

By: Representatives Scoggin, Criswell,  
Hopkins, Rosebud, Eubanks

To: Public Health and Human  
Services

HOUSE BILL NO. 1303

1 AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO  
 2 INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF  
 3 PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION  
 4 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS  
 5 AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW  
 6 REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-20,  
 7 MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO  
 8 THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT  
 9 THE COLLABORATIVE/CONSULTATIVE RELATIONSHIP REQUIRED FOR ADVANCED  
 10 PRACTICE REGISTERED NURSES MAY BE WITH A NURSE PRACTITIONER WHO  
 11 HAS AT LEAST THREE YEARS' EXPERIENCE; TO PROVIDE THAT AN ADVANCED  
 12 PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE REQUIREMENT OF  
 13 ENTERING AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP  
 14 WITH A LICENSED PHYSICIAN, DENTIST OR NURSE PRACTITIONER AFTER  
 15 COMPLETING 3,600 TRANSITION TO PRACTICE HOURS; TO AMEND SECTION  
 16 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE  
 17 REGISTERED NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR  
 18 DISCIPLINARY ACTIONS AGAINST NURSES; AND FOR RELATED PURPOSES.

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

20 **SECTION 1.** Section 73-15-3, Mississippi Code of 1972, is  
 21 amended as follows:

22 73-15-3. In order to safeguard life and health, any person  
 23 practicing or offering to practice as a registered nurse, an  
 24 advanced practice registered nurse or a licensed practical nurse  
 25 in Mississippi for compensation shall hereafter be required to  
 26 submit evidence of qualifications to practice and shall be



27 licensed or hold the privilege to practice as hereinafter  
28 provided. It shall be unlawful for any person not licensed or  
29 holding the privilege to practice under the provisions of this  
30 article:

31 (a) To practice or offer to practice as a registered  
32 nurse, an advanced practice registered nurse or a licensed  
33 practical nurse;

34 (b) To use a sign, card or device to indicate that such  
35 person is a registered nurse, an advanced practice registered  
36 nurse or a licensed practical nurse.

37 Any person offering to practice nursing in Mississippi must  
38 be licensed or otherwise authorized to practice as provided in  
39 this article.

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

42 73-15-5. (1) "Board" means the Mississippi Board of  
43 Nursing.

44 (2) The "practice of nursing" by a registered nurse means  
45 the performance for compensation of services which requires  
46 substantial knowledge of the biological, physical, behavioral,  
47 psychological and sociological sciences and of nursing theory as  
48 the basis for assessment, diagnosis, planning, intervention and  
49 evaluation in the promotion and maintenance of health; management  
50 of individuals' responses to illness, injury or infirmity; the  
51 restoration of optimum function; or the achievement of a dignified



52 death. "Nursing practice" includes, but is not limited to,  
53 administration, teaching, counseling, delegation and supervision  
54 of nursing, and execution of the medical regimen, including the  
55 administration of medications and treatments prescribed by any  
56 licensed or legally authorized physician or dentist. The  
57 foregoing shall not be deemed to include acts of medical diagnosis  
58 or prescriptions of medical, therapeutic or corrective measures,  
59 except as may be set forth by rules and regulations promulgated  
60 and implemented by the Mississippi Board of Nursing.

61 \* \* \*

62 ( \* \* \*3) "Advanced nursing practice" means, in addition to  
63 the practice of professional nursing, the performance of  
64 advanced-level nursing approved by the board which, by virtue of  
65 graduate education and experience are appropriately performed by  
66 an advanced practice registered nurse. The advanced practice  
67 registered nurse may diagnose, treat and manage medical  
68 conditions. This may include prescriptive authority as identified  
69 by the board. Except as otherwise authorized in Section  
70 73-15-20(3), advanced practice registered nurses must practice in  
71 a collaborative/consultative relationship with a physician or  
72 dentist with an unrestricted license to practice in the State of  
73 Mississippi and advanced nursing must be performed within the  
74 framework of a standing protocol or practice guidelines, as  
75 appropriate.



