

By: Representative Currie

To: Public Health and Human Services

HOUSE BILL NO. 343

1 AN ACT TO AMEND SECTIONS 73-15-9, 73-15-11 AND 73-15-15,
2 MISSISSIPPI CODE OF 1972, TO REDUCE THE MEMBERSHIP OF THE
3 MISSISSIPPI BOARD OF NURSING BY REMOVING THE PHYSICIAN MEMBER AND
4 THE CONSUMER MEMBER OF THE BOARD; AND FOR RELATED PURPOSES.

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

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

8 73-15-9. (1) There is * * * created a board to be known as
9 the Mississippi Board of Nursing, composed of * * * eleven (11)
10 members, two (2) of whom shall be nurse educators; three (3) of
11 whom shall be registered nurses in clinical practice, two (2) to
12 have as basic nursing preparation an associate degree or diploma
13 and one (1) to have as basic nursing preparation a baccalaureate
14 degree; one (1) of whom shall be a registered nurse at large; one
15 (1) of whom shall be a registered nurse practitioner; and four (4)
16 of whom shall be licensed practical nurses * * *. There shall be
17 at least one (1) board member from each congressional district in
18 the state * * *.



19 (2) Members of the Mississippi Board of Nursing * * * shall
20 be appointed by the Governor, with the advice and consent of the
21 Senate, from lists of nominees submitted by any Mississippi
22 registered nurse organization and/or association chartered by the
23 State of Mississippi whose board of directors is elected by the
24 membership and whose membership includes registered nurses
25 statewide, for the nomination of registered nurses, and by the
26 Mississippi Federation of Licensed Practical Nurses and the
27 Mississippi Licensed Practical Nurses' Association for the
28 nomination of a licensed practical nurse. Nominations submitted
29 by any such registered nurse organization or association to fill
30 vacancies on the board shall be made and voted on by registered
31 nurses only. Each list of nominees shall contain a minimum of
32 three (3) names for each vacancy to be filled. The list of names
33 shall be submitted at least thirty (30) days before the expiration
34 of the term for each position. If such list is not submitted, the
35 Governor is authorized to make an appointment from the group
36 affected and without nominations. Appointments made to fill
37 vacancies for unexpired terms shall be for the duration of such
38 terms and until a successor is duly appointed.

39 (3) Members of the board shall be appointed in staggered
40 terms for four (4) years or until a successor shall be duly
41 qualified. No member may serve more than two (2) consecutive full
42 terms. * * *



43 (4) Vacancies occurring by reason of resignation, death or
44 otherwise shall be filled by appointment of the Governor upon
45 nominations from a list of nominees from the affected group to be
46 submitted within not more than thirty (30) days after such a
47 vacancy occurs. In the absence of such list, the Governor is
48 authorized to fill such vacancy in accordance with the provisions
49 for making full-term appointments. All vacancy appointments shall
50 be for the unexpired terms.

51 (5) Any member may be removed from the board by the Governor
52 after a hearing by the board and provided such removal is
53 recommended by the executive committee of the affected group.

54 **SECTION 2.** Section 73-15-11, Mississippi Code of 1972, is
55 amended as follows:

56 73-15-11. (1) The members of the Mississippi Board of
57 Nursing shall meet annually and organize for the ensuing year by
58 election of one (1) of its members as president, one (1) as
59 secretary, and one (1) as treasurer. * * *

60 (2) The board shall meet at least once every four (4) months
61 for the purpose of transacting such business as may come before
62 the board. Any member who * * * does not attend two (2)
63 consecutive meetings of the board shall be subject to removal by
64 the Governor. The president of the board shall notify the
65 Governor in writing when any such member has failed to attend two
66 (2) consecutive regular meetings.



67 (3) Special meetings of the board may be held on call of the
68 president or upon call of any * * * six (6) members. A written
69 notice of time, place and purpose of any special meeting shall be
70 mailed by the executive director to all members of the board not
71 less than ten (10) days before the meeting is held.

72 (4) On all matters the board shall function as a board
73 of * * * eleven (11) members, and * * * six (6) members, including
74 at least three (3) registered nurses and two (2) practical nurses,
75 shall constitute a quorum. In any case, the affirmative vote of a
76 majority of the members present and participating shall be
77 necessary to take action. In all cases pertaining to practical
78 nursing, such majority must include the affirmative vote of at
79 least one (1) of the practical nurse members of the board.

80 (5) The board shall hold not less than two (2) examinations
81 each year for registered nurses and not less than two (2) each
82 year for licensed practical nurses, at such times and places as
83 the board may determine.

84 (6) Each member of the board shall receive a per diem
85 compensation as provided in Section 25-3-69 for attendance at
86 board meetings, together with necessary travel and other expenses
87 incurred in the discharge of his or her duties as a board member.

88 **SECTION 3.** Section 73-15-15, Mississippi Code of 1972, is
89 amended as follows:

90 73-15-15. (1) Each board member shall be a citizen of the
91 United States, a resident of the State of Mississippi, and shall



92 before entering upon duties of said office take the oath
93 prescribed by Section 268 of the Constitution of the State of
94 Mississippi and file same with the office of the secretary of
95 state who shall thereupon issue such person so appointed a
96 certificate of appointment.

97 (2) Each registered nurse board member shall possess these
98 additional qualifications:

99 (a) Education - graduation from an approved educational
100 program for the preparation of registered nurses;

101 (b) Experience - have at least five (5) years of
102 nursing experience since graduation;

103 (c) Employment - have been employed for at least the
104 past three (3) years as a registered nurse in Mississippi;

105 (d) Licensure - be currently registered to practice as
106 a registered nurse in the State of Mississippi.

107 (3) Each licensed practical nurse board member shall possess
108 these additional qualifications:

109 (a) Education - graduation from an approved educational
110 program for the preparation of licensed practical nurses;

111 (b) Experience - have at least five (5) years of
112 nursing experience since graduation;

113 (c) Employment - have been employed for at least the
114 past three (3) years as a licensed practical nurse in Mississippi;

115 (d) Licensure - be currently registered to practice as
116 a licensed practical nurse in the State of Mississippi.



117 * * *

118 **SECTION 4.** This act shall take effect and be in force from
119 and after July 1, 2020.

