

## Senate Amendments to House Bill No. 1263

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

20           **SECTION 1.** The following shall be codified as Section  
21 73-50-2, Mississippi Code of 1972:

22           73-50-2. (1) This section shall be known as the "Universal  
23 Recognition of Occupational Licenses 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 by the state to  
28 obtain before he or she may engage in or represent himself or  
29 herself to be a 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 (3) Notwithstanding any other provision of law, an  
39 occupational licensing board shall issue a license or government  
40 certification in the discipline applied for and at the same  
41 practice level to a person who establishes residence in this state  
42 if, upon application to an occupational licensing board, the  
43 applicant satisfies the following conditions:

44 (a) The applicant holds a current and valid license in  
45 good standing in another state in an occupation with a similar  
46 scope of practice, as determined by the occupational licensing  
47 board in Mississippi, and has held this license from the  
48 occupational licensing board in the other state for at least one  
49 (1) year; and

50 (b) There were minimum education requirements and, if  
51 applicable, work experience, examination and clinical supervision  
52 requirements in effect, and the other state verifies that the  
53 applicant met those requirements in order to be licensed in that  
54 state; and

55 (c) The applicant has not committed any act in the  
56 other state that would have constituted grounds for refusal,  
57 suspension or revocation of a license to practice that occupation  
58 in Mississippi at the time the act was committed, and the  
59 applicant does not have a disqualifying criminal record as  
60 determined by the occupational licensing board in Mississippi  
61 under Mississippi law; and

62 (d) The applicant did not surrender a license because  
63 of negligence or intentional misconduct related to the applicant's  
64 work in the occupation in another state; and

65 (e) The applicant does not have a complaint, allegation  
66 or investigation pending before an occupational licensing board or  
67 other board in another state that relates to unprofessional  
68 conduct or an alleged crime. If the applicant has a complaint,  
69 allegation or investigation pending, the occupational licensing  
70 board in Mississippi shall not issue or deny a license to the  
71 applicant until the complaint, allegation or investigation is  
72 resolved, or the applicant otherwise satisfies the criteria for  
73 licensure in Mississippi to the satisfaction of the occupational  
74 licensing board in Mississippi; and

75 (f) The applicant pays all applicable fees in  
76 Mississippi.

77 (4) Notwithstanding any other law, the occupational  
78 licensing board shall issue a license to an applicant in the  
79 discipline applied for and at the same practice level, as  
80 determined by the occupational licensing board, to a person who  
81 establishes residence in this state based on work experience in  
82 another state, if all the following apply:

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

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

89           (c) The applicant satisfies the provisions of  
90 paragraphs (c) through (f) of subsection (3) of this section.

91           (5) An occupational licensing board may require an applicant  
92 to pass a jurisprudential examination specific to relevant state  
93 laws in Mississippi that regulate the occupation if the issuance  
94 of a license in Mississippi requires an applicant to pass a  
95 jurisprudential examination specific to relevant state statutes  
96 and administrative rules in Mississippi that regulate the  
97 occupation.

98           (6) For purposes of this act, residence may be established  
99 by demonstrating proof of a state-issued identification card or  
100 one (1) of the following:

101           (a) Current Mississippi residential utility bill with  
102 the applicant's name and address;

103           (b) Documentation of the applicant's current ownership,  
104 or current lease of a residence in Mississippi;

105           (c) Documentation of current in-state employment or  
106 notarized letter of promise of employment of the applicant or his  
107 or her spouse; or

108           (d) Any verifiable documentation demonstrating  
109 Mississippi residency.

110           (7) A person who receives a license under this section is  
111 subject to the laws regulating the person's practice in this state  
112 and is subject to the occupational licensing board's jurisdiction.

113 (8) A license issued under this section is valid only in  
114 this state and does not make the person eligible to be part of an  
115 interstate compact.

116 (9) The occupational licensing board shall issue or deny the  
117 license to the applicant within one hundred twenty days (120) days  
118 after receiving an application.

119 If the application requires longer than two (2) weeks to  
120 process, the occupational licensing board shall issue a temporary  
121 practice permit within thirty (30) days after receiving the  
122 application if the applicant submits an affidavit, under penalties  
123 of perjury, affirming that he or she satisfies the provisions of  
124 subsection (3) or subsection (4) and pays all applicable fees as  
125 required by subsection (3)(f) or subsection (4)(f).

126 The applicant may practice under the temporary permit until a  
127 license is granted, or until a notice to deny the license is  
128 issued, in accordance with rules adopted by the occupational  
129 licensing board. A temporary license will expire in three hundred  
130 sixty-five (365) days after its issuance if the applicant fails to  
131 satisfy the requirement for licensure in subsections (3) through  
132 (5), as applicable.

133 (10) (a) The applicant may appeal any of the following  
134 decisions of an occupational licensing board to a court of general  
135 jurisdiction:

- 136 (i) Denial of a license;
- 137 (ii) Determination of the occupation;

138                   (iii) Determination of the similarity of the scope  
139 of practice of the license issued; or

140                   (iv) Other determinations under this section.

141                   (b) The court shall determine all questions of law,  
142 including the interpretation of a constitutional or statutory  
143 provision or a rule adopted by an occupational licensing board,  
144 without regard to any previous determination that may have been  
145 made on the question in any action before the occupational  
146 licensing board.

147                   (11) An occupational licensing board shall prominently print  
148 the following on all license applications, any communication  
149 denying a license, and on the board's website: "Pursuant to the  
150 provisions of the Universal Recognition of Occupational Licenses  
151 Act, Mississippi shall recognize occupational licenses obtained  
152 from other states." An occupational licensing board shall prepare  
153 and place on the board's website an annual report detailing the  
154 number of applications submitted to the licensing board under this  
155 section during a calendar year and the actions taken by the board  
156 on the applications.

157                   (12) An occupational licensing board shall adopt rules  
158 necessary to implement this section by January 1, 2022. In  
159 addition, an occupational licensing board shall make all  
160 reasonable efforts to issue a license to an applicant for a  
161 license under this section.

162                   (13) Nothing in this section shall be construed to prohibit  
163 an applicant for licensure from proceeding under the existing

164 licensure requirements established by an occupational licensing  
165 board in Mississippi.

166 (14) Nothing in this chapter shall be construed to prevent  
167 Mississippi from entering into a licensing compact or reciprocity  
168 agreement with another state, foreign province or foreign country.  
169 A license issued under this section is valid only in Mississippi.  
170 It does not make the person eligible to work in another state  
171 under an interstate compact or reciprocity agreement unless  
172 otherwise provided in Mississippi law.

173 (15) Nothing in this section shall be construed to apply to:

174 (a) The practice of law as regulated under Section  
175 73-3-1 et seq.;

176 (b) Criteria for an applicant to obtain a license that  
177 is established under an interstate compact;

178 (c) The ability of an occupational licensing board to  
179 require an applicant to submit fingerprints in order to access  
180 state and federal criminal records information for noncriminal  
181 justice purposes;

182 (d) The practice of medicine by physicians as regulated  
183 under Section 73-25-1 et seq.;

184 (e) The provisions of the Military Family Freedom Act,  
185 Section 73-50-1; or

186 (f) An occupation regulated under Section 73-1-1 et  
187 seq. to the extent there is a conflict with a law granting  
188 licensure reciprocity under Section 73-1-1 et seq.

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

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

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



215 board member; and four (4) laypersons. Three (3) members of the  
216 commission, at the sole discretion of the State Board of  
217 Education, shall be appointed from the state at large.

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

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

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

239 (b) An Office of Educator Misconduct Evaluations shall  
240 be established within the State Department of Education to assist

241 the commission in responding to infractions and violations, and in  
242 conducting hearings and enforcing the provisions of subsections  
243 (11), (12), (13), (14) and (15) of this section, and violations of  
244 the Mississippi Educator Code of Ethics.

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

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

249 (b) Recommend to the State Board of Education each year  
250 approval or disapproval of each educator preparation program in  
251 the state, subject to a process and schedule determined by the  
252 State Board of Education;

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

256 (d) Establish, subject to the approval of the State  
257 Board of Education, standards for the renewal of teacher licenses  
258 in all fields;

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

262 (f) Review all existing requirements for certification  
263 and licensure;

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

266 (h) Prepare reports from time to time on current  
267 practices and issues in the general area of teacher education and  
268 certification and licensure;

269 (i) Hold hearings concerning standards for teachers'  
270 and administrators' education and certification and licensure with  
271 approval of the State Board of Education;

272 (j) Hire expert consultants with approval of the State  
273 Board of Education;

274 (k) Set up ad hoc committees to advise on specific  
275 areas; and

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

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

291 individual is completing student teaching requirements.

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

293                   (i) An application on a department form;

294                   (ii) An official transcript of completion of a

295 teacher education program approved by the department or a

296 nationally accredited program, subject to the following:

297 Licensure to teach in Mississippi prekindergarten through

298 kindergarten classrooms shall require completion of a teacher

299 education program or a Bachelor of Science degree with child

300 development emphasis from a program accredited by the American

301 Association of Family and Consumer Sciences (AAFCS) or by the

302 National Association for Education of Young Children (NAEYC) or by

303 the National Council for Accreditation of Teacher Education

304 (NCATE). Licensure to teach in Mississippi kindergarten, for

305 those applicants who have completed a teacher education program,

306 and in Grade 1 through Grade 4 shall require the completion of an

307 interdisciplinary program of studies. Licenses for Grades 4

308 through 8 shall require the completion of an interdisciplinary

309 program of studies with two (2) or more areas of concentration.

310 Licensure to teach in Mississippi Grades 7 through 12 shall

311 require a major in an academic field other than education, or a

312 combination of disciplines other than education. Students

313 preparing to teach a subject shall complete a major in the

314 respective subject discipline. All applicants for standard

315 licensure shall demonstrate that such person's college preparation

316 in those fields was in accordance with the standards set forth by

317 the National Council for Accreditation of Teacher Education  
318 (NCATE) or the National Association of State Directors of Teacher  
319 Education and Certification (NASDTEC) or, for those applicants who  
320 have a Bachelor of Science degree with child development emphasis,  
321 the American Association of Family and Consumer Sciences (AAFCS).  
322 Effective July 1, 2016, for initial elementary education  
323 licensure, a teacher candidate must earn a passing score on a  
324 rigorous test of scientifically research-based reading instruction  
325 and intervention and data-based decision-making principles as  
326 approved by the State Board of Education;

327 (iii) A copy of test scores evidencing  
328 satisfactory completion of nationally administered examinations of  
329 achievement, such as the Educational Testing Service's teacher  
330 testing examinations;

331 (iv) Any other document required by the State  
332 Board of Education; and

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

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

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

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

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

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

348                   (i) An ACT Score of twenty-one (21) (or SAT  
349 equivalent); or

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

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

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

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

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

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

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

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



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

429                   (vii) At the discretion of the teacher preparation  
430 institution, the individual shall be allowed to credit the twelve  
431 (12) semester hours earned in the nontraditional teacher  
432 internship program toward the graduate hours required for a Master  
433 of Arts in Teacher (MAT) Degree.

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

441           Implementation of the TMI program provided for under this  
442 paragraph (b) shall be contingent upon the availability of funds  
443 appropriated specifically for such purpose by the Legislature.  
444 Such implementation of the TMI program may not be deemed to

445 prohibit the State Board of Education from developing and  
446 implementing additional alternative route teacher licensure  
447 programs, as deemed appropriate by the board. The emergency  
448 certification program in effect prior to July 1, 2002, shall  
449 remain in effect.

450 A Standard License - Approved Program Route shall be issued  
451 for a five-year period, and may be renewed. Recognizing teaching  
452 as a profession, a hiring preference shall be granted to persons  
453 holding a Standard License - Approved Program Route or Standard  
454 License - Nontraditional Teaching Route over persons holding any  
455 other license.

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

469 (d) **Special License - Nonrenewable.** The State Board of  
470 Education is authorized to establish rules and regulations to

471 allow those educators not meeting requirements in paragraph (a),  
472 (b) or (c) of this subsection (6) to be licensed for a period of  
473 not more than three (3) years, except by special approval of the  
474 State Board of Education.

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

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

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

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

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

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

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

532           (a) **Administrator License - Nonpracticing.** Those  
533 educators holding administrative endorsement but having no  
534 administrative experience or not serving in an administrative  
535 position on January 15, 1997.

