

By: Representative Scoggin

To: Public Health and Human Services

HOUSE BILL NO. 727

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 73-15-9,
 7 MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE
 8 MISSISSIPPI BOARD OF NURSING TO INCLUDE A CERTIFIED REGISTERED
 9 NURSE ANESTHETISTS AS A MEMBER; TO AMEND SECTION 73-15-20,
 10 MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO
 11 THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT
 12 AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE
 13 REQUIREMENT OF ENTERING AND MAINTAINING A
 14 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN
 15 OR DENTIST AFTER COMPLETING 6,240 PRACTICE HOURS; TO PROVIDE THAT
 16 CERTIFIED REGISTERED NURSE ANESTHETISTS SHALL BE EXEMPT FROM
 17 MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A
 18 LICENSED PHYSICIAN OR DENTIST UPON COMPLETION OF 8,000 CLINICAL
 19 PRACTICE HOURS; TO PROVIDE THAT ADVANCED PRACTICE REGISTERED
 20 NURSES AND CERTIFIED REGISTERED NURSE ANESTHETISTS MAY APPLY HOURS
 21 WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO FULFILL THEIR
 22 RESPECTIVE HOUR REQUIREMENT; TO CONFORM CERTAIN PROVISIONS WITH
 23 THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 73-15-29,
 24 MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED
 25 NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY
 26 ACTIONS AGAINST NURSES; TO AMEND SECTION 41-21-131, MISSISSIPPI
 27 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR
 28 RELATED PURPOSES.

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

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



32 73-15-3. In order to safeguard life and health, any person
33 practicing or offering to practice as a registered nurse, an
34 advanced practice registered nurse or a licensed practical nurse
35 in Mississippi for compensation shall hereafter be required to
36 submit evidence of qualifications to practice and shall be
37 licensed or hold the privilege to practice as hereinafter
38 provided. It shall be unlawful for any person not licensed or
39 holding the privilege to practice under the provisions of this
40 article:

41 (a) To practice or offer to practice as a registered
42 nurse, an advanced practice registered nurse or a licensed
43 practical nurse;

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

47 Any person offering to practice nursing in Mississippi must
48 be licensed or otherwise authorized to practice as provided in
49 this article.

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

52 73-15-5. (1) "Board" means the Mississippi Board of
53 Nursing.

54 (2) The "practice of nursing" by a registered nurse means
55 the performance for compensation of services which requires
56 substantial knowledge of the biological, physical, behavioral,



57 psychological and sociological sciences and of nursing theory as
58 the basis for assessment, diagnosis, planning, intervention and
59 evaluation in the promotion and maintenance of health; management
60 of individuals' responses to illness, injury or infirmity; the
61 restoration of optimum function; or the achievement of a dignified
62 death. "Nursing practice" includes, but is not limited to,
63 administration, teaching, counseling, delegation and supervision
64 of nursing, and execution of the medical regimen, including the
65 administration of medications and treatments prescribed by any
66 licensed or legally authorized physician, advanced practice
67 registered nurse or dentist. The foregoing shall not be deemed to
68 include acts of medical diagnosis or prescriptions of medical,
69 therapeutic or corrective measures, except as may be set forth by
70 rules and regulations promulgated and implemented by the
71 Mississippi Board of Nursing.

72 * * *

73 (* * *3) "Advanced nursing practice" means, in addition to
74 the practice of professional nursing, the performance of
75 advanced-level nursing approved by the board which, by virtue of
76 graduate education and experience are appropriately performed by
77 an advanced practice registered nurse. The advanced practice
78 registered nurse may diagnose, treat and manage medical
79 conditions. This may include prescriptive authority as identified
80 by the board. Except as otherwise authorized in Section
81 73-15-20(3), advanced practice registered nurses must practice in



82 a collaborative/consultative relationship with a physician or
83 dentist with an unrestricted license to practice in the State of
84 Mississippi and advanced nursing must be performed within the
85 framework of a standing protocol or practice guidelines, as
86 appropriate.

