

By: Representative Eubanks

To: Public Health and Human Services

HOUSE BILL NO. 680

1 AN ACT TO AMEND SECTIONS 73-15-5 AND 73-15-20, MISSISSIPPI  
2 CODE OF 1972, TO AUTHORIZE CERTIFIED NURSE MIDWIVES TO PRACTICE AS  
3 AN ADVANCED PRACTICE REGISTERED NURSE WITHOUT HAVING A WRITTEN  
4 COLLABORATIVE/CONSULTATIVE RELATIONSHIP AGREEMENT WITH A PHYSICIAN  
5 OR HAVING AN AGREEMENT WITH A PHYSICIAN REGARDING THE PROTOCOL OR  
6 PRACTICE GUIDELINES OF THE CERTIFIED NURSE MIDWIFE; AND FOR  
7 RELATED PURPOSES.

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

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

11 73-15-5. (1) "Board" means the Mississippi Board of  
12 Nursing.

13 (2) The "practice of nursing" by a registered nurse means  
14 the performance for compensation of services which requires  
15 substantial knowledge of the biological, physical, behavioral,  
16 psychological and sociological sciences and of nursing theory as  
17 the basis for assessment, diagnosis, planning, intervention and  
18 evaluation in the promotion and maintenance of health; management  
19 of individuals' responses to illness, injury or infirmity; the  
20 restoration of optimum function; or the achievement of a dignified



21 death. "Nursing practice" includes, but is not limited to,  
22 administration, teaching, counseling, delegation and supervision  
23 of nursing, and execution of the medical regimen, including the  
24 administration of medications and treatments prescribed by any  
25 licensed or legally authorized physician or dentist. The  
26 foregoing shall not be deemed to include acts of medical diagnosis  
27 or prescriptions of medical, therapeutic or corrective measures,  
28 except as may be set forth by rules and regulations promulgated  
29 and implemented by the Mississippi Board of Nursing.

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

44 (4) "Advanced nursing practice" means, in addition to the  
45 practice of professional nursing, the performance of



46 advanced-level nursing approved by the board which, by virtue of  
47 graduate education and experience are appropriately performed by  
48 an advanced practice registered nurse. The advanced practice  
49 registered nurse may diagnose, treat and manage medical  
50 conditions. This may include prescriptive authority as identified  
51 by the board. Advanced practice registered nurses must practice  
52 in a collaborative/consultative relationship with a physician or  
53 dentist with an unrestricted license to practice in the State of  
54 Mississippi, except as otherwise authorized in Section  
55 73-15-20(3), and advanced nursing must be performed within the  
56 framework of a standing protocol or practice guidelines, as  
57 appropriate.

58 (5) The "practice of nursing" by a licensed practical nurse  
59 means the performance for compensation of services requiring basic  
60 knowledge of the biological, physical, behavioral, psychological  
61 and sociological sciences and of nursing procedures which do not  
62 require the substantial skill, judgment and knowledge required of  
63 a registered nurse. These services are performed under the  
64 direction of a registered nurse or a licensed physician or  
65 licensed dentist and utilize standardized procedures in the  
66 observation and care of the ill, injured and infirm; in the  
67 maintenance of health; in action to safeguard life and health; and  
68 in the administration of medications and treatments prescribed by  
69 any licensed physician or licensed dentist authorized by state law  
70 to prescribe. On a selected basis, and within safe limits, the



71 role of the licensed practical nurse shall be expanded by the  
72 board under its rule-making authority to more complex procedures  
73 and settings commensurate with additional preparation and  
74 experience.

75 (6) A "license" means an authorization to practice nursing  
76 as a registered nurse or a licensed practical nurse designated  
77 herein.

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

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

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

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

94 (11) An "advanced practice registered nurse" is a person who  
95 is licensed or holds the privilege to practice under this article



96 and who is certified in advanced practice registered nurse or  
97 specialized nursing practice and includes certified registered  
98 nurse midwives, certified registered nurse anesthetists and  
99 certified nurse practitioners. "CNM" is the abbreviation for the  
100 title of Certified Nurse Midwife, "CRNA" is the abbreviation for  
101 the title of Certified Registered Nurse Anesthetist. "CNP" is the  
102 abbreviation for the title of Certified Nurse Practitioner.

