MISSISSIPPI LEGISLATURE REGULAR SESSION 2018

By: Representatives Mettetal, Sykes, Gibbs (72nd), Holloway

To: Universities and Colleges; Public Health and Human Services

HOUSE BILL NO. 721

AN ACT TO AMEND SECTIONS 73-15-25 AND 75-60-4, MISSISSIPPI CODE OF 1972, TO TRANSFER THE RESPONSIBILITY OF ESTABLISHING THE STANDARDS OF ACCREDITATION AND RECOVERING FEES RELATED TO ACCREDITATION ACTIVITIES FOR SCHOOLS OF PRACTICAL NURSING FROM THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO THE MISSISSIPPI BOARD OF NURSING; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 73-15-25, Mississippi Code of 1972, is amended as follows:

73-15-25. Beginning on July 1, 2019, in addition to all other powers and duties now vested by law in the State Department of Education, it is hereby empowered and required, acting in this behalf by and through its Division of Vocational Education, to:

1. Contract with the *** * *** Mississippi Board of Nursing to establish by rules and regulations and promulgate uniform standards for the accreditation of schools of practical nursing in this state insofar as concerns the eligibility of graduates of such schools to take the examination to become licensed practical nurses;

2. Contract with the * * * Mississippi Board of Nursing to issue to such schools certificates of accreditation as may be proper under such standards.

SECTION 2. Section 75-60-4, Mississippi Code of 1972, is amended as follows:

75-60-4. (1) The Mississippi Community College Board shall appoint a "Commission on Proprietary School and College Registration" to be composed of five (5) qualified members, one (1) appointed from each of the five (5) Mississippi congressional districts existing on January 1, 1992. The membership of said commission shall be composed of persons who have held a teaching, managerial or other similar position with any public, private, trade, technical or other school; provided, however, that one (1) member of the commission shall be actively engaged in, or retired from, teaching, managerial or other similar position with a privately owned trade, technical or other school. The membership of said commission shall be appointed by the board within ninety (90) days of the passage of this chapter. In making the first appointments, two (2) members shall be appointed for three (3) years, two (2) members for four (4) years, and one (1) member for five (5) years. Thereafter, all members shall be appointed for a term of five (5) years. If one (1) of the members appointed by the board resigns or is otherwise unable to serve, a new member shall be appointed by the commission to fill the unexpired term. All five (5) members of the commission have full voting rights.

The members shall not be paid for their services, but may be compensated for the expenses necessarily incurred in the attendance at meetings or in performing other services for the commission at a rate prescribed under Section 25-3-69, Mississippi Code of 1972, plus actual expenses and mileage as provided by Section 25-3-41, Mississippi Code of 1972. Members of the commission shall annually elect a chairman from among its members who is not actively engaged with a privately owned trade or technical school.

(2) The Mississippi Community College Board shall appoint such staff as may be required for the performance of the commission's duties and provide necessary facilities.

(3) The Mississippi Community College Board shall levy *** * *** fees authorized in this chapter only in such amounts as may be required for the performance of the commission's duties.

(4) In addition to the fees authorized in this chapter, the Mississippi Community College Board is authorized to levy and collect fees from proprietary schools and colleges *** * *** to recover the cost of audits, investigations and hearings relating to such institutions *** * ***.

(5) It shall be the purpose of the Commission on Proprietary School and College Registration to establish and implement the registration program as provided in this chapter. All controversies involving the registration of such schools shall be initially heard by a duly authorized hearing officer of the

commission before whom a complete record shall be made. After the conclusion of the hearing, the duly authorized hearing officer of the commission shall make a recommendation to the commission as to the resolution of the controversies, and the commission, after considering the transcribed record and the recommendation of its hearing officer, shall make its decision which becomes final unless the school or college or other person involved shall appeal to the Mississippi Community College Board, which appeal shall be on the record previously made before the commission's hearing officer except as may be provided by rules and regulations adopted by the Mississippi Community College Board. All appeals from the Mississippi Community College Board shall be on the record and shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi.

SECTION 3. This act shall take effect and be in force from and after July 1, 2018.