

By: Senator(s) Burton, Dearing

To: Public Health and Welfare

SENATE BILL NO. 2988
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 73-25-3, 73-27-5, 73-26-3, 73-25-32,
2 73-27-12 AND 73-25-14, MISSISSIPPI CODE OF 1972, TO REQUIRE A
3 CRIMINAL HISTORY CHECK ON APPLICANTS FOR MEDICAL LICENSURE,
4 OSTEOPATHIC LICENSURE, PODIATRIC LICENSURE AND PHYSICIAN ASSISTANT
5 LICENSURE, AND ON APPLICANTS FOR REINSTATEMENT OF A LICENSE; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 73-25-3, Mississippi Code of 1972, is
9 amended as follows:

10 73-25-3. Every person who desires to obtain a license to
11 practice medicine must apply therefor, in writing, to the State
12 Board of Medical Licensure at least ten (10) days before the date
13 of the examination and must be examined by the board according to
14 the methods deemed by it to be the most practical and expeditious
15 to test the applicants' qualifications. If the applicant is found
16 by the board, upon examination, to possess sufficient learning in
17 those branches and to be of good moral character, the board shall
18 issue him a license to practice medicine; however, no applicant
19 shall be granted a license unless the applicant * * * holds a
20 diploma from a reputable medical college or college of osteopathic
21 medicine that requires a four-year course of at least thirty-two
22 (32) weeks for each session, or its equivalent.

23 To qualify for a Mississippi medical license, an applicant
24 must have successfully been cleared for licensure through an
25 investigation that shall consist of a determination as to good
26 moral character and verification that the prospective licensee is
27 not guilty of or in violation of any statutory ground for denial
28 of licensure as set forth in Sections 73-25-29 and 73-25-83. To
29 assist the board in conducting its licensure investigation, all

30 applicants shall undergo a fingerprint-based criminal history
31 records check of the Mississippi central criminal database and the
32 Federal Bureau of Investigation criminal history database. Each
33 applicant shall submit a full set of the applicant's fingerprints
34 in a form and manner prescribed by the board, which shall be
35 forwarded to the Mississippi Department of Public Safety
36 (department) and the Federal Bureau of Investigation
37 Identification Division for this purpose.

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

51 The board shall provide to the department the fingerprints of
52 the applicant, any additional information that may be required by
53 the department, and a form signed by the applicant consenting to
54 the check of the criminal records and to the use of the
55 fingerprints and other identifying information required by the
56 state or national repositories.

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

61 This section shall not apply to applicants for a special
62 volunteer medical license authorized under Section 73-25-18.

63 **SECTION 2.** Section 73-27-5, Mississippi Code of 1972, is
64 amended as follows:

65 73-27-5. All applicants for license shall have attained the
66 age of twenty-one (21) years, and shall be of good moral
67 character; they shall have had at least four (4) years high school
68 and be graduates of same; they shall have at least one (1) year
69 prepodiatry college education and be graduates of some college of
70 podiatry recognized as being in good standing by the State Board
71 of Medical Licensure. No college of podiatry or chiropody shall
72 be accredited by the board as a college of good standing that does
73 not require for graduation a course of study of at least four (4)
74 years (eight and one-half (8-1/2) months each) and be recognized
75 by the Council on Education of the American Podiatry
76 Association. * * * However, * * * all podiatrists actively
77 engaged in the practice of podiatry in the State of Mississippi,
78 prior to January 1, 1938, whether graduates or not, shall, upon
79 furnishing proof thereof by displaying their state privilege tax
80 license to the Secretary of the State Board of Medical Licensure,
81 and upon payment of fee of Ten Dollars and Twenty-five Cents
82 (\$10.25), be entitled to a license without an examination, and
83 applications for the license shall be filed not later than sixty
84 (60) days after the passage of this chapter. Upon payment of a
85 fee prescribed by the State Board of Medical Licensure, not to
86 exceed Five Hundred Dollars (\$500.00), a license without
87 examination may be issued to podiatrists of other states
88 maintaining equal statutory requirements for the practice of
89 podiatry and extending the same reciprocal privileges to this
90 state. * * * The State Board of Medical Licensure may affiliate
91 with the National Board of Chiropody or Podiatry Licensure in
92 granting licenses to practice podiatry in Mississippi, provided
93 the written examination covers at least two-thirds (2/3) of the
94 subjects set forth in Section 73-27-9.

