippi Institute (TMI) shall
374 include an intensive eight-week, nine-semester-hour summer program
375 or a curriculum of study in which the student matriculates in the
376 fall or spring semester, which shall include, but not be limited
377 to, instruction in education, effective teaching strategies,
378 classroom management, state curriculum requirements, planning and
379 instruction, instructional methods and pedagogy, using test
380 results to improve instruction, and a one (1) semester three-hour
381 supervised internship to be completed while the teacher is
382 employed as a full-time teacher intern in a local school district.
383 The TMI shall be implemented on a pilot program basis, with
384 courses to be offered at up to four (4) locations in the state,
385 with one (1) TMI site to be located in each of the three (3)
386 Mississippi Supreme Court districts.

387 (ii) The school sponsoring the teacher intern
388 shall enter into a written agreement with the institution
389 providing the Teach Mississippi Institute (TMI) program, under
390 terms and conditions as agreed upon by the contracting parties,
391 providing that the school district shall provide teacher interns
392 seeking a nontraditional provisional teaching license with a
393 one-year classroom teaching experience. The teacher intern shall
394 successfully complete the one (1) semester three-hour intensive
395 internship in the school district during the semester immediately
396 following successful completion of the TMI and prior to the end of
397 the one-year classroom teaching experience.



398 (iii) Upon completion of the nine-semester-hour
399 TMI or the fall or spring semester option, the individual shall
400 submit his transcript to the commission for provisional licensure
401 of the intern teacher, and the intern teacher shall be issued a
402 provisional teaching license by the commission, which will allow
403 the individual to legally serve as a teacher while the person
404 completes a nontraditional teacher preparation internship program.

405 (iv) During the semester of internship in the
406 school district, the teacher preparation institution shall monitor
407 the performance of the intern teacher. The school district that
408 employs the provisional teacher shall supervise the provisional
409 teacher during the teacher's intern year of employment under a
410 nontraditional provisional license, and shall, in consultation
411 with the teacher intern's mentor at the school district of
412 employment, submit to the commission a comprehensive evaluation of
413 the teacher's performance sixty (60) days prior to the expiration
414 of the nontraditional provisional license. If the comprehensive
415 evaluation establishes that the provisional teacher intern's
416 performance fails to meet the standards of the approved
417 nontraditional teacher preparation internship program, the
418 individual shall not be approved for a standard license.

419 (v) An individual issued a provisional teaching
420 license under this nontraditional route shall successfully
421 complete, at a minimum, a one-year beginning teacher mentoring and



422 induction program administered by the employing school district
423 with the assistance of the State Department of Education.

424 (vi) Upon successful completion of the TMI and the
425 internship provisional license period, applicants for a Standard
426 License - Nontraditional Route shall submit to the commission a
427 transcript of successful completion of the twelve (12) semester
428 hours required in the internship program, and the employing school
429 district shall submit to the commission a recommendation for
430 standard licensure of the intern. If the school district
431 recommends licensure, the applicant shall be issued a Standard
432 License - Nontraditional Route which shall be valid for a
433 five-year period and be renewable.

434 (vii) At the discretion of the teacher preparation
435 institution, the individual shall be allowed to credit the twelve
436 (12) semester hours earned in the nontraditional teacher
437 internship program toward the graduate hours required for a Master
438 of Arts in Teacher (MAT) Degree.

439 (viii) The local school district in which the
440 nontraditional teacher intern or provisional licensee is employed
441 shall compensate such teacher interns at Step 1 of the required
442 salary level during the period of time such individual is
443 completing teacher internship requirements and shall compensate
444 such Standard License - Nontraditional Route teachers at Step 3 of
445 the required salary level when they complete license requirements.



446 Implementation of the TMI program provided for under this
447 paragraph (b) shall be contingent upon the availability of funds
448 appropriated specifically for such purpose by the Legislature.
449 Such implementation of the TMI program may not be deemed to
450 prohibit the State Board of Education from developing and
451 implementing additional alternative route teacher licensure
452 programs, as deemed appropriate by the board. The emergency
453 certification program in effect prior to July 1, 2002, shall
454 remain in effect.

455 A Standard License - Approved Program Route shall be issued
456 for a five-year period, and may be renewed. Recognizing teaching
457 as a profession, a hiring preference shall be granted to persons
458 holding a Standard License - Approved Program Route or Standard
459 License - Nontraditional Teaching Route over persons holding any
460 other license.

461 (c) **Special License - Expert Citizen.** In order to
462 allow a school district to offer specialized or technical courses,
463 the State Department of Education, in accordance with rules and
464 regulations established by the State Board of Education, may grant
465 a one-year expert citizen-teacher license to local business or
466 other professional personnel to teach in a public school or
467 nonpublic school accredited or approved by the state. Such person
468 may begin teaching upon his employment by the local school board
469 and licensure by the Mississippi Department of Education. The
470 board shall adopt rules and regulations to administer the expert



471 citizen-teacher license. A Special License - Expert Citizen may
472 be renewed in accordance with the established rules and
473 regulations of the State Department of Education.

474 (d) **Special License - Nonrenewable.** The State Board of
475 Education is authorized to establish rules and regulations to
476 allow those educators not meeting requirements in paragraph (a),
477 (b) or (c) of this subsection (6) to be licensed for a period of
478 not more than three (3) years, except by special approval of the
479 State Board of Education.

480 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
481 person may teach for a maximum of three (3) periods per teaching
482 day in a public school district or a nonpublic school
483 accredited/approved by the state. Such person shall submit to the
484 department a transcript or record of his education and experience
485 which substantiates his preparation for the subject to be taught
486 and shall meet other qualifications specified by the commission
487 and approved by the State Board of Education. In no case shall
488 any local school board hire nonlicensed personnel as authorized
489 under this paragraph in excess of five percent (5%) of the total
490 number of licensed personnel in any single school.

491 (f) **Special License - Transitional Bilingual Education.**
492 Beginning July 1, 2003, the commission shall grant special
493 licenses to teachers of transitional bilingual education who
494 possess such qualifications as are prescribed in this section.
495 Teachers of transitional bilingual education shall be compensated



496 by local school boards at not less than one (1) step on the
497 regular salary schedule applicable to permanent teachers licensed
498 under this section. The commission shall grant special licenses
499 to teachers of transitional bilingual education who present the
500 commission with satisfactory evidence that they (i) possess a
501 speaking and reading ability in a language, other than English, in
502 which bilingual education is offered and communicative skills in
503 English; (ii) are in good health and sound moral character; (iii)
504 possess a bachelor's degree or an associate's degree in teacher
505 education from an accredited institution of higher education; (iv)
506 meet such requirements as to courses of study, semester hours
507 therein, experience and training as may be required by the
508 commission; and (v) are legally present in the United States and
509 possess legal authorization for employment. A teacher of
510 transitional bilingual education serving under a special license
511 shall be under an exemption from standard licensure if he achieves
512 the requisite qualifications therefor. Two (2) years of service
513 by a teacher of transitional bilingual education under such an
514 exemption shall be credited to the teacher in acquiring a Standard
515 Educator License. Nothing in this paragraph shall be deemed to
516 prohibit a local school board from employing a teacher licensed in
517 an appropriate field as approved by the State Department of
518 Education to teach in a program in transitional bilingual
519 education.



520 (g) In the event any school district meets the highest
521 accreditation standards as defined by the State Board of Education
522 in the accountability system, the State Board of Education, in its
523 discretion, may exempt such school district from any restrictions
524 in paragraph (e) relating to the employment of nonlicensed
525 teaching personnel.

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

531 (7) **Administrator License.** The State Board of Education is
532 authorized to establish rules and regulations and to administer
533 the licensure process of the school administrators in the State of
534 Mississippi. There will be four (4) categories of administrator
535 licensure with exceptions only through special approval of the
536 State Board of Education.

537 (a) **Administrator License - Nonpracticing.** Those
538 educators holding administrative endorsement but having no
539 administrative experience or not serving in an administrative
540 position on January 15, 1997.

541 (b) **Administrator License - Entry Level.** Those
542 educators holding administrative endorsement and having met the
543 department's qualifications to be eligible for employment in a



544 Mississippi school district. Administrator License - Entry Level
545 shall be issued for a five-year period and shall be nonrenewable.

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

549 (d) **Administrator License - Nontraditional Route.** The
550 board may establish a nontraditional route for licensing
551 administrative personnel. Such nontraditional route for
552 administrative licensure shall be available for persons holding,
553 but not limited to, a master of business administration degree, a
554 master of public administration degree, a master of public
555 planning and policy degree or a doctor of jurisprudence degree
556 from an accredited college or university, with five (5) years of
557 administrative or supervisory experience. Successful completion
558 of the requirements of alternate route licensure for
559 administrators shall qualify the person for a standard
560 administrator license.

561 Individuals seeking school administrator licensure under
562 paragraph (b), (c) or (d) shall successfully complete a training
563 program and an assessment process prescribed by the State Board of
564 Education. All applicants for school administrator licensure
565 shall meet all requirements prescribed by the department under
566 paragraph (b), (c) or (d), and the cost of the assessment process
567 required shall be paid by the applicant.



568 (8) **Reciprocity.** (a) The department shall grant a standard
569 license to any individual who possesses a valid standard license
570 from another state and meets minimum Mississippi license
571 requirements or equivalent requirements as determined by the State
572 Board of Education. The issuance of a license by reciprocity to a
573 military-trained applicant * * *, military spouse or person who
574 establishes residence in this state shall be subject to the
575 provisions of Section 73-50-1.

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

584 (9) **Renewal and Reinstatement of Licenses.** The State Board
585 of Education is authorized to establish rules and regulations for
586 the renewal and reinstatement of educator and administrator
587 licenses. Effective May 15, 1997, the valid standard license held
588 by an educator shall be extended five (5) years beyond the
589 expiration date of the license in order to afford the educator
590 adequate time to fulfill new renewal requirements established
591 pursuant to this subsection. An educator completing a master of
592 education, educational specialist or doctor of education degree in



593 May 1997 for the purpose of upgrading the educator's license to a
594 higher class shall be given this extension of five (5) years plus
595 five (5) additional years for completion of a higher degree.

596 (10) All controversies involving the issuance, revocation,
597 suspension or any change whatsoever in the licensure of an
598 educator required to hold a license shall be initially heard in a
599 hearing de novo, by the commission or by a subcommittee
600 established by the commission and composed of commission members,
601 or by a hearing officer retained and appointed by the commission,
602 for the purpose of holding hearings. Any complaint seeking the
603 denial of issuance, revocation or suspension of a license shall be
604 by sworn affidavit filed with the Commission on Teacher and
605 Administrator Education, Certification and Licensure and
606 Development. The decision thereon by the commission, its
607 subcommittee or hearing officer, shall be final, unless the
608 aggrieved party shall appeal to the State Board of Education,
609 within ten (10) days, of the decision of the commission, its
610 subcommittee or hearing officer. An appeal to the State Board of
611 Education shall be perfected upon filing a notice of the appeal
612 and by the prepayment of the costs of the preparation of the
613 record of proceedings by the commission, its subcommittee or
614 hearing officer. An appeal shall be on the record previously made
615 before the commission, its subcommittee or hearing officer, unless
616 otherwise provided by rules and regulations adopted by the board.
617 The decision of the commission, its subcommittee or hearing



618 officer shall not be disturbed on appeal if supported by
619 substantial evidence, was not arbitrary or capricious, within the
620 authority of the commission, and did not violate some statutory or
621 constitutional right. The State Board of Education in its
622 authority may reverse, or remand with instructions, the decision
623 of the commission, its subcommittee or hearing officer. The
624 decision of the State Board of Education shall be final.

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

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

630 (ii) The applicant has a physical, emotional or
631 mental disability that renders the applicant unfit to perform the
632 duties authorized by the license, as certified by a licensed
633 psychologist or psychiatrist;

634 (iii) The applicant is actively addicted to or
635 actively dependent on alcohol or other habit-forming drugs or is a
636 habitual user of narcotics, barbiturates, amphetamines,
637 hallucinogens or other drugs having similar effect, at the time of
638 application for a license;

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

641 (v) Failing or refusing to furnish reasonable
642 evidence of identification;



643 (vi) The applicant has been convicted, has pled
644 guilty or entered a plea of nolo contendere to a felony, as
645 defined by federal or state law. For purposes of this
646 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
647 a plea of guilty, entry of a plea of nolo contendere, or entry of
648 an order granting pretrial or judicial diversion;

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

653 (b) The State Board of Education, acting through the
654 commission, shall deny an application for any teacher or
655 administrator license, or immediately revoke the current teacher
656 or administrator license, for one or more of the following:

657 (i) If the applicant or licensee has been
658 convicted, has pled guilty or entered a plea of nolo contendere to
659 a sex offense as defined by federal or state law. For purposes of
660 this subparagraph (i) of this paragraph (b), a "guilty plea"
661 includes a plea of guilty, entry of a plea of nolo contendere, or
662 entry of an order granting pretrial or judicial diversion;

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



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

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

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

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

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

684 (c) Suspension or revocation of a certificate or
685 license by another state shall result in immediate suspension or
686 revocation and shall continue until records in the prior state
687 have been cleared;

688 (d) The license holder has been convicted, has pled
689 guilty or entered a plea of nolo contendere to a felony, as
690 defined by federal or state law. For purposes of this paragraph,



691 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
692 contendere, or entry of an order granting pretrial or judicial
693 diversion;

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

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

700 (g) The license holder served as superintendent or
701 principal in a school district during the time preceding and/or
702 that resulted in the Governor declaring a state of emergency and
703 the State Board of Education appointing a conservator;

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

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

712 For purposes of this subsection, probation shall be defined
713 as a length of time determined by the commission, its subcommittee
714 or hearing officer, and based on the severity of the offense in
715 which the license holder shall meet certain requirements as



716 prescribed by the commission, its subcommittee or hearing officer.
717 Failure to complete the requirements in the time specified shall
718 result in immediate suspension of the license for one (1) year.

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

724 (b) Any offense committed or attempted in any other
725 state shall result in the same penalty as if committed or
726 attempted in this state.

