



# Mississippi Board of Nursing

713 S. Pear Orchard Rd., Plaza II, Suite 300, Ridgeland, MS 39157

## **INSTRUCTIONS FOR** **COMPLETING RESTORATION APPLICATION**

An application for restoration may be accepted by the Board office no earlier than one (1) year from the date of service of the Board's Final Order revoking the license/privilege, accepting the surrender of the license/privilege, denying an application for restoration or reinstatement of the license/privilege, suspending the license/privilege, or denying an application for licensure/privilege.

The loss of one's license/privilege to practice nursing is a very serious matter. The Board of Nursing will restore a license/privilege only if the APPLICANT submits a complete application with all required supporting documentation and presents compelling evidence of rehabilitation. This evidence must demonstrate the steps the APPLICANT has taken to address the violations of the Nurse Practice Act and Administrative Code that resulted in the loss of the license/privilege.

The burden rests entirely with the APPLICANT to prove to the Board that they are worthy of having the license/privilege to practice nursing restored.

If the APPLICANT requires copies of the Board of Nursing's previous order, the APPLICANT may submit a Request for Public Information form and pay the required fee. Upon receipt of the request and payment, the requested information will be provided via email within five (5) to seven (7) business days.

**Examples of acceptable proof include, but are not limited to, the following:**

- Certificates of completion for continuing education courses approved by the Board. (Continuing education requests must be submitted in writing to the Board for approval prior to beginning the continuing education class).
- Evidence of efforts made regarding rehabilitation specific to the conduct that resulted in the loss of licensure/privilege to practice.
- Evidence of community action demonstrated by volunteering, involvement in Boards or committees, church work, mission trips, involvement with Habitat for Humanity, etc.

# **DIRECTIONS FOR COMPLETION AND ADMISSION OF RESTORATION PACKETS**

## **APPLICATION:**

- Fill out and complete pages (1) through (5). APPLICANT must have the form notarized and include a passport-style photo of the APPLICANT on page (5). If additional space is required, attach supplemental pages and place them behind pages (1) through (5).

## **AUTHORIZATION TO RELEASE TREATMENT RECORDS:**

Treatment records related to substance use disorder treatment, psychiatric care, or any other treatment recommended by the Board must be submitted with the completed Authorization to Release Treatment Records form.

- Records must include the initial diagnosis, discharge diagnosis, current diagnosis (if applicable), any recommendations for continued care or rehabilitation, and a certificate of completion, if applicable.
- If the APPLICANT is participating in therapy or receiving psychiatric care, the APPLICANT'S psychiatrist or therapist must provide a letter outlining the APPLICANT'S therapeutic goals, progress, and initial diagnosis.
- If the APPLICANT has a physical condition that limits the ability to practice, documentation from the treating physician or nurse practitioner must be submitted, including the diagnosis and treatment plan.
- If the APPLICANT is receiving disability benefits, documentation related to the disability must be submitted.

## **VERIFICATION OF LICENSURE IN ANOTHER STATE:**

- Please contact the Board of Nursing in the applicable state for instructions and the required fees to complete and submit the verification form included in the Restoration Packet. If you are not currently or have not previously been licensed in another state, please disregard this form.

## **SUPPORTING AFFIDAVITS:**

- The APPLICANT must submit five (5) affidavits from individuals who have direct knowledge of, and can clearly articulate, the circumstances that led to the loss or denial of the APPLICANT'S license/privilege to practice.
- The individuals providing affidavits must be able to attest to the APPLICANT'S ability to practice nursing, character, behavior, and conduct following the revocation, surrender, suspension, or denial of the license/privilege.
- **PLEASE NOTE:** Three (3) of the five (5) required affidavits must be completed by nurses who hold a license or privilege to practice in good standing.
- All affidavits must be completed using the form included in the Restoration Packet and must be notarized. The APPLICANT is responsible for making copies of the affidavit form as needed.

- If the APPLICANT is an APRN seeking restoration of APRN practice privileges, it is recommended that the three (3) required nurse affidavits be completed by APRNs.

### **CONTINUING EDUCATION:**

- It is recommended, but not required, that the APPLICANT complete three (3) to four (4) continuing education courses. A list of Board-approved courses is available on the MSBON website. Continuing education courses may be obtained through various providers offering both free and fee-based options. For continuing education not listed by the MSBN, a request for approval must be submitted in writing with a description of the continuing education offering and the name of the accredited entity presenting the continuing education. The Board may also require specific courses to be completed at the time of the APPLICANT'S restoration hearing.
- Examples of appropriate courses include those related to the APPLICANT'S area of nursing practice and courses addressing the conduct that resulted in the loss of the license/privilege to practice, such as documentation, pharmacology, nurse addiction and recovery, or similar topics.

