

By: Representative Currie

To: Public Health and Human Services

HOUSE BILL NO. 1490

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 ANESTHETIST 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 THE PHYSICIAN OR DENTIST WITH WHOM AN ADVANCE PRACTICE REGISTERED  
13 NURSE HAS ENTERED INTO A COLLABORATIVE/CONSULTATIVE RELATIONSHIP  
14 SHALL NOT CHARGE OR REQUIRE ANY PAYMENT FROM THE ADVANCE PRACTICE  
15 REGISTERED NURSE FOR SERVING IN THAT CAPACITY WITH THE ADVANCE  
16 PRACTICE REGISTERED NURSE; TO PROVIDE THAT ADVANCE PRACTICE  
17 REGISTERED NURSES WHO HAVE COMPLETED NOT LESS THAN 10,000 CLINICAL  
18 PRACTICE HOURS UNDER THE DIRECT, ON-SITE SUPERVISION OF A  
19 PHYSICIAN OR OF A NURSE PRACTITIONER WHO HAS PRACTICED FOR NOT  
20 LESS THAN TEN YEARS ARE EXEMPT FROM THE REQUIREMENT OF ENTERING  
21 AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A  
22 LICENSED PHYSICIAN OR DENTIST; TO PROVIDE THAT ADVANCE PRACTICE  
23 REGISTERED NURSES WHO HAVE COMPLETED NOT LESS THAN 3,000 CLINICAL  
24 PRACTICE HOURS IN CRITICAL CARE UNITS, EMERGENCY DEPARTMENTS  
25 AND/OR MEDICAL SURGICAL FLOORS, AND ALSO HAVE COMPLETED NOT LESS  
26 THAN 2,000 CLINICAL PRACTICE HOURS UNDER THE DIRECT, ON-SITE  
27 SUPERVISION OF A PHYSICIAN OR OF A NURSE PRACTITIONER WHO HAS  
28 PRACTICED FOR NOT LESS THAN TEN YEARS ARE EXEMPT FROM THE  
29 REQUIREMENT OF ENTERING AND MAINTAINING A  
30 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN  
31 OR DENTIST; TO PROVIDE THAT CERTIFIED REGISTERED NURSE  
32 ANESTHETISTS WHO HAVE COMPLETED NOT LESS THAN 8,000 CLINICAL  
33 PRACTICE HOURS ARE EXEMPT FROM MAINTAINING A  
34 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN



35 OR DENTIST; TO CLARIFY THAT ONLY CERTIFIED REGISTERED NURSE  
36 ANESTHETISTS MAY COLLABORATE/CONSULT WITH LICENSED DENTISTS; TO  
37 PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES MAY APPLY HOURS  
38 WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO FULFILL THEIR  
39 RESPECTIVE CLINICAL PRACTICE HOUR REQUIREMENT; TO CONFORM CERTAIN  
40 PROVISIONS WITH THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND  
41 SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED  
42 PRACTICE REGISTERED NURSES IN THE PROVISIONS RELATING TO GROUNDS  
43 FOR DISCIPLINARY ACTIONS AGAINST NURSES; TO AMEND SECTION  
44 41-21-131, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS  
45 OF THE ACT; AND FOR RELATED PURPOSES.

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

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

49 73-15-3. In order to safeguard life and health, any person  
50 practicing or offering to practice as a registered nurse, an  
51 advanced practice registered nurse or a licensed practical nurse  
52 in Mississippi for compensation shall hereafter be required to  
53 submit evidence of qualifications to practice and shall be  
54 licensed or hold the privilege to practice as hereinafter  
55 provided. It shall be unlawful for any person not licensed or  
56 holding the privilege to practice under the provisions of this  
57 article:

58 (a) To practice or offer to practice as a registered  
59 nurse, an advanced practice registered nurse or a licensed  
60 practical nurse;

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



64 Any person offering to practice nursing in Mississippi must  
65 be licensed or otherwise authorized to practice as provided in  
66 this article.

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

69 73-15-5. (1) "Board" means the Mississippi Board of  
70 Nursing.