536           (b) **Administrator License - Entry Level.** Those  
537 educators holding administrative endorsement and having met the  
538 department's qualifications to be eligible for employment in a  
539 Mississippi school district. Administrator License - Entry Level  
540 shall be issued for a five-year period and shall be nonrenewable.

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

544           (d) **Administrator License - Nontraditional Route.** The  
545 board may establish a nontraditional route for licensing  
546 administrative personnel. Such nontraditional route for  
547 administrative licensure shall be available for persons holding,  
548 but not limited to, a master of business administration degree, a

549 master of public administration degree, a master of public  
550 planning and policy degree or a doctor of jurisprudence degree  
551 from an accredited college or university, with five (5) years of  
552 administrative or supervisory experience. Successful completion  
553 of the requirements of alternate route licensure for  
554 administrators shall qualify the person for a standard  
555 administrator license.

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

563 (8) **Reciprocity.** (a) The department shall grant a standard  
564 license to any individual who possesses a valid standard license  
565 from another state and meets minimum Mississippi license  
566 requirements or equivalent requirements as determined by the State  
567 Board of Education. The issuance of a license by reciprocity to a  
568 military-trained applicant \* \* \*, military spouse or person who  
569 establishes residence in this state shall be subject to the  
570 provisions of Section 73-50-1 or 73-50-2, as applicable.

571 (b) The department shall grant a nonrenewable special  
572 license to any individual who possesses a credential which is less  
573 than a standard license or certification from another state. Such  
574 special license shall be valid for the current school year plus

575 one (1) additional school year to expire on June 30 of the second  
576 year, not to exceed a total period of twenty-four (24) months,  
577 during which time the applicant shall be required to complete the  
578 requirements for a standard license in Mississippi.

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

591       (10) All controversies involving the issuance, revocation,  
592 suspension or any change whatsoever in the licensure of an  
593 educator required to hold a license shall be initially heard in a  
594 hearing de novo, by the commission or by a subcommittee  
595 established by the commission and composed of commission members,  
596 or by a hearing officer retained and appointed by the commission,  
597 for the purpose of holding hearings. Any complaint seeking the  
598 denial of issuance, revocation or suspension of a license shall be  
599 by sworn affidavit filed with the Commission on Teacher and  
600 Administrator Education, Certification and Licensure and

601 Development. The decision thereon by the commission, its  
602 subcommittee or hearing officer, shall be final, unless the  
603 aggrieved party shall appeal to the State Board of Education,  
604 within ten (10) days, of the decision of the commission, its  
605 subcommittee or hearing officer. An appeal to the State Board of  
606 Education shall be perfected upon filing a notice of the appeal  
607 and by the prepayment of the costs of the preparation of the  
608 record of proceedings by the commission, its subcommittee or  
609 hearing officer. An appeal shall be on the record previously made  
610 before the commission, its subcommittee or hearing officer, unless  
611 otherwise provided by rules and regulations adopted by the board.  
612 The decision of the commission, its subcommittee or hearing  
613 officer shall not be disturbed on appeal if supported by  
614 substantial evidence, was not arbitrary or capricious, within the  
615 authority of the commission, and did not violate some statutory or  
616 constitutional right. The State Board of Education in its  
617 authority may reverse, or remand with instructions, the decision  
618 of the commission, its subcommittee or hearing officer. The  
619 decision of the State Board of Education shall be final.

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

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

625 (ii) The applicant has a physical, emotional or  
626 mental disability that renders the applicant unfit to perform the



627 duties authorized by the license, as certified by a licensed  
628 psychologist or psychiatrist;

629 (iii) The applicant is actively addicted to or  
630 actively dependent on alcohol or other habit-forming drugs or is a  
631 habitual user of narcotics, barbiturates, amphetamines,  
632 hallucinogens or other drugs having similar effect, at the time of  
633 application for a license;

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

636 (v) Failing or refusing to furnish reasonable  
637 evidence of identification;

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

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

648 (b) The State Board of Education, acting through the  
649 commission, shall deny an application for any teacher or  
650 administrator license, or immediately revoke the current teacher  
651 or administrator license, for one or more of the following:

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

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

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

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

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

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

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

679 (c) Suspension or revocation of a certificate or  
680 license by another state shall result in immediate suspension or  
681 revocation and shall continue until records in the prior state  
682 have been cleared;

683 (d) The license holder has been convicted, has pled  
684 guilty or entered a plea of nolo contendere to a felony, as  
685 defined by federal or state law. For purposes of this paragraph,  
686 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
687 contendere, or entry of an order granting pretrial or judicial  
688 diversion;

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

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

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

699 (h) The license holder submitted a false certification  
700 to the State Department of Education that a statewide test was

701 administered in strict accordance with the Requirements of the  
702 Mississippi Statewide Assessment System; or

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

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

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

719 (b) Any offense committed or attempted in any other  
720 state shall result in the same penalty as if committed or  
721 attempted in this state.

722 (c) A person may voluntarily surrender a license. The  
723 surrender of such license may result in the commission  
724 recommending any of the above penalties without the necessity of a  
725 hearing. However, any such license which has voluntarily been  
726 surrendered by a licensed employee may only be reinstated by a

727 majority vote of all members of the commission present at the  
728 meeting called for such purpose.

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

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

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

767           (16) An appeal from the action of the State Board of  
768 Education in denying an application, revoking or suspending a  
769 license or otherwise disciplining any person under the provisions  
770 of this section shall be filed in the Chancery Court of the First  
771 Judicial District of Hinds County, Mississippi, on the record  
772 made, including a verbatim transcript of the testimony at the  
773 hearing. The appeal shall be filed within thirty (30) days after  
774 notification of the action of the board is mailed or served and  
775 the proceedings in chancery court shall be conducted as other  
776 matters coming before the court. The appeal shall be perfected  
777 upon filing notice of the appeal and by the prepayment of all  
778 costs, including the cost of preparation of the record of the

779 proceedings by the State Board of Education, and the filing of a  
780 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
781 if the action of the board be affirmed by the chancery court, the  
782 applicant or license holder shall pay the costs of the appeal and  
783 the action of the chancery court.

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

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

796 (19) In addition to the reasons specified in subsections  
797 (12) and (13) of this section, the board shall be authorized to  
798 suspend the license of any licensee for being out of compliance  
799 with an order for support, as defined in Section 93-11-153. The  
800 procedure for suspension of a license for being out of compliance  
801 with an order for support, and the procedure for the reissuance or  
802 reinstatement of a license suspended for that purpose, and the  
803 payment of any fees for the reissuance or reinstatement of a  
804 license suspended for that purpose, shall be governed by Section

805 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
806 board in suspending a license when required by Section 93-11-157  
807 or 93-11-163 are not actions from which an appeal may be taken  
808 under this section. Any appeal of a license suspension that is  
809 required by Section 93-11-157 or 93-11-163 shall be taken in  
810 accordance with the appeal procedure specified in Section  
811 93-11-157 or 93-11-163, as the case may be, rather than the  
812 procedure specified in this section. If there is any conflict  
813 between any provision of Section 93-11-157 or 93-11-163 and any  
814 provision of this chapter, the provisions of Section 93-11-157 or  
815 93-11-163, as the case may be, shall control.

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

818 73-1-21. Any architect residing outside this state may  
819 obtain a certificate to practice in the State of Mississippi by  
820 complying with Section 73-1-13, and by paying the fees prescribed  
821 by the rules of the board; however, no such nonresident applicant  
822 shall receive a certificate to practice in this state unless the  
823 applicant furnishes evidence satisfactory to the board that the  
824 applicant holds a current and valid registration issued by a  
825 registration authority recognized by the board, holds a National  
826 Council of Architectural Registration Board's certificate, has  
827 never been restrained from practicing architecture, and has never  
828 had a certificate or license revoked. Each nonresident applicant  
829 shall submit, as a part of the application, a sworn affidavit  
830 stating that neither such applicant nor any person in, or agent



831 of, the applicant's firm has practiced or is practicing  
832 architectural work in this state prior to the applicant having  
833 been licensed by the board unless such person or agent holds a  
834 license to practice architecture in this state. Failure to submit  
835 this affidavit is just cause for disapproval of the application.  
836 Every applicant for reciprocity registration shall comply fully  
837 with the requirements for resident applicants, except that  
838 nonresident applicants who met the requirements for issuance of a  
839 certificate of registration by the board prior to January 1, 1987,  
840 and who, on that date, held a current and valid registration by a  
841 registration authority recognized by the board or were qualified  
842 exam candidates in another jurisdiction recognized by the board,  
843 shall not be required to meet the degree requirements of Section  
844 73-1-13. The board shall have the further right to exercise its  
845 discretion as to whether such nonresident architect shall be  
846 issued such certificate to practice.

847 The issuance of a certificate by reciprocity to a  
848 military-trained applicant \* \* \*, military spouse or person who  
849 establishes residence in this state shall be subject to the  
850 provisions of Section 73-50-1 or 73-50-2, as applicable.

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

853 73-2-11. The board may exempt from examination any applicant  
854 who holds a license or certificate to practice landscape  
855 architecture issued to him upon examination by a legally  
856 constituted board of examiners of any other state or Washington,

857 D.C., or any other territory or possession under the control of  
858 the United States, provided that such requirements of the state in  
859 which the applicant is registered are equivalent to those of this  
860 state.

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

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

879 The issuance of a license by reciprocity to a  
880 military-trained applicant \* \* \*, military spouse or person who  
881 establishes residence in this state shall be subject to the  
882 provisions of Section 73-50-1 or 73-50-2, as applicable.

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

885           73-4-23. Any auctioneer who is licensed in a state that (a)  
886 has requirements equal to the requirements of this chapter, (b)  
887 has requirements that have been approved by the commission, after  
888 a review of such state's licensing law, and (c) has entered into a  
889 reciprocal licensing agreement with the State of Mississippi  
890 through such state's regulatory authority over auctioneering, may  
891 apply for and be granted a license without examination.  
892 Applicants for a license through reciprocity shall furnish the  
893 commission by application the same information as that required of  
894 resident applicants. In addition to the biennial license fee,  
895 nonresidents shall pay to the commission a fee of Two Hundred  
896 Fifty Dollars (\$250.00). A nonresident auctioneer shall furnish  
897 to the commission a surety bond, obligated to the State of  
898 Mississippi, in the amount of Ten Thousand Dollars (\$10,000.00)  
899 prior to being issued a license. The bond shall be executed by  
900 the person seeking the license as principal and by a corporate  
901 surety, licensed to do business in this state, as surety. The  
902 bond shall otherwise be in accordance with the provisions of this  
903 chapter.

904           The issuance of a license by reciprocity to a  
905 military-trained applicant \* \* \*, military spouse or person who  
906 establishes residence in this state shall be subject to the  
907 provisions of Section 73-50-1 or 73-50-2, as applicable.

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

910           73-5-21. Any person possessed of the following  
911 qualifications shall, upon payment of the required fee, receive a  
912 certificate of registration as a registered barber:

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

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

915 and

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

930           In addition to the above, the board may require the applicant  
931 to successfully demonstrate sufficient knowledge of the Barber Law  
932 of the State of Mississippi, as well as sufficient practical skill

933 by requiring the applicant to take a practical examination  
934 approved by the board.

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

937         73-6-13. (1) Any adult of good moral character who has (a)  
938 graduated from a school or college of chiropractic recognized by  
939 the State Board of Chiropractic Examiners, preceded by the  
940 successful completion of at least two (2) academic years at an  
941 accredited institution of higher learning, or accredited junior  
942 college, and (b) successfully completed parts 1, 2, 3 and 4 and  
943 the physical modality section of the examination prepared by the  
944 National Board of Chiropractic Examiners, shall be entitled to  
945 take the examination for a license to practice chiropractic in  
946 Mississippi. The State Board of Chiropractic Examiners shall keep  
947 on file a list of schools or colleges of chiropractic which are so  
948 recognized. No chiropractic school shall be approved unless it is  
949 recognized and approved by the Council on Chiropractic Education,  
950 its successor or an equivalent accrediting agency, offers an  
951 accredited course of study of not less than four (4) academic  
952 years of at least nine (9) months in length, and requires its  
953 graduates to receive not less than forty (40) clock hours of  
954 instruction in the operation of x-ray machinery and not less than  
955 forty (40) clock hours of instruction in x-ray interpretation and  
956 diagnosis.

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

960           (3) The examination to practice chiropractic used by the  
961 board shall consist of testing on the statutes and the rules and  
962 regulations regarding the practice of chiropractic in the State of  
963 Mississippi.