95 To qualify for a Mississippi podiatry license, an applicant
96 must have successfully been cleared for licensure through an
97 investigation that shall consist of a determination as to good
98 moral character and verification that the prospective licensee is
99 not guilty of or in violation of any statutory ground for denial
100 of licensure as set forth in Section 73-27-13. To assist the
101 board in conducting its licensure investigation, all applicants
102 shall undergo a fingerprint-based criminal history records check
103 of the Mississippi central criminal database and the Federal
104 Bureau of Investigation criminal history database. Each applicant
105 shall submit a full set of the applicant's fingerprints in a form
106 and manner prescribed by the board, which shall be forwarded to
107 the Mississippi Department of Public Safety (department) and the
108 Federal Bureau of Investigation Identification Division for this
109 purpose.

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

123 The board shall provide to the department the fingerprints of
124 the applicant, any additional information that may be required by
125 the department, and a form signed by the applicant consenting to
126 the check of the criminal records and to the use of the

127 fingerprints and other identifying information required by the
128 state or national repositories.

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

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

136 **SECTION 3.** Section 73-26-3, Mississippi Code of 1972, is
137 amended as follows:

138 73-26-3. (1) The State Board of Medical Licensure shall
139 license and regulate the practice of physician assistants in
140 accordance with the provisions of this chapter.

141 (2) All physician assistants who are employed as physician
142 assistants by a Department of Veterans Affairs health care
143 facility, a branch of the United States military or the Federal
144 Bureau of Prisons, and who are practicing as physician assistants
145 in a federal facility in Mississippi on July 1, 2000, and those
146 physician assistants who trained in a Mississippi physician
147 assistant program and have been continuously practicing as a
148 physician assistant in Mississippi since 1976, shall be eligible
149 for licensure if they submit an application for licensure to the
150 board by December 31, 2000. Physician assistants licensed under
151 this subsection will be eligible for license renewal so long as
152 they meet standard renewal requirements.

153 (3) Before December 31, 2004, applicants for physician
154 assistant licensure, except those licensed under subsection (2) of
155 this section, must be graduates of physician assistant educational
156 programs accredited by the Commission on Accreditation of Allied
157 Health Educational Programs or its predecessor or successor
158 agency, have passed the certification examination administered by
159 the National Commission on Certification of Physician Assistants

160 (NCCPA), have current NCCPA certification, and possess a minimum
161 of a baccalaureate degree. Physician assistants meeting these
162 licensure requirements will be eligible for license renewal so
163 long as they meet standard renewal requirements.

164 (4) On or after December 31, 2004, applicants for physician
165 assistant licensure must meet all of the requirements in
166 subsection (3) of this section and, in addition, must have
167 obtained a minimum of a master's degree in a health-related or
168 science field.

169 (5) Applicants for licensure who meet all licensure
170 requirements except for the master's degree may be granted a
171 temporary license by the board so long as they can show proof of
172 enrollment in a master's program that will, when completed, meet
173 the master's degree requirement. The temporary license will be
174 valid for no longer than one (1) year, and may not be renewed.
175 This subsection shall take effect and be in force from and after
176 March 9, 2006. This subsection shall stand repealed on July 1,
177 2010.

178 (6) For new graduate physician assistants and all physician
179 assistants receiving initial licenses in the state, except those
180 licensed under subsection (2) of this section, supervision shall
181 require the on-site presence of a supervising physician for one
182 hundred twenty (120) days.

183 (7) To qualify for a Mississippi physician assistant
184 license, an applicant must have successfully been cleared for
185 licensure through an investigation that shall consist of a
186 determination as to good moral character and verification that the
187 prospective licensee is not guilty of or in violation of any
188 statutory ground for denial of licensure. To assist the board in
189 conducting its licensure investigation, all applicants shall
190 undergo a fingerprint-based criminal history records check of the
191 Mississippi central criminal database and the Federal Bureau of
192 Investigation criminal history database. Each applicant shall

193 submit a full set of the applicant's fingerprints in a form and
194 manner prescribed by the board, which shall be forwarded to the
195 Mississippi Department of Public Safety (department) and the
196 Federal Bureau of Investigation Identification Division for this
197 purpose.

