

**§ 73-9-65--ACCUSED ENTITLED TO NOTICE, HEARING AND APPEAL;
PRACTICE OF DENTISTRY OR DENTAL HYGIENE PENDING APPEAL**

No disciplinary action against a licensee shall be taken until the accused has been furnished a statement of the charges against him or her and a notice of the time and place of hearing thereof. The accused may be present at the hearing in person, by counsel, or both. The board may, for good cause shown, reinstate any license revoked or suspended. The procedure for the reinstatement of a license that is suspended for being out of compliance with an order for support, as defined in Section 93-11-153, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. The right to appeal any disciplinary actions of the board regarding the license of any dentist or dental hygienist is granted. The appeal shall be to the chancery court of the county in which the dentist or dental hygienist resides, except where the dentist or dental hygienist does not reside in the State of Mississippi, in which case the appeal shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi. The appeal must be taken within thirty (30) days after notice of the action of the board. The appeal is perfected upon filing a notice of appeal, together with a bond in the sum of One Hundred Dollars (\$100.00), with two (2) sureties, conditioned that if the action of the board regarding the license is affirmed by the chancery court the dentist or dental hygienist will pay the costs of the appeal and the action in the chancery court. Those bonds shall be approved by the president of the board. In lieu of the bond, the dentist or dental hygienist may deposit One Hundred Dollars (\$100.00) with the clerk of the chancery court. If there is an appeal, the appeal may, in the discretion of and on motion to the chancery court, act as a supersedeas. The chancery court shall dispose of the appeal and enter its decision promptly. The hearing on the appeal may, in the discretion of the chancellor, be tried in vacation. Appeals may be had to the Supreme Court of the State of Mississippi as provided by law from any final action of the chancery court. No such person shall be allowed to practice dentistry or dental hygiene or deliver health care services in violation of any action of the chancery court while any such appeal to the Supreme Court is pending. All procedural appeal requirements as enumerated above also shall apply to any other license or permit issued by the board under this chapter or regulations duly adopted by the board.

Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section.