

By: Senator(s) Huggins

To: Public Health and Welfare

SENATE BILL NO. 2496

1 AN ACT TO AMEND SECTION 73-15-17, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT REGULATIONS ADOPTED BY THE MISSISSIPPI BOARD OF
3 NURSING SHALL NOT BE MORE STRINGENT THAN THOSE PROMULGATED BY THE
4 CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS) REGARDING THE
5 PRACTICE OF NURSING IN PSYCHIATRIC RESIDENTIAL TREATMENT
6 FACILITIES OPERATING IN THIS STATE; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 73-15-17, Mississippi Code of 1972, is
9 amended as follows:

10 73-15-17. The Mississippi Board of Nursing is authorized and
11 empowered to:

12 (a) Adopt and from time to time revise such rules and
13 regulations consistent with the law as shall be necessary to
14 govern its proceedings and carry into effect the provisions of
15 this chapter. Provided, however, that the regulations regarding
16 the practice of nursing in psychiatric residential treatment
17 facilities (PRTF) promulgated by the Mississippi Board of Nursing
18 shall be no more stringent than the regulations promulgated for
19 such practice by the Centers for Medicare and Medicaid Services
20 (CMS) of the federal Department of Health and Human Services.

21 (b) Require the secretary to keep records of all
22 meetings of the board and keep a record of all proceedings, and to
23 prepare a register of registered nurses and a register of licensed
24 practical nurses, all nurses appearing thereon to be duly licensed
25 under this chapter, and which registers shall be open for public
26 inspection at all reasonable times.

27 (c) Issue subpoenas, require attendance of witnesses,
28 and administer oaths of persons giving testimony.



29 (d) Cause the prosecution of all persons violating the
30 provisions of this chapter, and incur such necessary expenses
31 therefor.

32 (e) Conduct hearings upon charges calling for
33 discipline of a licensee or revocation of a license or of the
34 privilege to practice.

35 (f) Present a true and full report to the Governor and
36 the Legislature, together with statement of receipts and
37 disbursements on or before February 1 of each year.

38 (g) Maintain an office in Jackson for the
39 administration of this chapter.

40 (h) File an annual list of all certificates of
41 registration issued by the board with the Secretary of State's
42 office for both registered nurses and licensed practical nurses.

43 (i) File an annual list of all certificates of
44 registration issued by the board to registered nurses, including
45 addresses of the persons with the Mississippi Nurses' Association;
46 and file a similar list of all certificates of registration issued
47 to licensed practical nurses, including addresses of the persons,
48 with the Mississippi Federation of Licensed Practical Nurses and
49 the Mississippi Licensed Practical Nurses Association.

50 (j) Adopt a seal which shall be in the form of a circle
51 with the image of an eagle in the center, and around the margin
52 the words "Mississippi Board of Nursing," and under the image of
53 the eagle the word "Official." The seal shall be affixed to
54 certificates and warrants issued by the board, and to all records
55 sent up on appeal from its decisions.

56 (k) Schedule dates and locations for state board
57 examinations for examining qualified applicants for licensure.

58 (l) Examine, license and renew licenses of duly
59 qualified applicants.

60 (m) Appoint and employ a qualified person who shall not
61 be a member of the board to serve as executive director, define



62 the duties, fix the compensation, and delegate to him or her those
63 activities that will expedite the functions of the board. The
64 executive director shall meet all the qualifications for board
65 members, and shall in addition:

66 (i) Have had at least a master's degree in
67 nursing, eight (8) years' experience as a registered nurse, five
68 (5) of which shall be in teaching or in administration, or a
69 combination thereof; and

70 (ii) Have been actively engaged in nursing for at
71 least five (5) years immediately preceding appointment.

72 (n) Employ, discharge, define duties and fix
73 compensation of such other persons as may be necessary to carry
74 out the provisions of this chapter.

75 (o) Secure the services of research consultants as
76 deemed necessary who shall receive a per diem, travel and other
77 necessary expenses incurred while engaged by the board.

78 (p) To enter into contracts with any other state or
79 federal agency or with any private person, organization or group
80 capable of contracting, if it finds such action to be in the
81 public interest and in the furtherance of its responsibilities.

82 **SECTION 2.** This act shall take effect and be in force from
83 and after July 1, 2003.

