

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
CHARITIES DIVISION**

IN THE MATTER OF :)	
)	
)	
American Association of Nurse Practitioners)	Administrative Proceeding
Scholarship and Grant Foundation)	Number: LC-15-1584
Post Office Box 12846)	
Austin, TX 78711)	
)	
<i>Respondent</i>)	

ORDER REVOKING REGISTRATION

The SECRETARY OF STATE OF MISSISSIPPI, by and through the undersigned designated representative, hereby issues this Order Revoking Registration against American Association of Nurse Practitioners Scholarship and Grant Foundation. In support hereof, he states the following:

I. JURISDICTION

The Secretary of State is vested with the regulation of charitable organizations that solicit donations in the State of Mississippi pursuant to Miss. Code Ann. §79-11-501, *et seq.* American Association of Nurse Practitioners Scholarship and Grant Foundation (hereinafter “Charity”) is a charitable organization as defined by Miss. Code Ann. §79-11-501(a)(i) (“Act”), to-wit:

(A) Any person determined by the Internal Revenue Service to be a tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code; or

(B) Any person actually or purporting to be established for any voluntary health and welfare, benevolent, philanthropic, patriotic, educational, humane, scientific, public health, environmental conservation, civic, or other eleemosynary purpose or for the benefit of law enforcement personnel, fire fighters, or other public safety organizations, or any person employing in any manner a

charitable appeal as the basis of any solicitation or an appeal that suggests that there is a charitable purpose to any solicitation and includes each local, county or area division within this state of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization.

American Association of Nurse Practitioners Scholarship and Grant Foundation is a charitable organization as defined by the Act and is subject to the Secretary of State's regulatory authority. Therefore, the Secretary of State finds that he has jurisdiction over the subject matter and the parties herein.

II. FINDINGS OF FACT

1. On January 27, 2015, the Charities Division of the Secretary of State's Office ("Division") sent the Charity a renewal registration notice informing it of the requirement to submit the annual renewal registration on or before May 27, 2015, its renewal date. The renewal notice was sent to the Charity via electronic mail.

2. Since the Charity failed to submit its renewal registration by May 27, 2015, its registration expired. As a courtesy thereafter, the Division sent the Charity a "termination letter" on October 26, 2015. The termination letter indicated that American Association of Nurse Practitioners Scholarship and Grant Foundation had failed to renew its registration and that a renewal registration was required if the Charity wanted to continue to solicit contributions in Mississippi; the termination letter further stated that if the Charity wanted to cease solicitations in Mississippi, a Final Report would be required to terminate the registration. American Association of Nurse Practitioners Scholarship and Grant Foundation failed to respond to the termination letter, submit a renewal registration, or file a Final Report. The Division sent an additional termination letter via electronic mail on November 26, 2015 giving the Charity ample opportunity to comply with state law.

3. On November 3, 2015, the Division received notification from American Association of Nurse Practitioners Scholarship and Grant Foundation via electronic mail. This notification stated that the Charity dissolved December 31, 2014, and is no longer operating. As a result, the Charity will not be able to file the final report as required by Miss. Code Ann. §79-11-503(8).

III. APPLICABLE LAW

4. Miss. Code Ann. §79-11-503(6) states that in no event shall a registered charitable organization continue to solicit contributions in or from this state after the date such organization should have filed, but failed to file, a renewal and the financial report in accordance with the requirements of §§79-11-501 through 79-11-529.

5. Miss. Code Ann. §79-11-503(8) further states that any registered charitable organization which for any reason opts not to renew its registration must, upon the expiration of its registration, provide to the Secretary of State a final report.

6. Miss. Code Ann. §79-11-509(1)(e) states that the Secretary of State shall deny, suspend, or revoke a registration or exemption if the applicant or registrant has violated or failed to comply with any provisions of the chapter or any rule or order thereunder.

7. Miss. Code Ann. §79-11-509(2) also states that the Secretary of State shall notify the applicant or licensee of his intent to deny, suspend, or revoke a license and shall inform the Charity of the right to request an administrative hearing within thirty (30) days of receipt of the notification.

IV. CONCLUSIONS OF LAW

8. According to Miss. Code Ann. §79-11-503(6), in no event shall a registered charitable organization continue to solicit contributions in or from this state after the date such

organization should have filed, but failed to file, a renewal and the financial report in accordance with the requirements of §§79-11-501 through 79-11-529. American Association of Nurse Practitioners Scholarship and Grant Foundation failed to file a renewal registration and the financial report with the Division after its registration expired and is therefore in violations of these provisions.

9. Pursuant to Miss. Code Ann. §79-11-503(8), if a registered charitable organization, for any reason, opts not to renew its registration, it must, upon the expiration of its registration, provide to the Secretary of State a final report. American Association of Nurse Practitioners Scholarship and Grant Foundation failed to file a final report with the Division after its registration expired and is, therefore, in violation of this provision.

10. Pursuant to Miss. Code Ann. §79-11-509(1)(e), the Secretary of State shall deny, suspend or revoke a registration if the applicant or registrant has violated or failed to comply with any provisions of the chapter or any rule or other thereunder. American Association of Nurse Practitioners Scholarship and Grant Foundation has failed to comply with the statute and file a renewal registration, and is therefore, in violation of this provision.

V. REVOCATION OF REGISTRATION

As provided in Miss. Code Ann. §79-11-509(1)(e), the Secretary of State shall deny, suspend, or revoke a registration of a registrant that has violated or failed to comply with any provision of the chapter or rule thereunder. The Secretary of State hereby revokes the registration of American Association of Nurse Practitioners Scholarship and Grant Foundation.

VI. RIGHT TO ADMINISTRATIVE HEARING

An administrative hearing may be requested in this matter. Any such request shall be

made, in writing, to Baylea B. Callicutt, Staff Attorney, Charities Division, Post Office Box 136, Jackson, Mississippi 39205, within thirty (30) days from the date of receipt of this Order. If an administrative hearing is requested, written notice of the date, time, and place will be given to all parties by certified mail, return receipt requested. Said notice will also designate a Hearing Officer. In the event a written request for a hearing is not received within the thirty (30) day period of time, the Order Revoking Registration shall become effective.

VII. PUBLIC INTEREST

The actions taken and proposed to be taken herein by the Secretary of State are in the public interest and are consistent with the purposes set out in Miss. Code. Ann. §79-11-501, *et seq.*

VIII. RIGHT TO AMEND

The Secretary of State hereby reserves the right to amend this Order Revoking Registration.

SO ISSUED, this the 14th day of January, 2016.

C. DELBERT HOSEMANN, Jr.
Secretary of State
State of Mississippi

BY:



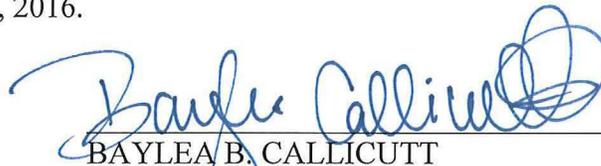
BAYLEA B. CALLICUTT
Staff Attorney
Charities Division

CERTIFICATE OF SERVICE

I, Baylea B. Callicutt, do hereby certify that I have this day, mailed a true and correct copy, via certified mail, return receipt requested, of the Order Revoking Registration to the following:

American Association of Nurse Practitioners Scholarship and Grant Foundation
Attention: Kerri Garcia
Post Office Box 12846
Austin, TX 78711

This the 14th day of January, 2016.



BAYLEA B. CALLICUTT
Staff Attorney
Charities Division
Mississippi Secretary of State's Office

Baylea B. Callicutt, MSB# 105063
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