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To: Veterans and Military Affairs

SENATE BILL NO. 2419

1 AN ACT TO PROVIDE THAT OCCUPATIONAL LICENSING BOARDS SHALL  
2 ISSUE A LICENSE, CERTIFICATION OR REGISTRATION TO A  
3 MILITARY-TRAINED APPLICANT TO ALLOW THE APPLICANT TO LAWFULLY  
4 PRACTICE THE APPLICANT'S OCCUPATION IN MISSISSIPPI IF THE  
5 APPLICANT SATISFIES CERTAIN CONDITIONS; TO PROVIDE THAT  
6 OCCUPATIONAL LICENSING BOARDS SHALL ISSUE A LICENSE, CERTIFICATION  
7 OR REGISTRATION TO A MILITARY SPOUSE TO ALLOW THE MILITARY SPOUSE  
8 TO LAWFULLY PRACTICE THE MILITARY SPOUSE'S OCCUPATION IN  
9 MISSISSIPPI IF THE MILITARY SPOUSE SATISFIES CERTAIN CONDITIONS;  
10 TO AUTHORIZE OCCUPATIONAL LICENSING BOARDS TO ISSUE A TEMPORARY  
11 PRACTICE PERMIT TO A MILITARY-TRAINED APPLICANT OR MILITARY SPOUSE  
12 LICENSED, CERTIFIED OR REGISTERED IN ANOTHER JURISDICTION WHILE  
13 THE MILITARY-TRAINED APPLICANT OR MILITARY SPOUSE IS SATISFYING  
14 THE REQUIREMENTS FOR LICENSURE UNDER THIS ACT IF THAT JURISDICTION  
15 HAS LICENSURE, CERTIFICATION OR REGISTRATION STANDARDS  
16 SUBSTANTIALLY EQUIVALENT TO THE STANDARDS FOR LICENSURE,  
17 CERTIFICATION OR REGISTRATION OF AN OCCUPATIONAL LICENSING BOARD  
18 IN THIS STATE; TO PROVIDE THAT A NONRESIDENT LICENSED, CERTIFIED  
19 OR REGISTERED UNDER THIS ACT SHALL BE ENTITLED TO THE SAME RIGHTS  
20 AND SUBJECT TO THE SAME OBLIGATIONS AS REQUIRED OF A RESIDENT  
21 LICENSED, CERTIFIED OR REGISTERED BY AN OCCUPATIONAL LICENSING  
22 BOARD IN THIS STATE; TO PROVIDE THAT EACH OCCUPATIONAL LICENSING  
23 BOARD REGULATING AN OCCUPATION IN THIS STATE SHALL IMPLEMENT THE  
24 REQUIREMENTS OF THIS ACT WITHIN ONE YEAR FROM THE EFFECTIVE DATE  
25 OF THIS ACT; TO AMEND SECTIONS 37-3-2, 73-1-21, 73-1-23, 73-2-11,  
26 73-4-23, 73-5-21, 73-6-13, 73-7-23, 73-9-24, 73-10-15, 73-11-51,  
27 73-13-35, 73-14-25, 73-15-19, 73-15-21, 73-15-101, 73-17-11,  
28 73-19-25, 73-21-87, 73-23-51, 73-23-53, 73-24-21, 73-25-21,  
29 73-27-5, 73-29-19, 73-30-15, 73-31-14, 73-31-15, 73-33-9,  
30 73-34-51, 73-35-7, 73-35-13, 73-36-31, 73-38-23, 73-39-71,  
31 73-53-13, 73-54-23, 73-60-25, 73-63-39, 73-65-7, 73-67-25,  
32 73-69-11, 73-71-21, 73-73-11 AND 73-73-17, MISSISSIPPI CODE OF  
33 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED  
34 PURPOSES.



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

36 **SECTION 1.** (1) As used in this section, the term:

37 (a) "License" means any license (other than a privilege  
38 license), certificate or other evidence of qualification that an  
39 individual is required to obtain before he or she may engage in or  
40 represent himself or herself to be a member of a particular  
41 profession or occupation.

42 (b) "Occupational licensing board" means any state  
43 board, commission, department or other agency in Mississippi that  
44 is established for the primary purpose of regulating the entry of  
45 persons into, and/or the conduct of persons within, a particular  
46 profession or occupation, and which is authorized to issue  
47 licenses. For the purposes of this section, the State Department  
48 of Education shall be considered an occupational licensing board  
49 when issuing teacher licenses under Section 37-3-2.

50 (2) Notwithstanding any other provision of law, an  
51 occupational licensing board shall issue a license, certification  
52 or registration to a military-trained applicant to allow the  
53 applicant to lawfully practice the applicant's occupation in  
54 Mississippi if, upon application to an occupational licensing  
55 board, the applicant satisfies the following conditions:

56 (a) Has been awarded a military occupational specialty  
57 and has done all of the following at a level that is substantially  
58 equivalent to or exceeds the requirements for licensure,  
59 certification or registration of the occupational licensing board



60 from which the applicant is seeking licensure, certification or  
61 registration in this state: completed a military program of  
62 training, completed testing or equivalent training and experience  
63 as determined by the board, and performed in the occupational  
64 specialty.

65 (b) Has engaged in the active practice of the  
66 occupation for which the person is seeking a license,  
67 certification or permit from the occupational licensing board in  
68 this state for at least two (2) of the five (5) years preceding  
69 the date of the application under this section.

70 (c) Has not committed any act in any jurisdiction that  
71 would have constituted grounds for refusal, suspension or  
72 revocation of a license to practice that occupation in this state  
73 at the time the act was committed.

74 (d) Pays any fees required by the occupational  
75 licensing board for which the applicant is seeking licensure,  
76 certification or registration in this state.

77 (3) Notwithstanding any other provision of law, an  
78 occupational licensing board shall issue a license, certification  
79 or registration to a military spouse to allow the military spouse  
80 to lawfully practice the military spouse's occupation in  
81 Mississippi if, upon application to an occupational licensing  
82 board, the military spouse satisfies the following conditions:

83 (a) Holds a current license, certification or  
84 registration from another jurisdiction, and that jurisdiction's



85 requirements for licensure, certification or registration are  
86 substantially equivalent to or exceed the requirements for  
87 licensure, certification or registration of the occupational  
88 licensing board for which the applicant is seeking licensure,  
89 certification or registration in this state.

90 (b) Can demonstrate competency in the occupation  
91 through methods as determined by the board, such as having  
92 completed continuing education units or having had recent  
93 experience for at least two (2) of the five (5) years preceding  
94 the date of the application under this section.

95 (c) Has not committed any act in any jurisdiction that  
96 would have constituted grounds for refusal, suspension or  
97 revocation of a license to practice that occupation in this state  
98 at the time the act was committed.

99 (d) Is in good standing and has not been disciplined by  
100 the agency that had jurisdiction to issue the license,  
101 certification or permit.

102 (e) Pays any fees required by the occupational  
103 licensing board for which the applicant is seeking licensure,  
104 certification or registration in this state.

105 (4) All relevant experience of a military service member in  
106 the discharge of official duties or, for a military spouse, all  
107 relevant experience, including full-time and part-time experience,  
108 regardless of whether in a paid or volunteer capacity, shall be



109 credited in the calculation of years of practice in an occupation  
110 as required under subsection (2) or (3) of this section.

111 (5) A nonresident licensed, certified or registered under  
112 this section shall be entitled to the same rights and subject to  
113 the same obligations as required of a resident licensed, certified  
114 or registered by an occupational licensing board in this state.

115 (6) An occupational licensing board may issue a temporary  
116 practice permit to a military-trained applicant or military spouse  
117 licensed, certified or registered in another jurisdiction while  
118 the military-trained applicant or military spouse is satisfying  
119 the requirements for licensure under subsection (2) or (3) of this  
120 section if that jurisdiction has licensure, certification or  
121 registration standards substantially equivalent to the standards  
122 for licensure, certification or registration of an occupational  
123 licensing board in this state. The military-trained applicant or  
124 military spouse may practice under the temporary permit until a  
125 license, certification or registration is granted or until a  
126 notice to deny a license, certification or registration is issued  
127 in accordance with rules adopted by the occupational licensing  
128 board.

129 (7) An occupational licensing board may adopt rules  
130 necessary to implement this section.

131 (8) Nothing in this section shall be construed to prohibit a  
132 military-trained applicant or military spouse from proceeding  
133 under the existing licensure, certification or registration



134 requirements established by an occupational licensing board in  
135 this state.

136 (9) Nothing in this section shall be construed to apply to  
137 the practice of law as regulated under Section 73-3-1 et seq.

138 **SECTION 2.** Within one (1) year from the effective date of  
139 this act, each occupational licensing board regulating an  
140 occupation in this state shall implement the requirements of  
141 Section 1 of this act.

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

144 37-3-2. (1) There is established within the State  
145 Department of Education the Commission on Teacher and  
146 Administrator Education, Certification and Licensure and  
147 Development. It shall be the purpose and duty of the commission  
148 to make recommendations to the State Board of Education regarding  
149 standards for the certification and licensure and continuing  
150 professional development of those who teach or perform tasks of an  
151 educational nature in the public schools of Mississippi.

152 (2) The commission shall be composed of fifteen (15)  
153 qualified members. The membership of the commission shall be  
154 composed of the following members to be appointed, three (3) from  
155 each congressional district: four (4) classroom teachers; three  
156 (3) school administrators; one (1) representative of schools of  
157 education of institutions of higher learning located within the  
158 state to be recommended by the Board of Trustees of State



159 Institutions of Higher Learning; one (1) representative from the  
160 schools of education of independent institutions of higher  
161 learning to be recommended by the Board of the Mississippi  
162 Association of Independent Colleges; one (1) representative from  
163 public community and junior colleges located within the state to  
164 be recommended by the State Board for Community and Junior  
165 Colleges; one (1) local school board member; and four (4)  
166 laypersons. All appointments shall be made by the State Board of  
167 Education after consultation with the State Superintendent of  
168 Public Education. The first appointments by the State Board of  
169 Education shall be made as follows: five (5) members shall be  
170 appointed for a term of one (1) year; five (5) members shall be  
171 appointed for a term of two (2) years; and five (5) members shall  
172 be appointed for a term of three (3) years. Thereafter, all  
173 members shall be appointed for a term of four (4) years.

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

180 (4) (a) An appropriate staff member of the State Department  
181 of Education shall be designated and assigned by the State  
182 Superintendent of Public Education to serve as executive secretary  
183 and coordinator for the commission. No less than two (2) other



184 appropriate staff members of the State Department of Education  
185 shall be designated and assigned by the State Superintendent of  
186 Public Education to serve on the staff of the commission.

187 (b) An Office of Educator Misconduct Evaluations shall  
188 be established within the State Department of Education to assist  
189 the commission in responding to infractions and violations, and in  
190 conducting hearings and enforcing the provisions of Section  
191 37-3-2(11), (12), (13), (14) and (15), Mississippi Code of 1972,  
192 and violations of the Mississippi Educator Code of Ethics.

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

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

197 (b) Recommend to the State Board of Education each year  
198 approval or disapproval of each educator preparation program in  
199 the state, subject to a process and schedule determined by the  
200 State Board of Education;

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

204 (d) Establish, subject to the approval of the State  
205 Board of Education, standards for the renewal of teacher licenses  
206 in all fields;





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

210 (f) Review all existing requirements for certification  
211 and licensure;

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

214 (h) Prepare reports from time to time on current  
215 practices and issues in the general area of teacher education and  
216 certification and licensure;

217 (i) Hold hearings concerning standards for teachers'  
218 and administrators' education and certification and licensure with  
219 approval of the State Board of Education;

220 (j) Hire expert consultants with approval of the State  
221 Board of Education;

222 (k) Set up ad hoc committees to advise on specific  
223 areas; and

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

227 (6) (a) **Standard License - Approved Program Route.** An  
228 educator entering the school system of Mississippi for the first  
229 time and meeting all requirements as established by the State  
230 Board of Education shall be granted a standard five-year license.  
231 Persons who possess two (2) years of classroom experience as an



232 assistant teacher or who have taught for one (1) year in an  
233 accredited public or private school shall be allowed to fulfill  
234 student teaching requirements under the supervision of a qualified  
235 participating teacher approved by an accredited college of  
236 education. The local school district in which the assistant  
237 teacher is employed shall compensate such assistant teachers at  
238 the required salary level during the period of time such  
239 individual is completing student teaching requirements.

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

241 (i) An application on a department form;

242 (ii) An official transcript of completion of a  
243 teacher education program approved by the department or a  
244 nationally accredited program, subject to the following:

245 Licensure to teach in Mississippi prekindergarten through  
246 kindergarten classrooms shall require completion of a teacher  
247 education program or a bachelor of science degree with child  
248 development emphasis from a program accredited by the American  
249 Association of Family and Consumer Sciences (AAFCS) or by the  
250 National Association for Education of Young Children (NAEYC) or by  
251 the National Council for Accreditation of Teacher Education  
252 (NCATE). Licensure to teach in Mississippi kindergarten, for  
253 those applicants who have completed a teacher education program,  
254 and in Grade 1 through Grade 4 shall require the completion of an  
255 interdisciplinary program of studies. Licenses for Grades 4  
256 through 8 shall require the completion of an interdisciplinary



257 program of studies with two (2) or more areas of concentration.  
258 Licensure to teach in Mississippi Grades 7 through 12 shall  
259 require a major in an academic field other than education, or a  
260 combination of disciplines other than education. Students  
261 preparing to teach a subject shall complete a major in the  
262 respective subject discipline. All applicants for standard  
263 licensure shall demonstrate that such person's college preparation  
264 in those fields was in accordance with the standards set forth by  
265 the National Council for Accreditation of Teacher Education  
266 (NCATE) or the National Association of State Directors of Teacher  
267 Education and Certification (NASDTEC) or, for those applicants who  
268 have a bachelor of science degree with child development emphasis,  
269 the American Association of Family and Consumer Sciences (AAFCS);

270 (iii) A copy of test scores evidencing  
271 satisfactory completion of nationally administered examinations of  
272 achievement, such as the Educational Testing Service's teacher  
273 testing examinations; and

274 (iv) Any other document required by the State  
275 Board of Education.

276 (b) **Standard License - Nontraditional Teaching Route.**  
277 Beginning January 1, 2004, an individual who has a passing score  
278 on the Praxis I Basic Skills and Praxis II Specialty Area Test in  
279 the requested area of endorsement may apply for the Teach  
280 Mississippi Institute (TMI) program to teach students in Grades 7  
281 through 12 if the individual meets the requirements of this



282 paragraph (b). The State Board of Education shall adopt rules  
283 requiring that teacher preparation institutions which provide the  
284 Teach Mississippi Institute (TMI) program for the preparation of  
285 nontraditional teachers shall meet the standards and comply with  
286 the provisions of this paragraph.

287 (i) The Teach Mississippi Institute (TMI) shall  
288 include an intensive eight-week, nine-semester-hour summer program  
289 or a curriculum of study in which the student matriculates in the  
290 fall or spring semester, which shall include, but not be limited  
291 to, instruction in education, effective teaching strategies,  
292 classroom management, state curriculum requirements, planning and  
293 instruction, instructional methods and pedagogy, using test  
294 results to improve instruction, and a one (1) semester three-hour  
295 supervised internship to be completed while the teacher is  
296 employed as a full-time teacher intern in a local school district.  
297 The TMI shall be implemented on a pilot program basis, with  
298 courses to be offered at up to four (4) locations in the state,  
299 with one (1) TMI site to be located in each of the three (3)  
300 Mississippi Supreme Court districts.

301 (ii) The school sponsoring the teacher intern  
302 shall enter into a written agreement with the institution  
303 providing the Teach Mississippi Institute (TMI) program, under  
304 terms and conditions as agreed upon by the contracting parties,  
305 providing that the school district shall provide teacher interns  
306 seeking a nontraditional provisional teaching license with a



307 one-year classroom teaching experience. The teacher intern shall  
308 successfully complete the one (1) semester three-hour intensive  
309 internship in the school district during the semester immediately  
310 following successful completion of the TMI and prior to the end of  
311 the one-year classroom teaching experience.