727 (c) A person may voluntarily surrender a license. The
728 surrender of such license may result in the commission
729 recommending any of the above penalties without the necessity of a
730 hearing. However, any such license which has voluntarily been
731 surrendered by a licensed employee may only be reinstated by a
732 majority vote of all members of the commission present at the
733 meeting called for such purpose.

734 (14) (a) A person whose license has been suspended or
735 surrendered on any grounds except criminal grounds may petition
736 for reinstatement of the license after one (1) year from the date
737 of suspension or surrender, or after one-half (1/2) of the
738 suspended or surrendered time has lapsed, whichever is greater. A
739 person whose license has been suspended or revoked on any grounds
740 or violations under subsection (12) of this section may be



741 reinstated automatically or approved for a reinstatement hearing,
742 upon submission of a written request to the commission. A license
743 suspended, revoked or surrendered on criminal grounds may be
744 reinstated upon petition to the commission filed after expiration
745 of the sentence and parole or probationary period imposed upon
746 conviction. A revoked, suspended or surrendered license may be
747 reinstated upon satisfactory showing of evidence of
748 rehabilitation. The commission shall require all who petition for
749 reinstatement to furnish evidence satisfactory to the commission
750 of good character, good mental, emotional and physical health and
751 such other evidence as the commission may deem necessary to
752 establish the petitioner's rehabilitation and fitness to perform
753 the duties authorized by the license.

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

758 (15) Reporting procedures and hearing procedures for dealing
759 with infractions under this section shall be promulgated by the
760 commission, subject to the approval of the State Board of
761 Education. The revocation or suspension of a license shall be
762 effected at the time indicated on the notice of suspension or
763 revocation. The commission shall immediately notify the
764 superintendent of the school district or school board where the
765 teacher or administrator is employed of any disciplinary action



766 and also notify the teacher or administrator of such revocation or
767 suspension and shall maintain records of action taken. The State
768 Board of Education may reverse or remand with instructions any
769 decision of the commission, its subcommittee or hearing officer
770 regarding a petition for reinstatement of a license, and any such
771 decision of the State Board of Education shall be final.

772 (16) An appeal from the action of the State Board of
773 Education in denying an application, revoking or suspending a
774 license or otherwise disciplining any person under the provisions
775 of this section shall be filed in the Chancery Court of the First
776 Judicial District of Hinds County, Mississippi, on the record
777 made, including a verbatim transcript of the testimony at the
778 hearing. The appeal shall be filed within thirty (30) days after
779 notification of the action of the board is mailed or served and
780 the proceedings in chancery court shall be conducted as other
781 matters coming before the court. The appeal shall be perfected
782 upon filing notice of the appeal and by the prepayment of all
783 costs, including the cost of preparation of the record of the
784 proceedings by the State Board of Education, and the filing of a
785 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
786 if the action of the board be affirmed by the chancery court, the
787 applicant or license holder shall pay the costs of the appeal and
788 the action of the chancery court.

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



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

793 (18) The granting of a license shall not be deemed a
794 property right nor a guarantee of employment in any public school
795 district. A license is a privilege indicating minimal eligibility
796 for teaching in the public school districts of Mississippi. This
797 section shall in no way alter or abridge the authority of local
798 school districts to require greater qualifications or standards of
799 performance as a prerequisite of initial or continued employment
800 in such districts.

801 (19) In addition to the reasons specified in subsections
802 (12) and (13) of this section, the board shall be authorized to
803 suspend the license of any licensee for being out of compliance
804 with an order for support, as defined in Section 93-11-153. The
805 procedure for suspension of a license for being out of compliance
806 with an order for support, and the procedure for the reissuance or
807 reinstatement of a license suspended for that purpose, and the
808 payment of any fees for the reissuance or reinstatement of a
809 license suspended for that purpose, shall be governed by Section
810 93-11-157 or 93-11-163, as the case may be. Actions taken by the
811 board in suspending a license when required by Section 93-11-157
812 or 93-11-163 are not actions from which an appeal may be taken
813 under this section. Any appeal of a license suspension that is
814 required by Section 93-11-157 or 93-11-163 shall be taken in
815 accordance with the appeal procedure specified in Section



816 93-11-157 or 93-11-163, as the case may be, rather than the
817 procedure specified in this section. If there is any conflict
818 between any provision of Section 93-11-157 or 93-11-163 and any
819 provision of this chapter, the provisions of Section 93-11-157 or
820 93-11-163, as the case may be, shall control.

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

823 73-1-21. Any architect residing outside this state may
824 obtain a certificate to practice in the State of Mississippi by
825 complying with Section 73-1-13, and by paying the fees prescribed
826 by the rules of the board; however, no such nonresident applicant
827 shall receive a certificate to practice in this state unless the
828 applicant furnishes evidence satisfactory to the board that the
829 applicant holds a current and valid registration issued by a
830 registration authority recognized by the board, holds a National
831 Council of Architectural Registration Board's certificate, has
832 never been restrained from practicing architecture, and has never
833 had a certificate or license revoked. Each nonresident applicant
834 shall submit, as a part of the application, a sworn affidavit
835 stating that neither such applicant nor any person in, or agent
836 of, the applicant's firm has practiced or is practicing
837 architectural work in this state prior to the applicant having
838 been licensed by the board unless such person or agent holds a
839 license to practice architecture in this state. Failure to submit
840 this affidavit is just cause for disapproval of the application.



841 Every applicant for reciprocity registration shall comply fully
842 with the requirements for resident applicants, except that
843 nonresident applicants who met the requirements for issuance of a
844 certificate of registration by the board prior to January 1, 1987,
845 and who, on that date, held a current and valid registration by a
846 registration authority recognized by the board or were qualified
847 exam candidates in another jurisdiction recognized by the board,
848 shall not be required to meet the degree requirements of Section
849 73-1-13. The board shall have the further right to exercise its
850 discretion as to whether such nonresident architect shall be
851 issued such certificate to practice.

852 The issuance of a certificate by reciprocity to a
853 military-trained applicant * * *, military spouse or person who
854 establishes residence in this state shall be subject to the
855 provisions of Section 73-50-1.

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

858 73-2-11. The board may exempt from examination any applicant
859 who holds a license or certificate to practice landscape
860 architecture issued to him upon examination by a legally
861 constituted board of examiners of any other state or Washington,
862 D.C., or any other territory or possession under the control of
863 the United States, provided that such requirements of the state in
864 which the applicant is registered are equivalent to those of this
865 state.



866 Each nonresident applicant shall submit, as part of the
867 application, a sworn affidavit stating that neither such applicant
868 nor any person in or agent of the applicant's firm has practiced
869 or is practicing landscape architectural work in this state prior
870 to the applicant having been licensed by the board unless such
871 person or agent holds a license to practice landscape architecture
872 in this state. Failure to submit this affidavit or submitting an
873 affidavit which is false in any respect shall constitute just
874 cause for denial of the application.

875 An applicant who is a licensed landscape architect but who
876 was admitted in a jurisdiction which did not offer a written
877 examination acceptable to the board or was admitted without the
878 requirement of passing a written examination may be issued a
879 license to practice landscape architecture in this state upon the
880 taking and passing of any examination or procedure as may be
881 adopted by the board, provided that such applicant meets all other
882 requirements for issuance of a license to practice landscape
883 architecture in this state.

884 The issuance of a license by reciprocity to a
885 military-trained applicant * * *, military spouse or person who
886 establishes residence in this state shall be subject to the
887 provisions of Section 73-50-1.

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



890 73-4-23. Any auctioneer who is licensed in a state that (a)
891 has requirements equal to the requirements of this chapter, (b)
892 has requirements that have been approved by the commission, after
893 a review of such state's licensing law, and (c) has entered into a
894 reciprocal licensing agreement with the State of Mississippi
895 through such state's regulatory authority over auctioneering, may
896 apply for and be granted a license without examination.
897 Applicants for a license through reciprocity shall furnish the
898 commission by application the same information as that required of
899 resident applicants. In addition to the biennial license fee,
900 nonresidents shall pay to the commission a fee of Two Hundred
901 Fifty Dollars (\$250.00). A nonresident auctioneer shall furnish
902 to the commission a surety bond, obligated to the State of
903 Mississippi, in the amount of Ten Thousand Dollars (\$10,000.00)
904 prior to being issued a license. The bond shall be executed by
905 the person seeking the license as principal and by a corporate
906 surety, licensed to do business in this state, as surety. The
907 bond shall otherwise be in accordance with the provisions of this
908 chapter.

909 The issuance of a license by reciprocity to a
910 military-trained applicant * * *, military spouse or person who
911 establishes residence in this state shall be subject to the
912 provisions of Section 73-50-1.

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



915 73-5-21. Any person possessed of the following
916 qualifications shall, upon payment of the required fee, receive a
917 certificate of registration as a registered barber:

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

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

920 and

921 (c) Either has a license or certificate of registration
922 as a practicing barber in another state or country that has
923 substantially the same requirements for licensing or registration
924 of barbers as are contained in this chapter, or can prove by sworn
925 affidavits that he has lawfully practiced as a barber in another
926 state or country for at least five (5) years immediately before
927 making application in this state, or can show to the satisfaction
928 of the board that he had held a rating in a branch of the military
929 service for two (2) or more years that required him to perform the
930 duties of a barber. The issuance of a certificate of registration
931 by reciprocity to a military-trained applicant * * *, military
932 spouse or person who establishes residence in this state shall be
933 subject to the provisions of Section 73-50-1.

934 In addition to the above, the board may require the applicant
935 to successfully demonstrate sufficient knowledge of the Barber Law
936 of the State of Mississippi, as well as sufficient practical skill
937 by requiring the applicant to take a practical examination
938 approved by the board.



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

941 73-6-13. (1) Any adult of good moral character who has (a)
942 graduated from a school or college of chiropractic recognized by
943 the State Board of Chiropractic Examiners, preceded by the
944 successful completion of at least two (2) academic years at an
945 accredited institution of higher learning, or accredited junior
946 college, and (b) successfully completed parts 1, 2, 3 and 4 and
947 the physical modality section of the examination prepared by the
948 National Board of Chiropractic Examiners, shall be entitled to
949 take the examination for a license to practice chiropractic in
950 Mississippi. The State Board of Chiropractic Examiners shall keep
951 on file a list of schools or colleges of chiropractic which are so
952 recognized. No chiropractic school shall be approved unless it is
953 recognized and approved by the Council on Chiropractic Education,
954 its successor or an equivalent accrediting agency, offers an
955 accredited course of study of not less than four (4) academic
956 years of at least nine (9) months in length, and requires its
957 graduates to receive not less than forty (40) clock hours of
958 instruction in the operation of x-ray machinery and not less than
959 forty (40) clock hours of instruction in x-ray interpretation and
960 diagnosis.

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



964 (3) The examination to practice chiropractic used by the
965 board shall consist of testing on the statutes and the rules and
966 regulations regarding the practice of chiropractic in the State of
967 Mississippi.

968 (4) Reciprocity privileges for a chiropractor from another
969 state shall be granted at the board's option on an individual
970 basis and by a majority vote of the State Board of Chiropractic
971 Examiners to an adult of good moral character who (a) is currently
972 an active competent practitioner for at least eight (8) years and
973 holds an active chiropractic license in another state with no
974 disciplinary proceeding or unresolved complaint pending anywhere
975 at the time a license is to be issued by this state, (b)
976 demonstrates having obtained licensure as a chiropractor in
977 another state under the same education requirements which were
978 equivalent to the education requirements in this state to obtain a
979 chiropractic license at the time the applicant obtained the
980 license in the other state, (c) satisfactorily passes the
981 examination administered by the State Board of Chiropractic
982 Examiners, and (d) meets the requirements of Section 73-6-1(3)
983 pertaining to therapeutic modalities. The issuance of a license
984 by reciprocity to a military-trained applicant * * *, military
985 spouse or person who establishes residence in this state shall be
986 subject to the provisions of Section 73-50-1.

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



989 73-7-23. (1) The board may, upon application, issue a
990 license by reciprocity to any cosmetologist, esthetician or
991 manicurist over the age of seventeen (17) years from any other
992 state who has satisfactorily completed the required number of
993 accredited hours in that state, provided the state board from
994 which the applicant comes issues to cosmetologists, estheticians
995 or manicurists, as the case may be, from the State of Mississippi
996 a license under the same conditions. Applications must be
997 accompanied by (a) proof satisfactory to the board that the
998 required hours have been completed, and (b) the required
999 reciprocity fee, which shall be paid to the board.

1000 (2) An instructor from any other state may be qualified for
1001 a Mississippi instructor's license upon presenting a valid
1002 instructor's license and proof of a high school education or its
1003 equivalent, provided that the instructor (a) is not less than
1004 twenty-one (21) years of age, (b) has completed training
1005 equivalent to the State of Mississippi's training as provided in
1006 Section 73-7-15 or has three (3) years or more of experience as a
1007 licensed instructor prior to application, (c) can read, write and
1008 speak English, (d) has completed twelve (12) semester hours in
1009 college courses approved by the board, and (e) has completed a
1010 minimum of five (5) continuing education hours in Mississippi
1011 board laws, rules and regulations. Such application must be
1012 accompanied by two (2) recent passport photographs of the
1013 applicant. Applicants shall pay the required license fee.



1014 (3) An applicant for a Mississippi instructor's license by
1015 reciprocity who has not completed the college courses requirement
1016 at the time of application may apply for a onetime temporary
1017 teaching permit, which shall be valid for six (6) months and shall
1018 be nonrenewable. Such application must be accompanied by proof of
1019 enrollment in college course(s), required permit fee, two (2)
1020 recent passport photographs of the applicant and other
1021 documentation as required for application for a Mississippi
1022 instructor's license by reciprocity. Upon proof of completion of
1023 college courses and payment of the required license fee, a
1024 Mississippi instructor's license shall be issued.

1025 (4) The issuance of a license by reciprocity to a
1026 military-trained applicant * * *, military spouse or person who
1027 establishes residence in this state shall be subject to the
1028 provisions of Section 73-50-1.

