

Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi State Board of Architecture		CONTACT PERSON John Cothron	TELEPHONE NUMBER 601-856-6760	
ADDRESS 2 Professional Parkway #2B		CITY Ridgeland	STATE MS	ZIP 39157
EMAIL jcothron@msboa.ms.gov	SUBMIT DATE 10/9/24	Name or number of rule(s): Title 30, Part 201: Mississippi State Board of Architecture		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Amend Rule 2.1.1 to exempt Mississippi residents from the application/registration fee for initial registration; add Rule 3.2.8.1 to allow a non-resident architect to serve as a consultant to a Mississippi-registered architect; amend Rule 3.2.16 to clarify wording and add the Board of Architecture to the list of entities that must be notified if an architect is not providing construction administration services; amend Rule 4.3.5 to bring the rule into conformity with *Miss. Code Ann. § 11-75-1* (the Mississippi Architects and Engineers Good Samaritan Act); and amend the responsible control requirements in Rule 4.5.2 to clarify the requirements and address use of outsourced drafting. Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. § 73-1-1 et seq.

List all rules repealed, amended, or suspended by the proposed rule: 2.1, 3.2, 4.3, 4.5.

ORAL PROCEEDING:

- ☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- ☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

- ☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: <u>5/7/24</u> Action taken: _____ Adopted with no changes in text ☒ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: ☒ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: John Cothron, Executive Director

Signature of person authorized to file rules: *John Cothron*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	Accepted for filing by	 Accepted for filing by <i>27723 Mc</i>

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



RESOLUTION

Whereas, it is necessary for the Occupational Licensing Review Commission to issue a resolution regarding the approval or denial of specific rules submitted for its review: NOW, THEREFORE, LET IT BE RESOLVED BY THE OCCUPATIONAL LICENSING REVIEW COMMISSION, that the following rules shall be known to have been approved by the Commission at a duly-called meeting of its members on September 30, 2024, and may now be filed as final with the Secretary of State's Office for inclusion in the Mississippi Administrative Code:

- Mississippi Board of Pharmacy - Title 30, Part 3001, Article XLVII, Section 9: *Physician Dispensing Facility Permits*. Amendment of existing regulation requires dispensing physicians of a permitted facility to comply with the same compounding requirements of permitted pharmacies.
- Mississippi Board of Pharmacy - Title 30, Part 3001, Article XV: *Issuance and Receipt of Prescription Copies*. Amendment of existing regulation that allows a single pharmacist to transfer a prescription from one pharmacy to another if the pharmacies share a common computerized system when done at the request of a patient.
- Mississippi State Board of Dental Examiners - Title 30, Part 2301, Rule 1.25: *Radiology Permits*. Amendment of existing regulation that includes changes to requirements for Mississippi Radiology Permits.
- Mississippi State Board of Dental Examiners - Title 30, Part 2301, Rule 1.41: *Continuing Education*. Amendment of existing regulation that includes changes to requirements for continuing education requirements for Mississippi dentists and dental hygienists.
- Mississippi Board on Law Enforcement Officer Standards and Training – Title 31, Part 301, Chapter 9, Rule 9.2(1)(B): *Certification Based on Equivalency of Training and Refresher Training*. Amendment of existing regulation to include Military Freedom Act and Universal Recognition of Occupational Licenses Act requirements.
- Mississippi State Board of Architecture– Title 30, Part 201, Chapters 2-4: Rule 2.1.1 – Amendment to existing regulation to exempt Mississippi residents from application/registration fee for initial registration; Rule 3.2.8.1 – Addition of new regulation to allow non-resident architects to serve as a consultant; Rule 3.2.16 – Amendment to existing regulation to clarify wording and add the Board of Architecture to the list of entities that must be notified if an architect is not providing construction administration services; Rule 4.3.5 – Amendment to existing

regulation to bring into conformity with Miss. Code Ann. § 11-75-1; Rule 4.5.2 – Amendment to existing regulation to clarify responsible control requirement and address use of outsourced drafting.

- Mississippi State Board of Public Accountancy– Title 30, Part 1, Chapter 2: *Licenses and Practice Privileges*. Rules 2.1.3 and 2.1.4 - Amendment to existing regulations to remove unnecessary language regarding the ethics examination and adding specificity; Rules 2.2.1 and 2.2.10 – Amendment to existing regulations to more closely align with the UAA, including changing the passing grade requirement from 18-months to 30-months.