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

211 The board shall provide to the department the fingerprints of
212 the applicant, any additional information that may be required by
213 the department, and a form signed by the applicant consenting to
214 the check of the criminal records and to the use of the
215 fingerprints and other identifying information required by the
216 state or national repositories.

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

221 **SECTION 4.** Section 73-25-32, Mississippi Code of 1972, is
222 amended as follows:

223 73-25-32. (1) A person whose license to practice medicine
224 or osteopathy has been revoked or suspended may petition the
225 Mississippi State Board of Medical Licensure to reinstate this

226 license after a period of not less than one (1) year has elapsed
227 from the date of the revocation or suspension. The procedure for
228 the reinstatement of a license that is suspended for being out of
229 compliance with an order for support, as defined in Section
230 93-11-153, shall be governed by Section 93-11-157 or 93-11-163, as
231 the case may be.

232 (2) The petition shall be accompanied by two (2) or more
233 verified recommendations from physicians or osteopaths licensed by
234 the Board of Medical Licensure to which the petition is addressed
235 and by two (2) or more recommendations from citizens each having
236 personal knowledge of the activities of the petitioner since the
237 disciplinary penalty was imposed and such facts as may be required
238 by the Board of Medical Licensure.

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

246 (3) In determining whether the disciplinary penalty should
247 be set aside and the terms and conditions, if any, that should be
248 imposed if the disciplinary penalty is set aside, the Board of
249 Medical Licensure may investigate and consider all activities of
250 the petitioner since the disciplinary action was taken against
251 him, the offense for which he was disciplined, his activity during
252 the time his certificate was in good standing, his general
253 reputation for truth, professional ability and good character; and
254 it may require the petitioner to pass an oral examination.

255 (4) The investigation shall require the petitioner to
256 undergo a fingerprint-based criminal history records check of the
257 Mississippi central criminal database and the Federal Bureau of
258 Investigation criminal history database. Each petitioner shall

259 submit a full set of the petitioner's fingerprints in a form and
260 manner prescribed by the board, which shall be forwarded to the
261 Mississippi Department of Public Safety (department) and the
262 Federal Bureau of Investigation Identification Division for this
263 purpose.

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

277 The board shall provide to the department the fingerprints of
278 the petitioner, any additional information that may be required by
279 the department, and a form signed by the petitioner consenting to
280 the check of the criminal records and to the use of the
281 fingerprints and other identifying information required by the
282 state or national repositories.

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

287 (5) The Secretary-Treasurer of the Board of Medical
288 Licensure shall enter into his records of the case all actions of
289 the board in setting aside a disciplinary penalty under this
290 section and he shall certify notices to the proper court clerk.

291 The clerk shall make such changes on his records as may be
292 necessary.

293 **SECTION 5.** Section 73-27-12, Mississippi Code of 1972, is
294 amended as follows:

295 73-27-12. (1) The license of every person licensed to
296 practice podiatry in the State of Mississippi shall be renewed
297 annually.

298 On or before May 1 of each year, the board shall mail a
299 notice of renewal of license to every podiatrist to whom a license
300 was issued or renewed during the current licensing year. The
301 notice shall provide instructions for obtaining and submitting
302 applications for renewal. The State Board of Medical Licensure is
303 authorized to make applications for renewal available via
304 electronic means. The applicant shall obtain and complete the
305 application and submit it to the board in the manner prescribed by
306 the board in the notice before June 30 with the renewal fee of an
307 amount established by the board, but not to exceed Two Hundred
308 Dollars (\$200.00), a portion of which fee shall be used to support
309 a program to aid impaired podiatrists. Upon receipt of the
310 application and fee, the board shall verify the accuracy of the
311 application and issue to applicant a certificate of renewal for
312 the ensuing year, beginning July 1 and expiring June 30 of the
313 succeeding calendar year. That renewal shall render the holder
314 thereof a legal practitioner as stated on the renewal form.