1029 **SECTION 9.** Section 73-9-24, Mississippi Code of 1972, is
1030 amended as follows:

1031 73-9-24. (1) In addition to the method for obtaining a
1032 license to practice dentistry or dental hygiene by way of
1033 examination as provided by Section 73-9-23, the board, in its sole
1034 discretion, may grant a license to a candidate who meets the
1035 following criteria:

1036 (a) Submit proof of graduation from a dental school or
1037 school of dental hygiene accredited by the Commission on Dental



1038 Accreditation of the American Dental Association (ADA), or its
1039 successor commission;

1040 (b) Be engaged in the active practice of dentistry or
1041 dental hygiene or in full-time dental education or dental hygiene
1042 education for the past five (5) years;

1043 (c) Currently hold a valid, unrestricted and unexpired
1044 license in a state whose standards for licensure are determined by
1045 the board as equivalent to Mississippi's standards, and which
1046 state grants reciprocity or licensure by credentials to licensees
1047 of the State of Mississippi;

1048 (d) Provides an endorsement from all states in which he
1049 or she is currently licensed or has ever been licensed to practice
1050 dentistry or dental hygiene;

1051 (e) Has not been the subject of pending or final
1052 disciplinary action in any state in which the applicant has been
1053 licensed;

1054 (f) Is not the subject of a pending investigation in
1055 any other state or jurisdiction;

1056 (g) Has passed a state or regional clinical licensure
1057 examination and, within the past five (5) years, has not failed a
1058 clinical licensure examination administered by another state,
1059 jurisdiction, or regional licensing board;

1060 (h) Has not failed at any time, a licensure examination
1061 administered by the Mississippi State Board of Dental Examiners;



1062 (i) Provides a written statement agreeing to appear for
1063 interviews at the request of the board;

1064 (j) Has successfully completed all parts of the
1065 National Board Examinations of the Joint Commission on National
1066 Dental Examinations, or its successor commission, unless the
1067 applicant graduated from an accredited dental or dental hygiene
1068 school before 1960;

1069 (k) Successfully passes a written jurisprudence
1070 examination;

1071 (l) Provides payment of a nonrefundable application fee
1072 as provided in Section 73-9-43; and

1073 (m) In addition, the State Board of Dental Examiners
1074 may consider the following in accepting, rejecting or denying an
1075 application for licensure by credentialing:

1076 (i) Information from the National Practitioner
1077 Data Bank, the Healthcare Integrity and Protection Data Bank
1078 and/or the American Association of Dental Examiners Clearinghouse
1079 for Disciplinary Information.

1080 (ii) Questioning under oath.

1081 (iii) Results of peer review reports from
1082 constituent societies and/or federal dental services.

1083 (iv) Substance abuse testing or treatment.

1084 (v) Background checks for criminal or fraudulent
1085 activities.

1086 (vi) Participation in continuing education.



1087 (vii) A current certificate in cardiopulmonary
1088 resuscitation.

1089 (viii) Recent patient case reports and/or oral
1090 defense of diagnosis and treatment plans.

1091 (ix) No physical or psychological impairment that
1092 would adversely affect the ability to deliver quality dental care.

1093 (x) Agreement to initiate practice in the
1094 credentialing jurisdiction within a reasonable period of time.

1095 (xi) Proof of professional liability coverage and
1096 that the coverage has not been refused, declined, canceled,
1097 nonrenewed or modified.

1098 (xii) Any additional information or documentation
1099 that the board may stipulate by rule or regulation as necessary to
1100 qualify for a license by credentialing.

1101 (2) The board shall be granted sufficient time to conduct a
1102 complete inquiry into the applicant's qualifications for licensure
1103 by credentials, and the board may adopt such rules and regulations
1104 pertaining to the time needed to conduct investigations and the
1105 responsibility of applicants to produce verifiable documentation.

1106 (3) Any applicant failing to meet the criteria in subsection
1107 (1) of this section shall not be eligible for a license based on
1108 credentials. Upon meeting the criteria in subsection (1) of this
1109 section, the Mississippi State Board of Dental Examiners may, in
1110 its discretion, issue to the applicant a license to practice
1111 dentistry, or dental hygiene, unless grounds for denial of



1112 licensure exist as enumerated in Section 73-9-61. Evidence of
1113 falsification in the application for licensure through
1114 credentialing will result in revocation of the license.

1115 (4) Any applicant applying for a specialty license by
1116 credentials must stay within his or her board recognized specialty
1117 and must practice only that specialty within the State of
1118 Mississippi. A specialty license holder must hold a general
1119 dentistry license before obtaining a specialty license.

1120 (5) The issuance of a license by reciprocity to a
1121 military-trained applicant * * *, military spouse or person who
1122 establishes residence in this state shall be subject to the
1123 provisions of Section 73-50-1.

1124 **SECTION 10.** Section 73-10-15, Mississippi Code of 1972, is
1125 amended as follows:

1126 73-10-15. (1) A nonresident dietitian may practice
1127 dietetics in Mississippi for five (5) days per year with current
1128 other state's licensure or with current registration with the
1129 Commission on Dietetics Registration.

1130 (2) The board may waive the prescribed examination for
1131 licensure and grant a license to any person who shall present
1132 proof of current licensure as a dietitian in another state, the
1133 District of Columbia, or territory of the United States which
1134 requires standards for licensure considered by the advisory
1135 council to be greater than or equal to the requirements for
1136 licensure of this chapter, if such state or territory extends



1137 reciprocity to licensees of the State of Mississippi. The
1138 issuance of a license by reciprocity to a military-trained
1139 applicant * * *, military spouse or person who establishes
1140 residence in this state shall be subject to the provisions of
1141 Section 73-50-1.

1142 **SECTION 11.** Section 73-11-51, Mississippi Code of 1972, is
1143 amended as follows:

1144 73-11-51. (1) No person shall engage in the business or
1145 practice of funeral service, including embalming, and/or funeral
1146 directing or hold himself out as transacting or practicing or
1147 being entitled to transact or practice funeral service, including
1148 embalming, and/or funeral directing in this state unless duly
1149 licensed under the provisions of this chapter.

1150 (2) The board is authorized and empowered to examine
1151 applicants for licenses for the practice of funeral service and
1152 funeral directing and shall issue the proper license to those
1153 persons who successfully pass the applicable examination and
1154 otherwise comply with the provisions of this chapter.

1155 (3) To be licensed for the practice of funeral directing
1156 under this chapter, a person must furnish satisfactory evidence to
1157 the board that he or she:

1158 (a) Is at least eighteen (18) years of age;

1159 (b) Has a high school diploma or the equivalent
1160 thereof;



1161 (c) Has served as a resident trainee for not less than
1162 twenty-four (24) months under the supervision of a person licensed
1163 for the practice of funeral service or funeral directing in this
1164 state;

1165 (d) Has successfully passed a written and/or oral
1166 examination as prepared or approved by the board; and

1167 (e) Is of good moral character.

1168 (4) To be licensed for the practice of funeral service under
1169 this chapter, a person must furnish satisfactory evidence to the
1170 board that he or she:

1171 (a) Is at least eighteen (18) years of age;

1172 (b) Has a high school diploma or the equivalent
1173 thereof;

1174 (c) Has successfully completed twelve (12) months or
1175 more of academic and professional instruction from an institution
1176 accredited by the United States Department of Education for
1177 funeral service education and have a certificate of completion
1178 from an institution accredited by the American Board of Funeral
1179 Service Education or any other successor recognized by the United
1180 States Department of Education for funeral service education;

1181 (d) Has served as a resident trainee for not less than
1182 twelve (12) months, either before or after graduation from an
1183 accredited institution mentioned above, under the supervision of a
1184 person licensed for the practice of funeral service in this state
1185 and in an establishment licensed in this state;



1186 (e) Has successfully passed the National Conference of
1187 Funeral Examiners examination and/or such other examination as
1188 approved by the board; and

1189 (f) Is of good moral character.

1190 (5) All applications for examination and license for the
1191 practice of funeral service or funeral directing shall be upon
1192 forms furnished by the board and shall be accompanied by an
1193 examination fee, a licensing fee and a nonrefundable application
1194 fee in amounts fixed by the board in accordance with Section
1195 73-11-56. The fee for an initial license, however, may be
1196 prorated in proportion to the period of time from the date of
1197 issuance to the date of biennial license renewal prescribed in
1198 subsection (8) of this section. All applications for examination
1199 shall be filed with the board office at least sixty (60) days
1200 before the date of examination. A candidate shall be deemed to
1201 have abandoned the application for examination if he does not
1202 appear on the scheduled date of examination unless such failure to
1203 appear has been approved by the board.

1204 (6) The practice of funeral service or funeral directing
1205 must be engaged in at a licensed funeral establishment, at least
1206 one (1) of which is listed as the licensee's place of business;
1207 and no person, partnership, corporation, association or other
1208 organization shall open or maintain a funeral establishment at
1209 which to engage in or conduct or hold himself or itself out as
1210 engaging in the practice of funeral service or funeral directing



1211 until such establishment has complied with the licensing
1212 requirements of this chapter. A license for the practice of
1213 funeral service or funeral directing shall be used only at
1214 licensed funeral establishments; however, this provision shall not
1215 prevent a person licensed for the practice of funeral service or
1216 funeral directing from conducting a funeral service at a church, a
1217 residence, public hall, lodge room or cemetery chapel, if such
1218 person maintains a fixed licensed funeral establishment of his own
1219 or is in the employ of or an agent of a licensed funeral
1220 establishment.

1221 (7) Any person holding a valid, unrevoked and unexpired
1222 nonreciprocal license in another state or territory having
1223 requirements greater than or equal to those of this state as
1224 determined by the board may apply for a license to practice in
1225 this state by filing with the board a certified statement from the
1226 secretary of the licensing board of the state or territory in
1227 which the applicant holds his license certifying to his
1228 qualifications and good standing with that board. He/she must
1229 also successfully pass a written and/or oral examination on the
1230 Mississippi Funeral Service licensing law and rules and
1231 regulations as prepared or approved by the board, and must pay a
1232 nonrefundable application fee set by the board. If the board
1233 finds that the applicant has fulfilled aforesaid requirements and
1234 has fulfilled substantially similar requirements of those required
1235 for a Mississippi licensee, the board shall grant such license



1236 upon receipt of a fee in an amount equal to the renewal fee set by
1237 the board for a license for the practice of funeral service or
1238 funeral directing, as the case may be, in this state. The board
1239 may issue a temporary funeral service or funeral directing work
1240 permit before a license is granted, before the next regular
1241 meeting of the board, if the applicant for a reciprocal license
1242 has complied with all requirements, rules and regulations of the
1243 board. The temporary permit will expire at the next regular
1244 meeting of the board. The issuance of a license or temporary
1245 permit by reciprocity to a military-trained applicant * * *,
1246 military spouse or person who establishes residence in this state
1247 shall be subject to the provisions of Section 73-50-1.

1248 (8) (a) Except as provided in Section 33-1-39, any person
1249 holding a license for the practice of funeral service or funeral
1250 directing may have the same renewed for a period of two (2) years
1251 by making and filing with the board an application on or before
1252 the due date. Payment of the renewal fee shall be in an amount
1253 set by the board in accordance with Section 73-11-56. The board
1254 shall mail the notice of renewal and the due date for the payment
1255 of the renewal fee to the last-known address of each licensee at
1256 least thirty (30) days before that date. It is the responsibility
1257 of the licensee to notify the board in writing of any change of
1258 address. An application will be considered late if the
1259 application and proper fees are not in the board's office or
1260 postmarked by the due date. Failure of a license holder to



1261 receive the notice of renewal shall not exempt or excuse a license
1262 holder from the requirement of renewing the license on or before
1263 the license expiration date.

1264 (b) If the renewal fee is not paid on or postmarked by
1265 the due date, the license of such person shall by operation of law
1266 automatically expire and become void without further action of the
1267 board. The board may reinstate such license if application for
1268 licensure is made within a period of five (5) years, upon payment
1269 of the renewal fee for the current year, all renewal fees in
1270 arrears, and a reinstatement fee. After a period of five (5)
1271 years, the licensee must make application, pay the current renewal
1272 fee, all fees in arrears, and pass a written and/or oral
1273 examination as prepared or approved by the board.

1274 (9) No license shall be assignable or valid for any person
1275 other than the original licensee.

1276 (10) The board may, in its discretion, if there is a major
1277 disaster or emergency where human death is likely to occur,
1278 temporarily authorize the practice of funeral directing and
1279 funeral service by persons licensed to practice in another state
1280 but not licensed to practice in this state. Only persons licensed
1281 in this state, however, may sign death certificates.

1282 (11) Any funeral service technology or mortuary science
1283 program accredited by the American Board of Funeral Service
1284 Education in the State of Mississippi, as well as students
1285 enrolled in such a program, shall be exempt from licensing under



1286 this chapter when embalming or otherwise preparing a deceased
1287 human body for disposition as part of a student practicum
1288 experience, when the student is directly supervised by an
1289 instructor or preceptor who holds a current funeral service
1290 license. This exemption shall apply to practicum experiences
1291 performed at an accredited institution of funeral service
1292 technology or mortuary science program or at a duly licensed
1293 funeral establishment or commercial mortuary service. Nothing in
1294 this subsection shall be construed to allow any funeral service
1295 technology or mortuary science program, or those students enrolled
1296 in such a program, to engage in practicum experiences for
1297 remuneration.

1298 (12) Each application or filing made under this section
1299 shall include the social security number(s) of the applicant in
1300 accordance with Section 93-11-64.

1301 **SECTION 12.** Section 73-13-35, Mississippi Code of 1972, is
1302 amended as follows:

1303 73-13-35. The board may, upon application therefor and the
1304 payment of a fee in accordance with Section 73-13-25, issue a
1305 certificate of licensure as a professional engineer to any person
1306 who holds a certificate of qualification or licensure issued to
1307 him by proper authority of any state or territory or possession of
1308 the United States, or of any country, provided that the
1309 applicant's qualifications meet the requirements of Sections
1310 73-13-1 through 73-13-45 and the rules established by the board.



1311 The issuance of a certificate of licensure by reciprocity to a
1312 military-trained applicant * * *, military spouse or person who
1313 establishes residence in this state shall be subject to the
1314 provisions of Section 73-50-1.

