

By: Senator(s) Horhn

To: Public Health and  
Welfare

## SENATE BILL NO. 2752

1 AN ACT TO AMEND SECTION 73-25-32, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE CERTAIN GROUNDS FOR REINSTATEMENT OF A PHYSICIAN'S  
3 LICENSE THAT HAS BEEN REVOKED BY THE BOARD OF MEDICAL LICENSURE  
4 FOR VIOLATION OF STATUTE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 73-25-32, Mississippi Code of 1972, is  
7 amended as follows:

8 73-25-32. (1) A person whose license to practice medicine  
9 or osteopathy has been revoked or suspended may petition the  
10 Mississippi State Board of Medical Licensure to reinstate this  
11 license after a period of not less than one (1) year has elapsed  
12 from the date of the revocation or suspension. The procedure for  
13 the reinstatement of a license that is suspended for being out of  
14 compliance with an order for support, as defined in Section  
15 93-11-153, shall be governed by Section 93-11-157 or 93-11-163, as  
16 the case may be. In any application for reinstatement of a  
17 license to practice medicine which has been revoked, the applicant  
18 shall prove to the board that the medical practice deficiencies  
19 specified in the revocation order have been corrected, and that it



20 is in the applicant's or the public's best interest to reinstate  
21 the license, which is supported by substantial evidence in  
22 addition to the other requirements of this section.

23       (2) The petition shall be accompanied by two (2) or more  
24 verified recommendations from physicians or osteopaths licensed by  
25 the Board of Medical Licensure to which the petition is addressed  
26 and by two (2) or more recommendations from citizens each having  
27 personal knowledge of the activities of the petitioner since the  
28 disciplinary penalty was imposed and such facts as may be required  
29 by the Board of Medical Licensure.

30       The petition may be heard at the next regular meeting of the  
31 Board of Medical Licensure but not earlier than thirty (30) days  
32 after the petition was filed. No petition shall be considered  
33 while the petitioner is under sentence for any criminal offense,  
34 including any period during which he is under probation or parole.  
35 The hearing may be continued from time to time as the Board of  
36 Medical Licensure finds necessary.

37       (3) In determining whether the disciplinary penalty should  
38 be set aside and the terms and conditions, if any, that should be  
39 imposed if the disciplinary penalty is set aside, the Board of  
40 Medical Licensure may investigate and consider all activities of  
41 the petitioner since the disciplinary action was taken against  
42 him, the offense for which he was disciplined, his activity during  
43 the time his certificate was in good standing, his general



reputation for truth, professional ability and good character; and it may require the petitioner to pass an oral examination.

(4) The investigation shall require the petitioner to undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each petitioner shall submit a full set of the petitioner's fingerprints in a form and manner prescribed by the board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

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



68           The board shall provide to the department the fingerprints of  
69 the petitioner, any additional information that may be required by  
70 the department, and a form signed by the petitioner consenting to  
71 the check of the criminal records and to the use of the  
72 fingerprints and other identifying information required by the  
73 state or national repositories.

74           The board shall charge and collect from the petitioner, in  
75 addition to all other applicable fees and costs, such amount as  
76 may be incurred by the board in requesting and obtaining state and  
77 national criminal history records information on the applicant.

78           (5) The Secretary-Treasurer of the Board of Medical  
79 Licensure shall enter into his records of the case all actions of  
80 the board in setting aside a disciplinary penalty under this  
81 section and he shall certify notices to the proper court clerk.  
82 The clerk shall make such changes on his records as may be  
83 necessary.

84           **SECTION 2.** This act shall take effect and be in force from  
85 and after July 1, 2025.