312 (iii) Upon completion of the nine-semester-hour  
313 TMI or the fall or spring semester option, the individual shall  
314 submit his transcript to the commission for provisional licensure  
315 of the intern teacher, and the intern teacher shall be issued a  
316 provisional teaching license by the commission, which will allow  
317 the individual to legally serve as a teacher while the person  
318 completes a nontraditional teacher preparation internship program.

319 (iv) During the semester of internship in the  
320 school district, the teacher preparation institution shall monitor  
321 the performance of the intern teacher. The school district that  
322 employs the provisional teacher shall supervise the provisional  
323 teacher during the teacher's intern year of employment under a  
324 nontraditional provisional license, and shall, in consultation  
325 with the teacher intern's mentor at the school district of  
326 employment, submit to the commission a comprehensive evaluation of  
327 the teacher's performance sixty (60) days prior to the expiration  
328 of the nontraditional provisional license. If the comprehensive  
329 evaluation establishes that the provisional teacher intern's  
330 performance fails to meet the standards of the approved



331 nontraditional teacher preparation internship program, the  
332 individual shall not be approved for a standard license.

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

338 (vi) Upon successful completion of the TMI and the  
339 internship provisional license period, applicants for a Standard  
340 License - Nontraditional Route shall submit to the commission a  
341 transcript of successful completion of the twelve (12) semester  
342 hours required in the internship program, and the employing school  
343 district shall submit to the commission a recommendation for  
344 standard licensure of the intern. If the school district  
345 recommends licensure, the applicant shall be issued a Standard  
346 License - Nontraditional Route which shall be valid for a  
347 five-year period and be renewable.

348 (vii) At the discretion of the teacher preparation  
349 institution, the individual shall be allowed to credit the twelve  
350 (12) semester hours earned in the nontraditional teacher  
351 internship program toward the graduate hours required for a Master  
352 of Arts in Teacher (MAT) Degree.

353 (viii) The local school district in which the  
354 nontraditional teacher intern or provisional licensee is employed  
355 shall compensate such teacher interns at Step 1 of the required



356 salary level during the period of time such individual is  
357 completing teacher internship requirements and shall compensate  
358 such Standard License - Nontraditional Route teachers at Step 3 of  
359 the required salary level when they complete license requirements.

360 Implementation of the TMI program provided for under this  
361 paragraph (b) shall be contingent upon the availability of funds  
362 appropriated specifically for such purpose by the Legislature.  
363 Such implementation of the TMI program may not be deemed to  
364 prohibit the State Board of Education from developing and  
365 implementing additional alternative route teacher licensure  
366 programs, as deemed appropriate by the board. The emergency  
367 certification program in effect prior to July 1, 2002, shall  
368 remain in effect.

369 A Standard License - Approved Program Route shall be issued  
370 for a five-year period, and may be renewed. Recognizing teaching  
371 as a profession, a hiring preference shall be granted to persons  
372 holding a Standard License - Approved Program Route or Standard  
373 License - Nontraditional Teaching Route over persons holding any  
374 other license.

375 (c) **Special License - Expert Citizen.** In order to  
376 allow a school district to offer specialized or technical courses,  
377 the State Department of Education, in accordance with rules and  
378 regulations established by the State Board of Education, may grant  
379 a one-year expert citizen-teacher license to local business or  
380 other professional personnel to teach in a public school or



381 nonpublic school accredited or approved by the state. Such person  
382 may begin teaching upon his employment by the local school board  
383 and licensure by the Mississippi Department of Education. The  
384 board shall adopt rules and regulations to administer the expert  
385 citizen-teacher license. A Special License - Expert Citizen may  
386 be renewed in accordance with the established rules and  
387 regulations of the State Department of Education.

388 (d) **Special License - Nonrenewable.** The State Board of  
389 Education is authorized to establish rules and regulations to  
390 allow those educators not meeting requirements in subsection  
391 (6) (a), (b) or (c) to be licensed for a period of not more than  
392 three (3) years, except by special approval of the State Board of  
393 Education.

394 (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
395 person may teach for a maximum of three (3) periods per teaching  
396 day in a public school or a nonpublic school accredited/approved  
397 by the state. Such person shall submit to the department a  
398 transcript or record of his education and experience which  
399 substantiates his preparation for the subject to be taught and  
400 shall meet other qualifications specified by the commission and  
401 approved by the State Board of Education. In no case shall any  
402 local school board hire nonlicensed personnel as authorized under  
403 this paragraph in excess of five percent (5%) of the total number  
404 of licensed personnel in any single school.





405                   (f)   **Special License - Transitional Bilingual Education.**  
406   Beginning July 1, 2003, the commission shall grant special  
407   licenses to teachers of transitional bilingual education who  
408   possess such qualifications as are prescribed in this section.  
409   Teachers of transitional bilingual education shall be compensated  
410   by local school boards at not less than one (1) step on the  
411   regular salary schedule applicable to permanent teachers licensed  
412   under this section. The commission shall grant special licenses  
413   to teachers of transitional bilingual education who present the  
414   commission with satisfactory evidence that they (i) possess a  
415   speaking and reading ability in a language, other than English, in  
416   which bilingual education is offered and communicative skills in  
417   English; (ii) are in good health and sound moral character; (iii)  
418   possess a bachelor's degree or an associate's degree in teacher  
419   education from an accredited institution of higher education; (iv)  
420   meet such requirements as to courses of study, semester hours  
421   therein, experience and training as may be required by the  
422   commission; and (v) are legally present in the United States and  
423   possess legal authorization for employment. A teacher of  
424   transitional bilingual education serving under a special license  
425   shall be under an exemption from standard licensure if he achieves  
426   the requisite qualifications therefor. Two (2) years of service  
427   by a teacher of transitional bilingual education under such an  
428   exemption shall be credited to the teacher in acquiring a Standard  
429   Educator License. Nothing in this paragraph shall be deemed to



430 prohibit a local school board from employing a teacher licensed in  
431 an appropriate field as approved by the State Department of  
432 Education to teach in a program in transitional bilingual  
433 education.

434 (g) In the event any school district meets the highest  
435 accreditation standards as defined by the State Board of Education  
436 in the accountability system, the State Board of Education, in its  
437 discretion, may exempt such school district from any restrictions  
438 in paragraph (e) relating to the employment of nonlicensed  
439 teaching personnel.

440 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,  
441 any teacher from any state meeting the federal definition of  
442 highly qualified, as described in the No Child Left Behind Act,  
443 must be granted a standard five-year license by the State  
444 Department of Education.

445 (7) **Administrator License.** The State Board of Education is  
446 authorized to establish rules and regulations and to administer  
447 the licensure process of the school administrators in the State of  
448 Mississippi. There will be four (4) categories of administrator  
449 licensure with exceptions only through special approval of the  
450 State Board of Education.

451 (a) **Administrator License - Nonpracticing.** Those  
452 educators holding administrative endorsement but having no  
453 administrative experience or not serving in an administrative  
454 position on January 15, 1997.



455           (b) **Administrator License - Entry Level.** Those  
456 educators holding administrative endorsement and having met the  
457 department's qualifications to be eligible for employment in a  
458 Mississippi school district. Administrator License - Entry Level  
459 shall be issued for a five-year period and shall be nonrenewable.

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

463           (d) **Administrator License - Nontraditional Route.** The  
464 board may establish a nontraditional route for licensing  
465 administrative personnel. Such nontraditional route for  
466 administrative licensure shall be available for persons holding,  
467 but not limited to, a master of business administration degree, a  
468 master of public administration degree, a master of public  
469 planning and policy degree or a doctor of jurisprudence degree  
470 from an accredited college or university, with five (5) years of  
471 administrative or supervisory experience. Successful completion  
472 of the requirements of alternate route licensure for  
473 administrators shall qualify the person for a standard  
474 administrator license.

475           Individuals seeking school administrator licensure under  
476 paragraph (b), (c) or (d) shall successfully complete a training  
477 program and an assessment process prescribed by the State Board of  
478 Education. All applicants for school administrator licensure  
479 shall meet all requirements prescribed by the department under



480 paragraph (b), (c) or (d), and the cost of the assessment process  
481 required shall be paid by the applicant.

482 (8) Reciprocity. (a) The department shall grant a standard  
483 license to any individual who possesses a valid standard license  
484 from another state and meets minimum Mississippi license  
485 requirements or equivalent requirements as determined by the State  
486 Board of Education. The issuance of a license by reciprocity to a  
487 military-trained applicant or military spouse shall be subject to  
488 the provisions of Section 1 of this act.

489 (b) The department shall grant a nonrenewable special  
490 license to any individual who possesses a credential which is less  
491 than a standard license or certification from another state. Such  
492 special license shall be valid for the current school year plus  
493 one (1) additional school year to expire on June 30 of the second  
494 year, not to exceed a total period of twenty-four (24) months,  
495 during which time the applicant shall be required to complete the  
496 requirements for a standard license in Mississippi.

497 (9) Renewal and Reinstatement of Licenses. The State Board  
498 of Education is authorized to establish rules and regulations for  
499 the renewal and reinstatement of educator and administrator  
500 licenses. Effective May 15, 1997, the valid standard license held  
501 by an educator shall be extended five (5) years beyond the  
502 expiration date of the license in order to afford the educator  
503 adequate time to fulfill new renewal requirements established  
504 pursuant to this subsection. An educator completing a master of



505 education, educational specialist or doctor of education degree in  
506 May 1997 for the purpose of upgrading the educator's license to a  
507 higher class shall be given this extension of five (5) years plus  
508 five (5) additional years for completion of a higher degree.

509 (10) All controversies involving the issuance, revocation,  
510 suspension or any change whatsoever in the licensure of an  
511 educator required to hold a license shall be initially heard in a  
512 hearing de novo, by the commission or by a subcommittee  
513 established by the commission and composed of commission members  
514 for the purpose of holding hearings. Any complaint seeking the  
515 denial of issuance, revocation or suspension of a license shall be  
516 by sworn affidavit filed with the Commission of Teacher and  
517 Administrator Education, Certification and Licensure and  
518 Development. The decision thereon by the commission or its  
519 subcommittee shall be final, unless the aggrieved party shall  
520 appeal to the State Board of Education, within ten (10) days, of  
521 the decision of the committee or its subcommittee. An appeal to  
522 the State Board of Education shall be on the record previously  
523 made before the commission or its subcommittee unless otherwise  
524 provided by rules and regulations adopted by the board. The State  
525 Board of Education in its authority may reverse, or remand with  
526 instructions, the decision of the committee or its subcommittee.  
527 The decision of the State Board of Education shall be final.



528           (11) The State Board of Education, acting through the  
529 commission, may deny an application for any teacher or  
530 administrator license for one or more of the following:

531           (a) Lack of qualifications which are prescribed by law  
532 or regulations adopted by the State Board of Education;

533           (b) The applicant has a physical, emotional or mental  
534 disability that renders the applicant unfit to perform the duties  
535 authorized by the license, as certified by a licensed psychologist  
536 or psychiatrist;

537           (c) The applicant is actively addicted to or actively  
538 dependent on alcohol or other habit-forming drugs or is a habitual  
539 user of narcotics, barbiturates, amphetamines, hallucinogens or  
540 other drugs having similar effect, at the time of application for  
541 a license;

542           (d) Revocation or suspension of an applicant's  
543 certificate or license by another state;

544           (e) Fraud or deceit committed by the applicant in  
545 securing or attempting to secure such certification and license;

546           (f) Failing or refusing to furnish reasonable evidence  
547 of identification;

548           (g) The applicant has been convicted, has pled guilty  
549 or entered a plea of nolo contendere to a felony, as defined by  
550 federal or state law; or



551           (h) The applicant has been convicted, has pled guilty  
552 or entered a plea of nolo contendere to a sex offense as defined  
553 by federal or state law.

554           (12) The State Board of Education, acting on the  
555 recommendation of the commission, may revoke or suspend any  
556 teacher or administrator license for specified periods of time for  
557 one or more of the following:

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

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

564           (c) Suspension or revocation of a certificate or  
565 license by another state shall result in immediate suspension or  
566 revocation and shall continue until records in the prior state  
567 have been cleared;

568           (d) The license holder has been convicted, has pled  
569 guilty or entered a plea of nolo contendere to a felony, as  
570 defined by federal or state law;

571           (e) The license holder has been convicted, has pled  
572 guilty or entered a plea of nolo contendere to a sex offense, as  
573 defined by federal or state law;



574 (f) The license holder knowingly and willfully  
575 committing any of the acts affecting validity of mandatory uniform  
576 test results as provided in Section 37-16-4(1);

577 (g) The license holder has engaged in unethical conduct  
578 relating to an educator/student relationship as identified by the  
579 State Board of Education in its rules;

580 (h) The license holder has fondled a student as  
581 described in Section 97-5-23, or had any type of sexual  
582 involvement with a student as described in Section 97-3-95; or

583 (i) The license holder has failed to report sexual  
584 involvement of a school employee with a student as required by  
585 Section 97-5-24.

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

591 (b) Any offense committed or attempted in any other  
592 state shall result in the same penalty as if committed or  
593 attempted in this state.

594 (c) A person may voluntarily surrender a license. The  
595 surrender of such license may result in the commission  
596 recommending any of the above penalties without the necessity of a  
597 hearing. However, any such license which has voluntarily been  
598 surrendered by a licensed employee may only be reinstated by a





599 majority vote of all members of the commission present at the  
600 meeting called for such purpose.

601 (14) A person whose license has been suspended on any  
602 grounds except criminal grounds may petition for reinstatement of  
603 the license after one (1) year from the date of suspension, or  
604 after one-half (1/2) of the suspended time has lapsed, whichever  
605 is greater. A license suspended or revoked on the criminal  
606 grounds may be reinstated upon petition to the commission filed  
607 after expiration of the sentence and parole or probationary period  
608 imposed upon conviction. A revoked, suspended or surrendered  
609 license may be reinstated upon satisfactory showing of evidence of  
610 rehabilitation. The commission shall require all who petition for  
611 reinstatement to furnish evidence satisfactory to the commission  
612 of good character, good mental, emotional and physical health and  
613 such other evidence as the commission may deem necessary to  
614 establish the petitioner's rehabilitation and fitness to perform  
615 the duties authorized by the license.

616 (15) Reporting procedures and hearing procedures for dealing  
617 with infractions under this section shall be promulgated by the  
618 commission, subject to the approval of the State Board of  
619 Education. The revocation or suspension of a license shall be  
620 effected at the time indicated on the notice of suspension or  
621 revocation. The commission shall immediately notify the  
622 superintendent of the school district or school board where the  
623 teacher or administrator is employed of any disciplinary action



624 and also notify the teacher or administrator of such revocation or  
625 suspension and shall maintain records of action taken. The State  
626 Board of Education may reverse or remand with instructions any  
627 decision of the commission regarding a petition for reinstatement  
628 of a license, and any such decision of the State Board of  
629 Education shall be final.

630 (16) An appeal from the action of the State Board of  
631 Education in denying an application, revoking or suspending a  
632 license or otherwise disciplining any person under the provisions  
633 of this section shall be filed in the Chancery Court of the First  
634 Judicial District of Hinds County, Mississippi, on the record  
635 made, including a verbatim transcript of the testimony at the  
636 hearing. The appeal shall be filed within thirty (30) days after  
637 notification of the action of the board is mailed or served and  
638 the proceedings in chancery court shall be conducted as other  
639 matters coming before the court. The appeal shall be perfected  
640 upon filing notice of the appeal and by the prepayment of all  
641 costs, including the cost of preparation of the record of the  
642 proceedings by the State Board of Education, and the filing of a  
643 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
644 if the action of the board be affirmed by the chancery court, the  
645 applicant or license holder shall pay the costs of the appeal and  
646 the action of the chancery court.

647 (17) All such programs, rules, regulations, standards and  
648 criteria recommended or authorized by the commission shall become



649 effective upon approval by the State Board of Education as  
650 designated by appropriate orders entered upon the minutes thereof.