1315 **SECTION 13.** Section 73-14-25, Mississippi Code of 1972, is
1316 amended as follows:

1317 73-14-25. The department may license as a hearing aid
1318 specialist, and furnish a certificate of licensure, to any
1319 applicant who presents evidence, satisfactory to the department of
1320 having passed an examination before a similar lawfully authorized
1321 examining agency or board of hearing aid specialists of another
1322 state or the District of Columbia, if the standards for
1323 registration of hearing aid specialists or for licensure as a
1324 hearing aid specialist in such state or district are determined by
1325 the department to be as high as those of this state, and if that
1326 jurisdiction affords licensees of this state reciprocity.

1327 Any person making application for licensure under the
1328 provisions of this section may, at the discretion of the board, be
1329 required to pass an examination selected by the board.

1330 The issuance of a license by reciprocity to a
1331 military-trained applicant * * *, military spouse or person who
1332 establishes residence in this state shall be subject to the
1333 provisions of Section 73-50-1.

1334 **SECTION 14.** Section 73-15-19, Mississippi Code of 1972, is
1335 amended as follows:



1336 73-15-19. (1) **Registered nurse applicant qualifications.**

1337 Any applicant for a license to practice as a registered nurse
1338 shall submit to the board:

1339 (a) An attested written application on a Board of
1340 Nursing form;

1341 (b) Written official evidence of completion of a
1342 nursing program approved by the Board of Trustees of State
1343 Institutions of Higher Learning, or one approved by a legal
1344 accrediting agency of another state, territory or possession of
1345 the United States, the District of Columbia, or a foreign country
1346 which is satisfactory to this board;

1347 (c) Evidence of competence in English related to
1348 nursing, provided the first language is not English;

1349 (d) Any other official records required by the board.

1350 In addition to the requirements specified in paragraphs (a)
1351 through (d) of this subsection, in order to qualify for a license
1352 to practice as a registered nurse, an applicant must have
1353 successfully been cleared for licensure through an investigation
1354 that shall consist of a determination as to good moral character
1355 and verification that the prospective licensee is not guilty of or
1356 in violation of any statutory ground for denial of licensure as
1357 set forth in Section 73-15-29 or guilty of any offense specified
1358 in Section 73-15-33. To assist the board in conducting its
1359 licensure investigation, all applicants shall undergo a
1360 fingerprint-based criminal history records check of the



1361 Mississippi central criminal database and the Federal Bureau of
1362 Investigation criminal history database. Each applicant shall
1363 submit a full set of his or her fingerprints in a form and manner
1364 prescribed by the board, which shall be forwarded to the
1365 Mississippi Department of Public Safety (department) and the
1366 Federal Bureau of Investigation Identification Division for this
1367 purpose.

1368 Any and all state or national criminal history records
1369 information obtained by the board that is not already a matter of
1370 public record shall be deemed nonpublic and confidential
1371 information restricted to the exclusive use of the board, its
1372 members, officers, investigators, agents and attorneys in
1373 evaluating the applicant's eligibility or disqualification for
1374 licensure, and shall be exempt from the Mississippi Public Records
1375 Act of 1983. Except when introduced into evidence in a hearing
1376 before the board to determine licensure, no such information or
1377 records related thereto shall, except with the written consent of
1378 the applicant or by order of a court of competent jurisdiction, be
1379 released or otherwise disclosed by the board to any other person
1380 or agency.

1381 The board shall provide to the department the fingerprints of
1382 the applicant, any additional information that may be required by
1383 the department, and a form signed by the applicant consenting to
1384 the check of the criminal records and to the use of the



1385 fingerprints and other identifying information required by the
1386 state or national repositories.

1387 The board shall charge and collect from the applicant, in
1388 addition to all other applicable fees and costs, such amount as
1389 may be incurred by the board in requesting and obtaining state and
1390 national criminal history records information on the applicant.

1391 The board may, in its discretion, refuse to accept the
1392 application of any person who has been convicted of a criminal
1393 offense under any provision of Title 97 of the Mississippi Code of
1394 1972, as now or hereafter amended, or any provision of this
1395 article.

1396 (2) **Licensure by examination.** (a) Upon the board being
1397 satisfied that an applicant for a license as a registered nurse
1398 has met the qualifications set forth in subsection (1) of this
1399 section, the board shall proceed to examine such applicant in such
1400 subjects as the board shall, in its discretion, determine. The
1401 subjects in which applicants shall be examined shall be in
1402 conformity with curricula in schools of nursing approved by the
1403 Board of Trustees of State Institutions of Higher Learning, or one
1404 approved by a legal accrediting agency of another state, territory
1405 or possession of the United States, the District of Columbia, or a
1406 foreign country which is satisfactory to the board.

1407 (b) The applicant shall be required to pass the written
1408 examination as selected by the board.



1409 (c) Upon successful completion of such examination, the
1410 board shall issue to the applicant a license to practice as a
1411 registered nurse.

1412 (d) The board may use any part or all of the state
1413 board test pool examination for registered nurse licensure, its
1414 successor examination, or any other nationally standardized
1415 examination identified by the board in its rules. The passing
1416 score shall be established by the board in its rules.

1417 (3) **Licensure by endorsement.** The board may issue a license
1418 to practice nursing as a registered nurse without examination to
1419 an applicant who has been duly licensed as a registered nurse
1420 under the laws of another state, territory or possession of the
1421 United States, the District of Columbia, or a foreign country if,
1422 in the opinion of the board, the applicant meets the
1423 qualifications required of licensed registered nurses in this
1424 state and has previously achieved the passing score or scores on
1425 the licensing examination required by this state, at the time of
1426 his or her graduation. The issuance of a license by endorsement
1427 to a military-trained applicant * * *, military spouse or person
1428 who establishes residence in this state shall be subject to the
1429 provisions of Section 73-50-1.

1430 (4) **Requirements for rewriting the examination.** The board
1431 shall establish in its rules the requirements for rewriting the
1432 examination for those persons failing the examination on the first
1433 writing or subsequent rewriting.



1434 (5) **Fee.** The applicant applying for a license by
1435 examination or by endorsement to practice as a registered nurse
1436 shall pay a fee not to exceed One Hundred Dollars (\$100.00) to the
1437 board.

1438 (6) **Temporary permit.** (a) The board may issue a temporary
1439 permit to practice nursing to a graduate of an approved school of
1440 nursing pending the results of the examination in Mississippi, and
1441 to a qualified applicant from another state, territory or
1442 possession of the United States, or District of Columbia, or
1443 pending licensure procedures as provided for elsewhere in this
1444 article. The fee shall not exceed Twenty-five Dollars (\$25.00).

1445 (b) The board may issue a temporary permit for a period
1446 of ninety (90) days to a registered nurse who is currently
1447 licensed in another state, territory or possession of the United
1448 States or the District of Columbia and who is an applicant for
1449 licensure by endorsement. Such permit is not renewable except by
1450 board action. The issuance of a temporary permit to a
1451 military-trained applicant * * *, military spouse or person who
1452 establishes residence in this state shall be subject to the
1453 provisions of Section 73-50-1.

1454 (c) The board may issue a temporary permit to a
1455 graduate of an approved school of nursing pending the results of
1456 the first licensing examination scheduled after application. Such
1457 permit is not renewable except by board action.



1458 (d) The board may issue a temporary permit for a period
1459 of thirty (30) days to any registered nurse during the time
1460 enrolled in a nursing reorientation program. This time period may
1461 be extended by board action. The fee shall not exceed Twenty-five
1462 Dollars (\$25.00).

1463 (e) The board may adopt such regulations as are
1464 necessary to limit the practice of persons to whom temporary
1465 permits are issued.

1466 (7) **Temporary license.** The board may issue a temporary
1467 license to practice nursing at a youth camp licensed by the State
1468 Board of Health to nonresident registered nurses and retired
1469 resident registered nurses under the provisions of Section
1470 75-74-8.

1471 (8) **Title and abbreviation.** Any person who holds a license
1472 or holds the privilege to practice as a registered nurse in this
1473 state shall have the right to use the title "registered nurse" and
1474 the abbreviation "R.N." No other person shall assume such title
1475 or use such abbreviation, or any words, letters, signs or devices
1476 to indicate that the person using the same is a registered nurse.

1477 (9) **Registered nurses licensed under a previous law.** Any
1478 person holding a license to practice nursing as a registered nurse
1479 issued by this board which is valid on July 1, 1981, shall
1480 thereafter be deemed to be licensed as a registered nurse under
1481 the provisions of this article upon payment of the fee provided in
1482 Section 73-15-27.



1483 (10) Each application or filing made under this section
1484 shall include the social security number(s) of the applicant in
1485 accordance with Section 93-11-64.

1486 **SECTION 15.** Section 73-15-21, Mississippi Code of 1972, is
1487 amended as follows:

1488 73-15-21. (1) **Licensed practical nurse applicant**
1489 **qualifications.** Any applicant for a license to practice practical
1490 nursing as a licensed practical nurse shall submit to the board:

1491 (a) An attested written application on a Board of
1492 Nursing form;

1493 (b) A diploma from an approved high school or the
1494 equivalent thereof, as determined by the appropriate educational
1495 agency;

1496 (c) Written official evidence of completion of a
1497 practical nursing program approved by the State Department of
1498 Education through its Division of Vocational Education, or one
1499 approved by a legal accrediting agency of another state, territory
1500 or possession of the United States, the District of Columbia, or a
1501 foreign country which is satisfactory to this board;

1502 (d) Evidence of competence in English related to
1503 nursing, provided the first language is not English;

1504 (e) Any other official records required by the board.

1505 In addition to the requirements specified in paragraphs (a)
1506 through (e) of this subsection, in order to qualify for a license
1507 to practice practical nursing as a licensed practical nurse, an



1508 applicant must have successfully been cleared for licensure
1509 through an investigation that shall consist of a determination as
1510 to good moral character and verification that the prospective
1511 licensee is not guilty of or in violation of any statutory ground
1512 for denial of licensure as set forth in Section 73-15-29 or guilty
1513 of any offense specified in Section 73-15-33. To assist the board
1514 in conducting its licensure investigation, all applicants shall
1515 undergo a fingerprint-based criminal history records check of the
1516 Mississippi central criminal database and the Federal Bureau of
1517 Investigation criminal history database. Each applicant shall
1518 submit a full set of his or her fingerprints in a form and manner
1519 prescribed by the board, which shall be forwarded to the
1520 Mississippi Department of Public Safety (department) and the
1521 Federal Bureau of Investigation Identification Division for this
1522 purpose.

1523 Any and all state or national criminal history records
1524 information obtained by the board that is not already a matter of
1525 public record shall be deemed nonpublic and confidential
1526 information restricted to the exclusive use of the board, its
1527 members, officers, investigators, agents and attorneys in
1528 evaluating the applicant's eligibility or disqualification for
1529 licensure, and shall be exempt from the Mississippi Public Records
1530 Act of 1983. Except when introduced into evidence in a hearing
1531 before the board to determine licensure, no such information or
1532 records related thereto shall, except with the written consent of



1533 the applicant or by order of a court of competent jurisdiction, be
1534 released or otherwise disclosed by the board to any other person
1535 or agency.

1536 The board shall provide to the department the fingerprints of
1537 the applicant, any additional information that may be required by
1538 the department, and a form signed by the applicant consenting to
1539 the check of the criminal records and to the use of the
1540 fingerprints and other identifying information required by the
1541 state or national repositories.

1542 The board shall charge and collect from the applicant, in
1543 addition to all other applicable fees and costs, such amount as
1544 may be incurred by the board in requesting and obtaining state and
1545 national criminal history records information on the applicant.

1546 The board may, in its discretion, refuse to accept the
1547 application of any person who has been convicted of a criminal
1548 offense under any provision of Title 97 of the Mississippi Code of
1549 1972, as now or hereafter amended, or any provision of this
1550 article.

1551 (2) **Licensure by examination.** (a) Upon the board being
1552 satisfied that an applicant for a license as a practical nurse has
1553 met the qualifications set forth in subsection (1) of this
1554 section, the board shall proceed to examine such applicant in such
1555 subjects as the board shall, in its discretion, determine. The
1556 subjects in which applicants shall be examined shall be in



1557 conformity with curricula in schools of practical nursing approved
1558 by the State Department of Education.

1559 (b) The applicant shall be required to pass the written
1560 examination selected by the board.

1561 (c) Upon successful completion of such examination, the
1562 board shall issue to the applicant a license to practice as a
1563 licensed practical nurse.

1564 (d) The board may use any part or all of the state
1565 board test pool examination for practical nurse licensure, its
1566 successor examination, or any other nationally standardized
1567 examination identified by the board in its rules. The passing
1568 score shall be established by the board in its rules.

1569 (3) **Licensure by endorsement.** The board may issue a license
1570 to practice practical nursing as a licensed practical nurse
1571 without examination to an applicant who has been duly licensed as
1572 a licensed practical nurse under the laws of another state,
1573 territory or possession of the United States, the District of
1574 Columbia, or a foreign country if, in the opinion of the board,
1575 the applicant meets the qualifications required of licensed
1576 practical nurses in this state and has previously achieved the
1577 passing score or scores on the licensing examination required by
1578 this state at the time of his or her graduation. The issuance of
1579 a license by endorsement to a military-trained applicant * * *,
1580 military spouse or person who establishes residence in this state
1581 shall be subject to the provisions of Section 73-50-1.



1582 (4) **Licensure by equivalent amount of theory and clinical**
1583 **experience.** In the discretion of the board, former students of a
1584 state_accredited school preparing students to become registered
1585 nurses may be granted permission to take the examination for
1586 licensure to practice as a licensed practical nurse, provided the
1587 applicant's record or transcript indicates the former student
1588 completed an equivalent amount of theory and clinical experiences
1589 as required of a graduate of a practical nursing program, and
1590 provided the school attended was, at the time of the student's
1591 attendance, an accredited school of nursing.

1592 (5) **Requirements for rewriting the examination.** The board
1593 shall establish in its rules the requirements for rewriting the
1594 examination for those persons failing the examination on the first
1595 writing or subsequent writing.

1596 (6) **Fee.** The applicant applying for a license by
1597 examination or by endorsement to practice as a licensed practical
1598 nurse shall pay a fee not to exceed Sixty Dollars (\$60.00) to the
1599 board.

