

By: Senator(s) Wilemon

To: Universities and
Colleges; Public Health and
Welfare

SENATE BILL NO. 2081

1 AN ACT TO DIRECT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS
2 OF HIGHER LEARNING, ACTING THROUGH THE APPROPRIATE INSTITUTIONAL
3 REVIEW BOARD, TO REQUIRE THE RESULTS OF ANY CLINICAL TRIALS OF A
4 PHARMACEUTICAL DRUG OR DRUG PRODUCT WHICH WERE CONDUCTED AT THE
5 UNIVERSITY OF MISSISSIPPI MEDICAL CENTER OR AT ANY STATE
6 INSTITUTION OF HIGHER LEARNING TO BE REGISTERED WITH THE STATE
7 BOARD OF PHARMACY AND THE STATE BOARD OF MEDICAL LICENSURE AND
8 PUBLISHED ON THE INTERNET; TO PROHIBIT ANY SUCH CLINICAL TRIAL
9 WHICH DOES NOT COMPLY WITH THE PROVISIONS OF THIS ACT; TO AMEND
10 SECTION 41-9-17, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE
11 BOARD OF HEALTH, AS LICENSING AGENCY FOR THE STATE'S HOSPITALS, TO
12 REQUIRE THE RESULTS OF ANY CLINICAL TRIALS OF A PHARMACEUTICAL
13 DRUG OR DRUG PRODUCT WHICH WERE CONDUCTED AT ANY LICENSED HOSPITAL
14 TO BE REGISTERED WITH THE STATE BOARD OF PHARMACY AND THE STATE
15 BOARD OF MEDICAL LICENSURE AND PUBLISHED ON THE INTERNET; AND FOR
16 RELATED PURPOSES.

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

18 **SECTION 1.** (1) The Board of Trustees of State Institutions
19 of Higher Learning, acting through the appropriate institutional
20 review board, shall require the results of any clinical trials of
21 a pharmaceutical drug or drug product which were conducted at the
22 University of Mississippi Medical Center or at any state
23 institution of higher learning to be registered with the State
24 Board of Pharmacy and with the State Board of Medical Licensure
25 and also published on an appropriate Web site on the Internet.

26 (2) Any clinical trial of a drug or drug product which does
27 not comply with this section shall be prohibited.

28 (3) The Board of Trustees of State Institutions of Higher
29 Learning shall jointly promulgate regulations with the State Board
30 of Pharmacy and the State Board of Medical Licensure to implement
31 the provisions of this section.

32 **SECTION 2.** Section 41-9-17, Mississippi Code of 1972, is
33 amended as follows:

34 41-9-17. (1) The licensing agency shall adopt, amend,
35 promulgate and enforce such rules, regulations and standards with
36 respect to all hospitals to be licensed under Section 41-9-11 as
37 may be designed to further the accomplishment of the purposes of
38 Sections 41-9-1 through 41-9-35 in promoting safe and adequate
39 treatment of individuals in hospitals in the interest of public
40 health, safety and welfare. Any rule, regulation or standard
41 adopted hereunder shall be considered as promulgated and effective
42 from and after the time the same is recorded and indexed in a book
43 to be maintained by the licensing agency in its main office in the
44 State of Mississippi, entitled "Minimum Standard of Operation for
45 Mississippi Hospitals." Said book shall be open and available to
46 all hospitals and the public generally at all reasonable times.
47 Upon the adoption of any such rule, regulation or standard, the
48 licensing agency shall mail copies thereof to all hospitals in the
49 state which have filed with said agency their names and addresses
50 for this purpose, but the failure to mail the same or the failure
51 of the hospital to receive the same shall in nowise affect the
52 validity thereof. No such rules, regulations or standards shall
53 be adopted or enforced which would have the effect of denying a
54 license to a hospital or other institution required to be
55 licensed, solely by reason of the school or system of practice
56 employed or permitted to be employed therein.

57 (2) The licensing agency, acting through the appropriate
58 institutional review board, shall require the results of any
59 clinical trials of a pharmaceutical drug or drug product which
60 were conducted at a hospital licensed in the State of Mississippi
61 to be registered with the State Board of Pharmacy and with the
62 State Board of Medical Licensure and also published on an
63 appropriate Web site on the Internet. Any clinical trial of a
64 drug or drug product which does not comply with this section shall
65 be prohibited. The licensing agency shall jointly promulgate
66 regulations with the State Board of Pharmacy and the State Board

67 of Medical Licensure to implement the provisions of this
68 subsection (2).

69 **SECTION 3.** This act shall take effect and be in force from
70 and after July 1, 2006.