315 (2) Any podiatrist practicing in Mississippi who allows his
316 or her license to lapse by failing to renew the license as
317 provided in subsection (1) may be reinstated by the board on
318 satisfactory explanation for the failure to renew, by completion
319 of a reinstatement form, and upon payment of the renewal fee for
320 the current year, and shall be assessed a fine of Twenty-five
321 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)
322 for each month thereafter that the license renewal remains
323 delinquent.

324 (3) Any podiatrist not practicing in Mississippi who allows
325 his or her license to lapse by failing to renew the license as
326 provided in subsection (1) may be reinstated by the board on
327 satisfactory explanation for the failure to renew, by completion
328 of a reinstatement form and upon payment of the arrearages for the
329 previous five (5) years and the renewal fee for the current year.

330 (4) Any podiatrist who allows his or her license to lapse
331 shall be notified by the board within thirty (30) days of that
332 lapse.

333 (5) Any person practicing as a licensed podiatrist during
334 the time his or her license has lapsed shall be considered an
335 illegal practitioner and shall be subject to penalties set forth
336 in Section 73-27-17, provided that he or she has not submitted the
337 required reinstatement form and fee within fifteen (15) days after
338 notification by the board of the lapse.

339 (6) Any podiatrist practicing in the State of Mississippi
340 whose license has lapsed and is deemed an illegal practitioner
341 under subsection (5) of this section may petition the board for
342 reinstatement of his or her license on a retroactive basis, if the
343 podiatrist was unable to meet the June 30 deadline due to
344 extraordinary or other legitimate reasons, and retroactive
345 reinstatement of licensure shall be granted or may be denied by
346 the board only for good cause. Failure to advise the board of
347 change of address shall not be considered a basis for
348 reinstatement.

349 (7) Fees collected under the provisions of this section
350 shall be used by the board to defray expenses of administering the
351 licensure provisions of Title 73, Chapter 27, Mississippi Code of
352 1972, and to support a program to aid impaired podiatrists in an
353 amount determined by the board.

354 (8) In order for a podiatrist whose podiatric medical
355 license has been expired for five (5) years or more to qualify for
356 reinstatement of license, the podiatrist must have successfully

357 been cleared for reinstatement through an investigation that shall
358 consist of a determination as to good moral character and
359 verification that the prospective licensee is not guilty of or in
360 violation of any statutory ground for denial of licensure as set
361 forth in Section 73-27-13. To assist the board in conducting its
362 licensure investigation, all applicants shall undergo a
363 fingerprint-based criminal history records check of the
364 Mississippi central criminal database and the Federal Bureau of
365 Investigation criminal history database. Each applicant shall
366 submit a full set of the applicant's fingerprints in a form and
367 manner prescribed by the board, which shall be forwarded to the
368 Mississippi Department of Public Safety (department) and the
369 Federal Bureau of Investigation Identification Division for this
370 purpose.

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

384 The board shall provide to the department the fingerprints of
385 the applicant, any additional information that may be required by
386 the department, and a form signed by the applicant consenting to
387 the check of the criminal records and to the use of the
388 fingerprints and other identifying information required by the
389 state or national repositories.

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

394 **SECTION 6.** Section 73-25-14, Mississippi Code of 1972, is
395 amended as follows:

396 73-25-14. (1) The license of every person licensed to
397 practice medicine or osteopathy in the State of Mississippi shall
398 be renewed annually.

399 On or before May 1 of each year, the State Board of Medical
400 Licensure shall mail a notice of renewal of license to every
401 physician or osteopath to whom a license was issued or renewed
402 during the current licensing year. The notice shall provide
403 instructions for obtaining and submitting applications for
404 renewal. The State Board of Medical Licensure is authorized to
405 make applications for renewal available via electronic means. The
406 applicant shall obtain and complete the application and submit it
407 to the board in the manner prescribed by the board in the notice
408 before June 30 with the renewal fee of an amount established by
409 the board, but not to exceed Two Hundred Dollars (\$200.00), a
410 portion of which fee shall be used to support a program to aid
411 impaired physicians and osteopaths. The payment of the annual
412 license renewal fee shall be optional with all physicians over the
413 age of seventy (70) years. Upon receipt of the application and
414 fee, the board shall verify the accuracy of the application and
415 issue to applicant a certificate of renewal for the ensuing year,
416 beginning July 1 and expiring June 30 of the succeeding calendar
417 year. That renewal shall render the holder thereof a legal
418 practitioner as stated on the renewal form.