1600 (7) **Temporary permit.** (a) The board may issue a temporary
1601 permit to practice practical nursing to a graduate of an approved
1602 school of practical nursing pending the results of the examination
1603 in Mississippi, and to a qualified applicant from another state,
1604 territory or possession of the United States, or the District of
1605 Columbia, pending licensing procedures as provided for elsewhere



1606 in this article. The fee shall not exceed Twenty-five Dollars
1607 (\$25.00).

1608 (b) The board may issue a temporary permit for a period
1609 of ninety (90) days to a licensed practical nurse who is currently
1610 licensed in another state, territory or possession of the United
1611 States or the District of Columbia and who is an applicant for
1612 licensure by endorsement. Such permit is not renewable except by
1613 board action. The issuance of a temporary permit to a
1614 military-trained applicant * * *, military spouse or person who
1615 establishes residence in this state shall be subject to the
1616 provisions of Section 73-50-1.

1617 (c) The board may issue a temporary permit to a
1618 graduate of an approved practical nursing education program or an
1619 equivalent program satisfactory to the board pending the results
1620 of the first licensing examination scheduled after application.
1621 Such permit is not renewable except by board action.

1622 (d) The board may issue a temporary permit for a period
1623 of thirty (30) days to any licensed practical nurse during the
1624 time enrolled in a nursing reorientation program. This time
1625 period may be extended by board action. The fee shall not exceed
1626 Twenty-five Dollars (\$25.00).

1627 (e) The board may adopt such regulations as are
1628 necessary to limit the practice of persons to whom temporary
1629 permits are issued.



1630 (8) **Title and abbreviation.** Any person who holds a license
1631 or holds the privilege to practice as a licensed practical nurse
1632 in this state shall have the right to use the title "licensed
1633 practical nurse" and the abbreviation "L.P.N." No other person
1634 shall assume such title or use such abbreviation, or any words,
1635 letters, signs or devices to indicate that a person using the same
1636 is a licensed practical nurse.

1637 (9) **Licensed practical nurses licensed under a previous law.**
1638 Any person holding a license to practice nursing as a practical
1639 nurse issued by this board which is valid on July 1, 1981, shall
1640 thereafter be deemed to be licensed as a practical nurse under the
1641 provisions of this article upon payment of the fee prescribed in
1642 Section 73-15-27.

1643 (10) Each application or filing made under this section
1644 shall include the social security number(s) of the applicant in
1645 accordance with Section 93-11-64.

1646 **SECTION 16.** Section 73-17-11, Mississippi Code of 1972, is
1647 amended as follows:

1648 73-17-11. (1) From and after July 1, 2011, in order to be
1649 eligible to be licensed as a nursing home administrator, an
1650 individual must submit evidence satisfactory to the board that he
1651 or she:

1652 (a) Is at least twenty-one (21) years of age;

1653 (b) Is of good moral character, including evidence of a
1654 criminal background check within the last six (6) months, under



1655 Section 43-11-13 and Section G.407.3 of the Minimum Standards for
1656 Institutions for the Aged or Infirm;

1657 (c) Is in good health;

1658 (d) Has satisfied at least one (1) of the following
1659 requirements for education and experience:

1660 (i) Has sixty-four (64) hours of college work from
1661 an accredited institution and has worked in a supervisory capacity
1662 in a Mississippi-licensed nursing home for a minimum of two (2)
1663 years immediately before making application for the
1664 Administrator-in-Training Program established by board rule;

1665 (ii) Has an associate degree from an accredited
1666 institution and has worked in a supervisory capacity in a
1667 Mississippi-licensed nursing home for a minimum of two (2) years
1668 immediately before making application for the
1669 Administrator-in-Training Program established by board rule;

1670 (iii) Has a bachelor's degree in any other field
1671 of study from an accredited institution before making application
1672 for the Administrator-in-Training Program established by board
1673 rule; or

1674 (iv) Has a bachelor's degree in health care
1675 administration or a health care related field or business from an
1676 accredited institution before making application for the
1677 Administrator-in-Training Program established by board rule;

1678 (e) Has (i) completed a nursing home
1679 Administrator-in-Training Program and successfully completed the



1680 National Association of Long-Term Care Administrator Board (NAB)
1681 examination, or (ii) completed an Administrator-in-Training
1682 Program in Long-Term Care Administration from an academic
1683 institution during which time the institution held National
1684 Association of Long-Term Care Administrator Board (NAB) Program
1685 Approval through the academic approval process, to the
1686 satisfaction of the board;

1687 (f) Has successfully passed the National Association of
1688 Long-Term Care Administrator Board (NAB) examination and the
1689 Mississippi State Board of Nursing Home Administrators examination
1690 to test his or her proficiency and basic knowledge in the area of
1691 nursing home administration. The board may establish the
1692 frequency of the offering of those examinations and the contents
1693 thereof; and

1694 (g) Has met all of the requirements established by
1695 federal law.

1696 (2) Reciprocity shall be extended to individuals holding
1697 licenses as nursing home administrators in other states, upon
1698 proper application and a finding on the part of the board that:

1699 (a) The applicant possesses the basic qualifications
1700 listed in this chapter and in the rules and regulations adopted
1701 under federal law;

1702 (b) The applicant has met all of the requirements
1703 established by federal law; and



1704 (c) The standards for licensure in the other states are
1705 at least the substantial equivalent of those in this state,
1706 including education and experience, and the applicant has passed
1707 both the National Association of Long-Term Care Administrator
1708 Board (NAB) and the state exams.

1709 The issuance of a license by reciprocity to a
1710 military-trained applicant * * *, military spouse or person who
1711 establishes residence in this state shall be subject to the
1712 provisions of Section 73-50-1.

1713 (3) The board may prescribe appropriate fees for the taking
1714 of those examinations and for the issuance of licenses. Those
1715 fees shall be not more than the cost of the examinations and Five
1716 Hundred Dollars (\$500.00) for the issuance of a license. However,
1717 the fee for an initial license may be prorated in proportion to
1718 the period of time from the date of issuance and the date of
1719 biennial license renewal prescribed in subsection (4). All
1720 licenses issued under this chapter shall be for a maximum period
1721 of two (2) years.

1722 (4) Except as provided in Section 33-1-39, the board may
1723 renew licenses biennially upon the payment of a fee to be
1724 established by the board, which shall be not more than Five
1725 Hundred Dollars (\$500.00), plus any administrative costs for late
1726 payment.

1727 (5) Any person who is not licensed under this chapter on
1728 July 1, 2011, who makes application with the board on or before



1729 June 30, 2012, may qualify for a license under this chapter
1730 provided that on or before January 31, 2014, he or she
1731 demonstrates to the satisfaction of the board that he or she (a)
1732 meets the eligibility requirements for a nursing home
1733 administrator's license prescribed in this section as those
1734 requirements existed on June 30, 2011; (b) has successfully
1735 completed the Administrator-in-Training Program requirements
1736 existing on June 30, 2011; and (c) has paid all required fees for
1737 licensure.

1738 (6) Current licensure by the Department of Mental Health
1739 under Section 41-4-7(r) as a mental health/intellectual disability
1740 program administrator shall exempt the licensee from the
1741 requirement of licensure as a nursing home administrator if the
1742 licensee is employed in the state mental health system as
1743 Administrator of Intermediate Care Facility or Facilities for
1744 Persons with Intellectual Disabilities (ICF/ID) no larger than
1745 sixteen (16) beds.

1746 (7) This section shall stand repealed on July 1, 2021.

1747 **SECTION 17.** Section 73-19-25, Mississippi Code of 1972, is
1748 amended as follows:

1749 73-19-25. An applicant for a certificate of licensure who
1750 has been examined by the state board of another state which,
1751 through reciprocity, similarly accredits the holder of a
1752 certificate issued by the board of this state to the full
1753 privileges of practice within such state, on the payment of a fee



1754 of not more than Fifty Dollars (\$50.00) to the board and on filing
1755 in the office of the board a true and attested copy of the
1756 license, certified by the president or secretary of the state
1757 board issuing the same, and showing also that the standard
1758 requirements adopted and enforced by the board are equal to that
1759 provided by this state, may, without further examination, receive
1760 a certificate of licensure, provided that such applicant has not
1761 previously failed at an examination held by the board of this
1762 state. The issuance of a certificate of licensure by reciprocity
1763 to a military-trained applicant * * *, military spouse or person
1764 who establishes residence in this state shall be subject to the
1765 provisions of Section 73-50-1.

1766 **SECTION 18.** Section 73-21-87, Mississippi Code of 1972, is
1767 amended as follows:

1768 73-21-87. (1) To obtain a license to engage in the practice
1769 of pharmacy by reciprocity or license transfer, the applicant
1770 shall:

1771 (a) Have submitted a written application on the form
1772 prescribed by the board;

1773 (b) Be of good moral character;

1774 (c) Have possessed at the time of initial licensure as
1775 a pharmacist such other qualifications necessary to have been
1776 eligible for licensure at that time in that state;

1777 (d) Have presented to the board proof that any license
1778 or licenses granted to the applicant by any other states have not



1779 been suspended, revoked, cancelled or otherwise restricted for any
1780 reason except nonrenewal or the failure to obtain required
1781 continuing education credits; and

1782 (e) Have paid all fees specified by the board for
1783 licensure.

1784 (2) No applicant shall be eligible for licensure by
1785 reciprocity or license transfer unless the state in which the
1786 applicant was initially licensed also grants a reciprocal license
1787 or transfer license to pharmacists licensed by this state under
1788 like circumstances and conditions.

1789 (3) The issuance of a license by reciprocity to a
1790 military-trained applicant * * *, military spouse or person who
1791 establishes residence in this state shall be subject to the
1792 provisions of Section 73-50-1.

1793 (4) Each application or filing made under this section shall
1794 include the social security number(s) of the applicant in
1795 accordance with Section 93-11-64.

1796 **SECTION 19.** Section 73-23-51, Mississippi Code of 1972, is
1797 amended as follows:

1798 73-23-51. (1) The board may license as a physical therapist
1799 or as a physical therapist assistant, and furnish a certificate of
1800 licensure without examination to, any applicant who presents
1801 evidence, satisfactory to the board, of having passed an
1802 examination before a similar lawfully authorized examining agency
1803 or board in physical therapy of another state or the District of



1804 Columbia, if the standards for registration in physical therapy or
1805 for licensure as a physical therapist assistant in such other
1806 state or district are determined by the board to be as high as
1807 those of this state. The issuance of a license by reciprocity to
1808 a military-trained applicant * * *, military spouse or person who
1809 establishes residence in this state shall be subject to the
1810 provisions of Section 73-50-1.

1811 (2) Any person who has been trained as a physical therapist
1812 in a foreign country and desires to be licensed under this chapter
1813 and who: (a) is of good moral character; (b) holds a diploma from
1814 an educational program for physical therapists approved by the
1815 board; (c) submits documentary evidence to the board that he has
1816 completed a course of professional instruction substantially
1817 equivalent to that obtained by an applicant for licensure; (d)
1818 demonstrates satisfactory proof of proficiency in the English
1819 language; and (e) meets other requirements established by rules of
1820 the board, may make application on a form furnished by the board
1821 for examination as a foreign-trained physical therapist. At the
1822 time of making such application, the applicant shall pay the fee
1823 prescribed by the board, no portion of which shall be returned.

1824 Any person who desires to be licensed under this subsection
1825 shall take an examination approved by the board and shall obtain a
1826 permanent license. If this requirement is not met, the license of
1827 the foreign-trained therapist may be revoked.



1828 **SECTION 20.** Section 73-23-53, Mississippi Code of 1972, is
1829 amended as follows:

1830 73-23-53. (1) A temporary license to practice as a physical
1831 therapist or physical therapist assistant may be granted to those
1832 persons meeting the requirements stated in Section 73-23-47 and
1833 who (a) have not taken the approved examination, or (b) have taken
1834 the approved examination but have not received the results of the
1835 examination. The temporary license shall be granted for a period
1836 not to exceed ninety (90) days. Any physical therapist granted a
1837 temporary license under the provisions of this subsection shall
1838 restrict his practice to the State of Mississippi and shall be
1839 under the direct supervision of a physical therapist licensed in
1840 Mississippi (physical therapy assistants shall be under the direct
1841 on-site supervision of a Mississippi licensed physical therapist).
1842 Documentation verifying the supervision shall be on file with the
1843 board before a temporary license is granted.

1844 (2) The board may by rule provide for the issuance of a
1845 temporary license to a physical therapist or a physical therapist
1846 assistant licensed in another state who is moving into the state
1847 and has filed an application with the board for a permanent
1848 license in this state. This temporary license will be granted for
1849 a period not to exceed sixty (60) days. The issuance of a
1850 temporary license to a military-trained applicant * * *, military
1851 spouse or person who establishes residence in this state shall be
1852 subject to the provisions of Section 73-50-1.



1853 (3) Any person granted a temporary license who is required
1854 to take the approved examination and fails to take the exam as
1855 required by the board or does not pass the required exam shall
1856 have the temporary license automatically expire by operation of
1857 law and without further action of the board and no license of any
1858 type shall be issued until such person has passed an approved
1859 examination.

1860 (4) Any person who has taken but not passed the required
1861 examination in this or another jurisdiction shall not be eligible
1862 for a license of any type until an approved examination is passed.

1863 (5) Any person who has been trained as a physical therapist
1864 or physical therapist assistant in a foreign country and desires
1865 to be temporarily licensed under this subsection shall, in
1866 addition to satisfying such other requirements established by the
1867 board, demonstrate proficiency in the English language and meet
1868 the other requirements of Section 73-23-51(2) before such
1869 temporary license shall be issued.

1870 (6) During a lawfully declared local, state or national
1871 disaster or emergency, the board may issue a temporary license to
1872 any otherwise qualified physical therapist or physical therapist
1873 assistant licensed and in good standing in another state or
1874 territory of the United States and who meets such other
1875 requirements as the board may prescribe by rule and regulation.

1876 **SECTION 21.** Section 73-24-21, Mississippi Code of 1972, is
1877 amended as follows:



1878 73-24-21. (1) The board shall grant a license to any person
1879 certified prior to July 1, 1988, as an Occupational Therapist
1880 Registered (OTR) or a Certified Occupational Therapy Assistant
1881 (COTA) by the American Occupational Therapy Association (AOTA).
1882 The board may waive the examination, education or experience
1883 requirements and grant a license to any person certified by AOTA
1884 after July 1, 1988, if the board determines the requirements for
1885 such certification are equivalent to the requirements for
1886 licensure in this chapter.