76 ( \* \* \*4) The "practice of nursing" by a licensed practical  
77 nurse means the performance for compensation of services requiring  
78 basic knowledge of the biological, physical, behavioral,  
79 psychological and sociological sciences and of nursing procedures  
80 which do not require the substantial skill, judgment and knowledge  
81 required of a registered nurse. These services are performed  
82 under the direction of a registered nurse or a licensed physician  
83 or licensed dentist and utilize standardized procedures in the  
84 observation and care of the ill, injured and infirm; in the  
85 maintenance of health; in action to safeguard life and health; and  
86 in the administration of medications and treatments prescribed by  
87 any licensed physician or licensed dentist authorized by state law  
88 to prescribe. On a selected basis, and within safe limits, the  
89 role of the licensed practical nurse shall be expanded by the  
90 board under its rule-making authority to more complex procedures  
91 and settings commensurate with additional preparation and  
92 experience.

93 ( \* \* \*5) A "license" means an authorization to practice  
94 nursing as a registered nurse, an advanced practice registered  
95 nurse or a licensed practical nurse designated herein.

96 ( \* \* \*6) A "registered nurse" is a person who is licensed  
97 or holds the privilege to practice under the provisions of this  
98 article and who practices nursing as defined herein. "RN" is the  
99 abbreviation for the title of Registered Nurse.



100 ( \* \* \*7) A "licensed practical nurse" is a person who is  
101 licensed or holds the privilege to practice under this article and  
102 who practices practical nursing as defined herein. "LPN" is the  
103 abbreviation for the title of Licensed Practical Nurse.

104 ( \* \* \*8) A "registered nurse in clinical practice" is one  
105 who functions in any health care delivery system which provides  
106 nursing services.

107 \* \* \*

108 (9) "Collaboration" or "collaborate" means the act of  
109 communicating pertinent information or consulting with a licensed  
110 physician or other licensed health care provider with each  
111 provider contributing the provider's respective expertise to  
112 optimize the overall care delivered to the patient.

113 ( \* \* \*10) An "advanced practice registered nurse" is a  
114 person who is licensed or holds the privilege to practice under  
115 this article as a professional nurse and who is \* \* \* licensed as  
116 an advanced practice registered nurse or specialized nursing  
117 practice and includes certified registered nurse midwives,  
118 certified registered nurse anesthetists, clinical nurse  
119 specialists and certified nurse practitioners. "CNM" is the  
120 abbreviation for the title of Certified Nurse Midwife, "CRNA" is  
121 the abbreviation for the title of Certified Registered Nurse  
122 Anesthetist. "CNP" is the abbreviation for the title of Certified  
123 Nurse Practitioner. "CNS" is the abbreviation for the title of  
124 Clinical Nurse Specialist.



125 ( \* \* \* \*11) A "nurse educator" is a registered nurse who  
126 meets the criteria for faculty as set forth in a state-accredited  
127 program of nursing for registered nurses, or a state-approved  
128 program of nursing for licensed practical nurses, and who  
129 functions as a faculty member.

130 ( \* \* \* \*12) A "consumer representative" is a person  
131 representing the interests of the general public, who may use  
132 services of a health agency or health professional organization or  
133 its members but who is neither a provider of health services, nor  
134 employed in the health services field, nor holds a vested interest  
135 in the provision of health services at any level, nor has an  
136 immediate family member who holds vested interests in the  
137 provision of health services at any level.

138 ( \* \* \* \*13) "Privilege to practice" means the multistate  
139 licensure privilege to practice nursing in the state as described  
140 in the Nurse Licensure Compact provided for in Section 73-15-201.

141 ( \* \* \* \*14) "Licensee" is a person who has been issued a  
142 license to practice nursing or advanced practice nursing in the  
143 state or who holds the privilege to practice nursing in the state.

144 **SECTION 3.** Section 73-15-20, Mississippi Code of 1972, is  
145 amended as follows:

146 73-15-20. (1) **Advanced practice registered nurses.** Any  
147 nurse desiring to be \* \* \* licensed as an advanced practice  
148 registered nurse shall apply to the board and submit proof that he



149 or she holds a current license \* \* \* as a registered nurse and  
150 that he or she meets one or more of the following requirements:

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

155 (b) Certification by a board-approved certifying body.  
156 Such certification shall be required for initial state \* \* \*  
157 licensure and any \* \* \* license renewal as a certified registered  
158 nurse anesthetist, certified nurse practitioner, clinical nurse  
159 specialist or certified nurse midwife. The board may by rule  
160 provide for provisional or temporary state \* \* \* licensure of  
161 graduate \* \* \* advanced practice registered nurses for a period of  
162 time determined to be appropriate for preparing and passing the  
163 National Certification Examination. Those with provisional or  
164 temporary \* \* \* licenses must practice under the direct  
165 supervision of a licensed physician or \* \* \* advanced practice  
166 registered nurse with at least five (5) years of experience.