87 (* * *4) The "practice of nursing" by a licensed practical
88 nurse means the performance for compensation of services requiring
89 basic knowledge of the biological, physical, behavioral,
90 psychological and sociological sciences and of nursing procedures
91 which do not require the substantial skill, judgment and knowledge
92 required of a registered nurse. These services are performed
93 under the direction of a registered nurse or a licensed physician
94 or licensed dentist and utilize standardized procedures in the
95 observation and care of the ill, injured and infirm; in the
96 maintenance of health; in action to safeguard life and health; and
97 in the administration of medications and treatments prescribed by
98 any licensed physician * * *, licensed dentist or an advanced
99 practice registered nurse authorized by state law to prescribe.

100 On a selected basis, and within safe limits, the role of the
101 licensed practical nurse shall be expanded by the board under its
102 rule-making authority to more complex procedures and settings
103 commensurate with additional preparation and experience.

104 (* * *5) A "license" means an authorization to practice
105 nursing as a registered nurse, an advanced practice registered
106 nurse or a licensed practical nurse designated herein.



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

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

115 (* * *8) A "registered nurse in clinical practice" is one
116 who functions in any health care delivery system which provides
117 nursing services.

118 * * *

119 (9) "Collaboration" or "collaborate" means the act of
120 communicating pertinent information or consulting with a licensed
121 physician or other licensed health care provider with each
122 provider contributing the provider's respective expertise to
123 optimize the overall care delivered to the patient.

124 (* * *10) An "advanced practice registered nurse" is a
125 person who is licensed or holds the privilege to practice under
126 this article as a professional nurse and who is * * * licensed as
127 an advanced practice registered nurse or specialized nursing
128 practice and includes certified registered nurse midwives,
129 certified registered nurse anesthetists, clinical nurse
130 specialists and certified nurse practitioners. "APRN" is the



131 abbreviation for the title of advanced practice registered nurse.

132 As used in this subsection (10):

133 (a) "Certified registered nurse midwife" means a
134 registered nurse who holds certification as a certified registered
135 nurse midwife by a nationally recognized certifying body approved
136 by the board and is licensed by the board to engage in advanced
137 practice nursing in this state. "CNM" is the abbreviation for the
138 title of Certified Nurse Midwife * * *.

139 (b) "Certified registered nurse anesthetist" means a
140 registered nurse who holds certification as a certified registered
141 nurse anesthetist by a nationally recognized certifying body
142 approved by the board and is licensed by the board to engage in
143 advanced practice nursing in this state. "CRNA" is the
144 abbreviation for the title of Certified Registered Nurse
145 Anesthetist.

146 (c) "Certified nurse practitioner" means a registered
147 nurse who holds certification as a certified nurse practitioner by
148 a nationally recognized certifying body approved by the board and
149 is licensed by the board to engage in advanced practice nursing in
150 this state. "CNP" is the abbreviation for the title of Certified
151 Nurse Practitioner.

152 (d) "Clinical nurse specialist" means a registered
153 nurse who holds certification as a clinical nurse specialist by a
154 nationally recognized certifying body approved by the board and is
155 licensed by the board to engage in advanced practice nursing in



156 this state. "CNS" is the abbreviation for the title of Clinical
157 Nurse Specialist.

158 (* * *11) A "nurse educator" is a registered nurse who
159 meets the criteria for faculty as set forth in a state-accredited
160 program of nursing for registered nurses, or a state-approved
161 program of nursing for licensed practical nurses, and who
162 functions as a faculty member.

163 (* * *12) A "consumer representative" is a person
164 representing the interests of the general public, who may use
165 services of a health agency or health professional organization or
166 its members but who is neither a provider of health services, nor
167 employed in the health services field, nor holds a vested interest
168 in the provision of health services at any level, nor has an
169 immediate family member who holds vested interests in the
170 provision of health services at any level.