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

982 subject to the provisions of Section 73-50-1 or 73-50-2, as  
983 applicable.

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

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

997 (2) An instructor from any other state may be qualified for  
998 a Mississippi instructor's license upon presenting a valid  
999 instructor's license and proof of a high school education or its  
1000 equivalent, provided that the instructor (a) is not less than  
1001 twenty-one (21) years of age, (b) has completed training  
1002 equivalent to the State of Mississippi's training as provided in  
1003 Section 73-7-15 or has three (3) years or more of experience as a  
1004 licensed instructor prior to application, (c) can read, write and  
1005 speak English, (d) has completed twelve (12) semester hours in  
1006 college courses approved by the board, and (e) has completed a  
1007 minimum of five (5) continuing education hours in Mississippi

1008 board laws, rules and regulations. Such application must be  
1009 accompanied by two (2) recent passport photographs of the  
1010 applicant. Applicants shall pay the required license fee.

1011 (3) An applicant for a Mississippi instructor's license by  
1012 reciprocity who has not completed the college courses requirement  
1013 at the time of application may apply for a onetime temporary  
1014 teaching permit, which shall be valid for six (6) months and shall  
1015 be nonrenewable. Such application must be accompanied by proof of  
1016 enrollment in college course(s), required permit fee, two (2)  
1017 recent passport photographs of the applicant and other  
1018 documentation as required for application for a Mississippi  
1019 instructor's license by reciprocity. Upon proof of completion of  
1020 college courses and payment of the required license fee, a  
1021 Mississippi instructor's license shall be issued.

1022 (4) The issuance of a license by reciprocity to a  
1023 military-trained applicant \* \* \*, military spouse or person who  
1024 establishes residence in this state shall be subject to the  
1025 provisions of Section 73-50-1 or 73-50-2, as applicable.

1026 **SECTION 9.** Section 73-9-24, Mississippi Code of 1972, is  
1027 amended as follows:

1028 73-9-24. (1) In addition to the method for obtaining a  
1029 license to practice dentistry or dental hygiene by way of  
1030 examination as provided by Section 73-9-23, the board, in its sole  
1031 discretion, may grant a license to a candidate who meets the  
1032 following criteria:



1033           (a) Submit proof of graduation from a dental school or  
1034 school of dental hygiene accredited by the Commission on Dental  
1035 Accreditation of the American Dental Association (ADA), or its  
1036 successor commission;

1037           (b) Be engaged in the active practice of dentistry or  
1038 dental hygiene or in full-time dental education or dental hygiene  
1039 education for the past five (5) years;

1040           (c) Currently hold a valid, unrestricted and unexpired  
1041 license in a state whose standards for licensure are determined by  
1042 the board as equivalent to Mississippi's standards, and which  
1043 state grants reciprocity or licensure by credentials to licensees  
1044 of the State of Mississippi;

1045           (d) Provides an endorsement from all states in which he  
1046 or she is currently licensed or has ever been licensed to practice  
1047 dentistry or dental hygiene;

1048           (e) Has not been the subject of pending or final  
1049 disciplinary action in any state in which the applicant has been  
1050 licensed;

1051           (f) Is not the subject of a pending investigation in  
1052 any other state or jurisdiction;

1053           (g) Has passed a state or regional clinical licensure  
1054 examination and, within the past five (5) years, has not failed a  
1055 clinical licensure examination administered by another state,  
1056 jurisdiction, or regional licensing board;

1057           (h) Has not failed at any time, a licensure examination  
1058 administered by the Mississippi State Board of Dental Examiners;

1059 (i) Provides a written statement agreeing to appear for  
1060 interviews at the request of the board;

1061 (j) Has successfully completed all parts of the  
1062 National Board Examinations of the Joint Commission on National  
1063 Dental Examinations, or its successor commission, unless the  
1064 applicant graduated from an accredited dental or dental hygiene  
1065 school before 1960;

1066 (k) Successfully passes a written jurisprudence  
1067 examination;

1068 (l) Provides payment of a nonrefundable application fee  
1069 as provided in Section 73-9-43; and

1070 (m) In addition, the State Board of Dental Examiners  
1071 may consider the following in accepting, rejecting or denying an  
1072 application for licensure by credentialing:

1073 (i) Information from the National Practitioner  
1074 Data Bank, the Healthcare Integrity and Protection Data Bank  
1075 and/or the American Association of Dental Examiners Clearinghouse  
1076 for Disciplinary Information.

1077 (ii) Questioning under oath.

1078 (iii) Results of peer review reports from  
1079 constituent societies and/or federal dental services.

1080 (iv) Substance abuse testing or treatment.

1081 (v) Background checks for criminal or fraudulent  
1082 activities.

1083 (vi) Participation in continuing education.

1084 (vii) A current certificate in cardiopulmonary  
1085 resuscitation.

1086 (viii) Recent patient case reports and/or oral  
1087 defense of diagnosis and treatment plans.

1088 (ix) No physical or psychological impairment that  
1089 would adversely affect the ability to deliver quality dental care.

1090 (x) Agreement to initiate practice in the  
1091 credentialing jurisdiction within a reasonable period of time.

1092 (xi) Proof of professional liability coverage and  
1093 that the coverage has not been refused, declined, canceled,  
1094 nonrenewed or modified.

1095 (xii) Any additional information or documentation  
1096 that the board may stipulate by rule or regulation as necessary to  
1097 qualify for a license by credentialing.

1098 (2) The board shall be granted sufficient time to conduct a  
1099 complete inquiry into the applicant's qualifications for licensure  
1100 by credentials, and the board may adopt such rules and regulations  
1101 pertaining to the time needed to conduct investigations and the  
1102 responsibility of applicants to produce verifiable documentation.

1103 (3) Any applicant failing to meet the criteria in subsection  
1104 (1) of this section shall not be eligible for a license based on  
1105 credentials. Upon meeting the criteria in subsection (1) of this  
1106 section, the Mississippi State Board of Dental Examiners may, in  
1107 its discretion, issue to the applicant a license to practice  
1108 dentistry, or dental hygiene, unless grounds for denial of  
1109 licensure exist as enumerated in Section 73-9-61. Evidence of

1110 falsification in the application for licensure through  
1111 credentialing will result in revocation of the license.

1112 (4) Any applicant applying for a specialty license by  
1113 credentials must stay within his or her board recognized specialty  
1114 and must practice only that specialty within the State of  
1115 Mississippi. A specialty license holder must hold a general  
1116 dentistry license before obtaining a specialty license.

1117 (5) The issuance of a license by reciprocity to a  
1118 military-trained applicant \* \* \*, military spouse or person who  
1119 establishes residence in this state shall be subject to the  
1120 provisions of Section 73-50-1 or 73-50-2, as applicable.

1121 **SECTION 10.** Section 73-10-15, Mississippi Code of 1972, is  
1122 amended as follows:

1123 73-10-15. (1) A nonresident dietitian may practice  
1124 dietetics in Mississippi for five (5) days per year with current  
1125 other state's licensure or with current registration with the  
1126 Commission on Dietetics Registration.

1127 (2) The board may waive the prescribed examination for  
1128 licensure and grant a license to any person who shall present  
1129 proof of current licensure as a dietitian in another state, the  
1130 District of Columbia, or territory of the United States which  
1131 requires standards for licensure considered by the advisory  
1132 council to be greater than or equal to the requirements for  
1133 licensure of this chapter, if such state or territory extends  
1134 reciprocity to licensees of the State of Mississippi. The  
1135 issuance of a license by reciprocity to a military-trained

1136 applicant \* \* \*, military spouse or person who establishes  
1137 residence in this state shall be subject to the provisions of  
1138 Section 73-50-1 or 73-50-2, as applicable.

1139 **SECTION 11.** Section 73-11-51, Mississippi Code of 1972, is  
1140 amended as follows:

1141 73-11-51. (1) No person shall engage in the business or  
1142 practice of funeral service, including embalming, and/or funeral  
1143 directing or hold himself out as transacting or practicing or  
1144 being entitled to transact or practice funeral service, including  
1145 embalming, and/or funeral directing in this state unless duly  
1146 licensed under the provisions of this chapter.

1147 (2) The board is authorized and empowered to examine  
1148 applicants for licenses for the practice of funeral service and  
1149 funeral directing and shall issue the proper license to those  
1150 persons who successfully pass the applicable examination and  
1151 otherwise comply with the provisions of this chapter.

1152 (3) To be licensed for the practice of funeral directing  
1153 under this chapter, a person must furnish satisfactory evidence to  
1154 the board that he or she:

1155 (a) Is at least eighteen (18) years of age;

1156 (b) Has a high school diploma or the equivalent  
1157 thereof;

1158 (c) Has served as a resident trainee for not less than  
1159 twenty-four (24) months under the supervision of a person licensed  
1160 for the practice of funeral service or funeral directing in this  
1161 state;

1162 (d) Has successfully passed a written and/or oral  
1163 examination as prepared or approved by the board; and

1164 (e) Is of good moral character.

1165 (4) To be licensed for the practice of funeral service under  
1166 this chapter, a person must furnish satisfactory evidence to the  
1167 board that he or she:

1168 (a) Is at least eighteen (18) years of age;

1169 (b) Has a high school diploma or the equivalent  
1170 thereof;

1171 (c) Has successfully completed twelve (12) months or  
1172 more of academic and professional instruction from an institution  
1173 accredited by the United States Department of Education for  
1174 funeral service education and have a certificate of completion  
1175 from an institution accredited by the American Board of Funeral  
1176 Service Education or any other successor recognized by the United  
1177 States Department of Education for funeral service education;

1178 (d) Has served as a resident trainee for not less than  
1179 twelve (12) months, either before or after graduation from an  
1180 accredited institution mentioned above, under the supervision of a  
1181 person licensed for the practice of funeral service in this state  
1182 and in an establishment licensed in this state;

1183 (e) Has successfully passed the National Conference of  
1184 Funeral Examiners examination and/or such other examination as  
1185 approved by the board; and

1186 (f) Is of good moral character.

1187           (5) All applications for examination and license for the  
1188 practice of funeral service or funeral directing shall be upon  
1189 forms furnished by the board and shall be accompanied by an  
1190 examination fee, a licensing fee and a nonrefundable application  
1191 fee in amounts fixed by the board in accordance with Section  
1192 73-11-56. The fee for an initial license, however, may be  
1193 prorated in proportion to the period of time from the date of  
1194 issuance to the date of biennial license renewal prescribed in  
1195 subsection (8) of this section. All applications for examination  
1196 shall be filed with the board office at least sixty (60) days  
1197 before the date of examination. A candidate shall be deemed to  
1198 have abandoned the application for examination if he does not  
1199 appear on the scheduled date of examination unless such failure to  
1200 appear has been approved by the board.

1201           (6) The practice of funeral service or funeral directing  
1202 must be engaged in at a licensed funeral establishment, at least  
1203 one (1) of which is listed as the licensee's place of business;  
1204 and no person, partnership, corporation, association or other  
1205 organization shall open or maintain a funeral establishment at  
1206 which to engage in or conduct or hold himself or itself out as  
1207 engaging in the practice of funeral service or funeral directing  
1208 until such establishment has complied with the licensing  
1209 requirements of this chapter. A license for the practice of  
1210 funeral service or funeral directing shall be used only at  
1211 licensed funeral establishments; however, this provision shall not  
1212 prevent a person licensed for the practice of funeral service or

1213 funeral directing from conducting a funeral service at a church, a  
1214 residence, public hall, lodge room or cemetery chapel, if such  
1215 person maintains a fixed licensed funeral establishment of his own  
1216 or is in the employ of or an agent of a licensed funeral  
1217 establishment.

