

By: Representative Warren

To: Public Health and Human Services

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 212

1 AN ACT TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE DATE OF THE REPEALER ON THE ADVANCED PRACTICE  
3 REGISTERED NURSES LICENSURE PROVISIONS; TO AMEND SECTION 73-15-5,  
4 MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REVERTER ON  
5 THE DEFINITIONS OF CLINICAL NURSE SPECIALIST PRACTICE, ADVANCED  
6 NURSING PRACTICE, CLINICAL NURSE SPECIALIST AND ADVANCED PRACTICE  
7 REGISTERED NURSE UNDER THE NURSING PRACTICE LAW; AND FOR RELATED  
8 PURPOSES.

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

10 **SECTION 1.** Section 73-15-20, Mississippi Code of 1972, is  
11 amended as follows:

12 73-15-20. (1) **Advanced practice registered nurses.** Any  
13 nurse desiring to be certified as an advanced practice registered  
14 nurse shall apply to the board and submit proof that he or she  
15 holds a current license to practice professional nursing and that  
16 he or she meets one or more of the following requirements:

17 (a) Satisfactory completion of a formal post-basic  
18 educational program of at least one (1) academic year, the primary  
19 purpose of which is to prepare nurses for advanced or specialized  
20 practice.

21 (b) Certification by a board-approved certifying body.  
22 Such certification shall be required for initial state  
23 certification and any recertification as a registered nurse  
24 anesthetist, nurse practitioner or nurse midwife. The board may  
25 by rule provide for provisional or temporary state certification  
26 of graduate nurse practitioners for a period of time determined to  
27 be appropriate for preparing and passing the National  
28 Certification Examination. Those with provisional or temporary  
29 certifications must practice under the direct supervision of a



30 licensed physician or a certified nurse practitioner or certified  
31 nurse midwife with at least five (5) years of experience.

32 (c) Graduation from a program leading to a master's or  
33 post-master's degree in a nursing clinical specialty area with  
34 preparation in specialized practitioner skills.

35 (2) **Rulemaking.** The board shall provide by rule the  
36 appropriate requirements for advanced practice registered nurses  
37 in the categories of certified registered nurse anesthetist,  
38 certified nurse midwife and advance practice registered nurse.

39 (3) **Collaboration.** An advanced practice registered nurse  
40 shall perform those functions authorized in this section within a  
41 collaborative/consultative relationship with a dentist or  
42 physician with an unrestricted license to practice dentistry or  
43 medicine in this state and within an established protocol or  
44 practice guidelines, as appropriate, that is filed with the board  
45 upon license application, license renewal, after entering into a  
46 new collaborative/consultative relationship or making changes to  
47 the protocol or practice guidelines or practice site. The board  
48 shall review and approve the protocol to ensure compliance with  
49 applicable regulatory standards. The advanced practice registered  
50 nurse may not practice as an APRN if there is no  
51 collaborative/consultative relationship with a physician or  
52 dentist and a board-approved protocol or practice guidelines.

53 (4) **Renewal.** The board shall renew a license for an  
54 advanced practice registered nurse upon receipt of the renewal  
55 application, fees and protocol or practice guidelines. The board  
56 shall adopt rules establishing procedures for license renewals.  
57 The board shall by rule prescribe continuing education  
58 requirements for advanced practice nurses not to exceed forty (40)  
59 hours biennially as a condition for renewal of a license or  
60 certificate.

61 (5) **Reinstatement.** Advanced practice registered nurses may  
62 reinstate a lapsed privilege to practice upon submitting



63 documentation of a current active license to practice professional  
64 nursing, a reinstatement application and fee, a protocol or  
65 practice guidelines, documentation of current certification as an  
66 advanced practice nurse in a designated area of practice by a  
67 national certification organization recognized by the board and  
68 documentation of at least forty (40) hours of continuing education  
69 related to the advanced clinical practice of the nurse  
70 practitioner within the previous two-year period. The board shall  
71 adopt rules establishing the procedure for reinstatement.

72 (6) **Changes in status.** The advanced practice registered  
73 nurse shall notify the board immediately regarding changes in the  
74 collaborative/consultative relationship with a licensed physician  
75 or dentist. If changes leave the advanced practice registered  
76 nurse without a board-approved collaborative/consultative  
77 relationship with a physician or dentist, the advanced practice  
78 nurse may not practice as an advanced practice registered nurse.