651 (18) The granting of a license shall not be deemed a  
652 property right nor a guarantee of employment in any public school  
653 district. A license is a privilege indicating minimal eligibility  
654 for teaching in the public schools of Mississippi. This section  
655 shall in no way alter or abridge the authority of local school  
656 districts to require greater qualifications or standards of  
657 performance as a prerequisite of initial or continued employment  
658 in such districts.

659 (19) In addition to the reasons specified in subsections  
660 (12) and (13) of this section, the board shall be authorized to  
661 suspend the license of any licensee for being out of compliance  
662 with an order for support, as defined in Section 93-11-153. The  
663 procedure for suspension of a license for being out of compliance  
664 with an order for support, and the procedure for the reissuance or  
665 reinstatement of a license suspended for that purpose, and the  
666 payment of any fees for the reissuance or reinstatement of a  
667 license suspended for that purpose, shall be governed by Section  
668 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
669 board in suspending a license when required by Section 93-11-157  
670 or 93-11-163 are not actions from which an appeal may be taken  
671 under this section. Any appeal of a license suspension that is  
672 required by Section 93-11-157 or 93-11-163 shall be taken in  
673 accordance with the appeal procedure specified in Section



674 93-11-157 or 93-11-163, as the case may be, rather than the  
675 procedure specified in this section. If there is any conflict  
676 between any provision of Section 93-11-157 or 93-11-163 and any  
677 provision of this chapter, the provisions of Section 93-11-157 or  
678 93-11-163, as the case may be, shall control.

679 **SECTION 4.** Section 73-1-21, Mississippi Code of 1972, is  
680 amended as follows:

681 73-1-21. Any architect residing outside this state may  
682 obtain a certificate to practice in the State of Mississippi by  
683 complying with Section 73-1-13, and by paying the fees prescribed  
684 by the rules of the board; \* \* \* however, no such nonresident  
685 applicant shall receive a certificate to practice in this state  
686 unless the applicant furnishes evidence satisfactory to the board  
687 that the applicant holds a current and valid registration issued  
688 by a registration authority recognized by the board, holds a  
689 National Council of Architectural Registration Board's  
690 certificate, has never been restrained from practicing  
691 architecture, and has never had a certificate or license revoked.  
692 Each nonresident applicant shall submit, as a part of the  
693 application, a sworn affidavit stating that neither such applicant  
694 nor any person in, or agent of, the applicant's firm has practiced  
695 or is practicing architectural work in this state prior to the  
696 applicant having been licensed by the board unless such person or  
697 agent holds a license to practice architecture in this state.  
698 Failure to submit this affidavit is just cause for disapproval of



699 the application. Every applicant for reciprocity registration  
700 shall comply fully with the requirements for resident applicants,  
701 except that nonresident applicants who met the requirements for  
702 issuance of a certificate of registration by the board prior to  
703 January 1, 1987, and who, on that date, held a current and valid  
704 registration by a registration authority recognized by the board  
705 or were qualified exam candidates in another jurisdiction  
706 recognized by the board, shall not be required to meet the degree  
707 requirements of Section 73-1-13. The board shall have the further  
708 right to exercise its discretion as to whether such nonresident  
709 architect shall be issued such certificate to practice.

710 The issuance of a certificate by reciprocity to a  
711 military-trained applicant or military spouse shall be subject to  
712 the provisions of Section 1 of this act.

713 **SECTION 5.** Section 73-1-23, Mississippi Code of 1972, is  
714 amended as follows:

715 73-1-23. No temporary license to practice shall be issued by  
716 the board, except as authorized under Section 1 of this act.

717 **SECTION 6.** Section 73-2-11, Mississippi Code of 1972, is  
718 amended as follows:

719 73-2-11. The board may exempt from examination any applicant  
720 who holds a license or certificate to practice landscape  
721 architecture issued to him upon examination by a legally  
722 constituted board of examiners of any other state or Washington,  
723 D.C., or any other territory or possession under the control of



724 the United States, provided that such requirements of the state in  
725 which the applicant is registered are equivalent to those of this  
726 state.

727 Each nonresident applicant shall submit, as part of the  
728 application, a sworn affidavit stating that neither such applicant  
729 nor any person in or agent of the applicant's firm has practiced  
730 or is practicing landscape architectural work in this state prior  
731 to the applicant having been licensed by the board unless such  
732 person or agent holds a license to practice landscape architecture  
733 in this state. Failure to submit this affidavit or submitting an  
734 affidavit which is false in any respect shall constitute just  
735 cause for denial of the application.

736 An applicant who is a licensed landscape architect but who  
737 was admitted in a jurisdiction which did not offer a written  
738 examination acceptable to the board or was admitted without the  
739 requirement of passing a written examination may be issued a  
740 license to practice landscape architecture in this state upon the  
741 taking and passing of any examination or procedure as may be  
742 adopted by the board, provided that such applicant meets all other  
743 requirements for issuance of a license to practice landscape  
744 architecture in this state.

745 The issuance of a license by reciprocity to a  
746 military-trained applicant or military spouse shall be subject to  
747 the provisions of Section 1 of this act.



748           **SECTION 7.** Section 73-4-23, Mississippi Code of 1972, is  
749 amended as follows:

750           73-4-23. Any auctioneer who is licensed in a state that (a)  
751 has requirements equal to the requirements of this chapter, (b)  
752 has requirements that have been approved by the commission, after  
753 a review of such state's licensing law, and (c) has entered into a  
754 reciprocal licensing agreement with the State of Mississippi  
755 through such state's regulatory authority over auctioneering, may  
756 apply for and be granted a license without examination.  
757 Applicants for a license through reciprocity shall furnish the  
758 commission by application the same information as that required of  
759 resident applicants. In addition to the \* \* \* biennial license  
760 fee, nonresidents shall pay to the commission a fee of Two Hundred  
761 Fifty Dollars (\$250.00). A nonresident auctioneer shall furnish  
762 to the commission a surety bond, obligated to the State of  
763 Mississippi, in the amount of Ten Thousand Dollars (\$10,000.00)  
764 prior to being issued a license. The bond shall be executed by  
765 the person seeking the license as principal and by a corporate  
766 surety, licensed to do business in this state, as surety. The  
767 bond shall otherwise be in accordance with the provisions of this  
768 chapter.

769           The issuance of a license by reciprocity to a  
770 military-trained applicant or military spouse shall be subject to  
771 the provisions of Section 1 of this act.



772           **SECTION 8.** Section 73-5-21, Mississippi Code of 1972, is  
773 amended as follows:

774           73-5-21. Any person possessed of the following  
775 qualifications shall, upon payment of the required fee, receive a  
776 certificate of registration as a registered barber:

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

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

779 and

780                   (c) Either has a license or certificate of registration  
781 as a practicing barber in another state or country that has  
782 substantially the same requirements for licensing or registration  
783 of barbers as are contained in this chapter, or can prove by sworn  
784 affidavits that he has lawfully practiced as a barber in another  
785 state or country for at least five (5) years immediately before  
786 making application in this state, or can show to the satisfaction  
787 of the board that he had held a rating in a branch of the military  
788 service for two (2) or more years that required him to perform the  
789 duties of a barber. The issuance of a certificate of registration  
790 by reciprocity to a military-trained applicant or military spouse  
791 shall be subject to the provisions of Section 1 of this act.

792           In addition to the above, the board may require the applicant  
793 to successfully demonstrate sufficient knowledge of the Barber Law  
794 of the State of Mississippi, as well as sufficient practical skill  
795 by requiring the applicant to take a practical examination  
796 approved by the board.





797           **SECTION 9.** Section 73-6-13, Mississippi Code of 1972, is  
798 amended as follows:

799           73-6-13. (1) Any adult of good moral character who has (a)  
800 graduated from a school or college of chiropractic recognized by  
801 the State Board of Chiropractic Examiners, preceded by the  
802 successful completion of at least two (2) academic years at an  
803 accredited institution of higher learning, or accredited junior  
804 college, and (b) successfully completed parts 1, 2, 3 and 4 and  
805 the physical modality section of the examination prepared by the  
806 National Board of Chiropractic Examiners, shall be entitled to  
807 take the examination for a license to practice chiropractic in  
808 Mississippi. The State Board of Chiropractic Examiners shall keep  
809 on file a list of schools or colleges of chiropractic which are so  
810 recognized. No chiropractic school shall be approved unless it is  
811 recognized and approved by the Council on Chiropractic Education,  
812 its successor or an equivalent accrediting agency, offers an  
813 accredited course of study of not less than four (4) academic  
814 years of at least nine (9) months in length, and requires its  
815 graduates to receive not less than forty (40) clock hours of  
816 instruction in the operation of x-ray machinery and not less than  
817 forty (40) clock hours of instruction in x-ray interpretation and  
818 diagnosis.

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



822 (3) The examination to practice chiropractic used by the  
823 board shall consist of testing on the statutes and the rules and  
824 regulations regarding the practice of chiropractic in the State of  
825 Mississippi.

826 (4) Reciprocity privileges for a chiropractor from another  
827 state shall be granted at the board's option on an individual  
828 basis and by a majority vote of the State Board of Chiropractic  
829 Examiners to an adult of good moral character who (a) is currently  
830 an active competent practitioner for at least eight (8) years and  
831 holds an active chiropractic license in another state with no  
832 disciplinary proceeding or unresolved complaint pending anywhere  
833 at the time a license is to be issued by this state, (b)  
834 demonstrates having obtained licensure as a chiropractor in  
835 another state under the same education requirements which were  
836 equivalent to the education requirements in this state to obtain a  
837 chiropractic license at the time the applicant obtained the  
838 license in the other state, (c) satisfactorily passes the  
839 examination administered by the State Board of Chiropractic  
840 Examiners, and (d) meets the requirements of Section 73-6-1(3)  
841 pertaining to therapeutic modalities. The issuance of a license  
842 by reciprocity to a military-trained applicant or military spouse  
843 shall be subject to the provisions of Section 1 of this act.

844 **SECTION 10.** Section 73-7-23, Mississippi Code of 1972, is  
845 amended as follows:



846 73-7-23. The board may, upon application, issue a license by  
847 reciprocity to any cosmetologist, esthetician, manicurist or wig  
848 specialist over the age of seventeen (17) years from any other  
849 state who has satisfactorily completed the required number of  
850 accredited hours in that state, provided the state board from  
851 which the applicant comes issues to cosmetologists, estheticians,  
852 manicurists or wig specialists, as the case may be, from the State  
853 of Mississippi a license under the same conditions. Applications  
854 must be accompanied by (a) proof satisfactory to the board that  
855 the required hours have been completed, and (b) the required  
856 reciprocity fee, which shall be paid to the board.

857 An instructor from any other state may be qualified for  
858 instructor's examination upon presenting a valid instructor's  
859 license and proof of a high school education or its equivalent,  
860 provided that the instructor (a) has had three (3) years or more  
861 of experience as a licensed instructor prior to application, (b)  
862 can read, write and speak English, and (c) has completed twelve  
863 (12) semester hours in college courses approved by the board.  
864 Such application must be accompanied by two (2) recent head  
865 photographs of the applicant. Applicants shall pay the required  
866 examination fee and license fee.

867 The issuance of a license by reciprocity to a  
868 military-trained applicant or military spouse shall be subject to  
869 the provisions of Section 1 of this act.



870           **SECTION 11.** Section 73-9-24, Mississippi Code of 1972, is  
871 amended as follows:

872           73-9-24. (1) In addition to the method for obtaining a  
873 license to practice dentistry or dental hygiene by way of  
874 examination as provided by Section 73-9-23, the board, in its sole  
875 discretion, may grant a license to a candidate who meets the  
876 following criteria:

877           (a) Submit proof of graduation from a dental school or  
878 school of dental hygiene accredited by the Commission on Dental  
879 Accreditation of the American Dental Association (ADA), or its  
880 successor commission;

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

884           (c) Currently hold a valid, unrestricted and unexpired  
885 license in a state whose standards for licensure are determined by  
886 the board as equivalent to Mississippi's standards, and which  
887 state grants reciprocity or licensure by credentials to licensees  
888 of the State of Mississippi;

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

892           (e) Has not been the subject of pending or final  
893 disciplinary action in any state in which the applicant has been  
894 licensed;



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

897 (g) Has passed a state or regional clinical licensure  
898 examination and, within the past five (5) years, has not failed a  
899 clinical licensure examination administered by another state,  
900 jurisdiction, or regional licensing board;

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

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

905 (j) Has successfully completed all parts of the  
906 National Board Examinations of the Joint Commission on National  
907 Dental Examinations, or its successor commission, unless the  
908 applicant graduated from an accredited dental or dental hygiene  
909 school before 1960;

910 (k) Successfully passes a written jurisprudence  
911 examination;

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

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

917 (i) Information from the National Practitioner  
918 Data Bank, the Healthcare Integrity and Protection Data Bank



919 and/or the American Association of Dental Examiners Clearinghouse  
920 for Disciplinary Information.

921 (ii) Questioning under oath.

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

924 (iv) Substance abuse testing or treatment.

925 (v) Background checks for criminal or fraudulent  
926 activities.

927 (vi) Participation in continuing education.

928 (vii) A current certificate in cardiopulmonary  
929 resuscitation.

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

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

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

936 (xi) Proof of professional liability coverage and  
937 that the coverage has not been refused, declined, canceled,  
938 nonrenewed or modified.

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

942 (2) The board shall be granted sufficient time to conduct a  
943 complete inquiry into the applicant's qualifications for licensure



944 by credentials, and the board may adopt such rules and regulations  
945 pertaining to the time needed to conduct investigations and the  
946 responsibility of applicants to produce verifiable documentation.

947 (3) Any applicant failing to meet the criteria in subsection  
948 (1) of this section shall not be eligible for a license based on  
949 credentials. Upon meeting the criteria in subsection (1) of this  
950 section, the Mississippi State Board of Dental Examiners may, in  
951 its discretion, issue to the applicant a license to practice  
952 dentistry, or dental hygiene, unless grounds for denial of  
953 licensure exist as enumerated in Section 73-9-61. Evidence of  
954 falsification in the application for licensure through  
955 credentialing will result in revocation of the license.

956 (4) Any applicant applying for a specialty license by  
957 credentials must stay within his or her board recognized specialty  
958 and must practice only that specialty within the State of  
959 Mississippi. A specialty license holder must hold a general  
960 dentistry license before obtaining a specialty license.

961 (5) The issuance of a license by reciprocity to a  
962 military-trained applicant or military spouse shall be subject to  
963 the provisions of Section 1 of this act.

964 **SECTION 12.** Section 73-10-15, Mississippi Code of 1972, is  
965 amended as follows:

966 73-10-15. (1) A nonresident dietitian may practice  
967 dietetics in Mississippi for five (5) days per year with current



968 other state's licensure or with current registration with the  
969 Commission on Dietetics Registration.

970 (2) The board may waive the prescribed examination for  
971 licensure and grant a license to any person who shall present  
972 proof of current licensure as a dietitian in another state, the  
973 District of Columbia, or territory of the United States which  
974 requires standards for licensure considered by the advisory  
975 council to be greater than or equal to the requirements for  
976 licensure of this chapter, if such state or territory extends  
977 reciprocity to licensees of the State of Mississippi. The  
978 issuance of a license by reciprocity to a military-trained  
979 applicant or military spouse shall be subject to the provisions of  
980 Section 1 of this act.

981 **SECTION 13.** Section 73-11-51, Mississippi Code of 1972, is  
982 amended as follows:

983 73-11-51. (1) No person shall engage in the business or  
984 practice of funeral service, including embalming, and/or funeral  
985 directing or hold himself out as transacting or practicing or  
986 being entitled to transact or practice funeral service, including  
987 embalming, and/or funeral directing in this state unless duly  
988 licensed under the provisions of this chapter.

989 (2) The board is authorized and empowered to examine  
990 applicants for licenses for the practice of funeral service and  
991 funeral directing and shall issue the proper license to those





992 persons who successfully pass the applicable examination and  
993 otherwise comply with the provisions of this chapter.

