

Part 3103: Licensure, Practice, Renewal, Continuing Education, Standard of Conduct & Fee

Part 3103: Chapter 1: Licensure

Rule 1.1 Licensure Requirements. An applicant for a regular license as a physical therapist or physical therapist assistant shall submit to the Board, verified by oath, written evidence in form and content satisfactory to the Board that the applicant:

1. Is of good moral character which is defined as:
 - a. “Good moral character” is a pattern of behavior conforming to the profession’s ethical standards and behavior that indicates honesty and truthfulness, integrity, respect among the community for lawful behavior, respect for the rights of others, and obedience to the lawful directives of public officers or officials or persons charged with the enforcement of the law and showing an absence of moral turpitude.
2. A determination of good moral character shall be based on acts that reflect moral turpitude and upon the consideration of all aspects of a person’s character as exemplified by his or her behavior and shall include, but not necessarily be limited to, consideration of the following:
 - a. Evidenced among other things of having neither a conviction nor a plea of guilty or nolo contendere, probation, pretrial diversion or payment of any fine for a felony or a misdemeanor involving moral turpitude, regardless of whether the matter is under appeal by the applicant. Fitness for service as it relates to moral character must be verified by an appropriate background investigation.
 - b. Disciplinary action taken against any professional license, registration or certification held by the applicant by applicable governmental authority of any state, territory or political subdivision of the United States or any other jurisdiction.
 - c. Whether an applicant has been guilty of conduct or practices in this state or elsewhere which would constitute grounds for disciplinary action under the Board’s laws, rules and/or regulations.
 - d. Civil lawsuits and administrative action bearing upon moral character such as fraud, misrepresentation, theft, assault and battery.
 - e. The applicant’s prior history of unlicensed practice of a regulated profession in this state.
 - f. Conduct that violates any of the provisions in the Code of Professional Ethics, Guidelines and Standards established by the American Physical Therapy Association.
 - g. Conduct involving dishonesty, fraud, or attempted deception.
 - h. Conduct involving misrepresentation.
 - i. Conduct that would adversely reflect on a person’s fitness to perform physical therapy.
3. In determining a person’s good moral character when there is evidence of the conduct described above in subsection 2 of this Rule, the Board will also consider the following factors:
 - a. The nature of the criminal offense(s) or conduct which gave rise to the disciplinary, civil or administrative action.

- b. The age of the applicant at the time of the criminal conviction(s) or conduct which give rise to the disciplinary, civil or administrative action.
 - c. The number of criminal convictions or number of disciplinary, civil or administrative actions taken against the applicant.
 - d. The nature and severity of the sentence or sanction imposed for each criminal conviction or disciplinary, civil or administrative action.
 - e. Whether the probation period given in a conviction has been completed and fully satisfied to include fines, court costs, and other conditions of probation.
 - f. Whether restitution ordered by a court in a criminal conviction or civil judgement has been fully satisfied.
 - g. Satisfactory completion of all terms of a criminal conviction(s) or disciplinary action.
 4. The burden of demonstrating that the applicant possesses the good moral character required for licensure shall rest with the applicant.
2. Has graduated from a physical therapist or a physical therapist assistant program accredited by an agency recognized by the US Department of Education, Office on Postsecondary Education and has paid an application fee not to exceed double the price of the examination, no part of which shall be refundable.
3. Has passed an examination approved by the Board with the minimum passing score set by the Board and published annually; and
 - a. An applicant who has taken the exam more than six times in any jurisdiction and who is not licensed is not eligible to sit for the examination in Mississippi.
 - b. Has paid the required fee(s);
 - c. Has valid social security number; and
 - d. Applicants for licensure must pass the Board's jurisprudence exam.

Source: *Miss. Code Ann.* §§73-23-43(1)(e), 73-23-47 and 73-23-49 (Rev. 2008).