

Title 30: Professions and Occupations

Part 2201: Licensed Professional Counselors, Board of Examiners of

Part 2201. CHAPTER 4. Licensure Requirements

Rule 4.1: General Requirements

- A. No person shall practice as a professional counselor in the State of Mississippi except as provided by state statute and these regulations.
- B. An applicant must be at least twenty-one (21) years of age.
- C. The applicant is a resident of or pays income tax in the State of Mississippi or has an immigration document to verify legal alien work status in the United States. The immigration document must be current and issued by the United States Immigration Bureau.
- D. An applicant must be of good moral character. The Board may request endorsements attesting to the applicant's character, professional integrity, and professional competence.
- E. Licensure by the Board will be by examination.
- F. Applicants must meet all education and experience requirements.
- G. The Board must receive a complete application packet and official transcript(s) and background check results by the established application deadline for the application to be considered for licensure at ~~any the next quarterly~~ Board meeting.
- H. An applicant may not be in violation of any of the provisions of Section 73-30-1 et seq., of the *Mississippi Code of 1972, Annotated* (See Appendix) or any of the rules and regulations adopted by the Board.
- I. The application process for licensure must be completed within one (1) year of the Board's receipt of the individual's application packet. "Completed" with respect to this provision means either Board-approved for candidacy or Board-approved for licensure (as appropriate). As stipulated in Chapter 2, Section 3, C, p. 5, any individual who has not completed the application process within the one (1) year time frame must pay a reapplication fee in order to reactivate their file for an additional one (1) year. As stipulated in Chapter 9, Section 1, I, p. 32, and incomplete applications will be kept on file for two (2) years, after which time they will be destroyed.
- J. Periodically, this document, the Rules, Regulations and Application Guidelines for the Mississippi State Board of Examiners for Licensed Professional Counselors, is updated and/ or revised. The applicant/candidate/licensee must comply with the most current version of this document, and it is the responsibility of the applicant to ensure that he/she has the most current version(s) of application documents accepted by the LPC Board. Additionally, the

applicant/candidate/licensee is responsible for all provisions listed in the most current Rules and Regulations and Application Guidelines. The Rules and Regulations may be downloaded from the Board's website www.lpc.state.ms.us.

K. After January 1, 2008, the Board shall require each first time applicant for licensure and may require applicants for license renewal to apply to the Department of Public Safety for a state and national background check, which will include consulting sex offender registries.

1. This includes, but is not limited to, that for purposes of these background checks, "good moral character" shall be established by an absence of felony convictions or convictions for misdemeanors involving moral turpitude.
2. The background check shall conform to the applicable federal standards and shall include the taking of fingerprints.
3. The applicant shall sign a release of information to the board and shall be responsible for the payment of the fee associated with the criminal background check.
4. Upon completion of the background check, the Department of Public Safety shall forward to the Board all releasable information obtained concerning the applicant.
5. No person shall be eligible to receive or hold a license issued by the Board if that person has pleaded guilty or nolo contendere to or have been found guilty of any felony or misdemeanor involving moral turpitude.
6. Upon receipt of information from the Department of Public Safety that a person has pleaded guilty or nolo contendere to or been found guilty of any felony or misdemeanor involving moral turpitude, the Board shall immediately deny licensure or refuse renewal of license.
7. The provisions of subsection 5. and 6. may be waived by the Board upon request of the affected applicant for licensure or the person holding a license subject to revocation. The request shall be for a show cause hearing within ten (10) days, which shall be conducted pursuant to the process set out in the Regulations providing for the Board complaints process.
8. Circumstances for which a waiver may be granted shall include, but not be limited to, the following:
 - (a) The age at which the crime was committed;
 - (b) The circumstances surrounding the crime;
 - (c) The length of time since the crime;
 - (d) Subsequent work history;

- (e) Employment references;
- (f) Character references; and
- (g) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of the public.

Source: *Miss Code Ann.* § 73-30-9 & 73-30-21 (Rev. 2008)

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- E. Licensure by the Board will be by examination.
- F. Applicants must meet all education and experience requirements.
- G. The Board must receive a complete application packet and official transcript(s) and background check results by the established application deadline for the application to be considered for licensure at any Board meeting.
- H. An applicant may not be in violation of any of the provisions of Section 73-30-1 et seq., of the *Mississippi Code of 1972, Annotated* (See Appendix) or any of the rules and regulations adopted by the Board.

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