1887 (2) The board may waive the examination, education or
1888 experience requirements and grant a license to any applicant who
1889 shall present proof of current licensure as an occupational
1890 therapist or occupational therapy assistant in another state, the
1891 District of Columbia or territory of the United States which
1892 requires standards for licensure considered by the board to be
1893 equivalent to the requirements for licensure of this chapter. The
1894 issuance of a license by reciprocity to a military-trained
1895 applicant * * *, military spouse or person who establishes
1896 residence in this state shall be subject to the provisions of
1897 Section 73-50-1.

1898 (3) Foreign-trained occupational therapists and occupational
1899 therapy assistants shall satisfy the examination requirements of
1900 Section 73-24-19. The board shall require foreign-trained
1901 applicants to furnish proof of good moral character and completion
1902 of educational and supervised fieldwork requirements substantially



1903 equal to those contained in Section 73-24-19 before taking the
1904 examination.

1905 **SECTION 22.** Section 73-25-21, Mississippi Code of 1972, is
1906 amended as follows:

1907 73-25-21. The State Board of Medical Licensure may grant
1908 license to practice medicine without examination as to learning to
1909 graduates in medicine or osteopathic medicine who hold license to
1910 practice medicine from another state, provided the requirements in
1911 such state are equal to those required by the State Board of
1912 Medical Licensure. The State Board of Medical Licensure may
1913 affiliate with and recognize for the purpose of waiving
1914 examination diplomates of the National Board of Medical Examiners,
1915 or the National Board of Examiners for Osteopathic Physicians and
1916 Surgeons in granting license to practice medicine in Mississippi.
1917 In addition, the board may grant a license to practice medicine
1918 without examination to Licentiates of the Medical Council of
1919 Canada (LMCC) who are graduates of Canadian medical schools which
1920 are accredited by the Liaison Committee on Medical Education, as
1921 sponsored by the American Medical Association and the Association
1922 of American Medical Colleges, and by the Committee for
1923 Accreditation of Canadian Medical Schools, as sponsored by the
1924 Canadian Medical Association and the Association of Canadian
1925 Medical Colleges.

1926 The issuance of a license by reciprocity to a
1927 military-trained applicant * * *, military spouse or person who



1928 establishes residence in this state shall be subject to the
1929 provisions of Section 73-50-1.

1930 **SECTION 23.** Section 73-27-5, Mississippi Code of 1972, is
1931 amended as follows:

1932 73-27-5. All applicants for license shall have attained the
1933 age of twenty-one (21) years, and shall be of good moral
1934 character; they shall have had at least four (4) years high school
1935 and be graduates of same; they shall have at least one (1) year
1936 prepodiatry college education and be graduates of some college of
1937 podiatry recognized as being in good standing by the State Board
1938 of Medical Licensure. No college of podiatry or chiropody shall
1939 be accredited by the board as a college of good standing that does
1940 not require for graduation a course of study of at least four (4)
1941 years (eight and one-half (8-1/2) months each) and be recognized
1942 by the Council on Education of the American Podiatry Association.
1943 However, all podiatrists actively engaged in the practice of
1944 podiatry in the State of Mississippi, prior to January 1, 1938,
1945 whether graduates or not, shall, upon furnishing proof thereof by
1946 displaying their state privilege tax license to the Secretary of
1947 the State Board of Medical Licensure, and upon payment of fee of
1948 Ten Dollars and Twenty-five Cents (\$10.25), be entitled to a
1949 license without an examination, and applications for the license
1950 shall be filed not later than sixty (60) days after February 17,
1951 1938. Upon payment of a fee prescribed by the State Board of
1952 Medical Licensure, not to exceed Five Hundred Dollars (\$500.00), a



1953 license without examination may be issued to podiatrists of other
1954 states maintaining equal statutory requirements for the practice
1955 of podiatry and extending the same reciprocal privileges to this
1956 state. The State Board of Medical Licensure may affiliate with
1957 the National Board of Chiropractic or Podiatry Licensure in granting
1958 licenses to practice podiatry in Mississippi, provided the written
1959 examination covers at least two-thirds (2/3) of the subjects set
1960 forth in Section 73-27-9. The issuance of a license by
1961 reciprocity to a military-trained applicant * * *, military spouse
1962 or person who establishes residence in this state shall be subject
1963 to the provisions of Section 73-50-1.

1964 To qualify for a Mississippi podiatry license, an applicant
1965 must have successfully been cleared for licensure through an
1966 investigation that shall consist of a determination as to good
1967 moral character and verification that the prospective licensee is
1968 not guilty of or in violation of any statutory ground for denial
1969 of licensure as set forth in Section 73-27-13. To assist the
1970 board in conducting its licensure investigation, all applicants
1971 shall undergo a fingerprint-based criminal history records check
1972 of the Mississippi central criminal database and the Federal
1973 Bureau of Investigation criminal history database. Each applicant
1974 shall submit a full set of the applicant's fingerprints in a form
1975 and manner prescribed by the board, which shall be forwarded to
1976 the Mississippi Department of Public Safety (department) and the



1977 Federal Bureau of Investigation Identification Division for this
1978 purpose.

1979 Any and all state or national criminal history records
1980 information obtained by the board that is not already a matter of
1981 public record shall be deemed nonpublic and confidential
1982 information restricted to the exclusive use of the board, its
1983 members, officers, investigators, agents and attorneys in
1984 evaluating the applicant's eligibility or disqualification for
1985 licensure, and shall be exempt from the Mississippi Public Records
1986 Act of 1983. Except when introduced into evidence in a hearing
1987 before the board to determine licensure, no such information or
1988 records related thereto shall, except with the written consent of
1989 the applicant or by order of a court of competent jurisdiction, be
1990 released or otherwise disclosed by the board to any other person
1991 or agency.

1992 The board shall provide to the department the fingerprints of
1993 the applicant, any additional information that may be required by
1994 the department, and a form signed by the applicant consenting to
1995 the check of the criminal records and to the use of the
1996 fingerprints and other identifying information required by the
1997 state or national repositories.

1998 The board shall charge and collect from the applicant, in
1999 addition to all other applicable fees and costs, such amount as
2000 may be incurred by the board in requesting and obtaining state and
2001 national criminal history records information on the applicant.



2002 Each application or filing made under this section shall
2003 include the social security number(s) of the applicant in
2004 accordance with Section 93-11-64.

2005 **SECTION 24.** Section 73-29-19, Mississippi Code of 1972, is
2006 amended as follows:

2007 73-29-19. An applicant who is a polygraph examiner licensed
2008 under the laws of another state or territory of the United States
2009 may be issued a license upon payment of a fee of Fifty Dollars
2010 (\$50.00) and the production of satisfactory proof that:

2011 (1) He is at least twenty-one (21) years of age;

2012 (2) He is a citizen of the United States;

2013 (3) He is of good moral character;

2014 (4) The requirements for the licensing of polygraph
2015 examiners in such particular state or territory of the United
2016 States were, at the date of the applicant's licensing therein,
2017 substantially equivalent to the requirements now in force in this
2018 state;

2019 (5) The applicant had lawfully engaged in the
2020 administration of polygraph examinations under the laws of such
2021 state or territory for at least two (2) years prior to his
2022 application for license hereunder;

2023 (6) Such other state or territory grants similar
2024 reciprocity to license holders of this state; and

2025 (7) He has complied with Section 73-29-17.



2026 The issuance of a license by reciprocity to a
2027 military-trained applicant * * *, military spouse or person who
2028 establishes residence in this state shall be subject to the
2029 provisions of Section 73-50-1.

2030 **SECTION 25.** Section 73-30-15, Mississippi Code of 1972, is
2031 amended as follows:

2032 73-30-15. The board shall enter into a reciprocal agreement
2033 with any state which licenses counselors if the board finds that
2034 such state has substantially the same requirements for licensure.
2035 The issuance of a license by reciprocity to a military-trained
2036 applicant * * *, military spouse or person who establishes
2037 residence in this state shall be subject to the provisions of
2038 Section 73-50-1.

2039 **SECTION 26.** Section 73-31-14, Mississippi Code of 1972, is
2040 amended as follows:

2041 73-31-14. (1) Psychologists who are duly licensed in other
2042 jurisdictions and not currently under investigation by another
2043 licensure board may, upon application for licensure, apply for a
2044 temporary license, which shall be valid until the next
2045 administration of the oral examination. The temporary license
2046 shall be issued upon the applicant's passage of the Examination
2047 for Professional Practice of Psychology (EPPP) at the level
2048 established by the board in its rules and regulations and
2049 equivalent to that required for permanent licensure. Each
2050 applicant for a temporary license shall file an application upon a



2051 form and in the manner as the board prescribes, accompanied by a
2052 fee equal to the amount required for permanent licensure. A
2053 temporary license will lapse for any person who has failed the
2054 oral examination or has had his or her license suspended or
2055 revoked by the board. Procedures for the issuance of temporary
2056 licenses shall be established by the board in its rules and
2057 regulations. The issuance of a temporary license to a
2058 military-trained applicant * * *, military spouse or person who
2059 establishes residence in this state shall be subject to the
2060 provisions of Section 73-50-1.

2061 (2) Psychologists who are duly licensed in other
2062 jurisdictions may apply for a temporary practice certificate that
2063 allows them to practice psychology on a temporary basis in the
2064 State of Mississippi. That practice must be limited in scope and
2065 duration, not exceeding thirty (30) days during a consecutive
2066 twelve-month period. Applicants for a temporary practice
2067 certificate shall provide to the board the nature of the practice
2068 before providing that service, and shall make available to the
2069 board a current copy of his or her license or verification of a
2070 valid license in good standing. Psychologists who receive
2071 temporary practice certificates are subject to a jurisprudence
2072 examination at the request of the board. This authority for a
2073 temporary practice certificate does not apply to a psychologist
2074 who has been denied licensure in Mississippi, is a legal resident
2075 of Mississippi, or intends to practice full-time or a major



2076 portion of their time in Mississippi. Each applicant for a
2077 temporary practice certificate shall file an application upon a
2078 form and in the manner as the board prescribes, accompanied by a
2079 fee in an amount determined by the board, but not to exceed Three
2080 Hundred Dollars (\$300.00).

2081 (3) Applicants awaiting licensure in Mississippi are
2082 prohibited from the practice of psychology without a temporary
2083 license issued by the board. For the purposes of this subsection,
2084 the practice of psychology shall be construed without regard to
2085 the means of service provision (e.g., face-to-face, telephone,
2086 Internet, telehealth).

2087 **SECTION 27.** Section 73-31-15, Mississippi Code of 1972, is
2088 amended as follows:

2089 73-31-15. (1) Upon application accompanied by the proper
2090 fee, the board may issue a license to any psychologist who
2091 furnishes, upon a form and in the manner as the board prescribes,
2092 evidence satisfactory to the board that he or she is a diplomate
2093 in good standing of the American Board of Examiners in
2094 Professional Psychology; or possesses a valid Certificate of
2095 Professional Qualification (CPQ) granted by the Association of
2096 State and Provincial Psychology Boards; or has at least twenty
2097 (20) years of licensure to practice in another state, territorial
2098 possession of the United States, District of Columbia, or
2099 Commonwealth of Puerto Rico or Canadian Province when that license
2100 was based on a doctoral degree; and



2101 (a) Has had no disciplinary sanction during the entire
2102 period of licensure; and

2103 (b) Is not currently under investigation by another
2104 licensure board; and

2105 (c) Has demonstrated current qualification by
2106 successfully passing the oral examination and jurisprudence
2107 examination.

2108 (2) The issuance of a license by reciprocity to a
2109 military-trained applicant * * *, military spouse or person who
2110 establishes residence in this state shall be subject to the
2111 provisions of Section 73-50-1.

2112 **SECTION 28.** Section 73-33-9, Mississippi Code of 1972, is
2113 amended as follows:

2114 73-33-9. The Mississippi State Board of Public Accountancy
2115 may, in its discretion, issue a reciprocal certified public
2116 accountant license to practice to any holder of any certified
2117 public accountant's certificate or license issued under the law of
2118 another state, which shall entitle the holder to use the
2119 abbreviation, "CPA," in this state provided that the state issuing
2120 the original certificate or license grants similar privileges to
2121 the certified public accountants of this state. The fee for a
2122 license shall be in such reasonable amount as determined by the
2123 board. Such license shall not allow the holder thereof to engage
2124 in the practice of public accounting as a certified public
2125 accountant unless the holder meets the requirements of the



2126 Mississippi State Board of Public Accountancy. This section shall
2127 apply only to a person who wishes to obtain a license issued by
2128 the State of Mississippi and shall not apply to those persons
2129 practicing in this state under Section 73-33-17. The issuance of
2130 a license by reciprocity to a military-trained applicant * * *,
2131 military spouse or person who establishes residence in this state
2132 shall be subject to the provisions of Section 73-50-1.

2133 **SECTION 29.** Section 73-34-51, Mississippi Code of 1972, is
2134 amended as follows:

2135 73-34-51. (1) Each applicant for licensure under this
2136 chapter who is not a resident of this state shall submit, with his
2137 application, an irrevocable consent that legal action arising out
2138 of his activities as a real estate appraiser in this state may be
2139 commenced against him in the proper court of any county of this
2140 state in which a cause of action may arise or in which the
2141 plaintiff may reside by service of process or pleading authorized
2142 by laws of this state, by the Secretary of State, or by the
2143 Administrator of the Mississippi Real Estate Commission. The
2144 consent shall stipulate that the service of process or pleading
2145 shall be taken in all courts to be valid and binding as if
2146 personal service had been made upon the nonresident licensee in
2147 this state. The consent shall be duly acknowledged. Every
2148 nonresident licensee shall consent to have any hearings conducted
2149 by the board pursuant to Section 73-34-35 at a place designated by
2150 the board.