1218 (7) Any person holding a valid, unrevoked and unexpired  
1219 nonreciprocal license in another state or territory having  
1220 requirements greater than or equal to those of this state as  
1221 determined by the board may apply for a license to practice in  
1222 this state by filing with the board a certified statement from the  
1223 secretary of the licensing board of the state or territory in  
1224 which the applicant holds his license certifying to his  
1225 qualifications and good standing with that board. He/she must  
1226 also successfully pass a written and/or oral examination on the  
1227 Mississippi Funeral Service licensing law and rules and  
1228 regulations as prepared or approved by the board, and must pay a  
1229 nonrefundable application fee set by the board. If the board  
1230 finds that the applicant has fulfilled aforesaid requirements and  
1231 has fulfilled substantially similar requirements of those required  
1232 for a Mississippi licensee, the board shall grant such license  
1233 upon receipt of a fee in an amount equal to the renewal fee set by  
1234 the board for a license for the practice of funeral service or  
1235 funeral directing, as the case may be, in this state. The board  
1236 may issue a temporary funeral service or funeral directing work  
1237 permit before a license is granted, before the next regular  
1238 meeting of the board, if the applicant for a reciprocal license



1239 has complied with all requirements, rules and regulations of the  
1240 board. The temporary permit will expire at the next regular  
1241 meeting of the board. The issuance of a license or temporary  
1242 permit by reciprocity to a military-trained applicant \* \* \*,  
1243 military spouse or person who establishes residence in this state  
1244 shall be subject to the provisions of Section 73-50-1 or 73-50-2,  
1245 as applicable.

1246 (8) (a) Except as provided in Section 33-1-39, any person  
1247 holding a license for the practice of funeral service or funeral  
1248 directing may have the same renewed for a period of two (2) years  
1249 by making and filing with the board an application on or before  
1250 the due date. Payment of the renewal fee shall be in an amount  
1251 set by the board in accordance with Section 73-11-56. The board  
1252 shall mail the notice of renewal and the due date for the payment  
1253 of the renewal fee to the last-known address of each licensee at  
1254 least thirty (30) days before that date. It is the responsibility  
1255 of the licensee to notify the board in writing of any change of  
1256 address. An application will be considered late if the  
1257 application and proper fees are not in the board's office or  
1258 postmarked by the due date. Failure of a license holder to  
1259 receive the notice of renewal shall not exempt or excuse a license  
1260 holder from the requirement of renewing the license on or before  
1261 the license expiration date.

1262 (b) If the renewal fee is not paid on or postmarked by  
1263 the due date, the license of such person shall by operation of law  
1264 automatically expire and become void without further action of the

1265 board. The board may reinstate such license if application for  
1266 licensure is made within a period of five (5) years, upon payment  
1267 of the renewal fee for the current year, all renewal fees in  
1268 arrears, and a reinstatement fee. After a period of five (5)  
1269 years, the licensee must make application, pay the current renewal  
1270 fee, all fees in arrears, and pass a written and/or oral  
1271 examination as prepared or approved by the board.

1272 (9) No license shall be assignable or valid for any person  
1273 other than the original licensee.

1274 (10) The board may, in its discretion, if there is a major  
1275 disaster or emergency where human death is likely to occur,  
1276 temporarily authorize the practice of funeral directing and  
1277 funeral service by persons licensed to practice in another state  
1278 but not licensed to practice in this state. Only persons licensed  
1279 in this state, however, may sign death certificates.

1280 (11) Any funeral service technology or mortuary science  
1281 program accredited by the American Board of Funeral Service  
1282 Education in the State of Mississippi, as well as students  
1283 enrolled in such a program, shall be exempt from licensing under  
1284 this chapter when embalming or otherwise preparing a deceased  
1285 human body for disposition as part of a student practicum  
1286 experience, when the student is directly supervised by an  
1287 instructor or preceptor who holds a current funeral service  
1288 license. This exemption shall apply to practicum experiences  
1289 performed at an accredited institution of funeral service  
1290 technology or mortuary science program or at a duly licensed

1291 funeral establishment or commercial mortuary service. Nothing in  
1292 this subsection shall be construed to allow any funeral service  
1293 technology or mortuary science program, or those students enrolled  
1294 in such a program, to engage in practicum experiences for  
1295 remuneration.

1296 (12) Each application or filing made under this section  
1297 shall include the social security number(s) of the applicant in  
1298 accordance with Section 93-11-64.

1299 **SECTION 12.** Section 73-13-35, Mississippi Code of 1972, is  
1300 amended as follows:

1301 73-13-35. The board may, upon application therefor and the  
1302 payment of a fee in accordance with Section 73-13-25, issue a  
1303 certificate of licensure as a professional engineer to any person  
1304 who holds a certificate of qualification or licensure issued to  
1305 him by proper authority of any state or territory or possession of  
1306 the United States, or of any country, provided that the  
1307 applicant's qualifications meet the requirements of Sections  
1308 73-13-1 through 73-13-45 and the rules established by the board.  
1309 The issuance of a certificate of licensure by reciprocity to a  
1310 military-trained applicant \* \* \*, military spouse or person who  
1311 establishes residence in this state shall be subject to the  
1312 provisions of Section 73-50-1 or 73-50-2, as applicable.

1313 **SECTION 13.** Section 73-14-25, Mississippi Code of 1972, is  
1314 amended as follows:

1315 73-14-25. The department may license as a hearing aid  
1316 specialist, and furnish a certificate of licensure, to any

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

1325 Any person making application for licensure under the  
1326 provisions of this section may, at the discretion of the board, be  
1327 required to pass an examination selected by the board.

1328 The issuance of a license by reciprocity to a  
1329 military-trained applicant \* \* \*, military spouse or person who  
1330 establishes residence in this state shall be subject to the  
1331 provisions of Section 73-50-1 or 73-50-2, as applicable.

1332 **SECTION 14.** Section 73-15-19, Mississippi Code of 1972, is  
1333 amended as follows:

1334 73-15-19. (1) **Registered nurse applicant qualifications.**

1335 Any applicant for a license to practice as a registered nurse  
1336 shall submit to the board:

1337 (a) An attested written application on a Board of  
1338 Nursing form;

1339 (b) Written official evidence of completion of a  
1340 nursing program approved by the Board of Trustees of State  
1341 Institutions of Higher Learning, or one approved by a legal  
1342 accrediting agency of another state, territory or possession of

1343 the United States, the District of Columbia, or a foreign country  
1344 which is satisfactory to this board;

1345 (c) Evidence of competence in English related to  
1346 nursing, provided the first language is not English;

1347 (d) Any other official records required by the board.

1348 In addition to the requirements specified in paragraphs (a)  
1349 through (d) of this subsection, in order to qualify for a license  
1350 to practice as a registered nurse, an applicant must have  
1351 successfully been cleared for licensure through an investigation  
1352 that shall consist of a determination as to good moral character  
1353 and verification that the prospective licensee is not guilty of or  
1354 in violation of any statutory ground for denial of licensure as  
1355 set forth in Section 73-15-29 or guilty of any offense specified  
1356 in Section 73-15-33. To assist the board in conducting its  
1357 licensure investigation, all applicants shall undergo a  
1358 fingerprint-based criminal history records check of the  
1359 Mississippi central criminal database and the Federal Bureau of  
1360 Investigation criminal history database. Each applicant shall  
1361 submit a full set of his or her fingerprints in a form and manner  
1362 prescribed by the board, which shall be forwarded to the  
1363 Mississippi Department of Public Safety (department) and the  
1364 Federal Bureau of Investigation Identification Division for this  
1365 purpose.

1366 Any and all state or national criminal history records  
1367 information obtained by the board that is not already a matter of  
1368 public record shall be deemed nonpublic and confidential

1369 information restricted to the exclusive use of the board, its  
1370 members, officers, investigators, agents and attorneys in  
1371 evaluating the applicant's eligibility or disqualification for  
1372 licensure, and shall be exempt from the Mississippi Public Records  
1373 Act of 1983. Except when introduced into evidence in a hearing  
1374 before the board to determine licensure, no such information or  
1375 records related thereto shall, except with the written consent of  
1376 the applicant or by order of a court of competent jurisdiction, be  
1377 released or otherwise disclosed by the board to any other person  
1378 or agency.

1379         The board shall provide to the department the fingerprints of  
1380 the applicant, any additional information that may be required by  
1381 the department, and a form signed by the applicant consenting to  
1382 the check of the criminal records and to the use of the  
1383 fingerprints and other identifying information required by the  
1384 state or national repositories.

1385         The board shall charge and collect from the applicant, in  
1386 addition to all other applicable fees and costs, such amount as  
1387 may be incurred by the board in requesting and obtaining state and  
1388 national criminal history records information on the applicant.

1389         The board may, in its discretion, refuse to accept the  
1390 application of any person who has been convicted of a criminal  
1391 offense under any provision of Title 97 of the Mississippi Code of  
1392 1972, as now or hereafter amended, or any provision of this  
1393 article.

1394           (2) **Licensure by examination.** (a) Upon the board being  
1395 satisfied that an applicant for a license as a registered nurse  
1396 has met the qualifications set forth in subsection (1) of this  
1397 section, the board shall proceed to examine such applicant in such  
1398 subjects as the board shall, in its discretion, determine. The  
1399 subjects in which applicants shall be examined shall be in  
1400 conformity with curricula in schools of nursing approved by the  
1401 Board of Trustees of State Institutions of Higher Learning, or one  
1402 approved by a legal accrediting agency of another state, territory  
1403 or possession of the United States, the District of Columbia, or a  
1404 foreign country which is satisfactory to the board.

1405                   (b) The applicant shall be required to pass the written  
1406 examination as selected by the board.

1407                   (c) Upon successful completion of such examination, the  
1408 board shall issue to the applicant a license to practice as a  
1409 registered nurse.

1410                   (d) The board may use any part or all of the state  
1411 board test pool examination for registered nurse licensure, its  
1412 successor examination, or any other nationally standardized  
1413 examination identified by the board in its rules. The passing  
1414 score shall be established by the board in its rules.

1415           (3) **Licensure by endorsement.** The board may issue a license  
1416 to practice nursing as a registered nurse without examination to  
1417 an applicant who has been duly licensed as a registered nurse  
1418 under the laws of another state, territory or possession of the  
1419 United States, the District of Columbia, or a foreign country if,

1420 in the opinion of the board, the applicant meets the  
1421 qualifications required of licensed registered nurses in this  
1422 state and has previously achieved the passing score or scores on  
1423 the licensing examination required by this state, at the time of  
1424 his or her graduation. The issuance of a license by endorsement  
1425 to a military-trained applicant \* \* \*, military spouse or person  
1426 who establishes residence in this state shall be subject to the  
1427 provisions of Section 73-50-1 or 73-50-2, as applicable.

1428 (4) **Requirements for rewriting the examination.** The board  
1429 shall establish in its rules the requirements for rewriting the  
1430 examination for those persons failing the examination on the first  
1431 writing or subsequent rewriting.

1432 (5) **Fee.** The applicant applying for a license by  
1433 examination or by endorsement to practice as a registered nurse  
1434 shall pay a fee not to exceed One Hundred Dollars (\$100.00) to the  
1435 board.

1436 (6) **Temporary permit.** (a) The board may issue a temporary  
1437 permit to practice nursing to a graduate of an approved school of  
1438 nursing pending the results of the examination in Mississippi, and  
1439 to a qualified applicant from another state, territory or  
1440 possession of the United States, or District of Columbia, or  
1441 pending licensure procedures as provided for elsewhere in this  
1442 article. The fee shall not exceed Twenty-five Dollars (\$25.00).

1443 (b) The board may issue a temporary permit for a period  
1444 of ninety (90) days to a registered nurse who is currently  
1445 licensed in another state, territory or possession of the United



1446 States or the District of Columbia and who is an applicant for  
1447 licensure by endorsement. Such permit is not renewable except by  
1448 board action. The issuance of a temporary permit to a  
1449 military-trained applicant \* \* \*, military spouse or person who  
1450 establishes residence in this state shall be subject to the  
1451 provisions of Section 73-50-1 or 73-50-2, as applicable.

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

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

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

1464 (7) **Temporary license.** The board may issue a temporary  
1465 license to practice nursing at a youth camp licensed by the State  
1466 Board of Health to nonresident registered nurses and retired  
1467 resident registered nurses under the provisions of Section  
1468 75-74-8.

1469 (8) **Title and abbreviation.** Any person who holds a license  
1470 or holds the privilege to practice as a registered nurse in this  
1471 state shall have the right to use the title "registered nurse" and

1472 the abbreviation "R.N." No other person shall assume such title  
1473 or use such abbreviation, or any words, letters, signs or devices  
1474 to indicate that the person using the same is a registered nurse.

1475 (9) **Registered nurses licensed under a previous law.** Any  
1476 person holding a license to practice nursing as a registered nurse  
1477 issued by this board which is valid on July 1, 1981, shall  
1478 thereafter be deemed to be licensed as a registered nurse under  
1479 the provisions of this article upon payment of the fee provided in  
1480 Section 73-15-27.

