

By: Representative Flaggs

To: Public Health and Welfare

HOUSE BILL NO. 1011

1 AN ACT TO AMEND SECTIONS 41-34-3, 41-34-5 AND 41-34-7,  
2 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LICENSING BOARDS OF  
3 HEALTH CARE PROVIDERS SHALL ESTABLISH GUIDELINES TO PROTECT THE  
4 PUBLIC FROM THE TRANSMISSION OF THE HEPATITIS C VIRUS IN THE  
5 PRACTICE OF THE PROFESSION REGULATED BY THE APPROPRIATE BOARD; AND  
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 41-34-3, Mississippi Code of 1972, is  
9 amended as follows:

10 41-34-3. Each board licensing health care providers may  
11 establish by rule and regulation practice requirements based, in  
12 part, on applicable guidelines from the Federal Centers for  
13 Disease Control that will protect the public from the transmission  
14 of the Hepatitis B Virus, Hepatitis C Virus and Human  
15 Immunodeficiency Virus in the practice of a profession regulated  
16 by the appropriate board.

17 **SECTION 2.** Section 41-34-5, Mississippi Code of 1972, is  
18 amended as follows:

19 41-34-5. The boards may establish by rule and regulation  
20 requirements and procedures for a licensee and a licensure  
21 applicant to report his/her status as a carrier of the Hepatitis B  
22 Virus, Hepatitis C Virus or Human Immunodeficiency Virus to the  
23 board, and shall enforce those requirements and procedures.

24 **SECTION 3.** Section 41-34-7, Mississippi Code of 1972, is  
25 amended as follows:

26 41-34-7. Each report of Hepatitis B Virus carrier status,  
27 Hepatitis C Virus carrier status or Human Immunodeficiency Virus  
28 carrier status filed in compliance with this section, and each  
29 record maintained and meetings held by the boards in the course of



30 monitoring a licensee for compliance with the practice  
31 requirements established by this section, are confidential and  
32 exempt from the provisions of the Mississippi Public Records Law,  
33 Section 25-61-1 et seq.

34         **SECTION 4.** This act shall take effect and be in force from  
35 and after July 1, 2003.