### **SUBSTANCE MISUSE RELATED OFFENSES**

If APPLICANT'S license or privilege to practice was revoked, suspended, surrendered or denied due to substance use disorder related offences such as: diversion of controlled substances, forgery of prescriptions, work impairment due to substances, taking a mood altering or controlled medication not prescribed for APPLICANT and/or criminal convictions related to substance misuse, THEN APPLICANT must do the following:

- Submit evidence of at least one (1) full year of sobriety following the date of the APPLICANT'S Final Board Order. This year should preferably be the year immediately preceding the submission of the restoration application. The APPLICANT should continue sobriety efforts up to the time of the Board hearing.

### **DRUG TESTING:**

- Enroll in testing through the Board-approved drug testing system, Affinity/Spectrum Compliance Online Solutions. The APPLICANT must provide twelve (12) months of consecutive negative drug test results for the year prior to applying for restoration. If drug screening/testing is required, the APPLICANT must complete and submit the Participant Intake Information form to the Board for entry into the Affinity system. The Spectrum Compliance mobile application is accessible on iOS and Android devices. Fees are associated with Affinity/Spectrum and the laboratory testing process.

### **SUPPORT GROUP CALENDARS/ COUNSELING:**

- The APPLICANT must attend a minimum of twelve (12) months of AA, NA, or other Board-approved self-help meetings, documented using the Board-Approved Calendar Form, for the twelve months immediately preceding the submission of the restoration application. The APPLICANT is responsible for maintaining and submitting these calendars as part of the application. The calendar may include all rehabilitation or recovery meetings, such as Celebrate Recovery. Complete the form as directed.

## **PROOF OF COMPLETION OF CRIMINAL PROBATION:**

- If the APPLICANT has been placed on criminal probation, including participation in Drug Court or a Pre-trial Diversion program, the APPLICANT must provide certified legal documentation demonstrating successful completion of the probation, Drug Court, or diversion program. This documentation must include proof of payment of all fines, completion of any required volunteer hours, and payment of any associated fees.

## **HOW TO GET SET FOR RESTORATION HEARING**

Submit one (1) copy of the complete restoration application for initial review by Board staff. Legal staff will review the application and may request additional documentation as needed. After review, the legal staff will request corrections or additional information via email.

Once all requested revisions and documentation have been completed, the APPLICANT must submit the application to the Board's office. The original should be organized in a three (3) ring binder and divided with identifying tabs into the following sections:

- CHECKLIST
- APPLICATION
- FINAL BOARD ORDER
- AFFIDAVITS
- VERIFICATION OF LICENSURE IN OTHER STATES, if applicable,
- EDUCATION
- COMMUNITY SERVICE

If applicable:

- TREATMENT DOCUMENTATION
- DRUG SCREEN RESULTS
- TWELVE (12) STEP CALENDARS
- CERTIFIED COPY OF ANY COURT'S FINAL DISPOSITION DOCUMENTATION
- COMPLETION OF PROBATION DOCUMENTATION

Once the original application is received in the Board office, the legal staff will set the APPLICANT for hearing before the Board. Since the burden of proof is on the APPLICANT, the APPLICANT should be prepared to testify to all aspects of his/her application and answer any questions staff or the Board may have.

If the Board approves the restoration application, the APPLICANT must complete any stipulations required by the Board prior to submitting the reinstatement application for licensure. These stipulations will be outlined in the Board's Final Order.

Please be advised that the application for restoration shall be submitted to the Board Office **no sooner than one (1) full year** from the execution of the Board's Final Order. The application must be addressed to the MSBON, in care of Restoration. The Board is not responsible for restoration applications submitted less than one (1) year from the date of the Board's Final Order.

Should the Board, in the restoration hearing, deny APPLICANT's request for restoration of APPLICANT's license or privilege to practice, APPLICANT has thirty (30) days from the date APPLICANT receives the Board's Final Order to appeal that decision to the full membership of the Board. Should APPLICANT waive the right to appeal, APPLICANT must wait a full twelve (12) months from the date APPLICANT receives the Board's Final Order regarding restoration denial before submitting a **NEW** application for restoration.

APPLICANT may download a copy of the Nursing Practice Law and Administrative Code from the MSBON website, <https://www.msbn.ms.gov/legal/laws-and-rules>.