167 (c) Graduation from a program leading to a master's or  
168 post-master's degree in a \* \* \* program of study preparing for one  
169 (1) of the described advanced practice registered nurse roles.

170 (2) **Rulemaking.** The board shall provide by rule the  
171 appropriate requirements for advanced practice registered nurses  
172 in the categories of certified registered nurse anesthetist,



173 certified nurse midwife, clinical nurse specialist and \* \* \*  
174 certified nurse practitioner.

175 (3) **Collaboration.** Except as otherwise authorized in this  
176 subsection (3), an advanced practice registered nurse shall  
177 perform those functions authorized in this section within a  
178 collaborative/consultative relationship with a dentist, \* \* \*  
179 physician or nurse practitioner with an unrestricted license \* \* \*  
180 who has at least three (3) years' experience in this state and  
181 within an established protocol or practice guidelines, as  
182 appropriate, that is filed with the board upon license  
183 application, license renewal, after entering into a new  
184 collaborative/consultative relationship or making changes to the  
185 protocol or practice guidelines or practice site. The board shall  
186 review and approve the protocol to ensure compliance with  
187 applicable regulatory standards. \* \* \* After an advanced practice  
188 registered nurse has completed three thousand six hundred (3,600)  
189 transition to practice hours, the advanced practice registered  
190 nurse shall be exempt from the requirement of entering and  
191 maintaining a collaborative/consultative relationship as provided  
192 under this subsection (3).

193 (4) **Renewal.** The board shall renew a license for an  
194 advanced practice registered nurse upon receipt of the renewal  
195 application, fees and any required protocol or practice  
196 guidelines. The board shall adopt rules establishing procedures  
197 for license renewals. The board shall by rule prescribe





198 continuing education requirements for advanced practice registered  
199 nurses \* \* \* as a condition for renewal of \* \* \* licensure.

200 (5) **Reinstatement.** Advanced practice registered nurses may  
201 reinstate a lapsed privilege to practice upon submitting  
202 documentation of a current active license to practice professional  
203 nursing, a reinstatement application and fee, \* \* \* any required  
204 protocol or practice guidelines, documentation of current  
205 certification as an advanced practice registered nurse in a  
206 designated area of practice by a national certification  
207 organization recognized by the board and documentation of at least  
208 forty (40) hours of continuing education related to the advanced  
209 clinical practice of the \* \* \* advanced practice registered nurse  
210 within the previous two-year period. The board shall adopt rules  
211 establishing the procedure for reinstatement.

212 (6) **Changes in status.** \* \* \* An advanced practice  
213 registered nurse who is required to have a  
214 collaborative/consultative relationship under subsection (3) of  
215 this section shall notify the board immediately regarding changes  
216 in the collaborative/consultative relationship \* \* \*. If changes  
217 leave the advanced practice registered nurse without a  
218 board-approved collaborative/consultative relationship \* \* \* as  
219 provided under subsection (3) of this section, the advanced  
220 practice nurse may not practice as an advanced practice registered  
221 nurse.



222           (7) **Practice requirements.** The advanced practice registered  
223 nurse shall practice as follows:

224           (a) According to standards and guidelines of their  
225 respective professional organization and the National  
226 Certification Organization.

227           (b) In a collaborative/consultative relationship with a  
228 licensed physician whose practice is compatible with that of the  
229 nurse practitioner, except as otherwise authorized in subsection  
230 (3) of this section. Certified registered nurse anesthetists may  
231 collaborate/consult with licensed dentists. The advanced practice  
232 registered nurse must be able to communicate reliably with a  
233 collaborating/consulting physician \* \* \*, dentist or nurse  
234 practitioner while practicing. Advanced practice registered  
235 nurses who are not required to have a collaborative/consultative  
236 relationship under subsection (3) of this section shall  
237 collaborate with other health care providers and refer or transfer  
238 patients as appropriate.

239           (c) According to a board-approved protocol or practice  
240 guidelines, except as otherwise authorized in subsection (3) of  
241 this section.

242           (d) Advanced practice registered nurses practicing as  
243 certified registered nurse anesthetists must practice according to  
244 board-approved practice guidelines that address pre-anesthesia  
245 preparation and evaluation; anesthesia induction, maintenance, and



246 emergence; post-anesthesia care; peri-anesthetic and clinical  
247 support functions.

