

By: Senator(s) Blackwell

To: Public Health and
Welfare

SENATE BILL NO. 2662

1 AN ACT TO CREATE NEW SECTION 73-44-1, MISSISSIPPI CODE OF
2 1972, TO STATE LEGISLATIVE FINDINGS; TO CREATE NEW SECTION
3 73-44-3, MISSISSIPPI CODE OF 1972, TO CREATE THE STATE BOARD OF
4 HEALTH PROFESSIONS AND TO SET FORTH THE MEMBERSHIP COMPOSITION,
5 APPOINTMENT PROCESS, QUALIFICATIONS AND TERMS FOR THE BOARD; TO
6 CREATE NEW SECTION 73-44-5, MISSISSIPPI CODE OF 1972, TO PROVIDE
7 THAT THE CHAIRMAN OF THE STATE BOARD OF HEALTH PROFESSIONS SHALL
8 BE ELECTED BY ITS BOARD MEMBERS, THAT THE BOARD SHALL MEET AT
9 LEAST QUARTERLY, THAT A MAJORITY OF THE BOARD SHALL CONSTITUTE A
10 QUORUM FOR THE PURPOSE OF CONDUCTING BUSINESS AND THAT MEMBERS OF
11 THE BOARD SHALL BE ENTITLED TO ACTUAL TRAVEL EXPENSES AND PER DIEM
12 AS PROVIDED IN SECTIONS 5-3-41 AND 25-3-69; TO CREATE NEW SECTION
13 73-44-7, MISSISSIPPI CODE OF 1972, TO SET FORTH POWERS AND DUTIES
14 OF THE STATE BOARD OF HEALTH PROFESSIONS; TO CREATE NEW SECTION
15 73-44-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE
16 DEPARTMENT OF HEALTH SHALL REQUEST AN ANNUAL BUDGET AND PROVIDE A
17 MEETING SPACE AND ADMINISTRATIVE SUPPORT FOR THE STATE BOARD OF
18 HEALTH PROFESSIONS; AND FOR RELATED PURPOSES.

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

20 **SECTION 1.** The following shall be codified as Section
21 73-44-1, Mississippi Code of 1972:

22 73-44-1. The Legislature finds that:

23 (a) There is a growing complexity in health professions
24 that can lead to an overlap in the purview of existing licensed
25 professions.

26 (b) The Legislature is often called upon to make
27 decisions about issues related to the scope of professional
28 practice for multiple regulated health professions.

29 (c) A source of sound policy guidance will provide the
30 Legislature with meaningful assistance in addressing these issues.

31 **SECTION 2.** The following shall be codified as Section
32 73-44-3, Mississippi Code of 1972:

33 73-44-3. (1) For purposes of this chapter, unless the
34 context clearly requires otherwise, "board" shall mean the State
35 Board of Health Professions, which is hereby created. The board
36 shall consist of one (1) member from each of the following:

- 37 (a) The State Board of Medical Licensure;
- 38 (b) The State Board of Pharmacy;
- 39 (c) The Board of Nursing;
- 40 (d) The Board of Chiropractors;
- 41 (e) The Board of Dental Examiners; and
- 42 (f) The Board of Optometry.

43 (2) All members described in subsection (1) of this section
44 shall be appointed by the Governor with the advice and consent of
45 the Senate. Terms shall be for four (4) years and until a
46 successor appointee is duly qualified. Terms shall commence on
47 July 1 and end on June 30.

51 of the Senate. The term of office for appointees provided for in
52 this subsection shall be for four (4) years and until their
53 successor is duly qualified. Terms of office shall begin on July
54 1 and end on June 30. These members shall not hold a license to
55 practice any of the professions regulated by the boards set out in
56 subsection (1) of this section.

57 (4) In addition to the members set out in subsections (1)
58 and (3) of this section, two (2) members shall be the Chairmen of
59 the House Public Health and Human Services Committee and the
60 Senate Public Health and Welfare Committee.

61 (5) No member of the board who represents a health
62 regulatory board shall serve as such until after he ceases to be a
63 member of a health regulatory board.

64 **SECTION 3.** The following shall be codified as Section
65 73-44-5, Mississippi Code of 1972:

66 73-44-5. The chairman of the board shall be elected by the
67 board from its members. The board shall meet at least quarterly
68 and may hold additional meetings as necessary to perform its
69 duties. A majority of the board shall constitute a quorum for the
70 purpose of conducting business. Members of the board shall be
71 entitled to actual travel expenses and per diem as provided in
72 Sections 5-3-41 and 25-3-69.

73 **SECTION 4.** The following shall be codified as Section
74 73-44-7, Mississippi Code of 1972:

75 73-44-7. The board shall have the following powers and
76 duties:

77 (a) To evaluate the need for coordination among the
78 health regulatory boards and their staffs, and to report its
79 findings and recommendations to the boards;

80 (b) To evaluate all health care professions and
81 occupations in the state, including those regulated and those not
82 regulated by other provisions of this title, and to consider
83 whether each such profession or occupation should be regulated and
84 the degree of regulation to be imposed. Whenever the board
85 determines that the public interest requires that a health care
86 profession or occupation which is not regulated by law should be
87 regulated, the board shall recommend to the Legislature a
88 regulatory system to establish the appropriate degree of
89 regulation;

90 (c) To serve as a forum for resolving conflicts among
91 the health regulatory boards;

92 (d) To advise the Governor and the Legislature on
93 matters relating to the regulation or deregulation of health care
94 professions and occupations;

95 (e) To make bylaws that govern the board and enable the
96 proper fulfillment of its duties under this chapter;

97 (f) To promote the development of standards to evaluate
98 the competency of the professions and occupations represented on
99 the board;



100 (g) To periodically review the investigatory,
101 disciplinary and enforcement processes of the individual boards to
102 ensure the protection of the public and the fair and equitable
103 treatment of health professionals; and

104 (h) To examine scope of practice conflicts involving
105 regulated and unregulated professions, and to advise the health
106 regulatory boards and the Legislature of the nature and degree of
107 such conflicts.

108 **SECTION 5.** The following shall be codified as Section
109 73-44-9, Mississippi Code of 1972:

110 73-44-9. The Department of Health shall annually request a
111 budget for the board and shall provide a meeting space and
112 administrative support for the board's operations.

113 **SECTION 6.** This act shall take effect and be in force from
114 and after July 1, 2025.

