

By: Representative Summers

To: Public Health and Human
Services; Accountability,
Efficiency, Transparency

HOUSE BILL NO. 1342

1 AN ACT TO AMEND SECTION 73-25-14, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE PHYSICIANS AND OSTEOPATHS WHO PRACTICE IN THE AREA OF
3 GENERAL PRACTICE, PEDIATRICS, OBSTETRICS, OR GYNECOLOGY TO INCLUDE
4 EVIDENCE OF CONTINUING MEDICAL EDUCATION IN CULTURAL COMPETENCE
5 AND IMPLICIT BIAS AMONG THE HOURS OF CONTINUING MEDICAL EDUCATION
6 REQUIRED BY THE STATE BOARD OF MEDICAL LICENSURE WHEN SUBMITTING
7 AN APPLICATION FOR RENEWAL OF HIS OR HER LICENSE; TO DEFINE
8 CULTURAL COMPETENCE AND IMPLICIT BIAS; TO REQUIRE THE BOARD TO
9 VERIFY THAT THE APPLICANT HAS MET SUCH REQUIREMENT BEFORE ISSUING
10 THE RENEWAL LICENSE; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 73-25-14, Mississippi Code of 1972, is
13 amended as follows:

14 73-25-14. (1) (a) Except as provided in Section 33-1-39,
15 the license of every person licensed to practice medicine or
16 osteopathy in the State of Mississippi shall be renewed annually.

17 (b) On or before May 1 of each year, the State Board of
18 Medical Licensure shall mail a notice of renewal of license to
19 every physician or osteopath to whom a license was issued or
20 renewed during the current licensing year. The notice shall
21 provide instructions for obtaining and submitting applications for
22 renewal. The State Board of Medical Licensure is authorized to



make applications for renewal available via electronic means. The applicant shall obtain and complete the application and submit it to the board in the manner prescribed by the board in the notice before June 30 with the renewal fee of an amount established by the board, but not to exceed Three Hundred Dollars (\$300.00), a portion of which fee shall be used to support a program to aid impaired physicians and osteopaths. The payment of the annual license renewal fee shall be optional with all physicians over the age of seventy (70) years.

(c) A physician or osteopath who practices in the area of general practice, pediatrics, obstetrics, or gynecology who submits an application for renewal of his or her license shall include evidence of continuing medical education in cultural competence and implicit bias among the hours of continuing medical education required by the board. The board shall adopt rules to establish the content of continuing medical education relating to cultural competence and implicit bias, and the board may adopt other rules to implement this paragraph (c). As used in this paragraph (c):

(i) "Cultural competence" means, with respect to health care, the ability to address the health issues of individuals from diverse backgrounds effectively by applying knowledge, empathy, and insight into the views on health that those backgrounds present.

(ii) "Implicit bias" means:



48 1. Bias in judgment or behavior that results
49 from subtle cognitive processes, including implicit attitudes and
50 implicit stereotypes, that often operate at a level below
51 conscious awareness and without intentional control; or

52 2. Implicit attitudes and stereotypes that
53 result in beliefs or simple associations that a person makes
54 between an object and its evaluation that are automatically
55 activated by the mere presence, actual or symbolic, of the
56 attitude object.

57 (d) Upon receipt of the application and fee, the board
58 shall verify the accuracy of the application and that the
59 applicant has met the requirement of paragraph (c) and issue to
60 the applicant a certificate of renewal for the ensuing year,
61 beginning July 1 and expiring June 30 of the succeeding calendar
62 year. That renewal shall render the holder thereof a legal
63 practitioner as stated on the renewal form.

64 (2) Any physician or osteopath practicing in Mississippi who
65 allows his or her license to lapse by failing to renew the license
66 as provided in subsection (1) may be reinstated by the board on
67 satisfactory explanation for the failure to renew, by completion
68 of a reinstatement form, and upon payment of the renewal fee for
69 the current year, and shall be assessed a fine of Twenty-five
70 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)
71 for each month thereafter that the license renewal remains
72 delinquent.



73 (3) Any physician or osteopath not practicing in Mississippi
74 who allows his or her license to lapse by failing to renew the
75 license as provided in subsection (1) may be reinstated by the
76 board on satisfactory explanation for the failure to renew, by
77 completion of a reinstatement form and upon payment of the
78 arrearages for the previous five (5) years and the renewal fee for
79 the current year.

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

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

90 (6) Any physician or osteopath practicing in the State of
91 Mississippi whose license has lapsed and is deemed an illegal
92 practitioner under subsection (5) of this section may petition the
93 board for reinstatement of his or her license on a retroactive
94 basis, if the physician or osteopath was unable to meet the June
95 30 deadline due to extraordinary or other legitimate reasons, and
96 retroactive reinstatement of licensure shall be granted or may be
97 denied by the board only for good cause. Failure to advise the



board of change of address shall not be considered a basis of
reinstatement.

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

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

(9) In order for a physician or osteopath whose medical license has been expired for five (5) years or more to qualify for reinstatement of license, the physician or osteopath must have successfully been cleared for reinstatement through an investigation that shall consist of a determination as to good moral character and verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Sections 73-25-29 and 73-25-83. To assist the board in conducting its licensure investigation, all applicants shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of the applicant'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.

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

The board shall charge and collect from the applicant, in
addition to all other applicable fees and costs, such amount as



147 may be incurred by the board in requesting and obtaining state and
148 national criminal history records information on the applicant.

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