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

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

998 (b) Has a high school diploma or the equivalent  
999 thereof;

1000 (c) Has served as a resident trainee for not less than  
1001 twenty-four (24) months under the supervision of a person licensed  
1002 for the practice of funeral service or funeral directing in this  
1003 state;

1004 (d) Has successfully passed a written and/or oral  
1005 examination as prepared or approved by the board; and

1006 (e) Is of good moral character.

1007 (4) To be licensed for the practice of funeral service under  
1008 this chapter, a person must furnish satisfactory evidence to the  
1009 board that he or she:

1010 (a) Is at least eighteen (18) years of age;

1011 (b) Has a high school diploma or the equivalent  
1012 thereof;

1013 (c) Has successfully completed twelve (12) months or  
1014 more of academic and professional instruction from an institution  
1015 accredited by the United States Department of Education for  
1016 funeral service education and have a certificate of completion



1017 from an institution accredited by the American Board of Funeral  
1018 Service Education or any other successor recognized by the United  
1019 States Department of Education for funeral service education;

1020 (d) Has served as a resident trainee for not less than  
1021 twelve (12) months, either before or after graduation from an  
1022 accredited institution mentioned above, under the supervision of a  
1023 person licensed for the practice of funeral service in this state  
1024 and in an establishment licensed in this state;

1025 (e) Has successfully passed the National Conference of  
1026 Funeral Examiners examination and/or such other examination as  
1027 approved by the board; and

1028 (f) Is of good moral character.

1029 (5) All applications for examination and license for the  
1030 practice of funeral service or funeral directing shall be upon  
1031 forms furnished by the board and shall be accompanied by an  
1032 examination fee, a licensing fee and a nonrefundable application  
1033 fee in amounts fixed by the board in accordance with Section  
1034 73-11-56. The fee for an initial license, however, may be  
1035 prorated in proportion to the period of time from the date of  
1036 issuance to the date of biennial license renewal prescribed in  
1037 subsection (8) of this section. All applications for examination  
1038 shall be filed with the board office at least sixty (60) days  
1039 before the date of examination. A candidate shall be deemed to  
1040 have abandoned the application for examination if he does not



1041 appear on the scheduled date of examination unless such failure to  
1042 appear has been approved by the board.

1043 (6) The practice of funeral service or funeral directing  
1044 must be engaged in at a licensed funeral establishment, at least  
1045 one (1) of which is listed as the licensee's place of business;  
1046 and no person, partnership, corporation, association or other  
1047 organization shall open or maintain a funeral establishment at  
1048 which to engage in or conduct or hold himself or itself out as  
1049 engaging in the practice of funeral service or funeral directing  
1050 until such establishment has complied with the licensing  
1051 requirements of this chapter. A license for the practice of  
1052 funeral service or funeral directing shall be used only at  
1053 licensed funeral establishments; however, this provision shall not  
1054 prevent a person licensed for the practice of funeral service or  
1055 funeral directing from conducting a funeral service at a church, a  
1056 residence, public hall, lodge room or cemetery chapel, if such  
1057 person maintains a fixed licensed funeral establishment of his own  
1058 or is in the employ of or an agent of a licensed funeral  
1059 establishment.

1060 (7) Any person holding a valid, unrevoked and unexpired  
1061 nonreciprocal license in another state or territory having  
1062 requirements greater than or equal to those of this state as  
1063 determined by the board may apply for a license to practice in  
1064 this state by filing with the board a certified statement from the  
1065 secretary of the licensing board of the state or territory in



1066 which the applicant holds his license certifying to his  
1067 qualifications and good standing with that board. He/she must  
1068 also successfully pass a written and/or oral examination on the  
1069 Mississippi Funeral Service licensing law and rules and  
1070 regulations as prepared or approved by the board, and must pay a  
1071 nonrefundable application fee set by the board. If the board  
1072 finds that the applicant has fulfilled aforesaid requirements and  
1073 has fulfilled substantially similar requirements of those required  
1074 for a Mississippi licensee, the board shall grant such license  
1075 upon receipt of a fee in an amount equal to the renewal fee set by  
1076 the board for a license for the practice of funeral service or  
1077 funeral directing, as the case may be, in this state. The board  
1078 may issue a temporary funeral service or funeral directing work  
1079 permit before a license is granted, before the next regular  
1080 meeting of the board, if the applicant for a reciprocal license  
1081 has complied with all requirements, rules and regulations of the  
1082 board. The temporary permit will expire at the next regular  
1083 meeting of the board. The issuance of a license or temporary  
1084 permit by reciprocity to a military-trained applicant or military  
1085 spouse shall be subject to the provisions of Section 1 of this  
1086 act.

1087 (8) (a) Except as provided in Section 33-1-39, any person  
1088 holding a license for the practice of funeral service or funeral  
1089 directing may have the same renewed for a period of two (2) years  
1090 by making and filing with the board an application on or before



1091 the due date. Payment of the renewal fee shall be in an amount  
1092 set by the board in accordance with Section 73-11-56. The board  
1093 shall mail the notice of renewal and the due date for the payment  
1094 of the renewal fee to the last-known address of each licensee at  
1095 least thirty (30) days before that date. It is the responsibility  
1096 of the licensee to notify the board in writing of any change of  
1097 address. An application will be considered late if the  
1098 application and proper fees are not in the board's office or  
1099 postmarked by the due date. Failure of a license holder to  
1100 receive the notice of renewal shall not exempt or excuse a license  
1101 holder from the requirement of renewing the license on or before  
1102 the license expiration date.

1103 (b) If the renewal fee is not paid on or postmarked by  
1104 the due date, the license of such person shall by operation of law  
1105 automatically expire and become void without further action of the  
1106 board. The board may reinstate such license if application for  
1107 licensure is made within a period of five (5) years, upon payment  
1108 of the renewal fee for the current year, all renewal fees in  
1109 arrears, and a reinstatement fee. After a period of five (5)  
1110 years, the licensee must make application, pay the current renewal  
1111 fee, all fees in arrears, and pass a written and/or oral  
1112 examination as prepared or approved by the board.

1113 (9) No license shall be assignable or valid for any person  
1114 other than the original licensee.



1115           (10) The board may, in its discretion, if there is a major  
1116 disaster or emergency where human death is likely to occur,  
1117 temporarily authorize the practice of funeral directing and  
1118 funeral service by persons licensed to practice in another state  
1119 but not licensed to practice in this state. Only persons licensed  
1120 in this state, however, may sign death certificates.

1121           (11) Any funeral service technology or mortuary science  
1122 program accredited by the American Board of Funeral Service  
1123 Education in the State of Mississippi, as well as students  
1124 enrolled in such a program, shall be exempt from licensing under  
1125 this chapter when embalming or otherwise preparing a deceased  
1126 human body for disposition as part of a student practicum  
1127 experience, when the student is directly supervised by an  
1128 instructor or preceptor who holds a current funeral service  
1129 license. This exemption shall apply to practicum experiences  
1130 performed at an accredited institution of funeral service  
1131 technology or mortuary science program or at a duly licensed  
1132 funeral establishment or commercial mortuary service. Nothing in  
1133 this subsection shall be construed to allow any funeral service  
1134 technology or mortuary science program, or those students enrolled  
1135 in such a program, to engage in practicum experiences for  
1136 remuneration.

1137           (12) Each application or filing made under this section  
1138 shall include the social security number(s) of the applicant in  
1139 accordance with Section 93-11-64.



1140           **SECTION 14.** Section 73-13-35, Mississippi Code of 1972, is  
1141 amended as follows:

1142           73-13-35. The board may, upon application therefor and the  
1143 payment of a fee in accordance with Section 73-13-25, issue a  
1144 certificate of licensure as a professional engineer to any person  
1145 who holds a certificate of qualification or licensure issued to  
1146 him by proper authority of any state or territory or possession of  
1147 the United States, or of any country, provided that the  
1148 applicant's qualifications meet the requirements of Sections  
1149 73-13-1 through 73-13-45 and the rules established by the board.  
1150 The issuance of a certificate of licensure by reciprocity to a  
1151 military-trained applicant or military spouse shall be subject to  
1152 the provisions of Section 1 of this act.

1153           **SECTION 15.** Section 73-14-25, Mississippi Code of 1972, is  
1154 amended as follows:

1155           73-14-25. The department may license as a hearing aid  
1156 specialist, and furnish a certificate of licensure, to any  
1157 applicant who presents evidence, satisfactory to the department of  
1158 having passed an examination before a similar lawfully authorized  
1159 examining agency or board of hearing aid specialists of another  
1160 state or the District of Columbia, if the standards for  
1161 registration of hearing aid specialists or for licensure as a  
1162 hearing aid specialist in such state or district are determined by  
1163 the department to be as high as those of this state, and if that  
1164 jurisdiction affords licensees of this state reciprocity.



1165 Any person making application for licensure under the  
1166 provisions of this section may, at the discretion of the board, be  
1167 required to pass an examination selected by the board.

1168 The issuance of a license by reciprocity to a  
1169 military-trained applicant or military spouse shall be subject to  
1170 the provisions of Section 1 of this act.

1171 **SECTION 16.** Section 73-15-19, Mississippi Code of 1972, is  
1172 amended as follows:

1173 73-15-19. (1) **Registered nurse applicant qualifications.**

1174 Any applicant for a license to practice as a registered nurse  
1175 shall submit to the board:

1176 (a) An attested written application on a Board of  
1177 Nursing form;

1178 (b) Written official evidence of completion of a  
1179 nursing program approved by the Board of Trustees of State  
1180 Institutions of Higher Learning, or one approved by a legal  
1181 accrediting agency of another state, territory or possession of  
1182 the United States, the District of Columbia, or a foreign country  
1183 which is satisfactory to this board;

1184 (c) Evidence of competence in English related to  
1185 nursing, provided the first language is not English;

1186 (d) Any other official records required by the board.

1187 In addition to the requirements specified in paragraphs (a)  
1188 through (d) of this subsection, in order to qualify for a license  
1189 to practice as a registered nurse, an applicant must have





1190 successfully been cleared for licensure through an investigation  
1191 that shall consist of a determination as to good moral character  
1192 and verification that the prospective licensee is not guilty of or  
1193 in violation of any statutory ground for denial of licensure as  
1194 set forth in Section 73-15-29 or guilty of any offense specified  
1195 in Section 73-15-33. To assist the board in conducting its  
1196 licensure investigation, all applicants shall undergo a  
1197 fingerprint-based criminal history records check of the  
1198 Mississippi central criminal database and the Federal Bureau of  
1199 Investigation criminal history database. Each applicant shall  
1200 submit a full set of his or her fingerprints in a form and manner  
1201 prescribed by the board, which shall be forwarded to the  
1202 Mississippi Department of Public Safety (department) and the  
1203 Federal Bureau of Investigation Identification Division for this  
1204 purpose.

1205 Any and all state or national criminal history records  
1206 information obtained by the board that is not already a matter of  
1207 public record shall be deemed nonpublic and confidential  
1208 information restricted to the exclusive use of the board, its  
1209 members, officers, investigators, agents and attorneys in  
1210 evaluating the applicant's eligibility or disqualification for  
1211 licensure, and shall be exempt from the Mississippi Public Records  
1212 Act of 1983. Except when introduced into evidence in a hearing  
1213 before the board to determine licensure, no such information or  
1214 records related thereto shall, except with the written consent of



1215 the applicant or by order of a court of competent jurisdiction, be  
1216 released or otherwise disclosed by the board to any other person  
1217 or agency.

1218 The board shall provide to the department the fingerprints of  
1219 the applicant, any additional information that may be required by  
1220 the department, and a form signed by the applicant consenting to  
1221 the check of the criminal records and to the use of the  
1222 fingerprints and other identifying information required by the  
1223 state or national repositories.

1224 The board shall charge and collect from the applicant, in  
1225 addition to all other applicable fees and costs, such amount as  
1226 may be incurred by the board in requesting and obtaining state and  
1227 national criminal history records information on the applicant.

1228 The board may, in its discretion, refuse to accept the  
1229 application of any person who has been convicted of a criminal  
1230 offense under any provision of Title 97 of the Mississippi Code of  
1231 1972, as now or hereafter amended, or any provision of this  
1232 article.

1233 (2) **Licensure by examination.** (a) Upon the board being  
1234 satisfied that an applicant for a license as a registered nurse  
1235 has met the qualifications set forth in subsection (1) of this  
1236 section, the board shall proceed to examine such applicant in such  
1237 subjects as the board shall, in its discretion, determine. The  
1238 subjects in which applicants shall be examined shall be in  
1239 conformity with curricula in schools of nursing approved by the



1240 Board of Trustees of State Institutions of Higher Learning, or one  
1241 approved by a legal accrediting agency of another state, territory  
1242 or possession of the United States, the District of Columbia, or a  
1243 foreign country which is satisfactory to the board.

1244 (b) The applicant shall be required to pass the written  
1245 examination as selected by the board.

1246 (c) Upon successful completion of such examination, the  
1247 board shall issue to the applicant a license to practice as a  
1248 registered nurse.

1249 (d) The board may use any part or all of the state  
1250 board test pool examination for registered nurse licensure, its  
1251 successor examination, or any other nationally standardized  
1252 examination identified by the board in its rules. The passing  
1253 score shall be established by the board in its rules.

1254 (3) **Licensure by endorsement.** The board may issue a license  
1255 to practice nursing as a registered nurse without examination to  
1256 an applicant who has been duly licensed as a registered nurse  
1257 under the laws of another state, territory or possession of the  
1258 United States, the District of Columbia, or a foreign country if,  
1259 in the opinion of the board, the applicant meets the  
1260 qualifications required of licensed registered nurses in this  
1261 state and has previously achieved the passing score or scores on  
1262 the licensing examination required by this state, at the time of  
1263 his or her graduation. The issuance of a license by endorsement



1264 to a military-trained applicant or military spouse shall be  
1265 subject to the provisions of Section 1 of this act.

1266 (4) **Requirements for rewriting the examination.** The board  
1267 shall establish in its rules the requirements for rewriting the  
1268 examination for those persons failing the examination on the first  
1269 writing or subsequent rewriting.

1270 (5) **Fee.** The applicant applying for a license by  
1271 examination or by endorsement to practice as a registered nurse  
1272 shall pay a fee not to exceed One Hundred Dollars (\$100.00) to the  
1273 board.

1274 (6) **Temporary permit.** (a) The board may issue a temporary  
1275 permit to practice nursing to a graduate of an approved school of  
1276 nursing pending the results of the examination in Mississippi, and  
1277 to a qualified applicant from another state, territory or  
1278 possession of the United States, or District of Columbia, or  
1279 pending licensure procedures as provided for elsewhere in this  
1280 article. The fee shall not exceed Twenty-five Dollars (\$25.00).

1281 (b) The board may issue a temporary permit for a period  
1282 of ninety (90) days to a registered nurse who is currently  
1283 licensed in another state, territory or possession of the United  
1284 States or the District of Columbia and who is an applicant for  
1285 licensure by endorsement. Such permit is not renewable except by  
1286 board action. The issuance of a temporary permit to a  
1287 military-trained applicant or military spouse shall be subject to  
1288 the provisions of Section 1 of this act.



1289 (c) The board may issue a temporary permit to a  
1290 graduate of an approved school of nursing pending the results of  
1291 the first licensing examination scheduled after application. Such  
1292 permit is not renewable except by board action.

1293 (d) The board may issue a temporary permit for a period  
1294 of thirty (30) days to any registered nurse during the time  
1295 enrolled in a nursing reorientation program. This time period may  
1296 be extended by board action. The fee shall not exceed Twenty-five  
1297 Dollars (\$25.00).

1298 (e) The board may adopt such regulations as are  
1299 necessary to limit the practice of persons to whom temporary  
1300 permits are issued.

1301 (7) **Temporary license.** The board may issue a temporary  
1302 license to practice nursing at a youth camp licensed by the State  
1303 Board of Health to nonresident registered nurses and retired  
1304 resident registered nurses under the provisions of Section  
1305 75-74-8.

