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MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

TO: Mississippi Secretary of State

From: Mississippi State Board of Medical Licensure

Date: May 17, 2007

Subject: Notice of Proposed Rule Adoption - Final Rule

Mississippi Code §73-43-11 gives the Mississippi State Board of Medical Licensure the power to promulgate and publish reasonable rules and regulations necessary to enable it to discharge its functions and to enforce the provisions of law regulating the practice of medicine.

This rule as adopted does not differ from the proposed rule.

The changes to Regulation X, Temporary Licensure, reflect the Board's attempt to simplify current language.

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X. TEMPORARY LICENSURE

A. Mississippi temporary medical licenses may be issued to applicants for licensure in Mississippi only after completion of an application for licensure by (a) examination; (b) reciprocity with another state; or (c) endorsement of the National Board of Medical Examiners, National Board of Examiners for Osteopathic Physicians and Surgeons, or the Medical Council of Canada (LMCC) under the following conditions:

1. A restricted temporary medical license may be issued upon proper completion of an application for medical licensure by examination or by reciprocity/ endorsement to an applicant who otherwise meets all requirements for licensure except completion of the postgraduate training requirements provided in Sections II, A3 and II, A4 above and successful completion of Step 3 of USMLE as provided in Section IV, B3 above. Such restricted temporary license shall entitle the physician to practice medicine only within the confines of an ACGME or AOA approved postgraduate training program in this State and may be renewed annually for the duration of the post graduate training for a period not to exceed five (5) years.

2. An unrestricted temporary medical license may be issued in an exceptional case to an applicant seeking licensure by reciprocity or by endorsement. Such an unrestricted temporary license shall remain valid only for a period of time sufficient for applicant to submit required documents and credentials to complete an application for permanent licensure, but in no instance to exceed 30 days.

B. The State Board of Medical Licensure may issue a temporary license to practice medicine for a period not to exceed 90 days at a youth camp licensed by the State Department of Health to any nonresident physician who is not licensed to practice medicine in this state or to any resident physician who is retired from the active practice of medicine in this state while serving as a volunteer at such camp.

1. Nonresident Physician

a. must have favorable references from two physicians with whom the applicant has worked or trained within the last year;

b. must have written certification from the medical licensing authority in the state in which he holds a currently valid license to practice medicine; and

c. must submit fee prescribed by the Board.

2. Retired Resident Physician

   a. must be in good standing with the Mississippi State Board of Medical Licensure, and

   b. must submit fee as prescribed by the Board.

C. The State Board of Medical Licensure may issue a temporary license to practice medicine to physicians who have been admitted for treatment in a drug and/or alcohol treatment program approved by the Board, or who are enrolled in the fellowship of addictionology in the Mississippi State Medical Association Impaired Professionals Program; provided that, a nonresident applicant shall hold a valid (unrestricted) license to practice medicine in another state and the medical licensing authority of that state shall certify to the Board of Medical Licensure in writing that such license is in good standing.

   1. A temporary license issued under this subsection shall be valid for a period of ninety (90) days but may be renewed every ninety (90) days for the duration of the fellowship or treatment program. If the applicant discontinues treatment or leaves the fellowship program the temporary license shall automatically become null and void. The Board may rescind or extend this temporary license for cause.

   2. A temporary license issued to a physician under this subsection shall be limited to the out-patient phase of the treatment program or the time necessary to complete the fellowship of addictionology. The physician to whom the license is issued may administer treatment and care within the scope of the drug and/or alcohol treatment program or fellowship in an institutional setting and shall not otherwise practice in this state. A physician licensed under this subsection shall not apply to the U.S. Drug Enforcement Administration for a controlled substances registration certificate and must be under the supervision of another physician holding a valid and unrestricted license in this state.

   3. A physician who has had his permanent license to practice in this state revoked or suspended by the Board due to habitual personal use of intoxicating liquors or narcotic drugs, or any other drug having addiction-forming or addiction-sustaining liability, may be granted a temporary license pursuant to this subsection provided the temporary license is not in conflict with the prior disciplinary order of the Board rendered against the physician.

   4. The applicant applying for a ninety-day temporary license to practice while in treatment in an approved drug and/or alcohol treatment program

or while enrolled in the fellowship of addictionology shall pay a fee prescribed by the Board (not to exceed $50.00) to the Board. No additional fee shall be charged for an extension.

D. Mississippi temporary medical licenses are issued under the condition that the licensee shall not apply to the U.S. Drug Enforcement Administration for a Controlled Substances Registration Certificate.

Amended May 17, 2007.