

By: Representatives Currie, Owen, Brown
(20th), Hopkins, Brown (70th)

To: Workforce Development

HOUSE BILL NO. 1263
(As Sent to Governor)

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.

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

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 (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 (1) 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 * * *l



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.