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

174 (* * *14) "Licensee" is a person who has been issued a
175 license to practice nursing or advanced practice nursing in the
176 state or who holds the privilege to practice nursing in the state.

177 (15) "Practice hours" include, but are not limited to:
178 clinical practice hours completed in an APRN program, CRNA
179 critical care nursing hours and practice hours completed as an
180 authorized APRN in this state or any other state.



181 (16) "Critical care nursing hours" means any nursing hours
182 received by a CRNA in a critical care setting required as a
183 prerequisite for admission to a Nurse Anesthesia program.

184 **SECTION 3.** Section 73-15-9, Mississippi Code of 1972, is
185 amended as follows:

186 73-15-9. (1) There is hereby created a board to be known as
187 the Mississippi Board of Nursing, composed of thirteen (13)
188 members, two (2) of whom shall be nurse educators; three (3) of
189 whom shall be registered nurses in clinical practice, two (2) to
190 have as basic nursing preparation an associate degree or diploma
191 and one (1) to have as basic nursing preparation a baccalaureate
192 degree; one (1) of whom shall be a registered nurse at large; one
193 (1) of whom shall be a registered nurse practitioner; * * * three
194 (3) of whom shall be licensed practical nurses; one (1) of whom
195 shall be a certified registered nurse anesthetist; one (1) of whom
196 shall be a licensed physician who shall always be a member of the
197 State Board of Medical Licensure; and one (1) of whom shall
198 represent consumers of health services. There shall be at least
199 one (1) board member from each congressional district in the
200 state; provided, however, that the physician member, the consumer
201 representative member and one (1) registered nurse member shall be
202 at large always.

203 (2) Members of the Mississippi Board of Nursing, excepting
204 the member of the State Board of Medical Licensure, shall be
205 appointed by the Governor, with the advice and consent of the



206 Senate, from lists of nominees submitted by any Mississippi
207 registered nurse organization and/or association chartered by the
208 State of Mississippi whose board of directors is elected by the
209 membership and whose membership includes registered nurses
210 statewide, for the nomination of registered nurses, and by
211 the * * * National Association of Licensed Practical Nurses and
212 the Mississippi Licensed Practical Nurses' Association for the
213 nomination of a licensed practical nurse. Nominations submitted
214 by any such registered nurse organization or association to fill
215 vacancies on the board shall be made and voted on by registered
216 nurses only. Each list of nominees shall contain a minimum of
217 three (3) names for each vacancy to be filled. The list of names
218 shall be submitted at least thirty (30) days before the expiration
219 of the term for each position. If such list is not submitted, the
220 Governor is authorized to make an appointment from the group
221 affected and without nominations. Appointments made to fill
222 vacancies for unexpired terms shall be for the duration of such
223 terms and until a successor is duly appointed.

224 (3) Members of the board shall be appointed in staggered
225 terms for four (4) years or until a successor shall be duly
226 qualified. No member may serve more than two (2) consecutive full
227 terms. Members of the board serving on July 1, 1988, shall
228 continue to serve for their appointed terms.

229 (4) Vacancies occurring by reason of resignation, death or
230 otherwise shall be filled by appointment of the Governor upon



231 nominations from a list of nominees from the affected group to be
232 submitted within not more than thirty (30) days after such a
233 vacancy occurs. In the absence of such list, the Governor is
234 authorized to fill such vacancy in accordance with the provisions
235 for making full-term appointments. All vacancy appointments shall
236 be for the unexpired terms.