248 (e) Except as otherwise authorized in subsection (3) of  
249 this section, advanced practice registered nurses practicing in  
250 other specialty areas must practice according to a board-approved  
251 protocol that has been mutually agreed upon by the nurse  
252 practitioner and a Mississippi licensed physician or dentist whose  
253 practice or prescriptive authority is not limited as a result of  
254 voluntary surrender or legal/regulatory order.

255 (f) Each required collaborative/consultative  
256 relationship shall include and implement a formal quality  
257 assurance/quality improvement program which shall be maintained on  
258 site and shall be available for inspection by representatives of  
259 the board. This quality assurance/quality improvement program  
260 must be sufficient to provide a valid evaluation of the practice  
261 and be a valid basis for change, if any.

262 (g) \* \* \* Advanced practice registered nurses may not  
263 write prescriptions for, dispense or order the use of or  
264 administration of any schedule of controlled substances except as  
265 contained in this chapter.

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

267 \* \* \* Advanced practice registered nurses may apply for  
268 controlled substance prescriptive authority after completing a  
269 board-approved educational program. \* \* \* Advanced practice  
270 registered nurses who have completed the program and received



271 prescription authority from the board may prescribe Schedules  
272 II-V. The words "administer," "controlled substances" and  
273 "ultimate user," shall have the same meaning as set forth in  
274 Section 41-29-105, unless the context otherwise requires. The  
275 board shall promulgate rules governing prescribing of controlled  
276 substances, including distribution, record keeping, drug  
277 maintenance, labeling and distribution requirements and  
278 prescription guidelines for controlled substances and all  
279 medications. Prescribing any controlled substance in violation of  
280 the rules promulgated by the board shall constitute a violation of  
281 Section 73-15-29(1) (f), (k) and (l) and shall be grounds for  
282 disciplinary action. The prescribing, administering or  
283 distributing of any legend drug or other medication in violation  
284 of the rules promulgated by the board shall constitute a violation  
285 of Section 73-15-29(1) (f), (k) and (l) and shall be grounds for  
286 disciplinary action.

287       **SECTION 4.** Section 73-15-29, Mississippi Code of 1972, is  
288 amended as follows:

289       73-15-29. (1) The board shall have power to revoke, suspend  
290 or refuse to renew any license issued by the board, or to revoke  
291 or suspend any privilege to practice, or to deny an application  
292 for a license, or to fine, place on probation and/or discipline a  
293 licensee, in any manner specified in this article, upon proof that  
294 such person:



295 (a) Has committed fraud or deceit in securing or  
296 attempting to secure such license;

297 (b) Has been convicted of a felony, or a crime  
298 involving moral turpitude or has had accepted by a court a plea of  
299 nolo contendere to a felony or a crime involving moral turpitude  
300 (a certified copy of the judgment of the court of competent  
301 jurisdiction of such conviction or pleas shall be prima facie  
302 evidence of such conviction);

303 (c) Has negligently or willfully acted in a manner  
304 inconsistent with the health or safety of the persons under the  
305 licensee's care;

306 (d) Has had a license or privilege to practice as a  
307 registered nurse, advanced practice registered nurse or \* \* \*  
308 licensed practical nurse suspended or revoked in any jurisdiction,  
309 has voluntarily surrendered such license or privilege to practice  
310 in any jurisdiction, has been placed on probation as a registered  
311 nurse, advanced practice registered nurse or licensed practical  
312 nurse in any jurisdiction or has been placed under a disciplinary  
313 order(s) in any manner as a registered nurse, advanced practice  
314 registered nurse or licensed practical nurse in any jurisdiction,  
315 (a certified copy of the order of suspension, revocation,  
316 probation or disciplinary action shall be prima facie evidence of  
317 such action);



318 (e) Has negligently or willfully practiced nursing in a  
319 manner that fails to meet generally accepted standards of such  
320 nursing practice;

321 (f) Has negligently or willfully violated any order,  
322 rule or regulation of the board pertaining to nursing practice or  
323 licensure;

324 (g) Has falsified or in a repeatedly negligent manner  
325 made incorrect entries or failed to make essential entries on  
326 records;

327 (h) Is addicted to or dependent on alcohol or other  
328 habit-forming drugs or is a habitual user of narcotics,  
329 barbiturates, amphetamines, hallucinogens, or other drugs having  
330 similar effect, or has misappropriated any medication;