2151 (2) Any service of process or pleading shall be served on
2152 the Administrator of the Mississippi Real Estate Commission by
2153 filing duplicate copies, one (1) of which shall be filed in the
2154 office of the board and the other forwarded by certified mail to
2155 the last-known principal address of the nonresident licensee
2156 against whom the process or pleading is directed.

2157 (3) If, in the determination of the board, another state or
2158 territory or the District of Columbia is deemed to have
2159 substantially equivalent licensure laws for real estate
2160 appraisers, an applicant for licensure in this state who is
2161 licensed under the law of such other state, territory or district
2162 may obtain a license as a real estate appraiser in this state upon
2163 such terms and conditions as may be determined by the board
2164 provided that disciplinary proceedings are not pending against
2165 such applicant in his state of licensure. The issuance of a
2166 license by reciprocity to a military-trained applicant * * *,
2167 military spouse or person who establishes residence in this state
2168 shall be subject to the provisions of Section 73-50-1.

2169 **SECTION 30.** Section 73-35-7, Mississippi Code of 1972, is
2170 amended as follows:

2171 73-35-7. Licenses shall be granted only to persons who
2172 present, and to corporations, partnerships, companies or
2173 associations whose officers, associates or partners present
2174 satisfactory proof to the commission that they are trustworthy and
2175 competent to transact the business of a real estate broker or real



2176 estate salesperson in such manner as to safeguard the interests of
2177 the public. Except as otherwise provided in this section, every
2178 person who applies for a resident license as a real estate broker:
2179 (a) shall be age twenty-one (21) years or over, and have his legal
2180 domicile in the State of Mississippi at the time he applies; (b)
2181 shall be subject to the jurisdiction of this state, subject to the
2182 income tax laws and other excise laws thereof, subject to the road
2183 and bridge privilege tax laws thereof; (c) shall not be an elector
2184 in any other state; (d) shall have held a license as an active
2185 real estate salesperson for twelve (12) months prior to making
2186 application for the broker's examination hereafter specified; (e)
2187 shall have successfully completed a minimum of one hundred twenty
2188 (120) hours of courses in real estate as hereafter specified; (f)
2189 shall have successfully completed the real estate broker's
2190 examination as hereafter specified; and (g) shall have
2191 successfully been cleared for licensure by the commission's
2192 background investigation as provided in Section 73-35-10; and (h)
2193 sign a form under penalty of perjury stating that the applicant
2194 will not hire any real estate salespersons for thirty-six (36)
2195 months from the date of approval of his or her active real estate
2196 salesperson's license. The real estate commission shall create a
2197 standard form to comply with the requirements of this section.
2198 Upon completion of such restriction provided in this paragraph (h)
2199 of this section, the real estate broker is authorized to employ
2200 any number of real estate salespersons.



2201 The provisions of paragraph (h) shall not apply to an
2202 applicant who seeks to hire a real estate salesperson in less than
2203 thirty-six (36) months from the date of approval of his or her
2204 active real estate salesperson's license. Any person who desires
2205 to hire a real estate salesperson in less than thirty-six (36)
2206 months from the date of approval of his or her active real estate
2207 salesperson's license shall: (a) be age twenty-one (21) years or
2208 over, and have his or her legal domicile in the State of
2209 Mississippi at the time he or she applies; (b) be subject to the
2210 jurisdiction of this state, subject to the income tax laws and
2211 other excise laws thereof, subject to the road and bridge
2212 privilege tax laws thereof; (c) not be an elector in any other
2213 state; (d) have held a license as an active real estate
2214 salesperson for thirty-six (36) months prior to making application
2215 for the broker's examination hereafter specified; (e) have
2216 successfully completed a minimum of one hundred twenty (120) hours
2217 of courses in real estate as hereafter specified; (f) have
2218 successfully completed the real estate broker's examination as
2219 hereafter specified; and (g) have successfully been cleared for
2220 licensure by the commission's background investigation as provided
2221 in Section 73-35-10.

2222 An applicant who has not held an active real estate
2223 salesperson's license for a period of at least thirty-six (36)
2224 months prior to submitting an application shall have successfully
2225 completed a minimum of one hundred fifty (150) classroom hours in



2226 real estate courses, which courses are acceptable for credit
2227 toward a degree at a college or university as approved by the
2228 Southern Association of Colleges and Schools.

2229 Every applicant for a resident license as a real estate
2230 salesperson shall be age eighteen (18) years or over, shall be a
2231 bona fide resident of the State of Mississippi prior to filing his
2232 application, shall have successfully completed a minimum of sixty
2233 (60) hours in courses in real estate as hereafter specified, and
2234 shall have successfully completed the real estate salesperson's
2235 examination as hereafter specified.

2236 The residency requirements set forth in this section shall
2237 not apply to those licensees of other states who qualify and
2238 obtain nonresident licenses in this state.

2239 The commission is authorized to exempt from such prelicensing
2240 educational requirements, in whole or in part, a real estate
2241 licensee of another state who desires to obtain a license under
2242 this chapter, provided that the prelicensing educational
2243 requirements in the other state are determined by the commission
2244 to be equivalent to prelicensing educational requirements in this
2245 state and provided that such state extends this same privilege or
2246 exemption to Mississippi real estate licensees. The issuance of a
2247 license by reciprocity to a military-trained applicant * * *,
2248 military spouse or person who establishes residence in this state
2249 shall be subject to the provisions of Section 73-50-1.



2250 **SECTION 31.** Section 73-35-13, Mississippi Code of 1972, is
2251 amended as follows:

2252 73-35-13. (1) In addition to proof of his honesty,
2253 trustworthiness and good reputation, the applicant shall take a
2254 written examination which shall be held at least four (4) times
2255 each year at regular intervals and on stated times by the
2256 commission and shall test reading, writing, spelling, elementary
2257 arithmetic and his general knowledge of the statutes of this state
2258 relating to real property, deeds, mortgages, agreements of sale,
2259 agency, contract, leases, ethics, appraisals, the provisions of
2260 this chapter and such other matters the commission certifies as
2261 necessary to the practice of real estate brokerage in the State of
2262 Mississippi. The examination for a broker's license shall differ
2263 from the examination for a salesperson's license, in that it shall
2264 be of a more exacting nature and require higher standards of
2265 knowledge of real estate. The commission shall cause examinations
2266 to be conducted at such times and places as it shall determine.

2267 (2) In event the license of any real estate broker or
2268 salesperson is revoked by the commission subsequent to the
2269 enactment of this chapter, no new license shall be issued to such
2270 person unless he complies with the provisions of this chapter.

2271 (3) No person shall be permitted or authorized to act as a
2272 real estate broker or salesperson until he has qualified by
2273 examination, except as hereinbefore provided. Any individual who
2274 fails to pass the examination for salesperson upon two (2)



2275 occasions, shall be ineligible for a similar examination, until
2276 after the expiration of three (3) months from the time such
2277 individual last took the examination. Any individual who fails to
2278 pass the broker's examination upon two (2) occasions, shall be
2279 ineligible for a similar examination until after the expiration of
2280 six (6) months from the time such individual last took the
2281 examination, and then only upon making application as in the first
2282 instance.

2283 (4) If the applicant is a partnership, association or
2284 corporation, the examination shall be taken on behalf of the
2285 partnership, association or corporation by the member or officer
2286 thereof who is designated in the application as the person to
2287 receive a license by virtue of the issuing of a license to such
2288 partnership, association or corporation.

2289 (5) Upon satisfactorily passing such examination and upon
2290 complying with all other provisions of law and conditions of this
2291 chapter, a license shall thereupon be issued to the successful
2292 applicant who, upon receiving such license, is authorized to
2293 conduct the business of a real estate broker or real estate
2294 salesperson in this state.

2295 (6) The commission is authorized to exempt from such
2296 examination, in whole or in part, a real estate licensee of
2297 another state who desires to obtain a license under this chapter,
2298 provided that the examination administered in the other state is
2299 determined by the commission to be equivalent to such examination



2300 given in this state and provided that such other state extends
2301 this same privilege or exemption to Mississippi real estate
2302 licensees. The issuance of a license by reciprocity to a
2303 military-trained applicant * * *, military spouse or person who
2304 establishes residence in this state shall be subject to the
2305 provisions of Section 73-50-1.

2306 **SECTION 32.** Section 73-36-31, Mississippi Code of 1972, is
2307 amended as follows:

2308 73-36-31. A person not a resident of and having no
2309 established place of business in Mississippi, or who has recently
2310 become a resident, may use the title of registered forester in
2311 Mississippi, provided: (a) such person is legally licensed as a
2312 registered forester in his own state or county and has submitted
2313 evidence to the board that he is so licensed and that the
2314 requirements for registration are at least substantially
2315 equivalent to the requirements of this chapter; and (b) the state
2316 or county in which he is so licensed observes these same rules of
2317 reciprocity in regard to persons licensed under this chapter.
2318 Each person seeking the privileges of reciprocity granted under
2319 this chapter shall submit his application to the board and must
2320 receive a card or certificate from the board before exercising
2321 such privileges. The fee for obtaining a license through
2322 reciprocity shall be the same as charged a Mississippi licensee.
2323 The issuance of a license by reciprocity to a military-trained
2324 applicant * * *, military spouse or person who establishes



2325 residence in this state shall be subject to the provisions of
2326 Section 73-50-1.

2327 **SECTION 33.** Section 73-38-23, Mississippi Code of 1972, is
2328 amended as follows:

2329 73-38-23. (1) The board may waive the examination for
2330 licensure of any applicant who presents proof of current licensure
2331 in another state, including the District of Columbia, or territory
2332 of the United States which maintains professional standards
2333 considered by the council to be equivalent to those set forth in
2334 this chapter. 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 (2) The board shall waive the examination for licensure of
2339 any person certified as clinically competent by ASHA in the area
2340 for which such person is applying for licensure.

2341 **SECTION 34.** Section 73-39-71, Mississippi Code of 1972, is
2342 amended as follows:

2343 73-39-71. (1) The board may issue a license by endorsement
2344 to an applicant who furnishes satisfactory proof that he is a
2345 graduate of an accredited college of veterinary medicine or the
2346 educational equivalence. The applicant must also show that he is
2347 a person of good moral character and is licensed to practice
2348 veterinary medicine in at least one (1) state, territory or
2349 district of the United States and has practiced veterinary



2350 medicine in one or more of those states without disciplinary
2351 action by any state or federal agency for at least the three (3)
2352 years immediately before filing the application.

2353 (2) The board may examine any person qualifying for
2354 licensing under this section.

2355 (3) The issuance of a license by endorsement to a
2356 military-trained applicant * * *, military spouse or person who
2357 establishes residence in this state shall be subject to the
2358 provisions of Section 73-50-1.

2359 **SECTION 35.** Section 73-53-13, Mississippi Code of 1972, is
2360 amended as follows:

2361 73-53-13. The board shall issue the appropriate license to
2362 applicants who meet the qualifications of this section.

2363 (a) A license as a "licensed social worker" shall be
2364 issued to an applicant who demonstrates to the satisfaction of the
2365 board that he or she meets the following qualifications:

2366 (i) Has a baccalaureate degree in social work from
2367 a college or university accredited by the Council on Social Work
2368 Education or Southern Association of Colleges and Schools and has
2369 satisfactorily completed the Association for Social Work Boards
2370 (ASWB) examination for this license; or

2371 (ii) Has a comparable license or registration from
2372 another state or territory of the United States of America that
2373 imposes qualifications substantially similar to those of this
2374 chapter.



2375 (b) A license as a "licensed master's social worker"
2376 shall be issued to an applicant who demonstrates to the
2377 satisfaction of the board that he or she meets the following
2378 qualifications:

2379 (i) Has a doctorate or master's degree from a
2380 school of social work accredited by the Council on Social Work
2381 Education; and

2382 (ii) Has satisfactorily completed the ASWB
2383 examination for this license; or

2384 (iii) Has a comparable license or registration
2385 from another state or territory of the United States of America
2386 that imposes qualifications substantially similar to those of this
2387 chapter.

2388 (c) A license as a "licensed certified social worker"
2389 shall be issued to an applicant who demonstrates to the
2390 satisfaction of the board that he or she meets the following
2391 qualifications:

2392 (i) Is licensed under this section as a "master's
2393 social worker"; and

2394 (ii) Has twenty-four (24) months of professional
2395 supervision and clinical or macro social work practice experience
2396 acceptable to the board, under appropriate supervision; and

2397 (iii) Has satisfactorily completed the ASWB
2398 examination for this license; or



2399 (iv) Has a comparable license or registration from
2400 another state or territory of the United States of America that
2401 imposes qualifications substantially similar to those of this
2402 chapter.

2403 (d) In addition to the above qualifications, an
2404 applicant for any of the above licenses must prove to the board's
2405 satisfaction:

2406 (i) Age of at least twenty-one (21) years, and

2407 (ii) Good moral character, which is a continuing
2408 requirement for licensure, and

2409 (iii) United States of America citizenship or
2410 status as a legal resident alien, and

2411 (iv) Absence of conviction of a felony related to
2412 the practice of social work for the last ten (10) years.

2413 Conviction, as used in this subparagraph, includes a deferred
2414 conviction, deferred prosecution, deferred sentence, finding or
2415 verdict of guilt, an admission of guilty, or a plea of nolo
2416 contendere, and

2417 (v) That the applicant has not been declared
2418 mentally incompetent by any court, and if any such decree has ever
2419 been rendered, that the decree has since been changed, and

2420 (vi) Freedom from dependency on alcohol or drugs,
2421 and



2422 (vii) Complete criminal history records check,
2423 including a fingerprint and an acceptable sex offender check, by
2424 appropriate governmental authorities as prescribed by the board.

2425 (e) Only individuals licensed as "certified social
2426 workers" shall be permitted to call themselves "clinical social
2427 workers."

2428 The issuance of a license by reciprocity to a
2429 military-trained applicant * * *, military spouse or person who
2430 establishes residence in this state shall be subject to the
2431 provisions of Section 73-50-1.

2432 Each application or filing made under this section shall
2433 include the social security number(s) of the applicant in
2434 accordance with Section 93-11-64.