1306 (8) **Title and abbreviation.** Any person who holds a license  
1307 or holds the privilege to practice as a registered nurse in this  
1308 state shall have the right to use the title "registered nurse" and  
1309 the abbreviation "R.N." No other person shall assume such title  
1310 or use such abbreviation, or any words, letters, signs or devices  
1311 to indicate that the person using the same is a registered nurse.

1312 (9) **Registered nurses licensed under a previous law.** Any  
1313 person holding a license to practice nursing as a registered nurse



1314 issued by this board which is valid on July 1, 1981, shall  
1315 thereafter be deemed to be licensed as a registered nurse under  
1316 the provisions of this article upon payment of the fee provided in  
1317 Section 73-15-27.

1318 (10) Each application or filing made under this section  
1319 shall include the social security number(s) of the applicant in  
1320 accordance with Section 93-11-64.

1321 **SECTION 17.** Section 73-15-21, Mississippi Code of 1972, is  
1322 amended as follows:

1323 73-15-21. (1) **Licensed practical nurse applicant**  
1324 **qualifications.** Any applicant for a license to practice practical  
1325 nursing as a licensed practical nurse shall submit to the board:

1326 (a) An attested written application on a Board of  
1327 Nursing form;

1328 (b) A diploma from an approved high school or the  
1329 equivalent thereof, as determined by the appropriate educational  
1330 agency;

1331 (c) Written official evidence of completion of a  
1332 practical nursing program approved by the State Department of  
1333 Education through its Division of Vocational Education, or one  
1334 approved by a legal accrediting agency of another state, territory  
1335 or possession of the United States, the District of Columbia, or a  
1336 foreign country which is satisfactory to this board;

1337 (d) Evidence of competence in English related to  
1338 nursing, provided the first language is not English;



1339 (e) Any other official records required by the board.

1340 In addition to the requirements specified in paragraphs (a)  
1341 through (e) of this subsection, in order to qualify for a license  
1342 to practice practical nursing as a licensed practical nurse, an  
1343 applicant must have successfully been cleared for licensure  
1344 through an investigation that shall consist of a determination as  
1345 to good moral character and verification that the prospective  
1346 licensee is not guilty of or in violation of any statutory ground  
1347 for denial of licensure as set forth in Section 73-15-29 or guilty  
1348 of any offense specified in Section 73-15-33. To assist the board  
1349 in conducting its licensure investigation, all applicants shall  
1350 undergo a fingerprint-based criminal history records check of the  
1351 Mississippi central criminal database and the Federal Bureau of  
1352 Investigation criminal history database. Each applicant shall  
1353 submit a full set of his or her fingerprints in a form and manner  
1354 prescribed by the board, which shall be forwarded to the  
1355 Mississippi Department of Public Safety (department) and the  
1356 Federal Bureau of Investigation Identification Division for this  
1357 purpose.

1358 Any and all state or national criminal history records  
1359 information obtained by the board that is not already a matter of  
1360 public record shall be deemed nonpublic and confidential  
1361 information restricted to the exclusive use of the board, its  
1362 members, officers, investigators, agents and attorneys in  
1363 evaluating the applicant's eligibility or disqualification for



1364 licensure, and shall be exempt from the Mississippi Public Records  
1365 Act of 1983. Except when introduced into evidence in a hearing  
1366 before the board to determine licensure, no such information or  
1367 records related thereto shall, except with the written consent of  
1368 the applicant or by order of a court of competent jurisdiction, be  
1369 released or otherwise disclosed by the board to any other person  
1370 or agency.

1371         The board shall provide to the department the fingerprints of  
1372 the applicant, any additional information that may be required by  
1373 the department, and a form signed by the applicant consenting to  
1374 the check of the criminal records and to the use of the  
1375 fingerprints and other identifying information required by the  
1376 state or national repositories.

1377         The board shall charge and collect from the applicant, in  
1378 addition to all other applicable fees and costs, such amount as  
1379 may be incurred by the board in requesting and obtaining state and  
1380 national criminal history records information on the applicant.

1381         The board may, in its discretion, refuse to accept the  
1382 application of any person who has been convicted of a criminal  
1383 offense under any provision of Title 97 of the Mississippi Code of  
1384 1972, as now or hereafter amended, or any provision of this  
1385 article.

1386         (2) **Licensure by examination.** (a) Upon the board being  
1387 satisfied that an applicant for a license as a practical nurse has  
1388 met the qualifications set forth in subsection (1) of this





1389 section, the board shall proceed to examine such applicant in such  
1390 subjects as the board shall, in its discretion, determine. The  
1391 subjects in which applicants shall be examined shall be in  
1392 conformity with curricula in schools of practical nursing approved  
1393 by the State Department of Education.

1394 (b) The applicant shall be required to pass the written  
1395 examination selected by the board.

1396 (c) Upon successful completion of such examination, the  
1397 board shall issue to the applicant a license to practice as a  
1398 licensed practical nurse.

1399 (d) The board may use any part or all of the state  
1400 board test pool examination for practical nurse licensure, its  
1401 successor examination, or any other nationally standardized  
1402 examination identified by the board in its rules. The passing  
1403 score shall be established by the board in its rules.

1404 (3) **Licensure by endorsement.** The board may issue a license  
1405 to practice practical nursing as a licensed practical nurse  
1406 without examination to an applicant who has been duly licensed as  
1407 a licensed practical nurse under the laws of another state,  
1408 territory or possession of the United States, the District of  
1409 Columbia, or a foreign country if, in the opinion of the board,  
1410 the applicant meets the qualifications required of licensed  
1411 practical nurses in this state and has previously achieved the  
1412 passing score or scores on the licensing examination required by  
1413 this state at the time of his or her graduation. The issuance of



1414 a license by endorsement to a military-trained applicant or  
1415 military spouse shall be subject to the provisions of Section 1 of  
1416 this act.

1417         (4) **Licensure by equivalent amount of theory and clinical**  
1418 **experience.** In the discretion of the board, former students of a  
1419 state accredited school preparing students to become registered  
1420 nurses may be granted permission to take the examination for  
1421 licensure to practice as a licensed practical nurse, provided the  
1422 applicant's record or transcript indicates the former student  
1423 completed an equivalent amount of theory and clinical experiences  
1424 as required of a graduate of a practical nursing program, and  
1425 provided the school attended was, at the time of the student's  
1426 attendance, an accredited school of nursing.

1427         (5) **Requirements for rewriting the examination.** The board  
1428 shall establish in its rules the requirements for rewriting the  
1429 examination for those persons failing the examination on the first  
1430 writing or subsequent writing.

1431         (6) **Fee.** The applicant applying for a license by  
1432 examination or by endorsement to practice as a licensed practical  
1433 nurse shall pay a fee not to exceed Sixty Dollars (\$60.00) to the  
1434 board.

1435         (7) **Temporary permit.** (a) The board may issue a temporary  
1436 permit to practice practical nursing to a graduate of an approved  
1437 school of practical nursing pending the results of the examination  
1438 in Mississippi, and to a qualified applicant from another state,



1439 territory or possession of the United States, or the District of  
1440 Columbia, pending licensing procedures as provided for elsewhere  
1441 in this article. The fee shall not exceed Twenty-five Dollars  
1442 (\$25.00).

1443 (b) The board may issue a temporary permit for a period  
1444 of ninety (90) days to a licensed practical 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 or military spouse shall be subject to  
1450 the provisions of Section 1 of this act.

1451 (c) The board may issue a temporary permit to a  
1452 graduate of an approved practical nursing education program or an  
1453 equivalent program satisfactory to the board pending the results  
1454 of the first licensing examination scheduled after application.  
1455 Such 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 licensed practical nurse during the  
1458 time enrolled in a nursing reorientation program. This time  
1459 period may be extended by board action. The fee shall not exceed  
1460 Twenty-five 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           (8) **Title and abbreviation.** Any person who holds a license  
1465 or holds the privilege to practice as a licensed practical nurse  
1466 in this state shall have the right to use the title "licensed  
1467 practical nurse" and the abbreviation "L.P.N." No other person  
1468 shall assume such title or use such abbreviation, or any words,  
1469 letters, signs or devices to indicate that a person using the same  
1470 is a licensed practical nurse.

1471           (9) **Licensed practical nurses licensed under a previous law.**  
1472 Any person holding a license to practice nursing as a practical  
1473 nurse issued by this board which is valid on July 1, 1981, shall  
1474 thereafter be deemed to be licensed as a practical nurse under the  
1475 provisions of this article upon payment of the fee prescribed in  
1476 Section 73-15-27.

1477           (10) Each application or filing made under this section  
1478 shall include the social security number(s) of the applicant in  
1479 accordance with Section 93-11-64.

1480           **SECTION 18.** Section 73-15-101, Mississippi Code of 1972, is  
1481 amended as follows:

1482           73-15-101. (1) A statewide program for certification of  
1483 hemodialysis technicians is created under the Mississippi Board of  
1484 Nursing.

1485           (2) Unless certified as a certified hemodialysis technician  
1486 under this section, no person shall:

1487           (a) Practice as a certified hemodialysis technician; or



1488 (b) Use the title "certified hemodialysis technician,"  
1489 "hemodialysis technician," or other title, abbreviation, letters,  
1490 figures, signs, or devices to indicate or imply that the person is  
1491 a certified hemodialysis technician.

1492 (3) The Board of Nursing is authorized and empowered to:

1493 (a) Maintain a permanent register of all certified  
1494 hemodialysis technicians;

1495 (b) Adopt rules and regulations for certified  
1496 hemodialysis technician training programs, including standards and  
1497 curricula;

1498 (c) Provide for periodic evaluation of training  
1499 programs;

1500 (d) Grant, deny or withdraw approval from a training  
1501 program that fails to meet prescribed standards or fails to  
1502 maintain a current contract with the board;

1503 (e) Develop, maintain and administer a certification  
1504 examination, or grant, deny or withdraw approval of a  
1505 certification examination(s);

1506 (f) Adopt rules and regulations for certification of  
1507 hemodialysis technicians by examination, endorsement, renewal and  
1508 reinstatement; however, the certification by endorsement of a  
1509 military-trained applicant or military spouse shall be subject to  
1510 the provisions of Section 1 of this act; and

1511 (g) Conduct disciplinary hearings of certified  
1512 hemodialysis technicians concerning the restriction, denial,



1513 suspension, revocation and/or discipline of a certificate holder  
1514 in any manner specified in rules and regulations of the board.

1515 (4) Any applicant for certification to practice as a  
1516 hemodialysis technician shall submit to the Board of Nursing:

1517 (a) An attested written application on a Board of  
1518 Nursing form;

1519 (b) A diploma from an approved high school or the  
1520 equivalent thereof, as determined by the appropriate education  
1521 agency;

1522 (c) Written official evidence of completion of a  
1523 hemodialysis technician program approved by the Board of Nursing;

1524 (d) Evidence of competence in English related to health  
1525 care/nursing if the first language is not English;

1526 (e) Written official evidence that the applicant has  
1527 passed the certification examination as approved by the Board of  
1528 Nursing; and

1529 (f) Any other official records required by the Board of  
1530 Nursing.

1531 The Board of Nursing may, in its discretion, refuse to accept  
1532 the application of any person who has been convicted of a criminal  
1533 offense under any provision of Title 97 of the Mississippi Code of  
1534 1972, or any offense listed in Section 43-11-13(5), or any sex  
1535 offense included in Section 45-33-23(g), as now or hereafter  
1536 amended.



1537 (5) Every certificate issued by the Board of Nursing to  
1538 practice as a certified hemodialysis technician shall be renewed  
1539 every two (2) years. The certified hemodialysis technician  
1540 seeking renewal shall submit proof of employment as a certified  
1541 hemodialysis technician, proof of having met continuing education  
1542 requirements adopted by the Board of Nursing and any other  
1543 official records required by the Board of Nursing.

1544 (6) The Board of Nursing shall establish nonrefundable fees  
1545 necessary for the administration of this section, including, but  
1546 not limited to, fees for initial certification by initial or later  
1547 examination, renewal of certification, reinstatement of a lapsed  
1548 certificate, endorsement, initial review and approval of a  
1549 training program, and later review and approval of a training  
1550 program.

1551 **SECTION 19.** Section 73-17-11, Mississippi Code of 1972, is  
1552 amended as follows:

1553 73-17-11. (1) From and after July 1, 2011, in order to be  
1554 eligible to be licensed as a nursing home administrator, an  
1555 individual must submit evidence satisfactory to the board that he  
1556 or she:

1557 (a) Is at least twenty-one (21) years of age;

1558 (b) Is of good moral character, including evidence of a  
1559 criminal background check within the last six (6) months, under  
1560 Section 43-11-13 and Section G.407.3 of the Minimum Standards for  
1561 Institutions for the Aged or Infirm;



1562 (c) Is in good health;

1563 (d) Has satisfied at least one (1) of the following  
1564 requirements for education and experience:

1565 (i) Has sixty-four (64) hours of college work from  
1566 an accredited institution and has worked in a supervisory capacity  
1567 in a Mississippi-licensed nursing home for a minimum of two (2)  
1568 years immediately before making application for the  
1569 Administrator-in-Training Program established by board rule;

1570 (ii) Has an associate degree from an accredited  
1571 institution and has worked in a supervisory capacity in a  
1572 Mississippi-licensed nursing home for a minimum of two (2) years  
1573 immediately before making application for the  
1574 Administrator-in-Training Program established by board rule;

1575 (iii) Has a bachelor's degree in any other field  
1576 of study from an accredited institution before making application  
1577 for the Administrator-in-Training Program established by board  
1578 rule; or

1579 (iv) Has a bachelor's degree in health care  
1580 administration or a health care related field or business from an  
1581 accredited institution before making application for the  
1582 Administrator-in-Training Program established by board rule;

1583 (e) Has (i) completed a nursing home  
1584 Administrator-in-Training Program and successfully completed the  
1585 National Association of Long-Term Care Administrator Board (NAB)  
1586 examination, or (ii) completed an Administrator-in-Training





1587 Program in Long-Term Care Administration from an academic  
1588 institution during which time the institution held National  
1589 Association of Long-Term Care Administrator Board (NAB) Program  
1590 Approval through the Academic Approval process, to the  
1591 satisfaction of the board;

1592 (f) Has successfully passed the National Association of  
1593 Long-Term Care Administrator Board (NAB) examination and the  
1594 Mississippi State Board of Nursing Home Administrators examination  
1595 to test his or her proficiency and basic knowledge in the area of  
1596 nursing home administration. The board may establish the  
1597 frequency of the offering of those examinations and the contents  
1598 thereof; and

1599 (g) Has met all of the requirements established by  
1600 federal law.

1601 (2) Reciprocity shall be extended to individuals holding  
1602 licenses as nursing home administrators in other states, upon  
1603 proper application and a finding on the part of the board that:

1604 (a) The applicant possesses the basic qualifications  
1605 listed in this chapter and in the rules and regulations adopted  
1606 under federal law;

1607 (b) The applicant has met all of the requirements  
1608 established by federal law; and

1609 (c) The standards for licensure in the other state are  
1610 at least the substantial equivalent of those in this state,  
1611 including education and experience, and the applicant has passed



1612 both the National Association of Long-Term Care Administrator  
1613 Board (NAB) and the state exams.

1614 The issuance of a license by reciprocity to a  
1615 military-trained applicant or military spouse shall be subject to  
1616 the provisions of Section 1 of this act.

1617 (3) The board may prescribe appropriate fees for the taking  
1618 of those examinations and for the issuance of licenses. Those  
1619 fees shall be not more than the cost of the examinations and Five  
1620 Hundred Dollars (\$500.00) for the issuance of a license. However,  
1621 the fee for an initial license may be prorated in proportion to  
1622 the period of time from the date of issuance and the date of  
1623 biennial license renewal prescribed in subsection (4). All  
1624 licenses issued under this chapter shall be for a maximum period  
1625 of two (2) years.

1626 (4) Except as provided in Section 33-1-39, the board may  
1627 renew licenses biennially upon the payment of a fee to be  
1628 established by the board, which shall be not more than Five  
1629 Hundred Dollars (\$500.00), plus any administrative costs for late  
1630 payment.