103 (12) A "nurse educator" is a registered nurse who meets the  
104 criteria for faculty as set forth in a state-accredited program of  
105 nursing for registered nurses, or a state-approved program of  
106 nursing for licensed practical nurses, and who functions as a  
107 faculty member.

108 (13) A "consumer representative" is a person representing  
109 the interests of the general public, who may use services of a  
110 health agency or health professional organization or its members  
111 but who is neither a provider of health services, nor employed in  
112 the health services field, nor holds a vested interest in the  
113 provision of health services at any level, nor has an immediate  
114 family member who holds vested interests in the provision of  
115 health services at any level.

116 (14) "Privilege to practice" means the multistate licensure  
117 privilege to practice nursing in the state as described in the  
118 Nurse Licensure Compact provided for in Section 73-15-201.



119 (15) "Licensee" is a person who has been issued a license to  
120 practice nursing in the state or who holds the privilege to  
121 practice nursing in the state.

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

124 73-15-20. (1) **Advanced practice registered nurses.** Any  
125 nurse desiring to be certified as an advanced practice registered  
126 nurse shall apply to the board and submit proof that he or she  
127 holds a current license to practice professional nursing and that  
128 he or she meets one or more of the following requirements:

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

133 (b) Certification by a board-approved certifying body.  
134 Such certification shall be required for initial state  
135 certification and any recertification as a registered nurse  
136 anesthetist, nurse practitioner or nurse midwife. The board may  
137 by rule provide for provisional or temporary state certification  
138 of graduate nurse practitioners for a period of time determined to  
139 be appropriate for preparing and passing the National  
140 Certification Examination. Those with provisional or temporary  
141 certifications must practice under the direct supervision of a  
142 licensed physician or a certified nurse practitioner or certified  
143 nurse midwife with at least five (5) years of experience.



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

147 (2) **Rulemaking.** The board shall provide by rule the  
148 appropriate requirements for advanced practice registered nurses  
149 in the categories of certified registered nurse anesthetist,  
150 certified nurse midwife and advanced practice registered nurse.

151 (3) **Collaboration.** An advanced practice registered nurse  
152 shall perform those functions authorized in this section within a  
153 collaborative/consultative relationship with a dentist or  
154 physician with an unrestricted license to practice dentistry or  
155 medicine in this state, except as otherwise authorized in this  
156 subsection (3), and within an established protocol or practice  
157 guidelines, as appropriate, that is filed with the board upon  
158 license application, license renewal, after entering into a new  
159 collaborative/consultative relationship or making changes to the  
160 protocol or practice guidelines or practice site. The board shall  
161 review and approve the protocol to ensure compliance with  
162 applicable regulatory standards. The advanced practice registered  
163 nurse may not practice as an \* \* \* advance practice registered  
164 nurse if there is no collaborative/consultative relationship with  
165 a physician or dentist and a board-approved protocol or practice  
166 guidelines. However, a certified nurse midwife is not required to  
167 have a written collaborative/consultative relationship agreement  
168 with a physician or have an agreement with a physician regarding



169 the protocol or practice guidelines of the certified nurse midwife  
170 in order to practice as an advance practice registered nurse.

171 (4) **Renewal.** The board shall renew a license for an  
172 advanced practice registered nurse upon receipt of the renewal  
173 application, fees and protocol or practice guidelines. The board  
174 shall adopt rules establishing procedures for license renewals.  
175 The board shall by rule prescribe continuing education  
176 requirements for advanced practice nurses not to exceed forty (40)  
177 hours biennially as a condition for renewal of a license or  
178 certificate.

