

By: Fredericks, Peranich

To: Public Health and  
Welfare

HOUSE BILL NO. 1234

1 AN ACT TO AMEND SECTION 73-25-35, MISSISSIPPI CODE OF 1972,  
2 TO PROHIBIT THE PRACTICE OF MIDWIFERY FOR COMPENSATION EXCEPT BY  
3 PHYSICIANS AND NURSE PRACTITIONERS; TO AMEND SECTION 73-25-33,  
4 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PRACTICE OF  
5 MIDWIFERY BY NURSE PRACTITIONERS SHALL NOT BE CONSIDERED AS THE  
6 PRACTICE OF MEDICINE; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 73-25-35, Mississippi Code of 1972, is  
9 amended as follows:[RF1]

10 73-25-35. (1) Registered nurses who are licensed and  
11 certified by the Mississippi Board of Nursing as nurse  
12 practitioners are not prohibited from such nursing practice, but  
13 are entitled to engage therein without a physician's license.

14 (2) No person shall practice midwifery for compensation  
15 except a physician who is licensed under this chapter or a  
16 registered nurse who is licensed and certified by the Mississippi  
17 Board of Nursing as a nurse practitioner.

18 SECTION 2. Section 73-25-33, Mississippi Code of 1972, is  
19 amended as follows:[RF2]

20 73-25-33. The practice of medicine shall mean to suggest,  
21 recommend, prescribe, or direct for the use of any person, any  
22 drug, medicine, appliance, or other agency, whether material or  
23 not material, for the cure, relief, or palliation of any ailment  
24 or disease of the mind or body, or for the cure or relief of any  
25 wound or fracture or other bodily injury or deformity, or the  
26 practice of obstetrics or midwifery, after having received, or  
27 with the intent of receiving therefor, either directly or  
28 indirectly, any bonus, gift, profit or compensation; however,

29 this section shall not prohibit the practice of midwifery by  
30 registered nurses who are licensed and certified by the  
31 Mississippi Board of Nursing as nurse practitioners.

32 SECTION 3. This act shall take effect and be in force from  
33 and after July 1, 2000.