71 (2) The "practice of nursing" by a registered nurse means  
72 the performance for compensation of services which requires  
73 substantial knowledge of the biological, physical, behavioral,  
74 psychological and sociological sciences and of nursing theory as  
75 the basis for assessment, diagnosis, planning, intervention and  
76 evaluation in the promotion and maintenance of health; management  
77 of individuals' responses to illness, injury or infirmity; the  
78 restoration of optimum function; or the achievement of a dignified  
79 death. "Nursing practice" includes, but is not limited to,  
80 administration, teaching, counseling, delegation and supervision  
81 of nursing, and execution of the medical regimen, including the  
82 administration of medications and treatments prescribed by any  
83 licensed or legally authorized physician, advanced practice  
84 registered nurse or dentist. The foregoing shall not be deemed to  
85 include acts of medical diagnosis or prescriptions of medical,  
86 therapeutic or corrective measures, except as may be set forth by  
87 rules and regulations promulgated and implemented by the  
88 Mississippi Board of Nursing.



89 \* \* \*

90 ( \* \* \*3) "Advanced nursing practice" means, in addition to  
91 the practice of professional nursing, the performance of  
92 advanced-level nursing approved by the board which, by virtue of  
93 graduate education and experience are appropriately performed by  
94 an advanced practice registered nurse. The advanced practice  
95 registered nurse may diagnose, treat and manage medical  
96 conditions. This may include prescriptive authority as identified  
97 by the board. Except as otherwise authorized in Section  
98 73-15-20(3), advanced practice registered nurses must practice in  
99 a collaborative/consultative relationship with a physician or  
100 dentist with an unrestricted license to practice in the State of  
101 Mississippi and advanced nursing must be performed within the  
102 framework of a standing protocol or practice guidelines, as  
103 appropriate.

104 ( \* \* \*4) The "practice of nursing" by a licensed practical  
105 nurse means the performance for compensation of services requiring  
106 basic knowledge of the biological, physical, behavioral,  
107 psychological and sociological sciences and of nursing procedures  
108 which do not require the substantial skill, judgment and knowledge  
109 required of a registered nurse. These services are performed  
110 under the direction of a registered nurse or a licensed physician  
111 or licensed dentist and utilize standardized procedures in the  
112 observation and care of the ill, injured and infirm; in the  
113 maintenance of health; in action to safeguard life and health; and



114 in the administration of medications and treatments prescribed by  
115 any licensed physician \* \* \*, licensed dentist or advanced  
116 practice registered nurse authorized by state law to prescribe.  
117 On a selected basis, and within safe limits, the role of the  
118 licensed practical nurse shall be expanded by the board under its  
119 rule-making authority to more complex procedures and settings  
120 commensurate with additional preparation and experience.

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

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

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

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

135 \* \* \*

136 (9) "Collaboration" or "collaborate" means the act of  
137 communicating pertinent information or consulting with a licensed  
138 physician or other licensed health care provider with each



139 provider contributing the provider's respective expertise to  
140 optimize the overall care delivered to the patient.

141 ( \* \* \* 10) An "advanced practice registered nurse" is a  
142 person who is licensed or holds the privilege to practice under  
143 this article as a professional nurse and who is \* \* \* licensed as  
144 an advanced practice registered nurse or specialized nursing  
145 practice and includes certified registered nurse midwives,  
146 certified registered nurse anesthetists, clinical nurse  
147 specialists and certified nurse practitioners. "APRN" is the  
148 abbreviation for the title of advanced practice registered nurse.  
149 As used in this subsection (10):

150 (a) "Certified registered nurse midwife" means a  
151 registered nurse who holds certification as a certified registered  
152 nurse midwife by a nationally recognized certifying body approved  
153 by the board and is licensed by the board to engage in advanced  
154 practice nursing in this state. "CNM" is the abbreviation for the  
155 title of Certified Nurse Midwife \* \* \* .