1481 (10) Each application or filing made under this section  
1482 shall include the social security number(s) of the applicant in  
1483 accordance with Section 93-11-64.

1484 **SECTION 15.** Section 73-15-21, Mississippi Code of 1972, is  
1485 amended as follows:

1486 73-15-21. (1) **Licensed practical nurse applicant**  
1487 **qualifications.** Any applicant for a license to practice practical  
1488 nursing as a licensed practical nurse shall submit to the board:

1489 (a) An attested written application on a Board of  
1490 Nursing form;

1491 (b) A diploma from an approved high school or the  
1492 equivalent thereof, as determined by the appropriate educational  
1493 agency;

1494 (c) Written official evidence of completion of a  
1495 practical nursing program approved by the State Department of  
1496 Education through its Division of Vocational Education, or one  
1497 approved by a legal accrediting agency of another state, territory

1498 or possession of the United States, the District of Columbia, or a  
1499 foreign country which is satisfactory to this board;

1500 (d) Evidence of competence in English related to  
1501 nursing, provided the first language is not English;

1502 (e) Any other official records required by the board.

1503 In addition to the requirements specified in paragraphs (a)  
1504 through (e) of this subsection, in order to qualify for a license  
1505 to practice practical nursing as a licensed practical nurse, an  
1506 applicant must have successfully been cleared for licensure  
1507 through an investigation that shall consist of a determination as  
1508 to good moral character and verification that the prospective  
1509 licensee is not guilty of or in violation of any statutory ground  
1510 for denial of licensure as set forth in Section 73-15-29 or guilty  
1511 of any offense specified in Section 73-15-33. To assist the board  
1512 in conducting its licensure investigation, all applicants shall  
1513 undergo a fingerprint-based criminal history records check of the  
1514 Mississippi central criminal database and the Federal Bureau of  
1515 Investigation criminal history database. Each applicant shall  
1516 submit a full set of his or her fingerprints in a form and manner  
1517 prescribed by the board, which shall be forwarded to the  
1518 Mississippi Department of Public Safety (department) and the  
1519 Federal Bureau of Investigation Identification Division for this  
1520 purpose.

1521 Any and all state or national criminal history records  
1522 information obtained by the board that is not already a matter of  
1523 public record shall be deemed nonpublic and confidential

1524 information restricted to the exclusive use of the board, its  
1525 members, officers, investigators, agents and attorneys in  
1526 evaluating the applicant's eligibility or disqualification for  
1527 licensure, and shall be exempt from the Mississippi Public Records  
1528 Act of 1983. Except when introduced into evidence in a hearing  
1529 before the board to determine licensure, no such information or  
1530 records related thereto shall, except with the written consent of  
1531 the applicant or by order of a court of competent jurisdiction, be  
1532 released or otherwise disclosed by the board to any other person  
1533 or agency.

1534         The board shall provide to the department the fingerprints of  
1535 the applicant, any additional information that may be required by  
1536 the department, and a form signed by the applicant consenting to  
1537 the check of the criminal records and to the use of the  
1538 fingerprints and other identifying information required by the  
1539 state or national repositories.

1540         The board shall charge and collect from the applicant, in  
1541 addition to all other applicable fees and costs, such amount as  
1542 may be incurred by the board in requesting and obtaining state and  
1543 national criminal history records information on the applicant.

1544         The board may, in its discretion, refuse to accept the  
1545 application of any person who has been convicted of a criminal  
1546 offense under any provision of Title 97 of the Mississippi Code of  
1547 1972, as now or hereafter amended, or any provision of this  
1548 article.

1549           (2) **Licensure by examination.**   (a) Upon the board being  
1550 satisfied that an applicant for a license as a practical nurse has  
1551 met the qualifications set forth in subsection (1) of this  
1552 section, the board shall proceed to examine such applicant in such  
1553 subjects as the board shall, in its discretion, determine. The  
1554 subjects in which applicants shall be examined shall be in  
1555 conformity with curricula in schools of practical nursing approved  
1556 by the State Department of Education.

1557                   (b) The applicant shall be required to pass the written  
1558 examination selected by the board.

1559                   (c) Upon successful completion of such examination, the  
1560 board shall issue to the applicant a license to practice as a  
1561 licensed practical nurse.

1562                   (d) The board may use any part or all of the state  
1563 board test pool examination for practical nurse licensure, its  
1564 successor examination, or any other nationally standardized  
1565 examination identified by the board in its rules. The passing  
1566 score shall be established by the board in its rules.

1567           (3) **Licensure by endorsement.** The board may issue a license  
1568 to practice practical nursing as a licensed practical nurse  
1569 without examination to an applicant who has been duly licensed as  
1570 a licensed practical nurse under the laws of another state,  
1571 territory or possession of the United States, the District of  
1572 Columbia, or a foreign country if, in the opinion of the board,  
1573 the applicant meets the qualifications required of licensed  
1574 practical nurses in this state and has previously achieved the

1575 passing score or scores on the licensing examination required by  
1576 this state at the time of his or her graduation. The issuance of  
1577 a license by endorsement to a military-trained applicant \* \* \*,  
1578 military spouse or person who establishes residence in this state  
1579 shall be subject to the provisions of Section 73-50-1 or 73-50-2,  
1580 as applicable.

1581       (4) **Licensure by equivalent amount of theory and clinical**  
1582 **experience.** In the discretion of the board, former students of a  
1583 state-accredited school preparing students to become registered  
1584 nurses may be granted permission to take the examination for  
1585 licensure to practice as a licensed practical nurse, provided the  
1586 applicant's record or transcript indicates the former student  
1587 completed an equivalent amount of theory and clinical experiences  
1588 as required of a graduate of a practical nursing program, and  
1589 provided the school attended was, at the time of the student's  
1590 attendance, an accredited school of nursing.

1591       (5) **Requirements for rewriting the examination.** The board  
1592 shall establish in its rules the requirements for rewriting the  
1593 examination for those persons failing the examination on the first  
1594 writing or subsequent writing.

1595       (6) **Fee.** The applicant applying for a license by  
1596 examination or by endorsement to practice as a licensed practical  
1597 nurse shall pay a fee not to exceed Sixty Dollars (\$60.00) to the  
1598 board.

1599       (7) **Temporary permit.** (a) The board may issue a temporary  
1600 permit to practice practical nursing to a graduate of an approved

1601 school of practical nursing pending the results of the examination  
1602 in Mississippi, and to a qualified applicant from another state,  
1603 territory or possession of the United States, or the District of  
1604 Columbia, pending licensing procedures as provided for elsewhere  
1605 in this article. The fee shall not exceed Twenty-five Dollars  
1606 (\$25.00).

1607 (b) The board may issue a temporary permit for a period  
1608 of ninety (90) days to a licensed practical nurse who is currently  
1609 licensed in another state, territory or possession of the United  
1610 States or the District of Columbia and who is an applicant for  
1611 licensure by endorsement. Such permit is not renewable except by  
1612 board action. The issuance of a temporary permit to a  
1613 military-trained applicant \* \* \*, military spouse or person who  
1614 establishes residence in this state shall be subject to the  
1615 provisions of Section 73-50-1 or 73-50-2, as applicable.

1616 (c) The board may issue a temporary permit to a  
1617 graduate of an approved practical nursing education program or an  
1618 equivalent program satisfactory to the board pending the results  
1619 of the first licensing examination scheduled after application.  
1620 Such permit is not renewable except by board action.

1621 (d) The board may issue a temporary permit for a period  
1622 of thirty (30) days to any licensed practical nurse during the  
1623 time enrolled in a nursing reorientation program. This time  
1624 period may be extended by board action. The fee shall not exceed  
1625 Twenty-five Dollars (\$25.00).

1626 (e) The board may adopt such regulations as are  
1627 necessary to limit the practice of persons to whom temporary  
1628 permits are issued.

1629 (8) **Title and abbreviation.** Any person who holds a license  
1630 or holds the privilege to practice as a licensed practical nurse  
1631 in this state shall have the right to use the title "licensed  
1632 practical nurse" and the abbreviation "L.P.N." No other person  
1633 shall assume such title or use such abbreviation, or any words,  
1634 letters, signs or devices to indicate that a person using the same  
1635 is a licensed practical nurse.

1636 (9) **Licensed practical nurses licensed under a previous law.**  
1637 Any person holding a license to practice nursing as a practical  
1638 nurse issued by this board which is valid on July 1, 1981, shall  
1639 thereafter be deemed to be licensed as a practical nurse under the  
1640 provisions of this article upon payment of the fee prescribed in  
1641 Section 73-15-27.

1642 (10) Each application or filing made under this section  
1643 shall include the social security number(s) of the applicant in  
1644 accordance with Section 93-11-64.

1645 **SECTION 16.** Section 73-17-11, Mississippi Code of 1972, is  
1646 amended as follows:

1647 73-17-11. (1) From and after July 1, 2011, in order to be  
1648 eligible to be licensed as a nursing home administrator, an  
1649 individual must submit evidence satisfactory to the board that he  
1650 or she:

1651 (a) Is at least twenty-one (21) years of age;



1652           (b) Is of good moral character, including evidence of a  
1653 criminal background check within the last six (6) months, under  
1654 Section 43-11-13 and Section G.407.3 of the Minimum Standards for  
1655 Institutions for the Aged or Infirm;

1656           (c) Is in good health;

1657           (d) Has satisfied at least one (1) of the following  
1658 requirements for education and experience:

1659                   (i) Has sixty-four (64) hours of college work from  
1660 an accredited institution and has worked in a supervisory capacity  
1661 in a Mississippi-licensed nursing home for a minimum of two (2)  
1662 years immediately before making application for the  
1663 Administrator-in-Training Program established by board rule;

1664                   (ii) Has an associate degree from an accredited  
1665 institution and has worked in a supervisory capacity in a  
1666 Mississippi-licensed nursing home for a minimum of two (2) years  
1667 immediately before making application for the  
1668 Administrator-in-Training Program established by board rule;

1669                   (iii) Has a bachelor's degree in any other field  
1670 of study from an accredited institution before making application  
1671 for the Administrator-in-Training Program established by board  
1672 rule; or

1673                   (iv) Has a bachelor's degree in health care  
1674 administration or a health care related field or business from an  
1675 accredited institution before making application for the  
1676 Administrator-in-Training Program established by board rule;

1677                   (e) Has (i) completed a nursing home  
1678 Administrator-in-Training Program and successfully completed the  
1679 National Association of Long-Term Care Administrator Board (NAB)  
1680 examination, or (ii) completed an Administrator-in-Training  
1681 Program in Long-Term Care Administration from an academic  
1682 institution during which time the institution held National  
1683 Association of Long-Term Care Administrator Board (NAB) Program  
1684 Approval through the academic approval process, to the  
1685 satisfaction of the board;

1686                   (f) Has successfully passed the National Association of  
1687 Long-Term Care Administrator Board (NAB) examination and the  
1688 Mississippi State Board of Nursing Home Administrators examination  
1689 to test his or her proficiency and basic knowledge in the area of  
1690 nursing home administration. The board may establish the  
1691 frequency of the offering of those examinations and the contents  
1692 thereof; and

1693                   (g) Has met all of the requirements established by  
1694 federal law.

1695                   (2) Reciprocity shall be extended to individuals holding  
1696 licenses as nursing home administrators in other states, upon  
1697 proper application and a finding on the part of the board that:

1698                   (a) The applicant possesses the basic qualifications  
1699 listed in this chapter and in the rules and regulations adopted  
1700 under federal law;

1701                   (b) The applicant has met all of the requirements  
1702 established by federal law; and

1703 (c) The standards for licensure in the other states are  
1704 at least the substantial equivalent of those in this state,  
1705 including education and experience, and the applicant has passed  
1706 both the National Association of Long-Term Care Administrator  
1707 Board (NAB) and the state exams.

1708 The issuance of a license by reciprocity to a  
1709 military-trained applicant \* \* \*, military spouse or person who  
1710 establishes residence in this state shall be subject to the  
1711 provisions of Section 73-50-1 or 73-50-2, as applicable.

1712 (3) The board may prescribe appropriate fees for the taking  
1713 of those examinations and for the issuance of licenses. Those  
1714 fees shall be not more than the cost of the examinations and Five  
1715 Hundred Dollars (\$500.00) for the issuance of a license. However,  
1716 the fee for an initial license may be prorated in proportion to  
1717 the period of time from the date of issuance and the date of  
1718 biennial license renewal prescribed in subsection (4). All  
1719 licenses issued under this chapter shall be for a maximum period  
1720 of two (2) years.