331 (i) Has a physical, mental or emotional condition that  
332 renders the licensee unable to perform nursing services or duties  
333 with reasonable skill and safety;

334 (j) Has engaged in any other conduct, whether of the  
335 same or of a different character from that specified in this  
336 article, that would constitute a crime as defined in Title 97 of  
337 the Mississippi Code of 1972, as now or hereafter amended, and  
338 that relates to such person's employment as a registered nurse,  
339 advanced practice registered nurse or licensed practical nurse;

340 (k) Engages in conduct likely to deceive, defraud or  
341 harm the public;



342 (l) Engages in any unprofessional conduct as identified  
343 by the board in its rules;

344 (m) Has violated any provision of this article; or

345 (n) Violation(s) of the provisions of Sections 41-121-1  
346 through 41-121-9 relating to deceptive advertisement by health  
347 care practitioners. This paragraph shall stand repealed on July  
348 1, 2025.

349 (2) When the board finds any person unqualified because of  
350 any of the grounds set forth in subsection (1) of this section, it  
351 may enter an order imposing one or more of the following  
352 penalties:

353 (a) Denying application for a license or other  
354 authorization to practice nursing, advanced nursing practice or  
355 practical nursing;

356 (b) Administering a reprimand;

357 (c) Suspending or restricting the license or other  
358 authorization to practice as a registered nurse, advanced practice  
359 registered nurse or licensed practical nurse for up to two (2)  
360 years without review;

361 (d) Revoking the license or other authorization to  
362 practice nursing, advanced nursing practice or practical nursing;

363 (e) Requiring the disciplinee to submit to care,  
364 counseling or treatment by persons and/or agencies approved or  
365 designated by the board as a condition for initial, continued or



366 renewed licensure or other authorization to practice nursing,  
367 advanced nursing practice or practical nursing;

368 (f) Requiring the discipline to participate in a  
369 program of education prescribed by the board as a condition for  
370 initial, continued or renewed licensure or other authorization to  
371 practice;

372 (g) Requiring the discipline to practice under the  
373 supervision of a registered nurse or advanced practice registered  
374 nurse for a specified period of time; or

375 (h) Imposing a fine not to exceed Five Hundred Dollars  
376 (\$500.00).

377 (3) In addition to the grounds specified in subsection (1)  
378 of this section, the board shall be authorized to suspend the  
379 license or privilege to practice of any licensee for being out of  
380 compliance with an order for support, as defined in Section  
381 93-11-153. The procedure for suspension of a license or privilege  
382 to practice for being out of compliance with an order for support,  
383 and the procedure for the reissuance or reinstatement of a license  
384 or privilege to practice suspended for that purpose, and the  
385 payment of any fees for the reissuance or reinstatement of a  
386 license or privilege to practice suspended for that purpose, shall  
387 be governed by Section 93-11-157 or 93-11-163, as the case may be.  
388 If there is any conflict between any provision of Section  
389 93-11-157 or 93-11-163 and any provision of this article, the





390 provisions of Section 93-11-157 or 93-11-163, as the case may be,  
391 shall control.

392 (4) If the public health, safety or welfare imperatively  
393 requires emergency action and the board incorporates a finding to  
394 that effect in an order, the board may order summary suspension of  
395 a license pending proceedings for revocation or other action.  
396 These proceedings shall be promptly instituted and determined by  
397 the board.

398 (5) The board may establish by rule an alternative to  
399 discipline program for licensees who have an impairment as a  
400 result of substance abuse or a mental health condition, which  
401 program shall include at least the following components:

402 (a) Participation in the program is voluntary with the  
403 licensee, and the licensee must enter the program before the board  
404 holds a disciplinary action hearing regarding the licensee;

405 (b) The full cost of participation in the program,  
406 including the cost of any care, counseling, treatment and/or  
407 education received by the licensee, shall be borne by the  
408 licensee;

409 (c) All of the procedures and records regarding the  
410 licensee's participation in the program shall be confidential,  
411 shall not be disclosed and shall be exempt from the provisions of  
412 the Mississippi Public Records Act of 1983; and



413 (d) A licensee may not participate in the program more  
414 often than one (1) time during any period of five (5) years or  
415 such longer period as set by the board.

416 **SECTION 5.** This act shall take effect and be in force from  
417 and after July 1, 2021.