1631 (5) Any person who is not licensed under this chapter on  
1632 July 1, 2011, who makes application with the board on or before  
1633 June 30, 2012, may qualify for a license under this chapter  
1634 provided that on or before January 31, 2014, he or she  
1635 demonstrates to the satisfaction of the board that he or she (a)  
1636 meets the eligibility requirements for a nursing home



1637 administrator's license prescribed in this section as those  
1638 requirements existed on June 30, 2011; (b) has successfully  
1639 completed the Administrator-in-Training Program requirements  
1640 existing on June 30, 2011; and (c) has paid all required fees for  
1641 licensure.

1642 (6) This section shall stand repealed on July 1, 2015.

1643 **SECTION 20.** Section 73-19-25, Mississippi Code of 1972, is  
1644 amended as follows:

1645 73-19-25. An applicant for a certificate of licensure who  
1646 has been examined by the state board of another state which,  
1647 through reciprocity, similarly accredits the holder of a  
1648 certificate issued by the board of this state to the full  
1649 privileges of practice within such state, on the payment of a fee  
1650 of not more than Fifty Dollars (\$50.00) to the \* \* \* board and on  
1651 filing in the office of the board a true and attested copy of  
1652 the \* \* \* the license, certified by the president or secretary of  
1653 the state board issuing the same, and showing also that the  
1654 standard requirements adopted and enforced by \* \* \* the board are  
1655 equal to that provided by this state, may, without further  
1656 examination, receive a certificate of licensure, provided that  
1657 such applicant has not previously failed at an examination held by  
1658 the board of this state. The issuance of a certificate of  
1659 licensure by reciprocity to a military-trained applicant or  
1660 military spouse shall be subject to the provisions of Section 1 of  
1661 this act.



1662           **SECTION 21.** Section 73-21-87, Mississippi Code of 1972, is  
1663 amended as follows:

1664           73-21-87. (1) To obtain a license to engage in the practice  
1665 of pharmacy by reciprocity or license transfer, the applicant  
1666 shall:

1667                   (a) Have submitted a written application on the form  
1668 prescribed by the board;

1669                   (b) Be of good moral character;

1670                   (c) Have possessed at the time of initial licensure as  
1671 a pharmacist such other qualifications necessary to have been  
1672 eligible for licensure at that time in that state;

1673                   (d) Have presented to the board proof that any license  
1674 or licenses granted to the applicant by any other states have not  
1675 been suspended, revoked, cancelled or otherwise restricted for any  
1676 reason except nonrenewal or the failure to obtain required  
1677 continuing education credits; and

1678                   (e) Have paid all fees specified by the board for  
1679 licensure.

1680           (2) No applicant shall be eligible for licensure by  
1681 reciprocity or license transfer unless the state in which the  
1682 applicant was initially licensed also grants a reciprocal license  
1683 or transfer license to pharmacists licensed by this state under  
1684 like circumstances and conditions.



1685           (3) The issuance of a license by reciprocity to a  
1686 military-trained applicant or military spouse shall be subject to  
1687 the provisions of Section 1 of this act.

1688           ( \* \* \*4) Each application or filing made under this section  
1689 shall include the social security number(s) of the applicant in  
1690 accordance with Section 93-11-64 \* \* \*.

1691           **SECTION 22.** Section 73-23-51, Mississippi Code of 1972, is  
1692 amended as follows:

1693           73-23-51. (1) The board may license as a physical therapist  
1694 or as a physical therapist assistant, and furnish a certificate of  
1695 licensure without examination to, any applicant who presents  
1696 evidence, satisfactory to the board, of having passed an  
1697 examination before a similar lawfully authorized examining agency  
1698 or board in physical therapy of another state or the District of  
1699 Columbia, if the standards for registration in physical therapy or  
1700 for licensure as a physical therapist assistant in such other  
1701 state or district are determined by the board to be as high as  
1702 those of this state. The issuance of a license by reciprocity to  
1703 a military-trained applicant or military spouse shall be subject  
1704 to the provisions of Section 1 of this act.

1705           (2) Any person who has been trained as a physical therapist  
1706 in a foreign country and desires to be licensed under this chapter  
1707 and who: (a) is of good moral character; (b) holds a diploma from  
1708 an educational program for physical therapists approved by the  
1709 board; (c) submits documentary evidence to the board that he has



1710 completed a course of professional instruction substantially  
1711 equivalent to that obtained by an applicant for licensure; (d)  
1712 demonstrates satisfactory proof of proficiency in the English  
1713 language; and (e) meets other requirements established by rules of  
1714 the board, may make application on a form furnished by the board  
1715 for examination as a foreign-trained physical therapist. At the  
1716 time of making such application, the applicant shall pay the fee  
1717 prescribed by the board, no portion of which shall be returned.

1718 Any person who desires to be licensed under this subsection  
1719 shall take an examination approved by the board and shall obtain a  
1720 permanent license. If this requirement is not met, the license of  
1721 the foreign-trained therapist may be revoked.

1722 **SECTION 23.** Section 73-23-53, Mississippi Code of 1972, is  
1723 amended as follows:

1724 73-23-53. (1) A temporary license to practice as a physical  
1725 therapist or physical therapist assistant may be granted to those  
1726 persons meeting the requirements stated in Section 73-23-47 and  
1727 who (a) have not taken the approved examination, or (b) have taken  
1728 the approved examination but have not received the results of the  
1729 examination. The temporary license shall be granted for a period  
1730 not to exceed ninety (90) days. Any physical therapist granted a  
1731 temporary license under the provisions of this subsection shall  
1732 restrict his practice to the State of Mississippi and shall be  
1733 under the direct supervision of a physical therapist licensed in  
1734 Mississippi (physical therapy assistants shall be under the direct



1735 on-site supervision of a Mississippi licensed physical therapist).  
1736 Documentation verifying the supervision shall be on file with the  
1737 board before a temporary license is granted.

1738 (2) The board may by rule provide for the issuance of a  
1739 temporary license to a physical therapist or a physical therapist  
1740 assistant licensed in another state who is moving into the state  
1741 and has filed an application with the board for a permanent  
1742 license in this state. This temporary license will be granted for  
1743 a period not to exceed sixty (60) days. The issuance of a  
1744 temporary license to a military-trained applicant or military  
1745 spouse shall be subject to the provisions of Section 1 of this  
1746 act.

1747 (3) Any person granted a temporary license who is required  
1748 to take the approved examination and fails to take the exam as  
1749 required by the board or does not pass the required exam shall  
1750 have the temporary license automatically expire by operation of  
1751 law and without further action of the board and no license of any  
1752 type shall be issued until such person has passed an approved  
1753 examination.

1754 (4) Any person who has taken but not passed the required  
1755 examination in this or another jurisdiction shall not be eligible  
1756 for a license of any type until an approved examination is passed.

1757 (5) Any person who has been trained as a physical therapist  
1758 or physical therapist assistant in a foreign country and desires  
1759 to be temporarily licensed under this subsection shall, in



1760 addition to satisfying such other requirements established by the  
1761 board, demonstrate proficiency in the English language and meet  
1762 the other requirements of Section 73-23-51(2) before such  
1763 temporary license shall be issued.

1764 (6) During a lawfully declared local, state or national  
1765 disaster or emergency, the board may issue a temporary license to  
1766 any otherwise qualified physical therapist or physical therapist  
1767 assistant licensed and in good standing in another state or  
1768 territory of the United States and who meets such other  
1769 requirements as the board may prescribe by rule and regulation.

1770 **SECTION 24.** Section 73-24-21, Mississippi Code of 1972, is  
1771 amended as follows:

1772 73-24-21. (1) The board shall grant a license to any person  
1773 certified prior to July 1, 1988, as an Occupational Therapist  
1774 Registered (OTR) or a Certified Occupational Therapy Assistant  
1775 (COTA) by the American Occupational Therapy Association (AOTA).  
1776 The board may waive the examination, education or experience  
1777 requirements and grant a license to any person certified by AOTA  
1778 after July 1, 1988, if the board determines the requirements for  
1779 such certification are equivalent to the requirements for  
1780 licensure in this chapter.

1781 (2) The board may waive the examination, education or  
1782 experience requirements and grant a license to any applicant who  
1783 shall present proof of current licensure as an occupational  
1784 therapist or occupational therapy assistant in another state, the





1785 District of Columbia or territory of the United States which  
1786 requires standards for licensure considered by the board to be  
1787 equivalent to the requirements for licensure of this chapter. The  
1788 issuance of a license by reciprocity to a military-trained  
1789 applicant or military spouse shall be subject to the provisions of  
1790 Section 1 of this act.

1791 (3) Foreign trained occupational therapists and occupational  
1792 therapy assistants shall satisfy the examination requirements of  
1793 Section 73-24-19. The board shall require foreign trained  
1794 applicants to furnish proof of good moral character and completion  
1795 of educational and supervised fieldwork requirements substantially  
1796 equal to those contained in Section 73-24-19 before taking the  
1797 examination.

1798 **SECTION 25.** Section 73-25-21, Mississippi Code of 1972, is  
1799 amended as follows:

1800 73-25-21. The State Board of Medical Licensure may grant  
1801 license to practice medicine without examination as to learning to  
1802 graduates in medicine or osteopathic medicine who hold license to  
1803 practice medicine from another state, provided the requirements in  
1804 such state are equal to those required by the State Board of  
1805 Medical Licensure \* \* \*. The State Board of Medical Licensure may  
1806 affiliate with and recognize for the purpose of waiving  
1807 examination diplomates of the National Board of Medical Examiners,  
1808 or the National Board of Examiners for Osteopathic Physicians and  
1809 Surgeons in granting license to practice medicine in Mississippi.



1810 In addition, the board may grant a license to practice medicine  
1811 without examination to Licentiates of the Medical Council of  
1812 Canada (LMCC) who are graduates of Canadian medical schools which  
1813 are accredited by the Liaison Committee on Medical Education, as  
1814 sponsored by the American Medical Association and the Association  
1815 of American Medical Colleges, and by the Committee for  
1816 Accreditation of Canadian Medical Schools, as sponsored by the  
1817 Canadian Medical Association and the Association of Canadian  
1818 Medical Colleges.

1819 The issuance of a license by reciprocity to a  
1820 military-trained applicant or military spouse shall be subject to  
1821 the provisions of Section 1 of this act.

1822 **SECTION 26.** Section 73-27-5, Mississippi Code of 1972, is  
1823 amended as follows:

1824 73-27-5. All applicants for license shall have attained the  
1825 age of twenty-one (21) years, and shall be of good moral  
1826 character; they shall have had at least four (4) years high school  
1827 and be graduates of same; they shall have at least one (1) year  
1828 prepodiatry college education and be graduates of some college of  
1829 podiatry recognized as being in good standing by the State Board  
1830 of Medical Licensure. No college of podiatry or chiropody shall  
1831 be accredited by the board as a college of good standing that does  
1832 not require for graduation a course of study of at least four (4)  
1833 years (eight and one-half (8-1/2) months each) and be recognized  
1834 by the Council on Education of the American Podiatry Association.



1835 However, all podiatrists actively engaged in the practice of  
1836 podiatry in the State of Mississippi, prior to January 1, 1938,  
1837 whether graduates or not, shall, upon furnishing proof thereof by  
1838 displaying their state privilege tax license to the Secretary of  
1839 the State Board of Medical Licensure, and upon payment of fee of  
1840 Ten Dollars and Twenty-five Cents (\$10.25), be entitled to a  
1841 license without an examination, and applications for the license  
1842 shall be filed not later than sixty (60) days after the passage of  
1843 this chapter. Upon payment of a fee prescribed by the State Board  
1844 of Medical Licensure, not to exceed Five Hundred Dollars  
1845 (\$500.00), a license without examination may be issued to  
1846 podiatrists of other states maintaining equal statutory  
1847 requirements for the practice of podiatry and extending the same  
1848 reciprocal privileges to this state. The State Board of Medical  
1849 Licensure may affiliate with the National Board of Chiropractic or  
1850 Podiatry Licensure in granting licenses to practice podiatry in  
1851 Mississippi, provided the written examination covers at least  
1852 two-thirds (2/3) of the subjects set forth in Section 73-27-9.  
1853 The issuance of a license by reciprocity to a military-trained  
1854 applicant or military spouse shall be subject to the provisions of  
1855 Section 1 of this act.

1856 To qualify for a Mississippi podiatry license, an applicant  
1857 must have successfully been cleared for licensure through an  
1858 investigation that shall consist of a determination as to good  
1859 moral character and verification that the prospective licensee is



1860 not guilty of or in violation of any statutory ground for denial  
1861 of licensure as set forth in Section 73-27-13. To assist the  
1862 board in conducting its licensure investigation, all applicants  
1863 shall undergo a fingerprint-based criminal history records check  
1864 of the Mississippi central criminal database and the Federal  
1865 Bureau of Investigation criminal history database. Each applicant  
1866 shall submit a full set of the applicant's fingerprints in a form  
1867 and manner prescribed by the board, which shall be forwarded to  
1868 the Mississippi Department of Public Safety (department) and the  
1869 Federal Bureau of Investigation Identification Division for this  
1870 purpose.

1871 Any and all state or national criminal history records  
1872 information obtained by the board that is not already a matter of  
1873 public record shall be deemed nonpublic and confidential  
1874 information restricted to the exclusive use of the board, its  
1875 members, officers, investigators, agents and attorneys in  
1876 evaluating the applicant's eligibility or disqualification for  
1877 licensure, and shall be exempt from the Mississippi Public Records  
1878 Act of 1983. Except when introduced into evidence in a hearing  
1879 before the board to determine licensure, no such information or  
1880 records related thereto shall, except with the written consent of  
1881 the applicant or by order of a court of competent jurisdiction, be  
1882 released or otherwise disclosed by the board to any other person  
1883 or agency.



1884           The board shall provide to the department the fingerprints of  
1885 the applicant, any additional information that may be required by  
1886 the department, and a form signed by the applicant consenting to  
1887 the check of the criminal records and to the use of the  
1888 fingerprints and other identifying information required by the  
1889 state or national repositories.

1890           The board shall charge and collect from the applicant, in  
1891 addition to all other applicable fees and costs, such amount as  
1892 may be incurred by the board in requesting and obtaining state and  
1893 national criminal history records information on the applicant.

1894           Each application or filing made under this section shall  
1895 include the social security number(s) of the applicant in  
1896 accordance with Section 93-11-64.

1897           **SECTION 27.** Section 73-29-19, Mississippi Code of 1972, is  
1898 amended as follows:

1899           73-29-19. An applicant who is a polygraph examiner licensed  
1900 under the laws of another state or territory of the United States  
1901 may be issued a license upon payment of a fee of Fifty Dollars  
1902 (\$50.00) and the production of satisfactory proof that:

- 1903                   (1) He is at least twenty-one (21) years of age;
- 1904                   (2) He is a citizen of the United States;
- 1905                   (3) He is of good moral character;
- 1906                   (4) The requirements for the licensing of polygraph  
1907 examiners in such particular state or territory of the United  
1908 States were, at the date of the applicant's licensing therein,



1909 substantially equivalent to the requirements now in force in this  
1910 state;

1911 (5) The applicant had lawfully engaged in the  
1912 administration of polygraph examinations under the laws of such  
1913 state or territory for at least two (2) years prior to his  
1914 application for license hereunder;

1915 (6) Such other state or territory grants similar  
1916 reciprocity to license holders of this state; and

1917 (7) He has complied with Section 73-29-17.

1918 The issuance of a license by reciprocity to a  
1919 military-trained applicant or military spouse shall be subject to  
1920 the provisions of Section 1 of this act.

1921 **SECTION 28.** Section 73-30-15, Mississippi Code of 1972, is  
1922 amended as follows:

1923 73-30-15. The board shall enter into a reciprocal agreement  
1924 with any state which licenses counselors if the board finds that  
1925 such state has substantially the same requirements for licensure.  
1926 The issuance of a license by reciprocity to a military-trained  
1927 applicant or military spouse shall be subject to the provisions of  
1928 Section 1 of this act.