1721 (4) Except as provided in Section 33-1-39, the board may  
1722 renew licenses biennially upon the payment of a fee to be  
1723 established by the board, which shall be not more than Five  
1724 Hundred Dollars (\$500.00), plus any administrative costs for late  
1725 payment.

1726 (5) Any person who is not licensed under this chapter on  
1727 July 1, 2011, who makes application with the board on or before  
1728 June 30, 2012, may qualify for a license under this chapter

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

1737 (6) Current licensure by the Department of Mental Health  
1738 under Section 41-4-7(r) as a mental health/intellectual disability  
1739 program administrator shall exempt the licensee from the  
1740 requirement of licensure as a nursing home administrator if the  
1741 licensee is employed in the state mental health system as  
1742 Administrator of Intermediate Care Facility or Facilities for  
1743 Persons with Intellectual Disabilities (ICF/ID) no larger than  
1744 sixteen (16) beds.

1745 (7) This section shall stand repealed on July 1, 2021.

1746 **SECTION 17.** Section 73-19-25, Mississippi Code of 1972, is  
1747 amended as follows:

1748 73-19-25. An applicant for a certificate of licensure who  
1749 has been examined by the state board of another state which,  
1750 through reciprocity, similarly accredits the holder of a  
1751 certificate issued by the board of this state to the full  
1752 privileges of practice within such state, on the payment of a fee  
1753 of not more than Fifty Dollars (\$50.00) to the board and on filing  
1754 in the office of the board a true and attested copy of the

1755 license, certified by the president or secretary of the state  
1756 board issuing the same, and showing also that the standard  
1757 requirements adopted and enforced by the board are equal to that  
1758 provided by this state, may, without further examination, receive  
1759 a certificate of licensure, provided that such applicant has not  
1760 previously failed at an examination held by the board of this  
1761 state. The issuance of a certificate of licensure by reciprocity  
1762 to a military-trained applicant \* \* \*, military spouse or person  
1763 who establishes residence in this state shall be subject to the  
1764 provisions of Section 73-50-1 or 73-50-2, as applicable.

1765 **SECTION 18.** Section 73-21-87, Mississippi Code of 1972, is  
1766 amended as follows:

1767 73-21-87. (1) To obtain a license to engage in the practice  
1768 of pharmacy by reciprocity or license transfer, the applicant  
1769 shall:

1770 (a) Have submitted a written application on the form  
1771 prescribed by the board;

1772 (b) Be of good moral character;

1773 (c) Have possessed at the time of initial licensure as  
1774 a pharmacist such other qualifications necessary to have been  
1775 eligible for licensure at that time in that state;

1776 (d) Have presented to the board proof that any license  
1777 or licenses granted to the applicant by any other states have not  
1778 been suspended, revoked, cancelled or otherwise restricted for any  
1779 reason except nonrenewal or the failure to obtain required  
1780 continuing education credits; and

1781 (e) Have paid all fees specified by the board for  
1782 licensure.

1783 (2) No applicant shall be eligible for licensure by  
1784 reciprocity or license transfer unless the state in which the  
1785 applicant was initially licensed also grants a reciprocal license  
1786 or transfer license to pharmacists licensed by this state under  
1787 like circumstances and conditions.

1788 (3) The issuance of a license by reciprocity to a  
1789 military-trained applicant \* \* \*, military spouse or person who  
1790 establishes residence in this state shall be subject to the  
1791 provisions of Section 73-50-1 or 73-50-2, as applicable.

1792 (4) Each application or filing made under this section shall  
1793 include the social security number(s) of the applicant in  
1794 accordance with Section 93-11-64.

1795 **SECTION 19.** Section 73-23-51, Mississippi Code of 1972, is  
1796 amended as follows:

1797 73-23-51. (1) The board may license as a physical therapist  
1798 or as a physical therapist assistant, and furnish a certificate of  
1799 licensure without examination to, any applicant who presents  
1800 evidence, satisfactory to the board, of having passed an  
1801 examination before a similar lawfully authorized examining agency  
1802 or board in physical therapy of another state or the District of  
1803 Columbia, if the standards for registration in physical therapy or  
1804 for licensure as a physical therapist assistant in such other  
1805 state or district are determined by the board to be as high as  
1806 those of this state. The issuance of a license by reciprocity to

1807 a military-trained applicant \* \* \*, military spouse or person who  
1808 establishes residence in this state shall be subject to the  
1809 provisions of Section 73-50-1 or 73-50-2, as applicable.

1810 (2) Any person who has been trained as a physical therapist  
1811 in a foreign country and desires to be licensed under this chapter  
1812 and who: (a) is of good moral character; (b) holds a diploma from  
1813 an educational program for physical therapists approved by the  
1814 board; (c) submits documentary evidence to the board that he has  
1815 completed a course of professional instruction substantially  
1816 equivalent to that obtained by an applicant for licensure; (d)  
1817 demonstrates satisfactory proof of proficiency in the English  
1818 language; and (e) meets other requirements established by rules of  
1819 the board, may make application on a form furnished by the board  
1820 for examination as a foreign-trained physical therapist. At the  
1821 time of making such application, the applicant shall pay the fee  
1822 prescribed by the board, no portion of which shall be returned.

1823 Any person who desires to be licensed under this subsection  
1824 shall take an examination approved by the board and shall obtain a  
1825 permanent license. If this requirement is not met, the license of  
1826 the foreign-trained therapist may be revoked.

1827 **SECTION 20.** Section 73-23-53, Mississippi Code of 1972, is  
1828 amended as follows:

1829 73-23-53. (1) A temporary license to practice as a physical  
1830 therapist or physical therapist assistant may be granted to those  
1831 persons meeting the requirements stated in Section 73-23-47 and  
1832 who (a) have not taken the approved examination, or (b) have taken

1833 the approved examination but have not received the results of the  
1834 examination. The temporary license shall be granted for a period  
1835 not to exceed ninety (90) days. Any physical therapist granted a  
1836 temporary license under the provisions of this subsection shall  
1837 restrict his practice to the State of Mississippi and shall be  
1838 under the direct supervision of a physical therapist licensed in  
1839 Mississippi (physical therapy assistants shall be under the direct  
1840 on-site supervision of a Mississippi licensed physical therapist).  
1841 Documentation verifying the supervision shall be on file with the  
1842 board before a temporary license is granted.

1843 (2) The board may by rule provide for the issuance of a  
1844 temporary license to a physical therapist or a physical therapist  
1845 assistant licensed in another state who is moving into the state  
1846 and has filed an application with the board for a permanent  
1847 license in this state. This temporary license will be granted for  
1848 a period not to exceed sixty (60) days. The issuance of a  
1849 temporary license to a military-trained applicant \* \* \*, military  
1850 spouse or person who establishes residence in this state shall be  
1851 subject to the provisions of Section 73-50-1 or 73-50-2, as  
1852 applicable.

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 or 73-50-2, as applicable.

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 or 73-50-2, as applicable.

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 Chiropody 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 or 73-50-2, as applicable.

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 or 73-50-2, as applicable.

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 or 73-50-2, as applicable.

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 or 73-50-2, as applicable.

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 or 73-50-2, as applicable.

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 or 73-50-2,  
2133 as applicable.

2134 **SECTION 29.** Section 73-34-51, Mississippi Code of 1972, is  
2135 amended as follows:

2136 73-34-51. (1) Each applicant for licensure under this  
2137 chapter who is not a resident of this state shall submit, with his  
2138 application, an irrevocable consent that legal action arising out  
2139 of his activities as a real estate appraiser in this state may be  
2140 commenced against him in the proper court of any county of this  
2141 state in which a cause of action may arise or in which the  
2142 plaintiff may reside by service of process or pleading authorized

2143 by laws of this state, by the Secretary of State, or by the  
2144 Administrator of the Mississippi Real Estate Commission. The  
2145 consent shall stipulate that the service of process or pleading  
2146 shall be taken in all courts to be valid and binding as if  
2147 personal service had been made upon the nonresident licensee in  
2148 this state. The consent shall be duly acknowledged. Every  
2149 nonresident licensee shall consent to have any hearings conducted  
2150 by the board pursuant to Section 73-34-35 at a place designated by  
2151 the board.

2152 (2) Any service of process or pleading shall be served on  
2153 the Administrator of the Mississippi Real Estate Commission by  
2154 filing duplicate copies, one (1) of which shall be filed in the  
2155 office of the board and the other forwarded by certified mail to  
2156 the last-known principal address of the nonresident licensee  
2157 against whom the process or pleading is directed.

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

2169 shall be subject to the provisions of Section 73-50-1 or 73-50-2,  
2170 as applicable.

2171 **SECTION 30.** Section 73-35-7, Mississippi Code of 1972, is  
2172 amended as follows:

2173 73-35-7. Licenses shall be granted only to persons who  
2174 present, and to corporations, partnerships, companies or  
2175 associations whose officers, associates or partners present  
2176 satisfactory proof to the commission that they are trustworthy and  
2177 competent to transact the business of a real estate broker or real  
2178 estate salesperson in such manner as to safeguard the interests of  
2179 the public. Except as otherwise provided in this section, every  
2180 person who applies for a resident license as a real estate broker:  
2181 (a) shall be age twenty-one (21) years or over, and have his legal  
2182 domicile in the State of Mississippi at the time he applies; (b)  
2183 shall be subject to the jurisdiction of this state, subject to the  
2184 income tax laws and other excise laws thereof, subject to the road  
2185 and bridge privilege tax laws thereof; (c) shall not be an elector  
2186 in any other state; (d) shall have held a license as an active  
2187 real estate salesperson for twelve (12) months prior to making  
2188 application for the broker's examination hereafter specified; (e)  
2189 shall have successfully completed a minimum of one hundred twenty  
2190 (120) hours of courses in real estate as hereafter specified; (f)  
2191 shall have successfully completed the real estate broker's  
2192 examination as hereafter specified; and (g) shall have  
2193 successfully been cleared for licensure by the commission's  
2194 background investigation as provided in Section 73-35-10; and (h)

2195 sign a form under penalty of perjury stating that the applicant  
2196 will not hire any real estate salespersons for thirty-six (36)  
2197 months from the date of approval of his or her active real estate  
2198 salesperson's license. The real estate commission shall create a  
2199 standard form to comply with the requirements of this section.  
2200 Upon completion of such restriction provided in this paragraph (h)  
2201 of this section, the real estate broker is authorized to employ  
2202 any number of real estate salespersons.

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

2221 hereafter specified; and (g) have successfully been cleared for  
2222 licensure by the commission's background investigation as provided  
2223 in Section 73-35-10.

2224         An applicant who has not held an active real estate  
2225 salesperson's license for a period of at least thirty-six (36)  
2226 months prior to submitting an application shall have successfully  
2227 completed a minimum of one hundred fifty (150) classroom hours in  
2228 real estate courses, which courses are acceptable for credit  
2229 toward a degree at a college or university as approved by the  
2230 Southern Association of Colleges and Schools.

2231         Every applicant for a resident license as a real estate  
2232 salesperson shall be age eighteen (18) years or over, shall be a  
2233 bona fide resident of the State of Mississippi prior to filing his  
2234 application, shall have successfully completed a minimum of sixty  
2235 (60) hours in courses in real estate as hereafter specified, and  
2236 shall have successfully completed the real estate salesperson's  
2237 examination as hereafter specified.

2238         The residency requirements set forth in this section shall  
2239 not apply to those licensees of other states who qualify and  
2240 obtain nonresident licenses in this state.

2241         The commission is authorized to exempt from such prelicensing  
2242 educational requirements, in whole or in part, a real estate  
2243 licensee of another state who desires to obtain a license under  
2244 this chapter, provided that the prelicensing educational  
2245 requirements in the other state are determined by the commission  
2246 to be equivalent to prelicensing educational requirements in this

2247 state and provided that such state extends this same privilege or  
2248 exemption to Mississippi real estate licensees. The issuance of a  
2249 license by reciprocity to a military-trained applicant \* \* \*,  
2250 military spouse or person who establishes residence in this state  
2251 shall be subject to the provisions of Section 73-50-1 or 73-50-2,  
2252 as applicable.