79 (7) **Practice requirements.** The advanced practice registered  
80 nurse shall practice:

81 (a) According to standards and guidelines of the  
82 National Certification Organization.

83 (b) In a collaborative/consultative relationship with a  
84 licensed physician whose practice is compatible with that of the  
85 nurse practitioner. Certified registered nurse anesthetists may  
86 collaborate/consult with licensed dentists. The advanced practice  
87 nurse must be able to communicate reliably with a  
88 collaborating/consulting physician or dentist while practicing.

89 (c) According to a board-approved protocol or practice  
90 guidelines.

91 (d) Advanced practice registered nurses practicing as  
92 nurse anesthetists must practice according to board-approved  
93 practice guidelines that address pre-anesthesia preparation and  
94 evaluation; anesthesia induction, maintenance, and emergence;



95 post-anesthesia care; peri-anesthetic and clinical support  
96 functions.

97 (e) Advanced practice registered nurses practicing in  
98 other specialty areas must practice according to a board-approved  
99 protocol that has been mutually agreed upon by the nurse  
100 practitioner and a Mississippi licensed physician or dentist whose  
101 practice or prescriptive authority is not limited as a result of  
102 voluntary surrender or legal/regulatory order.

103 (f) Each collaborative/consultative relationship shall  
104 include and implement a formal quality assurance/quality  
105 improvement program which shall be maintained on site and shall be  
106 available for inspection by representatives of the board. This  
107 quality assurance/quality improvement program must be sufficient  
108 to provide a valid evaluation of the practice and be a valid basis  
109 for change, if any.

110 (g) Nurse practitioners may not write prescriptions  
111 for, dispense or order the use of or administration of any  
112 schedule of controlled substances except as contained in this  
113 chapter.

114 (8) **Prescribing controlled substances and medications.**

115 Certified nurse midwives and certified nurse practitioners may  
116 apply for controlled substance prescriptive authority after  
117 completing a board-approved educational program. Certified nurse  
118 midwives and certified nurse practitioners who have completed the  
119 program and received prescription authority from the board may  
120 prescribe Schedules II-V. The words "administer," "controlled  
121 substances" and "ultimate user," shall have the same meaning as  
122 set forth in Section 41-29-105, unless the context otherwise  
123 requires. The board shall promulgate rules governing prescribing  
124 of controlled substances, including distribution, record keeping,  
125 drug maintenance, labeling and distribution requirements and  
126 prescription guidelines for controlled substances and all  
127 medications. Prescribing any controlled substance in violation of



128 the rules promulgated by the board shall constitute a violation of  
129 Section 73-15-29(1) (f), (k) and (l) and shall be grounds for  
130 disciplinary action. The prescribing, administering or  
131 distributing of any legend drug or other medication in violation  
132 of the rules promulgated by the board shall constitute a violation  
133 of Section 73-15-29(1) (f), (k) and (l) and shall be grounds for  
134 disciplinary action.

135 (9) Section 73-15-20 shall stand repealed from and after  
136 July 1, 2015.

137 **SECTION 2.** Section 73-15-5, Mississippi Code of 1972, is  
138 amended as follows:

139 **[Until July 1, 2015, Section 73-15-5 shall read as follows:]**

140 73-15-5. (1) "Board" means the Mississippi Board of  
141 Nursing.

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

159 (3) "Clinical nurse specialist practice" by a certified  
160 clinical nurse specialist means the delivery of advanced practice



161 nursing care to individuals or groups using advanced diagnostic  
162 and assessment skills to manage and improve the health status of  
163 individuals and families; diagnose human responses to actual or  
164 potential health problems; plan for health promotion, disease  
165 prevention, and therapeutic intervention in collaboration with the  
166 patient or client; implement therapeutic interventions based on  
167 the nurse specialist's area of expertise and within the scope of  
168 advanced nursing practice, including, but not limited to, direct  
169 patient care, counseling, teaching, collaboration with other  
170 licensed health care providers; and, coordination of health care  
171 as necessary and appropriate and evaluation of the effectiveness  
172 of care.