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

240 **SECTION 4.** Section 73-15-20, Mississippi Code of 1972, is
241 amended as follows:

242 73-15-20. (1) **Advanced practice registered nurses.** Any
243 nurse desiring to be * * * licensed as an advanced practice
244 registered nurse shall apply to the board and submit proof that he
245 or she holds a current license * * * as a registered nurse and
246 that he or she meets one or more of the following requirements:

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

251 (b) Certification by a board-approved certifying body.
252 Such certification shall be required for initial state * * *
253 licensure and any * * * license renewal as a certified registered
254 nurse anesthetist, certified nurse practitioner, clinical nurse
255 specialist or certified nurse midwife. The board may by rule



256 provide for provisional or temporary state * * * licensure of
257 graduate * * * advanced practice registered nurses for a period of
258 time determined to be appropriate for preparing and passing the
259 National Certification Examination. Those with provisional or
260 temporary * * * licenses must practice under the direct
261 supervision of a licensed physician or * * * an advanced practice
262 registered nurse with at least five (5) years of experience.

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

266 (2) **Rulemaking.** The board shall provide by rule the
267 appropriate requirements for advanced practice registered nurses
268 in the categories of certified registered nurse anesthetist,
269 certified nurse midwife, clinical nurse specialist and * * *
270 certified nurse practitioner.

271 (3) **Collaboration.** Except as otherwise authorized in this
272 subsection (3), an advanced practice registered nurse shall
273 perform those functions authorized in this section within a
274 collaborative/consultative relationship with a dentist or
275 physician with an unrestricted license to practice dentistry or
276 medicine in this state and within an established protocol or
277 practice guidelines, as appropriate, that is filed with the board
278 upon license application, license renewal, after entering into a
279 new collaborative/consultative relationship or making changes to
280 the protocol or practice guidelines or practice site. The board



281 shall review and approve the protocol to ensure compliance with
282 applicable regulatory standards. * * * After an advanced practice
283 registered nurse has completed six thousand two hundred forty
284 (6,240) practice hours, the advanced practice registered nurse,
285 except certified registered nurse anesthetists, shall be exempt
286 from the requirement of entering and maintaining a
287 collaborative/consultative relationship with a licensed physician
288 as provided under this subsection (3). Certified registered nurse
289 anesthetists shall be exempt from maintaining a
290 collaborative/consultative relationship with a licensed physician
291 as provided under subsection (3) upon completion of eight thousand
292 (8,000) clinical practice hours. Advanced practice registered
293 nurses and certified registered nurse anesthetists may apply hours
294 worked before the effective date of this act to fulfill their
295 respective hour requirements.

296 (4) **Renewal.** The board shall renew a license for an
297 advanced practice registered nurse upon receipt of the renewal
298 application, fees and any required protocol or practice
299 guidelines. The board shall adopt rules establishing procedures
300 for license renewals. The board shall by rule prescribe
301 continuing education requirements for advanced practice registered
302 nurses * * * as a condition for renewal of * * * licensure.

303 (5) **Reinstatement.** Advanced practice registered nurses may
304 reinstate a lapsed privilege to practice upon submitting
305 documentation of a current active license to practice professional



306 nursing, a reinstatement application and fee, * * * any required
307 protocol or practice guidelines, documentation of current
308 certification as an advanced practice registered nurse in a
309 designated area of practice by a national certification
310 organization recognized by the board and documentation of at least
311 forty (40) hours of continuing education related to the advanced
312 clinical practice of the * * * advanced practice registered nurse
313 within the previous two-year period. The board shall adopt rules
314 establishing the procedure for reinstatement.

315 (6) **Changes in status.** * * * An advanced practice
316 registered nurse who is required to have a
317 collaborative/consultative relationship with a licensed physician
318 shall notify the board immediately regarding changes in the
319 collaborative/consultative relationship * * *. If changes leave
320 the advanced practice registered nurse without a board-approved
321 collaborative/consultative relationship with a physician or
322 dentist, the advanced practice nurse may not practice as an
323 advanced practice registered nurse.

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

326 (a) According to standards and guidelines of their
327 respective professional organization and the National
328 Certification Organization.