1929 **SECTION 29.** Section 73-31-14, Mississippi Code of 1972, is  
1930 amended as follows:

1931 73-31-14. (1) Psychologists who are duly licensed in other  
1932 jurisdictions and not currently under investigation by another  
1933 licensure board may, upon application for licensure, apply for a



1934 temporary license, which shall be valid until the next  
1935 administration of the oral examination. The temporary license  
1936 shall be issued upon the applicant's passage of the Examination  
1937 for Professional Practice of Psychology (EPPP) at the level  
1938 established by the board in its rules and regulations and  
1939 equivalent to that required for permanent licensure. Each  
1940 applicant for a temporary license shall file an application upon a  
1941 form and in the manner as the board prescribes, accompanied by a  
1942 fee equal to the amount required for permanent licensure. A  
1943 temporary license will lapse for any person who has failed the  
1944 oral examination or has had his or her license suspended or  
1945 revoked by the board. Procedures for the issuance of temporary  
1946 licenses shall be established by the board in its rules and  
1947 regulations. The issuance of a temporary license to a  
1948 military-trained applicant or military spouse shall be subject to  
1949 the provisions of Section 1 of this act.

1950 (2) Psychologists who are duly licensed in other  
1951 jurisdictions may apply for a temporary practice certificate that  
1952 allows them to practice psychology on a temporary basis in the  
1953 State of Mississippi. That practice must be limited in scope and  
1954 duration, not exceeding thirty (30) days during a consecutive  
1955 twelve-month period. Applicants for a temporary practice  
1956 certificate shall provide to the board the nature of the practice  
1957 before providing that service, and shall make available to the  
1958 board a current copy of his or her license or verification of a



1959 valid license in good standing. Psychologists who receive  
1960 temporary practice certificates are subject to a jurisprudence  
1961 examination at the request of the board. This authority for a  
1962 temporary practice certificate does not apply to a psychologist  
1963 who has been denied licensure in Mississippi, is a legal resident  
1964 of Mississippi, or intends to practice full-time or a major  
1965 portion of their time in Mississippi. Each applicant for a  
1966 temporary practice certificate shall file an application upon a  
1967 form and in the manner as the board prescribes, accompanied by a  
1968 fee in an amount determined by the board, but not to exceed Three  
1969 Hundred Dollars (\$300.00).

1970 (3) Applicants awaiting licensure in Mississippi are  
1971 prohibited from the practice of psychology without a temporary  
1972 license issued by the board. For the purposes of this subsection,  
1973 the practice of psychology shall be construed without regard to  
1974 the means of service provision (e.g., face-to-face, telephone,  
1975 Internet, telehealth).

1976 **SECTION 30.** Section 73-31-15, Mississippi Code of 1972, is  
1977 amended as follows:

1978 73-31-15. (1) Upon application accompanied by the proper  
1979 fee, the board may, without written or oral examination, issue a  
1980 license to any person who furnishes, upon a form and in the manner  
1981 as the board prescribes, evidence satisfactory to the board that  
1982 he or she (a) is licensed or certified as a psychologist by  
1983 another state, territorial possession of the United States,





1984 District of Columbia, Commonwealth of Puerto Rico or Canadian  
1985 Province, if the requirements for that license or certification  
1986 are the substantial equivalent of this chapter; or (b) is a  
1987 diplomate in good standing of the American Board of Examiners in  
1988 Professional Psychology; or (c) possesses a valid Certificate of  
1989 Professional Qualification (CPQ) granted by the Association of  
1990 State and Provincial Psychology Boards.

1991 (2) In addition, the board may issue a license, without  
1992 written examination, to an applicant who:

1993 (a) Has at least twenty (20) years of licensure to  
1994 practice in another state, territorial possession of the United  
1995 States, District of Columbia, or Commonwealth of Puerto Rico or  
1996 Canadian Province when that license was based on a doctoral  
1997 degree; and

1998 (b) Has had no disciplinary sanction during the entire  
1999 period of licensure; and

2000 (c) Is not currently under investigation by another  
2001 licensure board; and

2002 (d) Has demonstrated current qualification by  
2003 successfully passing the oral examination; and

2004 (e) Has completed the appropriate application and paid  
2005 the fees as required by the board.

2006 (3) The issuance of a license by reciprocity to a  
2007 military-trained applicant or military spouse shall be subject to  
2008 the provisions of Section 1 of this act.



2009           **SECTION 31.** Section 73-33-9, Mississippi Code of 1972, is  
2010 amended as follows:

2011           73-33-9. The Mississippi State Board of Public Accountancy  
2012 may, in its discretion, issue a reciprocal certified public  
2013 accountant license to practice to any holder of any certified  
2014 public accountant's certificate or license issued under the law of  
2015 another state, which shall entitle the holder to use the  
2016 abbreviation, "CPA," in this state provided that the state issuing  
2017 the original certificate or license grants similar privileges to  
2018 the certified public accountants of this state. The fee for a  
2019 license shall be in such reasonable amount as determined by the  
2020 board. Such license shall not allow the holder thereof to engage  
2021 in the practice of public accounting as a certified public  
2022 accountant unless the holder meets the requirements of the  
2023 Mississippi State Board of Public Accountancy. This section shall  
2024 apply only to a person who wishes to obtain a license issued by  
2025 the State of Mississippi and shall not apply to those persons  
2026 practicing in this state under Section 77-33-17. The issuance of  
2027 a license by reciprocity to a military-trained applicant or  
2028 military spouse shall be subject to the provisions of Section 1 of  
2029 this act.

2030           **SECTION 32.** Section 73-34-51, Mississippi Code of 1972, is  
2031 amended as follows:

2032           73-34-51. (1) Each applicant for licensure under this  
2033 chapter who is not a resident of this state shall submit, with



2034 such applicant's application, an irrevocable consent that service  
2035 of process upon him or her may be made by delivery of the process  
2036 to the Secretary of State of this state if, in an action against  
2037 the applicant in a court of this state arising out of the  
2038 applicant's activities as a real estate appraiser in this state,  
2039 the plaintiff cannot, in the exercise of due diligence, effect  
2040 personal service upon the applicant.

2041 (2) If, in the determination of the board, another state or  
2042 territory or the District of Columbia is deemed to have  
2043 substantially equivalent licensure laws for real estate  
2044 appraisers, an applicant for licensure in this state who is  
2045 licensed under the law of such other state, territory or district  
2046 may obtain a license as a real estate appraiser in this state upon  
2047 such terms and conditions as may be determined by the board \* \* \*  
2048 provided \* \* \* that disciplinary proceedings are not pending  
2049 against such applicant in his state of licensure. The issuance of  
2050 a license by reciprocity to a military-trained applicant or  
2051 military spouse shall be subject to the provisions of Section 1 of  
2052 this act.

2053 **SECTION 33.** Section 73-35-7, Mississippi Code of 1972, is  
2054 amended as follows:

2055 73-35-7. Licenses shall be granted only to persons who  
2056 present, and to corporations, partnerships, companies or  
2057 associations whose officers, associates or partners present  
2058 satisfactory proof to the commission that they are trustworthy and



2059 competent to transact the business of a real estate broker or real  
2060 estate salesperson in such manner as to safeguard the interests of  
2061 the public. Every person who applies for a resident license as a  
2062 real estate broker: (a) shall be age twenty-one (21) years or  
2063 over, and have his legal domicile in the State of Mississippi at  
2064 the time he applies; (b) shall be subject to the jurisdiction of  
2065 this state, subject to the income tax laws and other excise laws  
2066 thereof, subject to the road and bridge privilege tax laws  
2067 thereof; (c) shall not be an elector in any other state; (d) shall  
2068 have held a license as an active real estate salesperson for  
2069 twelve (12) months immediately prior to making application for the  
2070 broker's examination hereafter specified; (e) shall have  
2071 successfully completed a minimum of one hundred twenty (120) hours  
2072 of courses in real estate as hereafter specified; and (f) shall  
2073 have successfully completed the real estate broker's examination  
2074 as hereafter specified.

2075 An applicant who has not held an active real estate  
2076 salesperson's license for a period of at least twelve (12) months  
2077 immediately prior to submitting an application shall have  
2078 successfully completed a minimum of one hundred fifty (150)  
2079 classroom hours in real estate courses, which courses are  
2080 acceptable for credit toward a degree at a college or university  
2081 as approved by the Southern Association of Colleges and Schools.

2082 Every applicant for a resident license as a real estate  
2083 salesperson shall be age eighteen (18) years or over, shall be a



2084 bona fide resident of the State of Mississippi prior to filing his  
2085 application, and shall have successfully completed a minimum of  
2086 sixty (60) hours in courses in real estate as hereafter specified;  
2087 and shall have successfully completed the real estate  
2088 salesperson's examination as hereafter specified.

2089         The residency requirements set forth in this section shall  
2090 not apply to those licensees of other states who qualify and  
2091 obtain nonresident licenses in this state.

2092         The commission is authorized to exempt from such prelicensing  
2093 educational requirements, in whole or in part, a real estate  
2094 licensee of another state who desires to obtain a license under  
2095 this chapter \* \* \*, provided \* \* \* that the prelicensing  
2096 educational requirements in the other state are determined by the  
2097 commission to be equivalent to prelicensing educational  
2098 requirements in this state and provided that such state extends  
2099 this same privilege or exemption to Mississippi real estate  
2100 licensees. The issuance of a license by reciprocity to a  
2101 military-trained applicant or military spouse shall be subject to  
2102 the provisions of Section 1 of this act.

2103         **SECTION 34.** Section 73-35-13, Mississippi Code of 1972, is  
2104 amended as follows:

2105         73-35-13. (1) In addition to proof of his honesty,  
2106 trustworthiness and good reputation, the applicant shall take a  
2107 written examination which shall be held at least four (4) times  
2108 each year at regular intervals and on stated times by the



2109 commission and shall test reading, writing, spelling, elementary  
2110 arithmetic and his general knowledge of the statutes of this state  
2111 relating to real property, deeds, mortgages, agreements of sale,  
2112 agency, contract, leases, ethics, appraisals, the provisions of  
2113 this chapter and such other matters the commission certifies as  
2114 necessary to the practice of real estate brokerage in the State of  
2115 Mississippi. The examination for a broker's license shall differ  
2116 from the examination for a salesperson's license, in that it shall  
2117 be of a more exacting nature and require higher standards of  
2118 knowledge of real estate. The commission shall cause examinations  
2119 to be conducted at such times and places as it shall determine.

2120 (2) In event the license of any real estate broker or  
2121 salesperson is revoked by the commission subsequent to the  
2122 enactment of this chapter, no new license shall be issued to such  
2123 person unless he complies with the provisions of this chapter.

2124 (3) No person shall be permitted or authorized to act as a  
2125 real estate broker or salesperson until he has qualified by  
2126 examination, except as hereinbefore provided. Any individual who  
2127 fails to pass the examination for salesperson upon two (2)  
2128 occasions, shall be ineligible for a similar examination, until  
2129 after the expiration of three (3) months from the time such  
2130 individual last took the examination. Any individual who fails to  
2131 pass the broker's examination upon two (2) occasions, shall be  
2132 ineligible for a similar examination until after the expiration of  
2133 six (6) months from the time such individual last took the



2134 examination, and then only upon making application as in the first  
2135 instance.

2136 (4) If the applicant is a partnership, association or  
2137 corporation, \* \* \* the examination shall be taken on behalf of  
2138 \* \* \* the partnership, association or corporation by the member  
2139 or officer thereof who is designated in the application as the  
2140 person to receive a license by virtue of the issuing of a license  
2141 to such partnership, association or corporation.

2142 (5) Upon satisfactorily passing such examination and upon  
2143 complying with all other provisions of law and conditions of this  
2144 chapter, a license shall thereupon be issued to the successful  
2145 applicant who, upon receiving such license, is authorized to  
2146 conduct the business of a real estate broker or real estate  
2147 salesperson in this state.

2148 (6) The commission is authorized to exempt from such  
2149 examination, in whole or in part, a real estate licensee of  
2150 another state who desires to obtain a license under this  
2151 chapter \* \* \*, provided \* \* \* that the examination administered in  
2152 the other state is determined by the commission to be equivalent  
2153 to such examination given in this state and provided that such  
2154 other state extends this same privilege or exemption to  
2155 Mississippi real estate licensees. The issuance of a license by  
2156 reciprocity to a military-trained applicant or military spouse  
2157 shall be subject to the provisions of Section 1 of this act.



2158           **SECTION 35.** Section 73-36-31, Mississippi Code of 1972, is  
2159 amended as follows:

2160           73-36-31. A person not a resident of and having no  
2161 established place of business in Mississippi, or who has recently  
2162 become a resident, may use the title of registered forester in  
2163 Mississippi, provided: (a) such person is legally licensed as a  
2164 registered forester in his own state or county and has submitted  
2165 evidence to the board that he is so licensed and that the  
2166 requirements for registration are at least substantially  
2167 equivalent to the requirements of this chapter; and (b) the state  
2168 or county in which he is so licensed observes these same rules of  
2169 reciprocity in regard to persons licensed under this chapter.  
2170 Each person seeking the privileges of reciprocity granted under  
2171 this chapter shall submit his application to the board and must  
2172 receive a card or certificate from the board before exercising  
2173 such privileges. The fee for obtaining a license through  
2174 reciprocity shall be the same as charged a Mississippi licensee.  
2175 The issuance of a license by reciprocity to a military-trained  
2176 applicant or military spouse shall be subject to the provisions of  
2177 Section 1 of this act.

2178           **SECTION 36.** Section 73-38-23, Mississippi Code of 1972, is  
2179 amended as follows:

2180           73-38-23. (1) The board may waive the examination for  
2181 licensure of any applicant who \* \* \* presents proof of current  
2182 licensure in another state, including the District of Columbia, or





2183 territory of the United States which maintains professional  
2184 standards considered by the council to be equivalent to those set  
2185 forth in this chapter. The issuance of a license by reciprocity  
2186 to a military-trained applicant or military spouse shall be  
2187 subject to the provisions of Section 1 of this act.

2188 (2) The board shall waive the examination for licensure of  
2189 any person certified as clinically competent by ASHA in the area  
2190 for which such person is applying for licensure.

2191 **SECTION 37.** Section 73-39-71, Mississippi Code of 1972, is  
2192 amended as follows:

2193 73-39-71. (1) The board may issue a license by endorsement  
2194 to an applicant who furnishes satisfactory proof that he is a  
2195 graduate of an accredited college of veterinary medicine or the  
2196 educational equivalence. The applicant must also show that he is  
2197 a person of good moral character and is licensed to practice  
2198 veterinary medicine in at least one (1) state, territory or  
2199 district of the United States and has practiced veterinary  
2200 medicine in one or more of those states without disciplinary  
2201 action by any state or federal agency for at least the three (3)  
2202 years immediately before filing the application.

2203 (2) The board may examine any person qualifying for  
2204 licensing under this section.

2205 (3) The issuance of a license by endorsement to a  
2206 military-trained applicant or military spouse shall be subject to  
2207 the provisions of Section 1 of this act.



2208           **SECTION 38.** Section 73-53-13, Mississippi Code of 1972, is  
2209 amended as follows:

2210           73-53-13. The board shall issue the appropriate license to  
2211 applicants who meet the qualifications of this section.

2212                   (a) A license as a "licensed social worker" shall be  
2213 issued to an applicant who demonstrates to the satisfaction of the  
2214 board that he or she meets the following qualifications:

2215                           (i) Has a baccalaureate degree in social work from  
2216 a college or university accredited by the Council on Social Work  
2217 Education or Southern Association of Colleges and Schools and has  
2218 satisfactorily completed the Association for Social Work Boards  
2219 (ASWB) examination for this license; or

2220                           (ii) Has a comparable license or registration from  
2221 another state or territory of the United States of America that  
2222 imposes qualifications substantially similar to those of this  
2223 chapter.