2253 **SECTION 31.** Section 73-35-13, Mississippi Code of 1972, is  
2254 amended as follows:

2255 73-35-13. (1) In addition to proof of his honesty,  
2256 trustworthiness and good reputation, the applicant shall take a  
2257 written examination which shall be held at least four (4) times  
2258 each year at regular intervals and on stated times by the  
2259 commission and shall test reading, writing, spelling, elementary  
2260 arithmetic and his general knowledge of the statutes of this state  
2261 relating to real property, deeds, mortgages, agreements of sale,  
2262 agency, contract, leases, ethics, appraisals, the provisions of  
2263 this chapter and such other matters the commission certifies as  
2264 necessary to the practice of real estate brokerage in the State of  
2265 Mississippi. The examination for a broker's license shall differ  
2266 from the examination for a salesperson's license, in that it shall  
2267 be of a more exacting nature and require higher standards of  
2268 knowledge of real estate. The commission shall cause examinations  
2269 to be conducted at such times and places as it shall determine.

2270 (2) In event the license of any real estate broker or  
2271 salesperson is revoked by the commission subsequent to the



2272 enactment of this chapter, no new license shall be issued to such  
2273 person unless he complies with the provisions of this chapter.

2274 (3) No person shall be permitted or authorized to act as a  
2275 real estate broker or salesperson until he has qualified by  
2276 examination, except as hereinbefore provided. Any individual who  
2277 fails to pass the examination for salesperson upon two (2)  
2278 occasions, shall be ineligible for a similar examination, until  
2279 after the expiration of three (3) months from the time such  
2280 individual last took the examination. Any individual who fails to  
2281 pass the broker's examination upon two (2) occasions, shall be  
2282 ineligible for a similar examination until after the expiration of  
2283 six (6) months from the time such individual last took the  
2284 examination, and then only upon making application as in the first  
2285 instance.

2286 (4) If the applicant is a partnership, association or  
2287 corporation, the examination shall be taken on behalf of the  
2288 partnership, association or corporation by the member or officer  
2289 thereof who is designated in the application as the person to  
2290 receive a license by virtue of the issuing of a license to such  
2291 partnership, association or corporation.

2292 (5) Upon satisfactorily passing such examination and upon  
2293 complying with all other provisions of law and conditions of this  
2294 chapter, a license shall thereupon be issued to the successful  
2295 applicant who, upon receiving such license, is authorized to  
2296 conduct the business of a real estate broker or real estate  
2297 salesperson in this state.

2298           (6) The commission is authorized to exempt from such  
2299 examination, in whole or in part, a real estate licensee of  
2300 another state who desires to obtain a license under this chapter,  
2301 provided that the examination administered in the other state is  
2302 determined by the commission to be equivalent to such examination  
2303 given in this state and provided that such other state extends  
2304 this same privilege or exemption to Mississippi real estate  
2305 licensees. The issuance of a license by reciprocity to a  
2306 military-trained applicant \* \* \*, military spouse or person who  
2307 establishes residence in this state shall be subject to the  
2308 provisions of Section 73-50-1 or 73-50-2, as applicable.

2309           **SECTION 32.** Section 73-36-31, Mississippi Code of 1972, is  
2310 amended as follows:

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

2324 such privileges. The fee for obtaining a license through  
2325 reciprocity shall be the same as charged a Mississippi licensee.  
2326 The issuance of a license by reciprocity to a military-trained  
2327 applicant \* \* \*, military spouse or person who establishes  
2328 residence in this state shall be subject to the provisions of  
2329 Section 73-50-1 or 73-50-2, as applicable.

2330 **SECTION 33.** Section 73-38-23, Mississippi Code of 1972, is  
2331 amended as follows:

2332 73-38-23. (1) The board may waive the examination for  
2333 licensure of any applicant who presents proof of current licensure  
2334 in another state, including the District of Columbia, or territory  
2335 of the United States which maintains professional standards  
2336 considered by the council to be equivalent to those set forth in  
2337 this chapter. The issuance of a license by reciprocity to a  
2338 military-trained applicant \* \* \*, military spouse or person who  
2339 establishes residence in this state shall be subject to the  
2340 provisions of Section 73-50-1 or 73-50-2, as applicable.

2341 (2) The board shall waive the examination for licensure of  
2342 any person certified as clinically competent by ASHA in the area  
2343 for which such person is applying for licensure.

2344 **SECTION 34.** Section 73-39-71, Mississippi Code of 1972, is  
2345 amended as follows:

2346 73-39-71. (1) The board may issue a license by endorsement  
2347 to an applicant who furnishes satisfactory proof that he is a  
2348 graduate of an accredited college of veterinary medicine or the  
2349 educational equivalence. The applicant must also show that he is

2350 a person of good moral character and is licensed to practice  
2351 veterinary medicine in at least one (1) state, territory or  
2352 district of the United States and has practiced veterinary  
2353 medicine in one or more of those states without disciplinary  
2354 action by any state or federal agency for at least the three (3)  
2355 years immediately before filing the application.

2356 (2) The board may examine any person qualifying for  
2357 licensing under this section.

2358 (3) The issuance of a license by endorsement to a  
2359 military-trained applicant \* \* \*, military spouse or person who  
2360 establishes residence in this state shall be subject to the  
2361 provisions of Section 73-50-1 or 73-50-2, as applicable.

2362 **SECTION 35.** Section 73-53-13, Mississippi Code of 1972, is  
2363 amended as follows:

2364 73-53-13. The board shall issue the appropriate license to  
2365 applicants who meet the qualifications of this section.

2366 (a) A license as a "licensed social worker" shall be  
2367 issued to an applicant who demonstrates to the satisfaction of the  
2368 board that he or she meets the following qualifications:

2369 (i) Has a baccalaureate degree in social work from  
2370 a college or university accredited by the Council on Social Work  
2371 Education or Southern Association of Colleges and Schools and has  
2372 satisfactorily completed the Association for Social Work Boards  
2373 (ASWB) examination for this license; or

2374 (ii) Has a comparable license or registration from  
2375 another state or territory of the United States of America that

2376 imposes qualifications substantially similar to those of this  
2377 chapter.

2378           (b) A license as a "licensed master's social worker"  
2379 shall be issued to an applicant who demonstrates to the  
2380 satisfaction of the board that he or she meets the following  
2381 qualifications:

2382                   (i) Has a doctorate or master's degree from a  
2383 school of social work accredited by the Council on Social Work  
2384 Education; and

2385                   (ii) Has satisfactorily completed the ASWB  
2386 examination for this license; or

2387                   (iii) Has a comparable license or registration  
2388 from another state or territory of the United States of America  
2389 that imposes qualifications substantially similar to those of this  
2390 chapter.

2391           (c) A license as a "licensed certified social worker"  
2392 shall be issued to an applicant who demonstrates to the  
2393 satisfaction of the board that he or she meets the following  
2394 qualifications:

2395                   (i) Is licensed under this section as a "master's  
2396 social worker"; and

2397                   (ii) Has twenty-four (24) months of professional  
2398 supervision and clinical or macro social work practice experience  
2399 acceptable to the board, under appropriate supervision; and

2400                   (iii) Has satisfactorily completed the ASWB  
2401 examination for this license; or

2402 (iv) Has a comparable license or registration from  
2403 another state or territory of the United States of America that  
2404 imposes qualifications substantially similar to those of this  
2405 chapter.

2406 (d) In addition to the above qualifications, an  
2407 applicant for any of the above licenses must prove to the board's  
2408 satisfaction:

2409 (i) Age of at least twenty-one (21) years, and

2410 (ii) Good moral character, which is a continuing  
2411 requirement for licensure, and

2412 (iii) United States of America citizenship or  
2413 status as a legal resident alien, and

2414 (iv) Absence of conviction of a felony related to  
2415 the practice of social work for the last ten (10) years.

2416 Conviction, as used in this subparagraph, includes a deferred  
2417 conviction, deferred prosecution, deferred sentence, finding or  
2418 verdict of guilt, an admission of guilty, or a plea of nolo  
2419 contendere, and

2420 (v) That the applicant has not been declared  
2421 mentally incompetent by any court, and if any such decree has ever  
2422 been rendered, that the decree has since been changed, and

2423 (vi) Freedom from dependency on alcohol or drugs,  
2424 and

2425 (vii) Complete criminal history records check,  
2426 including a fingerprint and an acceptable sex offender check, by  
2427 appropriate governmental authorities as prescribed by the board.

2428 (e) Only individuals licensed as "certified social  
2429 workers" shall be permitted to call themselves "clinical social  
2430 workers."

2431 The issuance of a license by reciprocity to a  
2432 military-trained applicant \* \* \*, military spouse or person who  
2433 establishes residence in this state shall be subject to the  
2434 provisions of Section 73-50-1 or 73-50-2, as applicable.

2435 Each application or filing made under this section shall  
2436 include the social security number(s) of the applicant in  
2437 accordance with Section 93-11-64.

2438 **SECTION 36.** Section 73-54-23, Mississippi Code of 1972, is  
2439 amended as follows:

2440 73-54-23. The board shall issue a license by examination of  
2441 credentials to any applicant licensed or certified as a marriage  
2442 and family therapist in another state that has such requirements  
2443 for the license or certificate that the board is of the opinion  
2444 that the applicant is competent to engage in the practice of  
2445 marriage and family therapy in this state, provided that the  
2446 applicant submits an application on forms prescribed by the board,  
2447 has passed the national Examination in Marital and Family Therapy,  
2448 and pays the original licensure fee prescribed by Section  
2449 73-54-25. The issuance of a license by reciprocity to a  
2450 military-trained applicant \* \* \*, military spouse or person who  
2451 establishes residence in this state shall be subject to the  
2452 provisions of Section 73-50-1 or 73-50-2, as applicable.

2453           **SECTION 37.** Section 73-60-25, Mississippi Code of 1972, is  
2454 amended as follows:

2455           73-60-25. A home inspector license may be issued to a home  
2456 inspector from another state who satisfies one (1) of the  
2457 following requirements: (a) holds a valid certificate of  
2458 certification, registration or home inspector license in good  
2459 standing issued by another state, which has requirements for  
2460 licensure substantially identical to those of this state, or (b)  
2461 has passed the examination offered by the American Society of Home  
2462 Inspectors or the National Association of Home Inspectors. The  
2463 issuance of a license by reciprocity to a military-trained  
2464 applicant \* \* \*, military spouse or person who establishes  
2465 residence in this state shall be subject to the provisions of  
2466 Section 73-50-1 or 73-50-2, as applicable.

2467           **SECTION 38.** Section 73-63-39, Mississippi Code of 1972, is  
2468 amended as follows:

2469           73-63-39. (1) The board may sign agreements with boards of  
2470 registration, licensure or certification in other states, and with  
2471 other appropriate organizations and agencies, for the purposes of:

- 2472           (a) Developing uniform standards for registration of
- 2473 professional geologists or enrollment of geologists-in-training;
- 2474           (b) Accrediting educational programs;
- 2475           (c) Establishing reciprocity, comity, temporary
- 2476 registration, or mutual recognition of registration or enrollment;
- 2477           (d) Developing regional or national examinations;
- 2478           (e) Evaluating applicants; or



2479 (f) Other purposes consistent with this chapter.

2480 (2) Any person holding a valid certificate of registration,  
2481 licensure or certification for the practice of geology or a  
2482 recognized specialty of geology, issued under the laws of any  
2483 state or territory or possession of the United States, or any  
2484 foreign country, shall be eligible for registration, without  
2485 examination. The board may issue a certificate of registration to  
2486 any person who has made application, provided proof of  
2487 registration, licensure or certification under requirements which  
2488 the board determines to be substantially similar to those  
2489 established under this chapter and paid all applicable fees. The  
2490 issuance of a certificate of registration by reciprocity to a  
2491 military-trained applicant \* \* \*, military spouse or person who  
2492 establishes residence in this state shall be subject to the  
2493 provisions of Section 73-50-1 or 73-50-2, as applicable.

2494 **SECTION 39.** Section 73-65-7, Mississippi Code of 1972, is  
2495 amended as follows:

2496 73-65-7. (1) The board shall issue a license as a licensed  
2497 professional art therapist to any person who files a completed  
2498 application, accompanied by the required fees, and who submits  
2499 satisfactory evidence that the applicant is at least twenty-one  
2500 (21) years of age, is a registered art therapist as defined by the  
2501 Art Therapy Credentials Board, Inc., demonstrates professional  
2502 competency by satisfactorily passing the required examination, and  
2503 is a board-certified art therapist as defined by the Art Therapy  
2504 Credentials Board, Inc.