419 (2) Any physician or osteopath practicing in Mississippi who
420 allows his or her license to lapse by failing to renew the license
421 as provided in subsection (1) may be reinstated by the board on
422 satisfactory explanation for the failure to renew, by completion

423 of a reinstatement form, and upon payment of the renewal fee for
424 the current year, and shall be assessed a fine of Twenty-five
425 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)
426 for each month thereafter that the license renewal remains
427 delinquent.

428 (3) Any physician or osteopath not practicing in Mississippi
429 who allows his or her license to lapse by failing to renew the
430 license as provided in subsection (1) may be reinstated by the
431 board on satisfactory explanation for the failure to renew, by
432 completion of a reinstatement form and upon payment of the
433 arrearages for the previous five (5) years and the renewal fee for
434 the current year.

435 (4) Any physician or osteopath who allows his or her license
436 to lapse shall be notified by the board within thirty (30) days of
437 that lapse.

438 (5) Any person practicing as a licensed physician or
439 osteopath during the time his or her license has lapsed shall be
440 considered an illegal practitioner and shall be subject to
441 penalties provided for violation of the Medical Practice Act, if
442 he or she had not submitted the required reinstatement form and
443 fee within fifteen (15) days after notification by the board of
444 the lapse.

445 (6) Any physician or osteopath practicing in the State of
446 Mississippi whose license has lapsed and is deemed an illegal
447 practitioner under subsection (5) of this section may petition the
448 board for reinstatement of his or her license on a retroactive
449 basis, if the physician or osteopath was unable to meet the June
450 30 deadline due to extraordinary or other legitimate reasons, and
451 retroactive reinstatement of licensure shall be granted or may be
452 denied by the board only for good cause. Failure to advise the
453 board of change of address shall not be considered a basis of
454 reinstatement.

455 (7) None of the fees or fines provided for in this section
456 shall be applicable to the renewal of a special volunteer medical
457 license authorized under Section 73-25-18.

458 (8) Fees collected under the provisions of this section
459 shall be used by the board to defray expenses of administering the
460 licensure provisions of the Medical Practice Act (Title 73,
461 Chapter 25, Mississippi Code of 1972) and to support a program to
462 aid impaired physicians and osteopaths in an amount determined by
463 the board.

464 (9) In order for a physician or osteopath whose medical
465 license has been expired for five (5) years or more to qualify for
466 reinstatement of license, the physician or osteopath must have
467 successfully been cleared for reinstatement through an
468 investigation that shall consist of a determination as to good
469 moral character and verification that the prospective licensee is
470 not guilty of or in violation of any statutory ground for denial
471 of licensure as set forth in Sections 73-25-29 and 73-25-83. To
472 assist the board in conducting its licensure investigation, all
473 applicants shall undergo a fingerprint-based criminal history
474 records check of the Mississippi central criminal database and the
475 Federal Bureau of Investigation criminal history database. Each
476 applicant shall submit a full set of the applicant's fingerprints
477 in a form and manner prescribed by the board, which shall be
478 forwarded to the Mississippi Department of Public Safety
479 (department) and the Federal Bureau of Investigation
480 Identification Division for this purpose.

481 Any and all state or national criminal history records
482 information obtained by the board that is not already a matter of
483 public record shall be deemed nonpublic and confidential
484 information restricted to the exclusive use of the board, its
485 members, officers, investigators, agents and attorneys in
486 evaluating the applicant's eligibility or disqualification for
487 licensure, and shall be exempt from the Mississippi Public Records

488 Act of 1983. Except when introduced into evidence in a hearing
489 before the board to determine licensure, no such information or
490 records related thereto shall, except with the written consent of
491 the applicant or by order of a court of competent jurisdiction, be
492 released or otherwise disclosed by the board to any other person
493 or agency.

494 The board shall provide to the department the fingerprints of
495 the applicant, any additional information that may be required by
496 the department, and a form signed by the applicant consenting to
497 the check of the criminal records and to the use of the
498 fingerprints and other identifying information required by the
499 state or national repositories.

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

504 **SECTION 7.** This act shall take effect and be in force from
505 and after July 1, 2007.