156 (b) "Certified registered nurse anesthetist" means a  
157 registered nurse who holds certification as a certified registered  
158 nurse anesthetist by a nationally recognized certifying body  
159 approved by the board and is licensed by the board to engage in  
160 advanced practice nursing in this state. "CRNA" is the  
161 abbreviation for the title of Certified Registered Nurse  
162 Anesthetist.



163           (c) "Certified nurse practitioner" means a registered  
164 nurse who holds certification as a certified nurse practitioner by  
165 a nationally recognized certifying body approved by the board and  
166 is licensed by the board to engage in advanced practice nursing in  
167 this state. "CNP" is the abbreviation for the title of Certified  
168 Nurse Practitioner.

169           (d) "Clinical nurse specialist" means a registered  
170 nurse who holds certification as a clinical nurse specialist by a  
171 nationally recognized certifying body approved by the board and is  
172 licensed by the board to engage in advanced practice nursing in  
173 this state. "CNS" is the abbreviation for the title of Clinical  
174 Nurse Specialist.

175           ( \* \* \*11) A "nurse educator" is a registered nurse who  
176 meets the criteria for faculty as set forth in a state-accredited  
177 program of nursing for registered nurses, or a state-approved  
178 program of nursing for licensed practical nurses, and who  
179 functions as a faculty member.

180           ( \* \* \*12) A "consumer representative" is a person  
181 representing the interests of the general public, who may use  
182 services of a health agency or health professional organization or  
183 its members but who is neither a provider of health services, nor  
184 employed in the health services field, nor holds a vested interest  
185 in the provision of health services at any level, nor has an  
186 immediate family member who holds vested interests in the  
187 provision of health services at any level.



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

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

194 (15) "Clinical practice hours" include, but are not limited  
195 to: clinical practice hours completed in an APRN program, CRNA  
196 critical care nursing hours and practice hours completed as an  
197 authorized APRN in this state or any other state.

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

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

203 73-15-9. (1) There is \* \* \* created a board to be known as  
204 the Mississippi Board of Nursing, composed of thirteen (13)  
205 members, two (2) of whom shall be nurse educators; three (3) of  
206 whom shall be registered nurses in clinical practice, two (2) to  
207 have as basic nursing preparation an associate degree or diploma  
208 and one (1) to have as basic nursing preparation a baccalaureate  
209 degree; one (1) of whom shall be a registered nurse at large; one  
210 (1) of whom shall be a registered nurse practitioner; four (4) of  
211 whom shall be licensed practical nurses; one (1) of whom shall be  
212 a certified registered nurse anesthetist; \* \* \*; and one (1) of





213 whom shall represent consumers of health services. The members of  
214 the board who are registered nurses other than the nurse  
215 practitioner member and the certified registered nurse anesthetist  
216 member shall not be advance practice registered nurses. There  
217 shall be at least one (1) board member from each congressional  
218 district in the state; \* \* \* however, \* \* \* the consumer  
219 representative member and one (1) registered nurse member shall be  
220 at large always.

221 (2) Members of the Mississippi Board of Nursing \* \* \* shall  
222 be appointed by the Governor, with the advice and consent of the  
223 Senate, from lists of nominees submitted by any Mississippi  
224 registered nurse organization and/or association chartered by the  
225 State of Mississippi whose board of directors is elected by the  
226 membership and whose membership includes registered nurses  
227 statewide, for the nomination of registered nurses, and by the  
228 Mississippi Federation of Licensed Practical Nurses and the  
229 Mississippi Licensed Practical Nurses' Association for the  
230 nomination of a licensed practical nurse. Nominations submitted  
231 by any such registered nurse organization or association to fill  
232 vacancies on the board shall be made and voted on by registered  
233 nurses only. Each list of nominees shall contain a minimum of  
234 three (3) names for each vacancy to be filled. The list of names  
235 shall be submitted at least thirty (30) days before the expiration  
236 of the term for each position. If such list is not submitted, the  
237 Governor is authorized to make an appointment from the group



238 affected and without nominations. Appointments made to fill  
239 vacancies for unexpired terms shall be for the duration of such  
240 terms and until a successor is duly appointed.