2505           (2) The board may approve on a case-by-case basis applicants  
2506 who have a master's degree or a doctoral degree from nonaccredited  
2507 institutions.

2508           (3) If an applicant has met all of the requirements for  
2509 licensure except satisfactorily passing the required examination,  
2510 the applicant shall be scheduled to take the next examination  
2511 following the approval of the examination.

2512           (4) The board may issue a license to an applicant without  
2513 examination if the person possesses a valid regulatory document  
2514 issued by the appropriate examining board under the laws of any  
2515 other state or territory of the United States, the District of  
2516 Columbia, or any foreign nation that in the judgment of the board  
2517 has requirements substantially equivalent to or exceeding the  
2518 requirements in this section. The issuance of a license by  
2519 reciprocity to a military-trained applicant \* \* \*, military spouse  
2520 or person who establishes residence in this state shall be subject  
2521 to the provisions of Section 73-50-1 or 73-50-2, as applicable.

2522           (5) The board may issue provisional licensure as a  
2523 professional art therapist to any person who has completed the  
2524 educational requirements established by the Art Therapy  
2525 Credentials Board, Inc., and has met all requirements for  
2526 licensure as a professional art therapist, except the experience  
2527 and/or examination requirements, and is under the supervision of a  
2528 supervisor acceptable to the board.

2529           (6) The board may set criteria for continuing education and  
2530 supervisory experience.

2531           **SECTION 40.** Section 73-67-25, Mississippi Code of 1972, is  
2532 amended as follows:

2533           73-67-25. (1) An applicant may be licensed by demonstrating  
2534 proof that the applicant holds a valid, current license in another  
2535 state with similar educational requirements to those required by  
2536 this chapter, and that all other licensure requirements under this  
2537 chapter are met. This is subject to investigation by the board  
2538 and excludes grandfathering by other states.

2539           (2) If an individual who is licensed in another state that  
2540 has licensing standards substantially equivalent to the standards  
2541 under this chapter applies for licensure, the board may issue a  
2542 provisional permit authorizing the applicant to practice massage  
2543 therapy pending completion of documentation that the applicant  
2544 meets the requirements for licensure under this chapter. The  
2545 provisional permit may reflect statutory limitations on the scope  
2546 of practice. The provisional permit shall not be issued until an  
2547 applicant has successfully passed the Mississippi State Law  
2548 Examination.

2549           (3) A current massage therapy license issued by the board  
2550 shall at all times be prominently displayed in any place where  
2551 massage therapy is being practiced.

2552           (4) A license issued under this chapter is not transferable  
2553 or assignable.

2554           The issuance of a license or provisional permit by  
2555 reciprocity to a military-trained applicant \* \* \*,    military spouse

2556 or person who establishes residence in this state shall be subject  
2557 to the provisions of Section 73-50-1 or 73-50-2, as applicable.

2558 **SECTION 41.** Section 73-69-11, Mississippi Code of 1972, is  
2559 amended as follows:

2560 73-69-11. (1) Any person employed by an alarm contracting  
2561 company shall hold an individual license issued by the State Fire  
2562 Marshal. Such license shall authorize its holder to engage in  
2563 alarm contracting, only to the extent of the terms as further  
2564 provided in this chapter.

2565 (2) Such application shall be accompanied by:

2566 (a) Two (2) suitable photographs of the applicant  
2567 acceptable to the State Fire Marshal. The State Fire Marshal  
2568 shall keep one (1) photograph on file and shall make the other  
2569 photograph a part of any license subsequently issued to the  
2570 applicant.

2571 (b) Documentation that the applicant meets educational  
2572 requirements applicable to the type of license for which he is  
2573 applying, as follows:

2574 (i) For a Class B license: a minimum of  
2575 Electronic Security Association, Level 2 A and Level 2 B Burglar  
2576 Alarm training course or the Electronic Security Association, Fire  
2577 Alarm Installation Methods and Advanced Intrusion Systems training  
2578 courses, or equivalent training approved by the State Fire  
2579 Marshal, and documentation proving residency within a radius of  
2580 one hundred fifty (150) miles of the office to which he is  
2581 assigned.

2582                   (ii) For a Class C license: a minimum of  
2583 Electronic Security Association Level 1 Certified Alarm/Security  
2584 Technician training course, or equivalent training approved by the  
2585 State Fire Marshal.

2586                   (iii) For a Class D license: a minimum of  
2587 Electronic Security Association, Understanding Electronic Security  
2588 Systems training course, or equivalent training approved by the  
2589 State Fire Marshal.

2590                   (iv) For a Class H license: application a Class B  
2591 or Class C license holder that they will provide direct  
2592 supervision of the Class H licensee.

2593                   (c) (i) A statement by the applicant that he has not  
2594 been convicted of a felony, received a first-time offender pardon  
2595 for a felony, or entered a plea of guilty or nolo contendere to a  
2596 felony charge. A felony that has been dismissed pursuant to the  
2597 Mississippi Criminal Code or equivalent judicial dismissal shall  
2598 not apply to this paragraph.

2599                   (ii) A conviction or a plea of guilty or nolo  
2600 contendere to a felony charge or receipt of a first-time offender  
2601 pardon shall not constitute an automatic disqualification as  
2602 otherwise required pursuant to subparagraph (i) if ten (10) or  
2603 more years have elapsed between the date of application and the  
2604 successful completion or service of any sentence, deferred  
2605 adjudication or period of probation or parole.

2606                   (iii) Subparagraph (ii) shall not apply to any  
2607 person convicted of a felony crime of violence or a sex offense as  
2608 defined within the Mississippi Criminal Code.

2609                   (d) The State Fire Marshal shall have the authority to  
2610 conduct criminal history verification on a local, state or  
2611 national level. Beginning on July 1, 2014, in order to assist the  
2612 Office of the State Fire Marshal in determining an applicant's  
2613 suitability for a license under this chapter, an applicant shall  
2614 submit a set of fingerprints with the submission of an application  
2615 for license. The Office of the State Fire Marshal shall forward  
2616 the fingerprints to the Department of Public Safety for the  
2617 purpose of conducting a criminal history record check. If no  
2618 disqualifying record is identified at the state level, the  
2619 fingerprints shall be forwarded by the Department of Public Safety  
2620 to the Federal Bureau of Investigation for a national criminal  
2621 history record check. Fees related to the criminal history record  
2622 check shall be paid by the applicant to the State Fire Marshal and  
2623 the monies from such fees shall be deposited in the special fund  
2624 in the State Treasury designated as the Electronic Protection  
2625 Licensing Fund.

2626                   (e) The application fee authorized by this chapter.

2627                   (3) The State Fire Marshal shall have the authority to  
2628 determine if information submitted by an applicant is in a form  
2629 acceptable to him. The State Fire Marshal shall verify or have  
2630 another entity verify information submitted by each applicant.

2631           (4) If the State Fire Marshal finds that an applicant has  
2632 met the applicable requirements of the alarm licensing law, he  
2633 shall issue the appropriate type of license to the applicant upon  
2634 payment of the license fee authorized by this chapter.

2635           (5) Each individual license holder shall maintain his  
2636 license on his person while engaging in any type of alarm  
2637 contracting as applicable. Each such license holder shall present  
2638 his license for inspection upon demand by an employee of the  
2639 Office of the State Fire Marshal or a law enforcement officer.

2640           (6) Each individual license holder shall notify the State  
2641 Fire Marshal, on a form specified and provided by the State Fire  
2642 Marshal, within ten (10) days of the following:

2643                   (a) Any change in business or home address.

2644                   (b) Any separation from an employer or change in  
2645 employer.

2646                   (c) Any conviction for a felony or entry of a plea of  
2647 guilty or nolo contendere to a felony charge or receipt of a  
2648 first-time offender pardon.

2649           (7) No individual licensed under this chapter shall contract  
2650 for his services as an independent contractor or agent without  
2651 applying for and being issued a Class A license per Section  
2652 73-69-9. No alarm contracting company shall contract for the  
2653 independent services of a holder of an individual license under  
2654 this section.

2655           (8) The State Fire Marshal may enter into reciprocal  
2656 agreements with other states for mutual recognition of individual

2657 license holders, if the State Fire Marshal has established the  
2658 criteria for acceptance of reciprocal agreements by rule or  
2659 regulation. The issuance of a license by reciprocity to a  
2660 military-trained applicant \* \* \*, military spouse or person who  
2661 establishes residence in this state shall be subject to the  
2662 provisions of Section 73-50-1 or 73-50-2, as applicable.

2663 (9) If the action by the State Fire Marshal is to nonrenew  
2664 or to deny an application for license, the State Fire Marshal  
2665 shall notify the applicant or licensee and advise, in writing, the  
2666 applicant or licensee of the reason for the denial or nonrenewal  
2667 of the applicant's or licensee's license. The applicant or  
2668 licensee may make written demand upon the State Fire Marshal  
2669 within ten (10) days for a hearing before the State Fire Marshal  
2670 to determine the reasonableness of the State Fire Marshal's  
2671 action. The hearing shall be held within thirty (30) days.

2672 **SECTION 42.** Section 73-71-21, Mississippi Code of 1972, is  
2673 amended as follows:

2674 73-71-21. The board may, at its discretion, issue a license  
2675 without examination to an acupuncture practitioner who has been  
2676 licensed, certified or otherwise formally legally recognized as an  
2677 acupuncturist or acupuncture practitioner in any state or  
2678 territory if all three (3) of the following conditions are met to  
2679 its satisfaction:

2680 (a) The applicant meets the requirements of practice in  
2681 the state or territory in which the applicant is licensed,



2682 certified, or registered as an acupuncturist or acupuncture  
2683 practitioner;

2684 (b) The requirements for practice in the state or  
2685 territory in which the applicant is licensed, certified or  
2686 registered as an acupuncturist or acupuncture practitioner are at  
2687 least as stringent as those of this state; and

2688 (c) The state or territory in which the applicant is  
2689 licensed, certified or legally recognized as an acupuncturist or  
2690 acupuncture practitioner permits an acupuncture practitioner  
2691 licensed in this state to practice acupuncture or acupuncture in  
2692 that jurisdiction by credentials examination.

2693 The issuance of a license by reciprocity to a  
2694 military-trained applicant \* \* \*, military spouse or person who  
2695 establishes residence in this state shall be subject to the  
2696 provisions of Section 73-50-1 or 73-50-2, as applicable.

2697 **SECTION 43.** Section 73-73-11, Mississippi Code of 1972, is  
2698 amended as follows:

2699 73-73-11. The board and IDAC may accept applications for  
2700 Mississippi certification from an interior designer in another  
2701 jurisdiction pursuant to Section 73-73-7 or 73-73-9. The issuance  
2702 of a certification by reciprocity to a military-trained  
2703 applicant \* \* \*, military spouse or person who establishes  
2704 residence in this state shall be subject to the provisions of  
2705 Section 73-50-1 or 73-50-2, as applicable.

2706 **SECTION 44.** Section 73-75-15, Mississippi Code of 1972, is  
2707 amended as follows:

2708           73-75-15. **Waiver of eligibility requirements.** The board may  
2709 waive the examination for licensure of any applicant who presents  
2710 proof of current licensure in another state, including the  
2711 District of Columbia, or territory of the United States which  
2712 maintains professional standards considered by the board to be  
2713 equivalent to those set forth in this chapter. The issuance of a  
2714 license by reciprocity to a military-trained applicant \* \* \*,  
2715 military spouse or person who establishes residence in this state  
2716 shall be subject to the provisions of Section 73-50-1 or 73-50-2,  
2717 as applicable.

2718           **SECTION 45.** This act shall take effect and be in force from  
2719 and after July 1, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO CREATE SECTION 73-50-2, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT MISSISSIPPI OCCUPATIONAL LICENSING BOARDS SHALL  
3 ISSUE A LICENSE TO AN APPLICANT WHO ESTABLISHES RESIDENCE IN THIS  
4 STATE IF THE APPLICANT HOLDS A CURRENT LICENSE IN GOOD STANDING  
5 FROM ANOTHER STATE, HAS BEEN LICENSED BY THE OTHER STATE FOR AT  
6 LEAST ONE YEAR AND SATISFIES CERTAIN OTHER CONDITIONS; TO PROVIDE  
7 THAT 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.

SS26\HB1263A.J

Eugene S. Clarke  
Secretary of the Senate