173 (4) "Advanced nursing practice" means, in addition to the  
174 practice of professional nursing, the performance of  
175 advanced-level nursing approved by the board which, by virtue of  
176 graduate education and experience are appropriately performed by  
177 an advanced practice registered nurse. The advanced practice  
178 registered nurse may diagnose, treat and manage medical  
179 conditions. This may include prescriptive authority as identified  
180 by the board. Advanced practice registered nurses must practice  
181 in a collaborative/consultative relationship with a physician or  
182 dentist with an unrestricted license to practice in the State of  
183 Mississippi and advanced nursing must be performed within the  
184 framework of a standing protocol or practice guidelines, as  
185 appropriate.

186 (5) The "practice of nursing" by a licensed practical nurse  
187 means the performance for compensation of services requiring basic  
188 knowledge of the biological, physical, behavioral, psychological  
189 and sociological sciences and of nursing procedures which do not  
190 require the substantial skill, judgment and knowledge required of  
191 a registered nurse. These services are performed under the  
192 direction of a registered nurse or a licensed physician or  
193 licensed dentist and utilize standardized procedures in the



194 observation and care of the ill, injured and infirm; in the  
195 maintenance of health; in action to safeguard life and health; and  
196 in the administration of medications and treatments prescribed by  
197 any licensed physician or licensed dentist authorized by state law  
198 to prescribe. On a selected basis, and within safe limits, the  
199 role of the licensed practical nurse shall be expanded by the  
200 board under its rule-making authority to more complex procedures  
201 and settings commensurate with additional preparation and  
202 experience.

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

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

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

214 (9) A "registered nurse in clinical practice" is one who  
215 functions in any health care delivery system which provides  
216 nursing services.

217 (10) A "clinical nurse specialist" is a person who is  
218 licensed or holds the privilege to practice under this article in  
219 this state to practice professional nursing and who in this state  
220 practices advanced nursing as defined herein. "C.N.S." is the  
221 abbreviation for the title of Clinical Nurse Specialist.

222 (11) An "advanced practice registered nurse" is a person who  
223 is licensed or holds the privilege to practice under this article  
224 and who is certified in advanced practice registered nurse or  
225 specialized nursing practice and includes certified registered  
226 nurse midwives, certified registered nurse anesthetists and



227 certified nurse practitioners. "C.N.M" is the abbreviation for  
228 the title of Certified Nurse Midwife, "C.R.N.A." is the  
229 abbreviation for the title of Certified Registered Nurse  
230 Anesthetist. "C.N.P." is the abbreviation for the title of  
231 Certified Nurse Practitioner.

232 (12) A "nurse educator" is a registered nurse who meets the  
233 criteria for faculty as set forth in a state-accredited program of  
234 nursing for registered nurses, or a state-approved program of  
235 nursing for licensed practical nurses, and who functions as a  
236 faculty member.

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

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

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

251 **[From and after July 1, 2015, Section 73-15-5 shall read as**  
252 **follows:]**

253 73-15-5. (1) "Board" means the Mississippi Board of  
254 Nursing.

255 (2) The "practice of nursing" by a registered nurse means  
256 the performance for compensation of services which require  
257 substantial knowledge of the biological, physical, behavioral,  
258 psychological and sociological sciences and of nursing theory as  
259 the basis for assessment, diagnosis, planning, intervention and



260 evaluation in the promotion and maintenance of health; management  
261 of individuals' responses to illness, injury or infirmity; the  
262 restoration of optimum function; or the achievement of a dignified  
263 death. "Nursing practice" includes, but is not limited to,  
264 administration, teaching, counseling, delegation and supervision  
265 of nursing, and execution of the medical regimen, including the  
266 administration of medications and treatments prescribed by any  
267 licensed or legally authorized physician or dentist. The  
268 foregoing shall not be deemed to include acts of medical diagnosis  
269 or prescriptions of medical, therapeutic or corrective measures,  
270 except as may be set forth by rules and regulations promulgated  
271 jointly by the State Board of Medical Licensure and the  
272 Mississippi Board of Nursing and implemented by the Mississippi  
273 Board of Nursing.

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



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

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

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

302 (7) A "registered nurse in clinical practice" is one who  
303 functions in any health care delivery system which provides  
304 nursing services.

305 (8) A "nurse educator" is a registered nurse who meets the  
306 criteria for faculty as set forth in a state accredited program of  
307 nursing for registered nurses, or a state approved program of  
308 nursing for licensed practical nurses, and who functions as a  
309 faculty member.

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

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

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



324           **SECTION 3.** This act shall take effect and be in force from  
325 and after July 1, 2010.