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

246 (4) Vacancies occurring by reason of resignation, death or  
247 otherwise shall be filled by appointment of the Governor upon  
248 nominations from a list of nominees from the affected group to be  
249 submitted within not more than thirty (30) days after such a  
250 vacancy occurs. In the absence of such list, the Governor is  
251 authorized to fill such vacancy in accordance with the provisions  
252 for making full-term appointments. All vacancy appointments shall  
253 be for the unexpired terms.

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

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

259 73-15-20. (1) **Advanced practice registered nurses.** Any  
260 nurse desiring to be \* \* \* licensed as an advanced practice  
261 registered nurse shall apply to the board and submit proof that he



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

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

268 (b) Certification by a board-approved certifying body.  
269 Such certification shall be required for initial state \* \* \*  
270 licensure and any \* \* \* license renewal as a certified registered  
271 nurse anesthetist, certified nurse practitioner, clinical nurse  
272 specialist or certified registered nurse midwife. The board may  
273 by rule provide for provisional or temporary state \* \* \* licensure  
274 of graduate \* \* \* advanced practice registered nurses for a period  
275 of time determined to be appropriate for preparing and passing the  
276 National Certification Examination. Those with provisional or  
277 temporary \* \* \* licenses must practice under the direct  
278 supervision of a licensed physician or \* \* \* an advanced practice  
279 registered nurse with at least five (5) years of experience.

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

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



286 certified registered nurse midwife, clinical nurse specialist  
287 and \* \* \* certified nurse practitioner.

288 (3) **Collaboration.** (a) Except as otherwise authorized in  
289 this subsection (3), an advanced practice registered nurse shall  
290 perform those functions authorized in this section within a  
291 collaborative/consultative relationship with a dentist or  
292 physician with an unrestricted license to practice dentistry or  
293 medicine in this state and within an established protocol or  
294 practice guidelines, as appropriate, that is filed with the board  
295 upon license application, license renewal, after entering into a  
296 new collaborative/consultative relationship or making changes to  
297 the protocol or practice guidelines or practice site. The board  
298 shall review and approve the protocol to ensure compliance with  
299 applicable regulatory standards. \* \* \* The physician or dentist  
300 with whom an advance practice registered nurse has entered into a  
301 collaborative/consultative relationship shall not charge or  
302 require any payment from the advance practice registered nurse for  
303 servicing in that capacity with the advance practice registered  
304 nurse.

305 (b) Advance practice registered nurses, except  
306 certified registered nurse anesthetists, who have completed not  
307 less than ten thousand (10,000) clinical practice hours under the  
308 direct, on-site supervision of a physician or of a nurse  
309 practitioner who has practiced for not less than ten (10) years  
310 are exempt from the requirement of entering and maintaining a



311 collaborative/consultative relationship with a licensed physician  
312 or dentist as provided under this subsection (3).

313 (c) Advance practice registered nurses, except  
314 certified registered nurse anesthetists, who have completed not  
315 less than three thousand (3,000) clinical practice hours in  
316 critical care units, emergency departments and/or medical surgical  
317 floors, and also have completed not less than two thousand (2,000)  
318 clinical practice hours under the direct, on-site supervision of a  
319 physician or of a nurse practitioner who has practiced for not  
320 less than ten (10) years are exempt from the requirement of  
321 entering and maintaining a collaborative/consultative relationship  
322 with a licensed physician or dentist as provided under this  
323 subsection (3).

324 (d) Certified registered nurse anesthetists who have  
325 completed not less than eight thousand (8,000) clinical practice  
326 hours are exempt from maintaining a collaborative/consultative  
327 relationship with a licensed physician or dentist as provided  
328 under this subsection (3).

329 (e) Advanced practice registered nurses may apply hours  
330 worked before July 1, 2024, to fulfill their respective clinical  
331 practice hour requirements under this subsection (3).

332 (4) **Renewal.** The board shall renew a license for an  
333 advanced practice registered nurse upon receipt of the renewal  
334 application, fees and any required protocol or practice  
335 guidelines. The board shall adopt rules establishing procedures



336 for license renewals. The board shall by rule prescribe  
337 continuing education requirements for advanced practice registered  
338 nurses \* \* \* as a condition for renewal of \* \* \* licensure.