179 (5) **Reinstatement.** Advanced practice registered nurses may  
180 reinstate a lapsed privilege to practice upon submitting  
181 documentation of a current active license to practice professional  
182 nursing, a reinstatement application and fee, a protocol or  
183 practice guidelines, documentation of current certification as an  
184 advanced practice nurse in a designated area of practice by a  
185 national certification organization recognized by the board and  
186 documentation of at least forty (40) hours of continuing education  
187 related to the advanced clinical practice of the nurse  
188 practitioner within the previous two-year period. The board shall  
189 adopt rules establishing the procedure for reinstatement.

190 (6) **Changes in status.** The advanced practice registered  
191 nurse shall notify the board immediately regarding changes in the  
192 collaborative/consultative relationship with a licensed physician  
193 or dentist. If changes leave the advanced practice registered





194 nurse without a board-approved collaborative/consultative  
195 relationship with a physician or dentist, the advanced practice  
196 nurse may not practice as an advanced practice registered nurse.

197 (7) **Practice requirements.** The advanced practice registered  
198 nurse shall practice:

199 (a) According to standards and guidelines of the  
200 National Certification Organization.

201 (b) In a collaborative/consultative relationship with a  
202 licensed physician whose practice is compatible with that of the  
203 nurse practitioner, except as otherwise authorized in Section  
204 73-15-20(3). Certified registered nurse anesthetists may  
205 collaborate/consult with licensed dentists. The advanced practice  
206 nurse must be able to communicate reliably with a  
207 collaborating/consulting physician or dentist while practicing.

208 (c) According to a board-approved protocol or practice  
209 guidelines.

210 (d) Advanced practice registered nurses practicing as  
211 nurse anesthetists must practice according to board-approved  
212 practice guidelines that address pre-anesthesia preparation and  
213 evaluation; anesthesia induction, maintenance, and emergence;  
214 post-anesthesia care; peri-anesthetic and clinical support  
215 functions.

216 (e) Except as otherwise authorized in Section  
217 73-15-20(3), advanced practice registered nurses practicing in  
218 other specialty areas must practice according to a board-approved



219 protocol that has been mutually agreed upon by the nurse  
220 practitioner and a Mississippi licensed physician or dentist whose  
221 practice or prescriptive authority is not limited as a result of  
222 voluntary surrender or legal/regulatory order.

223 (f) Each collaborative/consultative relationship shall  
224 include and implement a formal quality assurance/quality  
225 improvement program which shall be maintained on site and shall be  
226 available for inspection by representatives of the board. This  
227 quality assurance/quality improvement program must be sufficient  
228 to provide a valid evaluation of the practice and be a valid basis  
229 for change, if any.

230 (g) Nurse practitioners may not write prescriptions  
231 for, dispense or order the use of or administration of any  
232 schedule of controlled substances except as contained in this  
233 chapter.

234 (8) **Prescribing controlled substances and medications.**  
235 Certified nurse midwives and certified nurse practitioners may  
236 apply for controlled substance prescriptive authority after  
237 completing a board-approved educational program. Certified nurse  
238 midwives and certified nurse practitioners who have completed the  
239 program and received prescription authority from the board may  
240 prescribe Schedules II-V. The words "administer," "controlled  
241 substances" and "ultimate user," shall have the same meaning as  
242 set forth in Section 41-29-105, unless the context otherwise  
243 requires. The board shall promulgate rules governing prescribing



244 of controlled substances, including distribution, record keeping,  
245 drug maintenance, labeling and distribution requirements and  
246 prescription guidelines for controlled substances and all  
247 medications. Prescribing any controlled substance in violation of  
248 the rules promulgated by the board shall constitute a violation of  
249 Section 73-15-29(1) (f), (k) and (l) and shall be grounds for  
250 disciplinary action. The prescribing, administering or  
251 distributing of any legend drug or other medication in violation  
252 of the rules promulgated by the board shall constitute a violation  
253 of Section 73-15-29(1) (f), (k) and (l) and shall be grounds for  
254 disciplinary action.

255         **SECTION 3.** This act shall take effect and be in force from  
256 and after July 1, 2024.

