

By: Senator(s) Burton, DeBar, Seymour

To: Public Health and Welfare

SENATE BILL NO. 2026

1 AN ACT TO AMEND SECTIONS 73-15-5 AND 73-15-20, MISSISSIPPI
2 CODE OF 1972, TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES
3 SHALL HAVE FULL PRACTICE AUTHORITY; AND FOR RELATED PURPOSES.

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

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

7 73-15-5. (1) "Board" means the Mississippi Board of
8 Nursing.

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



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

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

40 (4) "Advanced nursing practice" means, in addition to the
41 practice of professional nursing, the performance of
42 advanced-level nursing approved by the board which, by virtue of
43 graduate education and experience are appropriately performed by



44 an advanced practice registered nurse. The advanced practice
45 registered nurse may diagnose, treat and manage medical
46 conditions. This may include prescriptive authority as identified
47 by the board. * * *

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

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



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

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

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

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

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



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

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

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

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

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

114 73-15-20. (1) **Advanced practice registered nurses.** Any
115 nurse desiring to be certified as an advanced practice registered
116 nurse shall apply to the board and submit proof that he or she



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

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

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

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

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

141 * * *



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

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

161 * * *

162 (* * *5) **Practice requirements.** The advanced practice
163 registered nurse shall practice:

164 (a) According to standards and guidelines of the
165 National Certification Organization.

166 * * *



167 (* * *b) According to a board-approved protocol or
168 practice guidelines.

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

175 * * *

176 (* * *d) Nurse practitioners may not write
177 prescriptions for, dispense or order the use of or administration
178 of any schedule of controlled substances except as contained in
179 this chapter.

180 (* * *6) **Prescribing controlled substances and medications.**
181 Certified nurse midwives * * *,l certified nurse practitioners and
182 certified registered nurse anesthetists may apply for controlled
183 substance prescriptive authority after completing a board-approved
184 educational program. Certified nurse midwives * * *,l certified
185 nurse practitioners and certified registered nurse anesthetists
186 who have completed the program and received prescription authority
187 from the board may prescribe Schedules II-V. The words
188 "administer," "controlled substances" and "ultimate user," shall
189 have the same meaning as set forth in Section 41-29-105, unless
190 the context otherwise requires. The board shall promulgate rules
191 governing prescribing of controlled substances, including



192 distribution, record keeping, drug maintenance, labeling and
193 distribution requirements and prescription guidelines for
194 controlled substances and all medications. Prescribing any
195 controlled substance in violation of the rules promulgated by the
196 board shall constitute a violation of Section 73-15-29(1)(f), (k)
197 and (l) and shall be grounds for disciplinary action. The
198 prescribing, administering or distributing of any legend drug or
199 other medication in violation of the rules promulgated by the
200 board shall constitute a violation of Section 73-15-29(1)(f), (k)
201 and (l) and shall be grounds for disciplinary action.

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