339 (5) **Reinstatement.** Advanced practice registered nurses may  
340 reinstate a lapsed privilege to practice upon submitting  
341 documentation of a current active license to practice professional  
342 nursing, a reinstatement application and fee, \* \* \* any required  
343 protocol or practice guidelines, documentation of current  
344 certification as an advanced practice registered nurse in a  
345 designated area of practice by a national certification  
346 organization recognized by the board and documentation of at least  
347 forty (40) hours of continuing education related to the advanced  
348 clinical practice of the \* \* \* advanced practice registered nurse  
349 within the previous two-year period. The board shall adopt rules  
350 establishing the procedure for reinstatement.

351 (6) **Changes in status.** \* \* \* An advanced practice  
352 registered nurse who is required to have a  
353 collaborative/consultative relationship with a licensed physician  
354 or dentist shall notify the board immediately regarding changes in  
355 the collaborative/consultative relationship \* \* \*. If changes  
356 leave the advanced practice registered nurse without a  
357 board-approved collaborative/consultative relationship with a  
358 physician or dentist, the advanced practice nurse may not practice  
359 as an advanced practice registered nurse.



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

362 (a) According to standards and guidelines of their  
363 respective professional organization and the National  
364 Certification Organization.

365 (b) In a collaborative/consultative relationship with a  
366 licensed physician or dentist whose practice is compatible with  
367 that of the \* \* \* advanced practice registered nurse, except as  
368 otherwise authorized in subsection (3) of this section. Only  
369 certified registered nurse anesthetists may collaborate/consult  
370 with licensed dentists. The advanced practice registered nurse  
371 must be able to communicate reliably with a  
372 collaborating/consulting physician or dentist while practicing.  
373 Advanced practice registered nurses who are not required to have a  
374 collaborative/consultative relationship with a licensed physician  
375 or dentist shall collaborate with other health care providers and  
376 refer or transfer patients as appropriate.

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

380 (d) Advanced practice registered nurses practicing as  
381 certified registered nurse anesthetists must practice according to  
382 board-approved practice guidelines that address pre-anesthesia  
383 preparation and evaluation; anesthesia induction, maintenance, and  
384 emergence; post-anesthesia care; peri-anesthetic \* \* \*, clinical



385 support functions, and additional advanced nursing functions  
386 outside of the per-operative area as described by their national  
387 accrediting body.

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

395 (f) Each required collaborative/consultative  
396 relationship shall include and implement a formal quality  
397 assurance/quality improvement program which shall be maintained on  
398 site and shall be available for inspection by representatives of  
399 the board. This quality assurance/quality improvement program  
400 must be sufficient to provide a valid evaluation of the practice  
401 and be a valid basis for change, if any.

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

406 (8) **Prescribing controlled substances and medications. \* \* \***  
407 Advanced practice registered nurses may apply for controlled  
408 substance prescriptive authority after completing a board-approved  
409 educational program. \* \* \* Advanced practice registered nurses





410 who have completed the program and received prescription authority  
411 from the board may prescribe Schedules II-V. The words  
412 "administer," "controlled substances" and "ultimate user," shall  
413 have the same meaning as set forth in Section 41-29-105, unless  
414 the context otherwise requires. The board shall promulgate rules  
415 governing prescribing of controlled substances, including  
416 distribution, record keeping, drug maintenance, labeling and  
417 distribution requirements and prescription guidelines for  
418 controlled substances and all medications. Prescribing any  
419 controlled substance in violation of the rules promulgated by the  
420 board shall constitute a violation of Section 73-15-29(1)(f), (k)  
421 and (l) and shall be grounds for disciplinary action. The  
422 prescribing, administering or distributing of any legend drug or  
423 other medication in violation of the rules promulgated by the  
424 board shall constitute a violation of Section 73-15-29(1)(f), (k)  
425 and (l) and shall be grounds for disciplinary action. Advanced  
426 practice registered nurses may issue written certifications for  
427 medical cannabis in accordance with the provisions of the  
428 Mississippi Medical Cannabis Act.