2435 **SECTION 36.** Section 73-54-23, Mississippi Code of 1972, is
2436 amended as follows:

2437 73-54-23. The board shall issue a license by examination of
2438 credentials to any applicant licensed or certified as a marriage
2439 and family therapist in another state that has such requirements
2440 for the license or certificate that the board is of the opinion
2441 that the applicant is competent to engage in the practice of
2442 marriage and family therapy in this state, provided that the
2443 applicant submits an application on forms prescribed by the board,
2444 has passed the national Examination in Marital and Family Therapy,
2445 and pays the original licensure fee prescribed by Section
2446 73-54-25. The issuance of a license by reciprocity to a



2447 military-trained applicant * * *, military spouse or person who
2448 establishes residence in this state shall be subject to the
2449 provisions of Section 73-50-1.

2450 **SECTION 37.** Section 73-60-25, Mississippi Code of 1972, is
2451 amended as follows:

2452 73-60-25. A home inspector license may be issued to a home
2453 inspector from another state who satisfies one (1) of the
2454 following requirements: (a) holds a valid certificate of
2455 certification, registration or home inspector license in good
2456 standing issued by another state, which has requirements for
2457 licensure substantially identical to those of this state, or (b)
2458 has passed the examination offered by the American Society of Home
2459 Inspectors or the National Association of Home Inspectors. The
2460 issuance of a license by reciprocity to a military-trained
2461 applicant * * *, military spouse or person who establishes
2462 residence in this state shall be subject to the provisions of
2463 Section 73-50-1.

2464 **SECTION 38.** Section 73-63-39, Mississippi Code of 1972, is
2465 amended as follows:

2466 73-63-39. (1) The board may sign agreements with boards of
2467 registration, licensure or certification in other states, and with
2468 other appropriate organizations and agencies, for the purposes of:

2469 (a) Developing uniform standards for registration of
2470 professional geologists or enrollment of geologists-in-training;

2471 (b) Accrediting educational programs;



- 2472 (c) Establishing reciprocity, comity, temporary
2473 registration, or mutual recognition of registration or enrollment;
2474 (d) Developing regional or national examinations;
2475 (e) Evaluating applicants; or
2476 (f) Other purposes consistent with this chapter.

2477 (2) Any person holding a valid certificate of registration,
2478 licensure or certification for the practice of geology or a
2479 recognized specialty of geology, issued under the laws of any
2480 state or territory or possession of the United States, or any
2481 foreign country, shall be eligible for registration, without
2482 examination. The board may issue a certificate of registration to
2483 any person who has made application, provided proof of
2484 registration, licensure or certification under requirements which
2485 the board determines to be substantially similar to those
2486 established under this chapter and paid all applicable fees. The
2487 issuance of a certificate of registration by reciprocity to a
2488 military-trained applicant * * *, military spouse or person who
2489 establishes residence in this state shall be subject to the
2490 provisions of Section 73-50-1.

2491 **SECTION 39.** Section 73-65-7, Mississippi Code of 1972, is
2492 amended as follows:

2493 73-65-7. (1) The board shall issue a license as a licensed
2494 professional art therapist to any person who files a completed
2495 application, accompanied by the required fees, and who submits
2496 satisfactory evidence that the applicant is at least twenty-one



2497 (21) years of age, is a registered art therapist as defined by the
2498 Art Therapy Credentials Board, Inc., demonstrates professional
2499 competency by satisfactorily passing the required examination, and
2500 is a board-certified art therapist as defined by the Art Therapy
2501 Credentials Board, Inc.

2502 (2) The board may approve on a case-by-case basis applicants
2503 who have a master's degree or a doctoral degree from nonaccredited
2504 institutions.

2505 (3) If an applicant has met all of the requirements for
2506 licensure except satisfactorily passing the required examination,
2507 the applicant shall be scheduled to take the next examination
2508 following the approval of the examination.

2509 (4) The board may issue a license to an applicant without
2510 examination if the person possesses a valid regulatory document
2511 issued by the appropriate examining board under the laws of any
2512 other state or territory of the United States, the District of
2513 Columbia, or any foreign nation that in the judgment of the board
2514 has requirements substantially equivalent to or exceeding the
2515 requirements in this section. The issuance of a license by
2516 reciprocity to a military-trained applicant * * *, military spouse
2517 or person who establishes residence in this state shall be subject
2518 to the provisions of Section 73-50-1.

2519 (5) The board may issue provisional licensure as a
2520 professional art therapist to any person who has completed the
2521 educational requirements established by the Art Therapy



2522 Credentials Board, Inc., and has met all requirements for
2523 licensure as a professional art therapist, except the experience
2524 and/or examination requirements, and is under the supervision of a
2525 supervisor acceptable to the board.

2526 (6) The board may set criteria for continuing education and
2527 supervisory experience.

2528 **SECTION 40.** Section 73-67-25, Mississippi Code of 1972, is
2529 amended as follows:

2530 73-67-25. (1) An applicant may be licensed by demonstrating
2531 proof that the applicant holds a valid, current license in another
2532 state with similar educational requirements to those required by
2533 this chapter, and that all other licensure requirements under this
2534 chapter are met. This is subject to investigation by the board
2535 and excludes grandfathering by other states.

2536 (2) If an individual who is licensed in another state that
2537 has licensing standards substantially equivalent to the standards
2538 under this chapter applies for licensure, the board may issue a
2539 provisional permit authorizing the applicant to practice massage
2540 therapy pending completion of documentation that the applicant
2541 meets the requirements for licensure under this chapter. The
2542 provisional permit may reflect statutory limitations on the scope
2543 of practice. The provisional permit shall not be issued until an
2544 applicant has successfully passed the Mississippi State Law
2545 Examination.



2546 (3) A current massage therapy license issued by the board
2547 shall at all times be prominently displayed in any place where
2548 massage therapy is being practiced.

2549 (4) A license issued under this chapter is not transferable
2550 or assignable.

2551 The issuance of a license or provisional permit by
2552 reciprocity to a military-trained applicant * * *, military spouse
2553 or person who establishes residence in this state shall be subject
2554 to the provisions of Section 73-50-1.

2555 **SECTION 41.** Section 73-69-11, Mississippi Code of 1972, is
2556 amended as follows:

2557 73-69-11. (1) Any person employed by an alarm contracting
2558 company shall hold an individual license issued by the State Fire
2559 Marshal. Such license shall authorize its holder to engage in
2560 alarm contracting, only to the extent of the terms as further
2561 provided in this chapter.

2562 (2) Such application shall be accompanied by:

2563 (a) Two (2) suitable photographs of the applicant
2564 acceptable to the State Fire Marshal. The State Fire Marshal
2565 shall keep one (1) photograph on file and shall make the other
2566 photograph a part of any license subsequently issued to the
2567 applicant.

2568 (b) Documentation that the applicant meets educational
2569 requirements applicable to the type of license for which he is
2570 applying, as follows:



2571 (i) For a Class B license: a minimum of
2572 Electronic Security Association, Level 2 A and Level 2 B Burglar
2573 Alarm training course or the Electronic Security Association, Fire
2574 Alarm Installation Methods and Advanced Intrusion Systems training
2575 courses, or equivalent training approved by the State Fire
2576 Marshal, and documentation proving residency within a radius of
2577 one hundred fifty (150) miles of the office to which he is
2578 assigned.

2579 (ii) For a Class C license: a minimum of
2580 Electronic Security Association Level 1 Certified Alarm/Security
2581 Technician training course, or equivalent training approved by the
2582 State Fire Marshal.

2583 (iii) For a Class D license: a minimum of
2584 Electronic Security Association, Understanding Electronic Security
2585 Systems training course, or equivalent training approved by the
2586 State Fire Marshal.

2587 (iv) For a Class H license: application a Class B
2588 or Class C license holder that they will provide direct
2589 supervision of the Class H licensee.

2590 (c) (i) A statement by the applicant that he has not
2591 been convicted of a felony, received a first-time offender pardon
2592 for a felony, or entered a plea of guilty or nolo contendere to a
2593 felony charge. A felony that has been dismissed pursuant to the
2594 Mississippi Criminal Code or equivalent judicial dismissal shall
2595 not apply to this paragraph.



2596 (ii) A conviction or a plea of guilty or nolo
2597 contendere to a felony charge or receipt of a first-time offender
2598 pardon shall not constitute an automatic disqualification as
2599 otherwise required pursuant to subparagraph (i) if ten (10) or
2600 more years have elapsed between the date of application and the
2601 successful completion or service of any sentence, deferred
2602 adjudication or period of probation or parole.

2603 (iii) Subparagraph (ii) shall not apply to any
2604 person convicted of a felony crime of violence or a sex offense as
2605 defined within the Mississippi Criminal Code.

2606 (d) The State Fire Marshal shall have the authority to
2607 conduct criminal history verification on a local, state or
2608 national level. Beginning on July 1, 2014, in order to assist the
2609 Office of the State Fire Marshal in determining an applicant's
2610 suitability for a license under this chapter, an applicant shall
2611 submit a set of fingerprints with the submission of an application
2612 for license. The Office of the State Fire Marshal shall forward
2613 the fingerprints to the Department of Public Safety for the
2614 purpose of conducting a criminal history record check. If no
2615 disqualifying record is identified at the state level, the
2616 fingerprints shall be forwarded by the Department of Public Safety
2617 to the Federal Bureau of Investigation for a national criminal
2618 history record check. Fees related to the criminal history record
2619 check shall be paid by the applicant to the State Fire Marshal and
2620 the monies from such fees shall be deposited in the special fund



2621 in the State Treasury designated as the Electronic Protection
2622 Licensing Fund.

2623 (e) The application fee authorized by this chapter.

2624 (3) The State Fire Marshal shall have the authority to
2625 determine if information submitted by an applicant is in a form
2626 acceptable to him. The State Fire Marshal shall verify or have
2627 another entity verify information submitted by each applicant.

2628 (4) If the State Fire Marshal finds that an applicant has
2629 met the applicable requirements of the alarm licensing law, he
2630 shall issue the appropriate type of license to the applicant upon
2631 payment of the license fee authorized by this chapter.

2632 (5) Each individual license holder shall maintain his
2633 license on his person while engaging in any type of alarm
2634 contracting as applicable. Each such license holder shall present
2635 his license for inspection upon demand by an employee of the
2636 Office of the State Fire Marshal or a law enforcement officer.

2637 (6) Each individual license holder shall notify the State
2638 Fire Marshal, on a form specified and provided by the State Fire
2639 Marshal, within ten (10) days of the following:

2640 (a) Any change in business or home address.

2641 (b) Any separation from an employer or change in
2642 employer.

2643 (c) Any conviction for a felony or entry of a plea of
2644 guilty or nolo contendere to a felony charge or receipt of a
2645 first-time offender pardon.



2646 (7) No individual licensed under this chapter shall contract
2647 for his services as an independent contractor or agent without
2648 applying for and being issued a Class A license per Section
2649 73-69-9. No alarm contracting company shall contract for the
2650 independent services of a holder of an individual license under
2651 this section.

2652 (8) The State Fire Marshal may enter into reciprocal
2653 agreements with other states for mutual recognition of individual
2654 license holders, if the State Fire Marshal has established the
2655 criteria for acceptance of reciprocal agreements by rule or
2656 regulation. The issuance of a license by reciprocity to a
2657 military-trained applicant * * *, military spouse or person who
2658 establishes residence in this state shall be subject to the
2659 provisions of Section 73-50-1.

2660 (9) If the action by the State Fire Marshal is to nonrenew
2661 or to deny an application for license, the State Fire Marshal
2662 shall notify the applicant or licensee and advise, in writing, the
2663 applicant or licensee of the reason for the denial or nonrenewal
2664 of the applicant's or licensee's license. The applicant or
2665 licensee may make written demand upon the State Fire Marshal
2666 within ten (10) days for a hearing before the State Fire Marshal
2667 to determine the reasonableness of the State Fire Marshal's
2668 action. The hearing shall be held within thirty (30) days.

2669 **SECTION 42.** Section 73-71-21, Mississippi Code of 1972, is
2670 amended as follows:



2671 73-71-21. The board may, at its discretion, issue a license
2672 without examination to an acupuncture practitioner who has been
2673 licensed, certified or otherwise formally legally recognized as an
2674 acupuncturist or acupuncture practitioner in any state or
2675 territory if all three (3) of the following conditions are met to
2676 its satisfaction:

2677 (a) The applicant meets the requirements of practice in
2678 the state or territory in which the applicant is licensed,
2679 certified, or registered as an acupuncturist or acupuncture
2680 practitioner;

2681 (b) The requirements for practice in the state or
2682 territory in which the applicant is licensed, certified or
2683 registered as an acupuncturist or acupuncture practitioner are at
2684 least as stringent as those of this state; and

2685 (c) The state or territory in which the applicant is
2686 licensed, certified or legally recognized as an acupuncturist or
2687 acupuncture practitioner permits an acupuncture practitioner
2688 licensed in this state to practice acupuncture or acupuncture in
2689 that jurisdiction by credentials examination.

2690 The issuance of a license by reciprocity to a
2691 military-trained applicant * * *, military spouse or person who
2692 establishes residence in this state shall be subject to the
2693 provisions of Section 73-50-1.

2694 **SECTION 43.** Section 73-73-11, Mississippi Code of 1972, is
2695 amended as follows:



2696 73-73-11. The board and IDAC may accept applications for
2697 Mississippi certification from an interior designer in another
2698 jurisdiction pursuant to Section 73-73-7 or 73-73-9. The issuance
2699 of a certification by reciprocity to a military-trained
2700 applicant * * *, military spouse or person who establishes
2701 residence in this state shall be subject to the provisions of
2702 Section 73-50-1.

2703 **SECTION 44.** Section 73-75-15, Mississippi Code of 1972, is
2704 amended as follows:

2705 73-75-15. **Waiver of eligibility requirements.** The board may
2706 waive the examination for licensure of any applicant who presents
2707 proof of current licensure in another state, including the
2708 District of Columbia, or territory of the United States which
2709 maintains professional standards considered by the board to be
2710 equivalent to those set forth in this chapter. The issuance of a
2711 license by reciprocity to a military-trained applicant * * *,
2712 military spouse or person who establishes residence in this state
2713 shall be subject to the provisions of Section 73-50-1.

2714 **SECTION 45.** This act shall take effect and be in force from
2715 and after July 1, 2021.