329 (b) In a collaborative/consultative relationship with a
330 licensed physician whose practice is compatible with that of the



331 nurse practitioner, except as otherwise authorized in subsection
332 (3) of this section. Certified registered nurse anesthetists may
333 collaborate/consult with licensed dentists. The advanced practice
334 registered nurse must be able to communicate reliably with a
335 collaborating/consulting physician or dentist while practicing.
336 Advanced practice registered nurses who are not required to have a
337 collaborative/consultative relationship with a licensed physician
338 or dentist shall collaborate with other health care providers and
339 refer or transfer patients as appropriate.

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

343 (d) Advanced practice registered nurses practicing as
344 certified registered nurse anesthetists must practice according to
345 board-approved practice guidelines that address pre-anesthesia
346 preparation and evaluation; anesthesia induction, maintenance, and
347 emergence; post-anesthesia care; peri-anesthetic and clinical
348 support functions.

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



356 (f) Each required collaborative/consultative
357 relationship shall include and implement a formal quality
358 assurance/quality improvement program which shall be maintained on
359 site and shall be available for inspection by representatives of
360 the board. This quality assurance/quality improvement program
361 must be sufficient to provide a valid evaluation of the practice
362 and be a valid basis for change, if any.

363 (g) * * * Advanced practice registered nurses may not
364 write prescriptions for, dispense or order the use of or
365 administration of any schedule of controlled substances except as
366 contained in this chapter.

367 (8) **Prescribing controlled substances and medications. * * ***
368 Advanced practice registered nurses may apply for controlled
369 substance prescriptive authority after completing a board-approved
370 educational program. * * * Advanced practice registered nurses
371 who have completed the program and received prescription authority
372 from the board may prescribe **Schedules II-V**. The words
373 "administer," "controlled substances" and "ultimate user," shall
374 have the same meaning as set forth in Section 41-29-105, unless
375 the context otherwise requires. The board shall promulgate rules
376 governing prescribing of controlled substances, including
377 distribution, record keeping, drug maintenance, labeling and
378 distribution requirements and prescription guidelines for
379 controlled substances and all medications. Prescribing any
380 controlled substance in violation of the rules promulgated by the



381 board shall constitute a violation of Section 73-15-29(1)(f), (k)
382 and (l) and shall be grounds for disciplinary action. The
383 prescribing, administering or distributing of any legend drug or
384 other medication in violation of the rules promulgated by the
385 board shall constitute a violation of Section 73-15-29(1)(f), (k)
386 and (l) and shall be grounds for disciplinary action. Advanced
387 practice registered nurses may issue written certifications for
388 medical cannabis in accordance with the provisions of the
389 Mississippi Medical Cannabis Act.

390 **SECTION 5.** Section 73-15-29, Mississippi Code of 1972, is
391 amended as follows:

392 73-15-29. (1) The board shall have power to revoke, suspend
393 or refuse to renew any license issued by the board, or to revoke
394 or suspend any privilege to practice, or to deny an application
395 for a license, or to fine, place on probation and/or discipline a
396 licensee, in any manner specified in this article, upon proof that
397 such person:

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

400 (b) Has been convicted of a felony, or a crime
401 involving moral turpitude or has had accepted by a court a plea of
402 nolo contendere to a felony or a crime involving moral turpitude
403 (a certified copy of the judgment of the court of competent
404 jurisdiction of such conviction or pleas shall be prima facie
405 evidence of such conviction);



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

409 (d) Has had a license or privilege to practice as a
410 registered nurse, an advanced practice registered nurse or a
411 licensed practical nurse suspended or revoked in any jurisdiction,
412 has voluntarily surrendered such license or privilege to practice
413 in any jurisdiction, has been placed on probation as a registered
414 nurse, an advanced practice registered nurse or licensed practical
415 nurse in any jurisdiction or has been placed under a disciplinary
416 order(s) in any manner as a registered nurse, an advanced practice
417 registered nurse or licensed practical nurse in any jurisdiction,
418 (a certified copy of the order of suspension, revocation,
419 probation or disciplinary action shall be prima facie evidence of
420 such action);

