SENATE BILL NO. 2502

AN ACT TO AMEND SECTIONS 73-15-5 AND 83-41-213, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RULES AND REGULATIONS REGARDING THE PRACTICE OF NURSE PRACTITIONERS SHALL BE PROMULGATED ONLY BY THE MISSISSIPPI BOARD OF NURSING INSTEAD OF BEING PROMULGATED JOINTLY WITH THE STATE BOARD OF MEDICAL LICENSURE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 73-15-5, Mississippi Code of 1972, is amended as follows:

73-15-5. (1) "Board" means the Mississippi Board of Nursing.

(2) The "practice of nursing" by a registered nurse means the performance for compensation of services which require substantial knowledge of the biological, physical, behavioral, psychological and sociological sciences and of nursing theory as the basis for assessment, diagnosis, planning, intervention and evaluation in the promotion and maintenance of health; management of individuals' responses to illness, injury or infirmity; the restoration of optimum function; or the achievement of a dignified death. "Nursing practice" includes, but is not limited to, administration, teaching, counseling, delegation and supervision of nursing, and execution of the medical regimen, including the administration of medications and treatments prescribed by any licensed or legally authorized physician or dentist. The foregoing shall not be deemed to include acts of medical diagnosis or prescriptions of medical, therapeutic or corrective measures, except as may be set forth by rules and regulations.
promulgated * * * and implemented by the Mississippi Board of
Nursing.

(3) The "practice of nursing" by a licensed practical nurse
means the performance for compensation of services requiring basic
knowledge of the biological, physical, behavioral, psychological
and sociological sciences and of nursing procedures which do not
require the substantial skill, judgment and knowledge required of
a registered nurse. These services are performed under the
direction of a registered nurse or a licensed physician or
licensed dentist and utilize standardized procedures in the
observation and care of the ill, injured and infirm; in the
maintenance of health; in action to safeguard life and health; and
in the administration of medications and treatments prescribed by
any licensed physician or licensed dentist authorized by state law
to prescribe. On a selected basis, and within safe limits, the
role of the licensed practical nurse shall be expanded by the
board under its rule-making authority to more complex procedures
and settings commensurate with additional preparation and
experience.

(4) A "license" means an authorization to practice nursing
as a registered nurse or a licensed practical nurse designated
herein.

(5) A "registered nurse" is a person who is licensed or
holds the privilege to practice under the provisions of this
chapter and who practices nursing as defined herein. "R.N." is
the abbreviation for the title of Registered Nurse.

(6) A "licensed practical nurse" is a person who is licensed
or holds the privilege to practice under this chapter and who
practices practical nursing as defined herein. "L.P.N." is the
abbreviation for the title of Licensed Practical Nurse.

(7) A "registered nurse in clinical practice" is one who
functions in any health care delivery system which provides
nursing services.
(8) A "nurse educator" is a registered nurse who meets the criteria for faculty as set forth in a state accredited program of nursing for registered nurses, or a state approved program of nursing for licensed practical nurses, and who functions as a faculty member.

(9) A "consumer representative" is a person representing the interests of the general public, who may use services of a health agency or health professional organization or its members but who is neither a provider of health services, nor employed in the health services field, nor holds a vested interest in the provision of health services at any level, nor has an immediate family member who holds vested interests in the provision of health services at any level.

(10) "Privilege to practice" means the authorization to practice nursing in the state as described in the Nurse Licensure Compact provided for in Section 73-15-22.

(11) "Licensee" is a person who has been issued a license to practice nursing in the state or who holds the privilege to practice nursing in the state.

SECTION 2. Section 83-41-213, Mississippi Code of 1972, is amended as follows:

83-41-213. (1) From and after January 1, 1999, whenever any policy of insurance or any medical service plan or hospital service contract or hospital and medical service contract issued, delivered, administered, continued or renewed in this state provides for reimbursement for any service which is within the lawful scope of practice of a duly certified nurse practitioner working under the supervision of a duly licensed physician as provided for by rules and regulations implemented by the Mississippi Board of Nursing under Section 73-15-5(2), the insured or other person entitled to benefits under such policy shall be entitled to reimbursement for such services, whether such services are performed by a duly licensed physician or by a duly certified nurse practitioner.
nurse practitioner working under the supervision of a duly licensed physician, notwithstanding any provision to the contrary in any statute or in such policy, plan or contract. Duly certified nurse practitioners shall be entitled to participate in such policies, plans or contracts providing for the services of nurse practitioners working under the supervision of a duly licensed physician, as authorized by the rules and regulations implemented by the Mississippi Board of Nursing under Section 73-15-5(2). Reimbursement shall be based on services rendered by a duly certified nurse practitioner.

It is the intent of the Legislature by this section to provide for expanded health delivery services and to provide for some reduction of the cost of medical services where possible; and any payments made hereunder shall either be in lieu of payments to physicians or payments to physicians shall be reduced by that amount paid to a nurse practitioner for the performance of authorized services by such practitioner.

(2) Any action taken to prohibit nurses from practicing in a manner consistent with Section 73-15-1 et seq., including any limitation on clinical privileging or performing other activities consistent with standards of nursing practice, is prohibited.

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.