2224                   (b) A license as a "licensed master's social worker"  
2225 shall be issued to an applicant who demonstrates to the  
2226 satisfaction of the board that he or she meets the following  
2227 qualifications:

2228                           (i) Has a doctorate or master's degree from a  
2229 school of social work accredited by the Council on Social Work  
2230 Education; and

2231                           (ii) Has satisfactorily completed the ASWB  
2232 examination for this license; or



2233 (iii) Has a comparable license or registration  
2234 from another state or territory of the United States of America  
2235 that imposes qualifications substantially similar to those of this  
2236 chapter.

2237 (c) A license as a "licensed certified social worker"  
2238 shall be issued to an applicant who demonstrates to the  
2239 satisfaction of the board that he or she meets the following  
2240 qualifications:

2241 (i) Is licensed under this section as a "master's  
2242 social worker"; and

2243 (ii) Has twenty-four (24) months of professional  
2244 supervision and clinical or macro social work practice experience  
2245 acceptable to the board, under appropriate supervision; and

2246 (iii) Has satisfactorily completed the ASWB  
2247 examination for this license; or

2248 (iv) Has a comparable license or registration from  
2249 another state or territory of the United States of America that  
2250 imposes qualifications substantially similar to those of this  
2251 chapter.

2252 (d) In addition to the above qualifications, an  
2253 applicant for any of the above licenses must prove to the board's  
2254 satisfaction:

2255 (i) Age of at least twenty-one (21) years, and

2256 (ii) Good moral character, which is a continuing  
2257 requirement for licensure, and



2258 (iii) United States of America citizenship or  
2259 status as a legal resident alien, and

2260 (iv) Absence of conviction of a felony related to  
2261 the practice of social work for the last ten (10) years.

2262 Conviction, as used in this subparagraph, includes a deferred  
2263 conviction, deferred prosecution, deferred sentence, finding or  
2264 verdict of guilt, an admission of guilty, or a plea of nolo  
2265 contendere, and

2266 (v) That the applicant has not been declared  
2267 mentally incompetent by any court, and if any such decree has ever  
2268 been rendered, that the decree has since been changed, and

2269 (vi) Freedom from dependency on alcohol or drugs,  
2270 and

2271 (vii) Complete criminal history records check,  
2272 including a fingerprint and an acceptable sex offender check, by  
2273 appropriate governmental authorities as prescribed by the board.

2274 (e) Only individuals licensed as "certified social  
2275 workers" shall be permitted to call themselves "clinical social  
2276 workers."

2277 The issuance of a license by reciprocity to a  
2278 military-trained applicant or military spouse shall be subject to  
2279 the provisions of Section 1 of this act.

2280 Each application or filing made under this section shall  
2281 include the social security number(s) of the applicant in  
2282 accordance with Section 93-11-64.



2283           **SECTION 39.** Section 73-54-23, Mississippi Code of 1972, is  
2284 amended as follows:

2285           73-54-23. The board shall issue a license by examination of  
2286 credentials to any applicant licensed or certified as a marriage  
2287 and family therapist in another state that has such requirements  
2288 for the license or certificate that the board is of the opinion  
2289 that the applicant is competent to engage in the practice of  
2290 marriage and family therapy in this state, provided that the  
2291 applicant submits an application on forms prescribed by the board,  
2292 has passed the national Examination in Marital and Family Therapy,  
2293 and pays the original licensure fee prescribed by Section  
2294 73-54-25. The issuance of a license by reciprocity to a  
2295 military-trained applicant or military spouse shall be subject to  
2296 the provisions of Section 1 of this act.

2297           **SECTION 40.** Section 73-60-25, Mississippi Code of 1972, is  
2298 amended as follows:

2299           73-60-25. A home inspector license may be issued to a home  
2300 inspector from another state who satisfies one (1) of the  
2301 following requirements: (a) holds a valid certificate of  
2302 certification, registration or home inspector license in good  
2303 standing issued by another state, which has requirements for  
2304 licensure substantially identical to those of this state, or (b)  
2305 has passed the examination offered by the American Society of Home  
2306 Inspectors or the National Association of Home Inspectors. The  
2307 issuance of a license by reciprocity to a military-trained



2308 applicant or military spouse shall be subject to the provisions of  
2309 Section 1 of this act.

2310         **SECTION 41.** Section 73-63-39, Mississippi Code of 1972, is  
2311 amended as follows:

2312         73-63-39. (1) The board may sign agreements with boards of  
2313 registration, licensure or certification in other states, and with  
2314 other appropriate organizations and agencies, for the purposes of:

2315                 (a) Developing uniform standards for registration of  
2316 professional geologists or enrollment of geologists-in-training;

2317                 (b) Accrediting educational programs;

2318                 (c) Establishing reciprocity, comity, temporary  
2319 registration, or mutual recognition of registration or enrollment;

2320                 (d) Developing regional or national examinations;

2321                 (e) Evaluating applicants; or

2322                 (f) Other purposes consistent with this chapter.

2323         (2) Any person holding a valid certificate of registration,  
2324 licensure or certification for the practice of geology or a  
2325 recognized specialty of geology, issued under the laws of any  
2326 state or territory or possession of the United States, or any  
2327 foreign country, shall be eligible for registration, without  
2328 examination. The board may issue a certificate of registration to  
2329 any person who has made application, provided proof of  
2330 registration, licensure or certification under requirements which  
2331 the board determines to be substantially similar to those  
2332 established under this chapter and paid all applicable fees. The



2333 issuance of a certificate of registration by reciprocity to a  
2334 military-trained applicant or military spouse shall be subject to  
2335 the provisions of Section 1 of this act.

2336         **SECTION 42.** Section 73-65-7, Mississippi Code of 1972, is  
2337 amended as follows:

2338             73-65-7. (1) The board shall issue a license as a licensed  
2339 professional art therapist to any person who files a completed  
2340 application, accompanied by the required fees, and who submits  
2341 satisfactory evidence that the applicant is at least twenty-one  
2342 (21) years of age, is a registered art therapist as defined by the  
2343 Art Therapy Credentials Board, Inc., demonstrates professional  
2344 competency by satisfactorily passing the required examination, and  
2345 is a board certified art therapist as defined by the Art Therapy  
2346 Credentials Board, Inc.

2347             (2) The board may approve on a case-by-case basis applicants  
2348 who have a master's degree or a doctoral degree from nonaccredited  
2349 institutions.

2350             (3) If an applicant has met all of the requirements for  
2351 licensure except satisfactorily passing the required examination,  
2352 the applicant shall be scheduled to take the next examination  
2353 following the approval of the examination.

2354             (4) The board may issue a license to an applicant without  
2355 examination if the person possesses a valid regulatory document  
2356 issued by the appropriate examining board under the laws of any  
2357 other state or territory of the United States, the District of



2358 Columbia, or any foreign nation that in the judgment of the board  
2359 has requirements substantially equivalent to or exceeding the  
2360 requirements in this section. The issuance of a license by  
2361 reciprocity to a military-trained applicant or military spouse  
2362 shall be subject to the provisions of Section 1 of this act.

2363 (5) The board may issue provisional licensure as a  
2364 professional art therapist to any person who has completed the  
2365 educational requirements established by the Art Therapy  
2366 Credentials Board, Inc., and has met all requirements for  
2367 licensure as a professional art therapist, except the experience  
2368 and/or examination requirements, and is under the supervision of a  
2369 supervisor acceptable to the board.

2370 (6) The board may set criteria for continuing education and  
2371 supervisory experience.

2372 **SECTION 43.** Section 73-67-25, Mississippi Code of 1972, is  
2373 amended as follows:

2374 73-67-25. (1) An applicant may be licensed by demonstrating  
2375 proof that the applicant holds a valid, current license in another  
2376 state with similar educational requirements to those required by  
2377 this chapter, and that all other licensure requirements under this  
2378 chapter are met. This is subject to investigation by the board  
2379 and excludes grandfathering by other states.

2380 (2) If an individual who is licensed in another state that  
2381 has licensing standards substantially equivalent to the standards  
2382 under this chapter applies for licensure, the board may issue a





2383 provisional permit authorizing the applicant to practice massage  
2384 therapy pending completion of documentation that the applicant  
2385 meets the requirements for licensure under this chapter,  
2386 including, but not limited to, the Mississippi law examination.  
2387 The provisional permit may reflect statutory limitations on the  
2388 scope of practice.

2389 (3) A current massage therapy license issued by the board  
2390 shall at all times be prominently displayed in any place where  
2391 massage therapy is being practiced.

2392 (4) A license issued under this chapter is not transferable  
2393 or assignable.

2394 The issuance of a license or provisional permit by  
2395 reciprocity to a military-trained applicant or military spouse  
2396 shall be subject to the provisions of Section 1 of this act.

2397 **SECTION 44.** Section 73-69-11, Mississippi Code of 1972, is  
2398 amended as follows:

2399 73-69-11. (1) Any person employed by an alarm contracting  
2400 company shall hold an individual license issued by the State Fire  
2401 Marshal. Such a license shall authorize its holder to engage in  
2402 alarm contracting or closed\_circuit television alarm system  
2403 contracting, only to the extent of the terms as further provided  
2404 in this chapter.

2405 (2) Any person desiring to engage in alarm contracting or  
2406 closed\_circuit television alarm system contracting shall hold a



2407 Class B license issued by the State Fire Marshal. Such  
2408 application shall be accompanied by:

2409 (a) Two (2) suitable photographs of the applicant  
2410 acceptable to the State Fire Marshal. The State Fire Marshal  
2411 shall keep one (1) photograph on file and shall make the other  
2412 photograph a part of any license subsequently issued to the  
2413 applicant.

2414 (b) Except as provided in subsection (9), documentation  
2415 that the applicant meets educational requirements applicable to  
2416 the type of license for which he is applying, as follows:

2417 (i) For a Class B license: a minimum of National  
2418 Burglar and Fire Alarm Association, Level 2 A&B Burglar Alarm  
2419 training course or equivalent training approved by the State Fire  
2420 Marshal, and documentation proving residency within a radius of  
2421 one hundred fifty (150) miles of the office to which he is  
2422 assigned.

2423 (ii) For a Class C license: a minimum of National  
2424 Burglar and Fire Alarm Association, Level 1 Burglar Alarm training  
2425 course, or equivalent training approved by the State Fire Marshal.

2426 (iii) For a Class D license: a minimum of  
2427 National Burglar and Fire Alarm Association, Sales Understanding  
2428 Alarms training course, or equivalent training approved by the  
2429 State Fire Marshal, or a minimum of two (2) years of design and  
2430 sales experience in the alarm industry attested to in a notarized  
2431 affidavit and payroll records provided by the applicant.



2432 (iv) For a Class T license: application for a  
2433 Class B, Class C or Class D license, accompanied by a letter of  
2434 intent to complete the training requirements of such license types  
2435 within twelve (12) months.

2436 (c) (i) A statement by the applicant that he has not  
2437 been convicted of a felony, received a first-time offender pardon  
2438 for a felony, or entered a plea of guilty or nolo contendere to a  
2439 felony charge. A felony that has been dismissed pursuant to the  
2440 Mississippi Criminal Code or equivalent judicial dismissal shall  
2441 not apply to this paragraph.

2442 (ii) A conviction or a plea of guilty or nolo  
2443 contendere to a felony charge or receipt of a first-time offender  
2444 pardon shall not constitute an automatic disqualification as  
2445 otherwise required pursuant to subparagraph (i) if ten (10) or  
2446 more years have elapsed between the date of application and the  
2447 successful completion or service of any sentence, deferred  
2448 adjudication or period of probation or parole.

2449 (iii) Subparagraph (ii) shall not apply to any  
2450 person convicted of a felony crime of violence or a sex offense as  
2451 defined within the Mississippi Criminal Code.

2452 (d) A statement authorizing the State Fire Marshal to  
2453 order fingerprint analysis or any other analysis or documents  
2454 deemed necessary by the State Fire Marshal for the purpose of  
2455 verifying the applicant's criminal history. The State Fire



2456 Marshal shall have the authority to conduct criminal history  
2457 verification on a local, state or national level.

2458 (e) The application fee authorized by this chapter.

2459 (3) The State Fire Marshal shall have the authority to  
2460 determine if information submitted by an applicant is in a form  
2461 acceptable to him. The State Fire Marshal shall verify or have  
2462 another entity verify information submitted by each applicant.

2463 (4) If the State Fire Marshal finds that an applicant has  
2464 met the applicable requirements of the alarm licensing law, he  
2465 shall issue the appropriate type of license to the applicant upon  
2466 payment of the license fee authorized by this chapter.

2467 (5) Each individual license holder shall maintain his  
2468 license on his person while engaging in any type of alarm  
2469 contracting or closed-circuit television alarm system contracting  
2470 as applicable. Each such license holder shall present his license  
2471 for inspection upon demand by an employee of the Office of the  
2472 State Fire Marshal or a law enforcement officer.

2473 (6) Each individual license holder shall notify the State  
2474 Fire Marshal, on a form specified and provided by the State Fire  
2475 Marshal, within ten (10) days of the following:

2476 (a) Any change in business or home address.

2477 (b) Any separation from an employer or change in  
2478 employer.



2479 (c) Any conviction for a felony or entry of a plea of  
2480 guilty or nolo contendere to a felony charge or receipt of a  
2481 first-time offender pardon.

2482 (7) No individual licensed under this chapter shall contract  
2483 for his services as an independent contractor or agent without  
2484 applying for and being issued a Class B license under this  
2485 chapter. No alarm contracting company or closed-circuit  
2486 television alarm system contracting company shall contract for the  
2487 independent services of a holder of an individual license under  
2488 this section.

2489 (8) The State Fire Marshal may enter into reciprocal  
2490 agreements with other states for mutual recognition of individual  
2491 license holders, if the State Fire Marshal has established the  
2492 criteria for acceptance of reciprocal agreements by rule or  
2493 regulation. The issuance of a license by reciprocity to a  
2494 military-trained applicant or military spouse shall be subject to  
2495 the provisions of Section 1 of this act.

2496 (9) Any person engaged in alarm contracting or  
2497 closed-circuit television alarm system contracting, on or before  
2498 July 1, 2006, shall automatically be issued a license without  
2499 having to show documentation that the applicant meets the  
2500 educational requirements applicable to the type of license for  
2501 which he is applying.

2502 **SECTION 45.** Section 73-71-21, Mississippi Code of 1972, is  
2503 amended as follows:



2504           73-71-21. The board may, at its discretion, issue a license  
2505 without examination to an acupuncture practitioner who has been  
2506 licensed, certified or otherwise formally legally recognized as an  
2507 acupuncturist or acupuncture practitioner in any state or  
2508 territory if all three (3) of the following conditions are met to  
2509 its satisfaction:

2510           (a) The applicant meets the requirements of practice in  
2511 the state or territory in which the applicant is licensed,  
2512 certified, or registered as an acupuncturist or acupuncture  
2513 practitioner;

2514           (b) The requirements for practice in the state or  
2515 territory in which the applicant is licensed, certified or  
2516 registered as an acupuncturist or acupuncture practitioner are at  
2517 least as stringent as those of this state; and

2518           (c) The state or territory in which the applicant is  
2519 licensed, certified or legally recognized as an acupuncturist or  
2520 acupuncture practitioner permits an acupuncture practitioner  
2521 licensed in this state to practice acupuncture or acupuncture in  
2522 that jurisdiction by credentials examination.

2523           The issuance of a license by reciprocity to a  
2524 military-trained applicant or military spouse shall be subject to  
2525 the provisions of Section 1 of this act.

2526           **SECTION 46.** Section 73-73-11, Mississippi Code of 1972, is  
2527 amended as follows:



2528           73-73-11. The board and IDAC may accept applications for  
2529 Mississippi certification from an interior designer in another  
2530 jurisdiction pursuant to Section 73-73-7 or 73-73-9. The issuance  
2531 of a certification by reciprocity to a military-trained applicant  
2532 or military spouse shall be subject to the provisions of Section 1  
2533 of this act.

2534           **SECTION 47.** Section 73-73-17, Mississippi Code of 1972, is  
2535 amended as follows:

2536           73-73-17. The board shall not issue a temporary certificate,  
2537 except as authorized under Section 1 of this act.

2538           **SECTION 48.** This act shall take effect and be in force from  
2539 and after July 1, 2013.