421 (e) Has negligently or willfully practiced nursing in a
422 manner that fails to meet generally accepted standards of such
423 nursing practice;

424 (f) Has negligently or willfully violated any order,
425 rule or regulation of the board pertaining to nursing practice or
426 licensure;

427 (g) Has falsified or in a repeatedly negligent manner
428 made incorrect entries or failed to make essential entries on
429 records;



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

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

437 (j) Has engaged in any other conduct, whether of the
438 same or of a different character from that specified in this
439 article, that would constitute a crime as defined in Title 97 of
440 the Mississippi Code of 1972, as now or hereafter amended, and
441 that relates to such person's employment as a registered nurse, an
442 advanced practice registered nurse or licensed practical nurse;

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

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

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

448 (n) Violation(s) of the provisions of Sections 41-121-1
449 through 41-121-9 relating to deceptive advertisement by health
450 care practitioners. This paragraph shall stand repealed on July
451 1, 2025.

452 (2) When the board finds any person unqualified because of
453 any of the grounds set forth in subsection (1) of this section, it



454 may enter an order imposing one or more of the following
455 penalties:

456 (a) Denying application for a license or other
457 authorization to practice nursing or practical nursing;

458 (b) Administering a reprimand;

459 (c) Suspending or restricting the license or other
460 authorization to practice as a registered nurse, an advanced
461 practice registered nurse or licensed practical nurse for up to
462 two (2) years without review;

463 (d) Revoking the license or other authorization to
464 practice nursing, an advanced practice registered nurse or
465 practical nursing;

466 (e) Requiring the discipline to submit to care,
467 counseling or treatment by persons and/or agencies approved or
468 designated by the board as a condition for initial, continued or
469 renewed licensure or other authorization to practice nursing, an
470 advanced practice registered nurse or practical nursing;

471 (f) Requiring the discipline to participate in a
472 program of education prescribed by the board as a condition for
473 initial, continued or renewed licensure or other authorization to
474 practice;

475 (g) Requiring the discipline to practice under the
476 supervision of a registered nurse or an advanced practice
477 registered nurse for a specified period of time; or



478 (h) Imposing a fine not to exceed Five Hundred Dollars
479 (\$500.00).

480 (3) In addition to the grounds specified in subsection (1)
481 of this section, the board shall be authorized to suspend the
482 license or privilege to practice of any licensee for being out of
483 compliance with an order for support, as defined in Section
484 93-11-153. The procedure for suspension of a license or privilege
485 to practice for being out of compliance with an order for support,
486 and the procedure for the reissuance or reinstatement of a license
487 or privilege to practice suspended for that purpose, and the
488 payment of any fees for the reissuance or reinstatement of a
489 license or privilege to practice suspended for that purpose, shall
490 be governed by Section 93-11-157 or 93-11-163, as the case may be.
491 If there is any conflict between any provision of Section
492 93-11-157 or 93-11-163 and any provision of this article, the
493 provisions of Section 93-11-157 or 93-11-163, as the case may be,
494 shall control.

495 (4) If the public health, safety or welfare imperatively
496 requires emergency action and the board incorporates a finding to
497 that effect in an order, the board may order summary suspension of
498 a license pending proceedings for revocation or other action.
499 These proceedings shall be promptly instituted and determined by
500 the board.

501 (5) The board may establish by rule an alternative to
502 discipline program for licensees who have an impairment as a



503 result of substance abuse or a mental health condition, which
504 program shall include at least the following components:

505 (a) Participation in the program is voluntary with the
506 licensee, and the licensee must enter the program before the board
507 holds a disciplinary action hearing regarding the licensee;

508 (b) The full cost of participation in the program,
509 including the cost of any care, counseling, treatment and/or
510 education received by the licensee, shall be borne by the
511 licensee;

512 (c) All of the procedures and records regarding the
513 licensee's participation in the program shall be confidential,
514 shall not be disclosed and shall be exempt from the provisions of
515 the Mississippi Public Records Act of 1983; and

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

519 (6) A nurse practitioner who provides a written
520 certification as authorized under the Mississippi Medical Cannabis
521 Act and in compliance with rules and regulations adopted
522 thereunder shall not be subject to any disciplinary action under
523 this section solely due to providing the written certification.

