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To: Public Health and Human  
Services

HOUSE BILL NO. 70

1 AN ACT TO AMEND SECTIONS 73-15-5 AND 73-15-20, MISSISSIPPI  
2 CODE OF 1972, TO DELETE THE REQUIREMENT THAT ADVANCED PRACTICE  
3 REGISTERED NURSES MUST PRACTICE WITHIN A COLLABORATIVE OR  
4 CONSULTATIVE RELATIONSHIP WITH A PHYSICIAN OR DENTIST; AND FOR  
5 RELATED PURPOSES.

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

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

9 73-15-5. (1) "Board" means the Mississippi Board of  
10 Nursing.

11 (2) The "practice of nursing" by a registered nurse means  
12 the performance for compensation of services which requires  
13 substantial knowledge of the biological, physical, behavioral,  
14 psychological and sociological sciences and of nursing theory as  
15 the basis for assessment, diagnosis, planning, intervention and  
16 evaluation in the promotion and maintenance of health; management  
17 of individuals' responses to illness, injury or infirmity; the  
18 restoration of optimum function; or the achievement of a dignified  
19 death. "Nursing practice" includes, but is not limited to,



20 administration, teaching, counseling, delegation and supervision  
21 of nursing, and execution of the medical regimen, including the  
22 administration of medications and treatments prescribed by any  
23 licensed or legally authorized physician or dentist. The  
24 foregoing shall not be deemed to include acts of medical diagnosis  
25 or prescriptions of medical, therapeutic or corrective measures,  
26 except as may be set forth by rules and regulations promulgated  
27 and implemented by the Mississippi Board of Nursing.

28 (3) "Clinical nurse specialist practice" by a certified  
29 clinical nurse specialist means the delivery of advanced practice  
30 nursing care to individuals or groups using advanced diagnostic  
31 and assessment skills to manage and improve the health status of  
32 individuals and families; diagnose human responses to actual or  
33 potential health problems; plan for health promotion, disease  
34 prevention, and therapeutic intervention in collaboration with the  
35 patient or client; implement therapeutic interventions based on  
36 the nurse specialist's area of expertise and within the scope of  
37 advanced nursing practice, including, but not limited to, direct  
38 patient care, counseling, teaching, collaboration with other  
39 licensed health care providers; and, coordination of health care  
40 as necessary and appropriate and evaluation of the effectiveness  
41 of care.

42 (4) "Advanced nursing practice" means, in addition to the  
43 practice of professional nursing, the performance of  
44 advanced-level nursing approved by the board which, by virtue of



45 graduate education and experience are appropriately performed by  
46 an advanced practice registered nurse. The advanced practice  
47 registered nurse may diagnose, treat and manage medical  
48 conditions. This may include prescriptive authority as identified  
49 by the board. \* \* \*

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

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



70 (7) A "registered nurse" is a person who is licensed or  
71 holds the privilege to practice under the provisions of this  
72 article and who practices nursing as defined herein. "RN" is the  
73 abbreviation for the title of Registered Nurse.

74 (8) A "licensed practical nurse" is a person who is licensed  
75 or holds the privilege to practice under this article and who  
76 practices practical nursing as defined herein. "LPN" is the  
77 abbreviation for the title of Licensed Practical Nurse.

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

81 (10) A "clinical nurse specialist" is a person who is  
82 licensed or holds the privilege to practice under this article in  
83 this state to practice professional nursing and who in this state  
84 practices advanced nursing as defined herein. "CNS" is the  
85 abbreviation for the title of Clinical Nurse Specialist.

86 (11) An "advancedu practice registered nurse" is a person who  
87 is licensed or holds the privilege to practice under this article  
88 and who is certified in advanced practice registered nurse or  
89 specialized nursing practice and includes certified registered  
90 nurse midwives, certified registered nurse anesthetists and  
91 certified nurse practitioners. "CNM" is the abbreviation for the  
92 title of Certified Nurse Midwife, "CRNA" is the abbreviation for  
93 the title of Certified Registered Nurse Anesthetist. "CNP" is the  
94 abbreviation for the title of Certified Nurse Practitioner.



95 (12) A "nurse educator" is a registered nurse who meets the  
96 criteria for faculty as set forth in a state-accredited program of  
97 nursing for registered nurses, or a state-approved program of  
98 nursing for licensed practical nurses, and who functions as a  
99 faculty member.