524 **SECTION 6.** Section 41-21-131, Mississippi Code of 1972, is
525 amended as follows:



526 41-21-131. As used in Sections 41-21-131 through 41-21-143,
527 the following terms shall have the meanings as defined in this
528 section:

529 (a) "Crisis Intervention Team" means a community
530 partnership among a law enforcement agency, a community mental
531 health center, a hospital, other mental health providers,
532 consumers and family members of consumers.

533 (b) "Participating partner" means a law enforcement
534 agency, a community mental health center or a hospital that has
535 each entered into collaborative agreements needed to implement a
536 Crisis Intervention Team.

537 (c) "Catchment area" means a geographical area in which
538 a Crisis Intervention Team operates and is defined by the
539 jurisdictional boundaries of the law enforcement agency that is
540 the participating partner.

541 (d) "Crisis Intervention Team officer" or "CIT officer"
542 means a law enforcement officer who is authorized to make arrests
543 under Section 99-3-1 and who is trained and certified in crisis
544 intervention and who is working for a law enforcement agency that
545 is a participating partner in a Crisis Intervention Team.

546 (e) "Substantial likelihood of bodily harm" means that:

547 (i) The person has threatened or attempted suicide
548 or to inflict serious bodily harm to himself; or

549 (ii) The person has threatened or attempted
550 homicide or other violent behavior; or



551 (iii) The person has placed others in reasonable
552 fear of violent behavior and serious physical harm to them; or

553 (iv) The person is unable to avoid severe
554 impairment or injury from specific risks; and

555 (v) There is substantial likelihood that serious
556 harm will occur unless the person is placed under emergency
557 treatment.

558 (f) "Single point of entry" means a specific hospital
559 that is the participating partner in a Crisis Intervention Team
560 and that has agreed to provide psychiatric emergency services and
561 triage and referral services.

562 (g) "Psychiatric emergency services" means services
563 designed to reduce the acute psychiatric symptoms of a person who
564 is mentally ill or a person who has an impairment caused by drugs
565 or alcohol and, when possible, to stabilize that person so that
566 continuing treatment can be provided in the local community.

567 (h) "Triage and referral services" means services
568 designed to provide evaluation of a person with mental illness or
569 a person who has an impairment caused by drugs or alcohol in order
570 to direct that person to a mental health facility or other mental
571 health provider that can provide appropriate treatment.

572 (i) "Comprehensive psychiatric emergency service" means
573 a specialized psychiatric service operated by the single point of
574 entry and located in or near the hospital emergency department
575 that can provide psychiatric emergency services for a period of



576 time greater than can be provided in the hospital emergency
577 department.

578 (j) "Extended observation bed" means a hospital bed
579 that is used by a comprehensive psychiatric emergency service and
580 is licensed by the State Department of Health for that purpose.

581 (k) "Psychiatric nurse practitioner" means a registered
582 nurse who has completed the educational requirements specified by
583 the State Board of Nursing, has successfully passed either the
584 adult or family psychiatric nurse practitioner examination and is
585 licensed by the State Board of Nursing * * *.

586 (l) "Psychiatric physician assistant" means a physician
587 assistant who has completed the educational requirements and
588 passed the certification examination as specified in Section
589 73-26-3, is licensed by the State Board of Medical Licensure, has
590 had at least one (1) year of practice as a physician assistant
591 employed by a community mental health center, and is working under
592 the supervision of a physician at a single point of entry.

593 **SECTION 7.** This act shall take effect and be in force from
594 and after July 1, 2023.