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

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

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

114 **SECTION 2.** Section 73-15-20, Mississippi Code of 1972, is  
115 amended as follows:

116 73-15-20. (1) **Advanced practice registered nurses.** Any  
117 nurse desiring to be certified as an advanced practice registered  
118 nurse shall apply to the board and submit proof that he or she



119 holds a current license to practice professional nursing and that  
120 he or she meets one or more of the following requirements:

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

125 (b) Certification by a board-approved certifying body.  
126 Such certification shall be required for initial state  
127 certification and any recertification as a registered nurse  
128 anesthetist, nurse practitioner or nurse midwife. The board may  
129 by rule provide for provisional or temporary state certification  
130 of graduate nurse practitioners for a period of time determined to  
131 be appropriate for preparing and passing the National  
132 Certification Examination. Those with provisional or temporary  
133 certifications must practice under the direct supervision of a  
134 licensed physician or a certified nurse practitioner or certified  
135 nurse midwife with at least five (5) years of experience.

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

139 (2) **Rulemaking.** The board shall provide by rule the  
140 appropriate requirements for advanced practice registered nurses  
141 in the categories of certified registered nurse anesthetist,  
142 certified nurse midwife and advancedu practice registered nurse.

143 \* \* \*



144 ( \* \* \*3) **Renewal.** The board shall renew a license for an  
145 advanced practice registered nurse upon receipt of the renewal  
146 application, fees and protocol or practice guidelines. The board  
147 shall adopt rules establishing procedures for license renewals.  
148 The board shall by rule prescribe continuing education  
149 requirements for advanced practice registered nurses not to exceed  
150 forty (40) hours biennially as a condition for renewal of a  
151 license or certificate.

152 ( \* \* \*4) **Reinstatement.** Advanced practice registered  
153 nurses may reinstate a lapsed privilege to practice upon  
154 submitting documentation of a current active license to practice  
155 professional nursing, a reinstatement application and fee, \* \* \*  
156 documentation of current certification as an advanced practice  
157 nurse in a designated area of practice by a national certification  
158 organization recognized by the board and documentation of at least  
159 forty (40) hours of continuing education related to the advanced  
160 clinical practice of the nurse practitioner within the previous  
161 two-year period. The board shall adopt rules establishing the  
162 procedure for reinstatement.

163 \* \* \*

164 ( \* \* \*5) **Practice requirements.** The advanced practice  
165 registered nurse shall practice:

166 (a) According to standards and guidelines of the  
167 National Certification Organization.

168 \* \* \*



169 ( \* \* \*b) According to a board-approved protocol or  
170 practice guidelines.

171 ( \* \* \*c) Advanced practice registered nurses  
172 practicing as nurse anesthetists must practice according to  
173 board-approved practice guidelines that address pre-anesthesia  
174 preparation and evaluation; anesthesia induction, maintenance, and  
175 emergence; post-anesthesia care; peri-anesthetic and clinical  
176 support functions.

177 \* \* \*

178 ( \* \* \*d) Each \* \* \* advanced practice registered nurse  
179 shall \* \* \* implement a formal quality assurance/quality  
180 improvement program, which shall be maintained on site and shall  
181 be available for inspection by representatives of the board. This  
182 quality assurance/quality improvement program must be sufficient  
183 to provide a valid evaluation of the practice and be a valid basis  
184 for change, if any.

185 ( \* \* \*e) Nurse practitioners may not write  
186 prescriptions for, dispense or order the use of or administration  
187 of any schedule of controlled substances except as contained in  
188 this \* \* \* article.

189 ( \* \* \*6) **Prescribing controlled substances and medications.**

190 Certified nurse midwives and certified nurse practitioners may  
191 apply for controlled substance prescriptive authority after  
192 completing a board-approved educational program. Certified nurse  
193 midwives and certified nurse practitioners who have completed the





194 program and received prescription authority from the board may  
195 prescribe Schedules II-V. The words "administer," "controlled  
196 substances" and "ultimate user," shall have the same meaning as  
197 set forth in Section 41-29-105, unless the context otherwise  
198 requires. The board shall promulgate rules governing prescribing  
199 of controlled substances, including distribution, record keeping,  
200 drug maintenance, labeling and distribution requirements and  
201 prescription guidelines for controlled substances and all  
202 medications. Prescribing any controlled substance in violation of  
203 the rules promulgated by the board shall constitute a violation of  
204 Section 73-15-29(1)(f), (k) and (l) and shall be grounds for  
205 disciplinary action. The prescribing, administering or  
206 distributing of any legend drug or other medication in violation  
207 of the rules promulgated by the board shall constitute a violation  
208 of Section 73-15-29(1)(f), (k) and (l) and shall be grounds for  
209 disciplinary action.

210       **SECTION 3.** This act shall take effect and be in force from  
211 and after July 1, 2016.