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

431       73-15-29. (1) The board shall have power to revoke, suspend  
432 or refuse to renew any license issued by the board, or to revoke  
433 or suspend any privilege to practice, or to deny an application  
434 for a license, or to fine, place on probation and/or discipline a



435 licensee, in any manner specified in this article, upon proof that  
436 such person:

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

439 (b) Has been convicted of a felony, or a crime  
440 involving moral turpitude or has had accepted by a court a plea of  
441 nolo contendere to a felony or a crime involving moral turpitude  
442 (a certified copy of the judgment of the court of competent  
443 jurisdiction of such conviction or pleas shall be prima facie  
444 evidence of such conviction);

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

448 (d) Has had a license or privilege to practice as a  
449 registered nurse, an advanced practice registered nurse or a  
450 licensed practical nurse suspended or revoked in any jurisdiction,  
451 has voluntarily surrendered such license or privilege to practice  
452 in any jurisdiction, has been placed on probation as a registered  
453 nurse, an advanced practice registered nurse or a licensed  
454 practical nurse in any jurisdiction or has been placed under a  
455 disciplinary order(s) in any manner as a registered nurse, an  
456 advanced practice registered nurse or a licensed practical nurse  
457 in any jurisdiction, (a certified copy of the order of suspension,  
458 revocation, probation or disciplinary action shall be prima facie  
459 evidence of such action);



460 (e) Has negligently or willfully practiced nursing in a  
461 manner that fails to meet generally accepted standards of such  
462 nursing practice;

463 (f) Has negligently or willfully violated any order,  
464 rule or regulation of the board pertaining to nursing practice or  
465 licensure;

466 (g) Has falsified or in a repeatedly negligent manner  
467 made incorrect entries or failed to make essential entries on  
468 records;

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

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

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

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



484                   (1) Engages in any unprofessional conduct as identified  
485 by the board in its rules;

486                   (m) Has violated any provision of this article;

487                   (n) Violation(s) of the provisions of Sections 41-121-1  
488 through 41-121-9 relating to deceptive advertisement by health  
489 care practitioners. This paragraph shall stand repealed on July  
490 1, 2025; or

491                   (o) Violation(s) of any provision of Title 41, Chapter  
492 141, Mississippi Code of 1972.

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

497                   (a) Denying application for a license or other  
498 authorization to practice nursing or practical nursing;

499                   (b) Administering a reprimand;

500                   (c) Suspending or restricting the license or other  
501 authorization to practice as a registered nurse, an advanced  
502 practice registered nurse or a licensed practical nurse for up to  
503 two (2) years without review;

504                   (d) Revoking the license or other authorization to  
505 practice nursing, advanced practice registered nursing or  
506 practical nursing;

507                   (e) Requiring the disciplinee to submit to care,  
508 counseling or treatment by persons and/or agencies approved or



509 designated by the board as a condition for initial, continued or  
510 renewed licensure or other authorization to practice nursing,  
511 advanced practice registered nursing or practical nursing;

512 (f) Requiring the discipline to participate in a  
513 program of education prescribed by the board as a condition for  
514 initial, continued or renewed licensure or other authorization to  
515 practice;

516 (g) Requiring the discipline to practice under the  
517 supervision of a registered nurse or an advanced practice  
518 registered nurse for a specified period of time; or

519 (h) Imposing a fine not to exceed Five Hundred Dollars  
520 (\$500.00).

521 (3) In addition to the grounds specified in subsection (1)  
522 of this section, the board shall be authorized to suspend the  
523 license or privilege to practice of any licensee for being out of  
524 compliance with an order for support, as defined in Section  
525 93-11-153. The procedure for suspension of a license or privilege  
526 to practice for being out of compliance with an order for support,  
527 and the procedure for the reissuance or reinstatement of a license  
528 or privilege to practice suspended for that purpose, and the  
529 payment of any fees for the reissuance or reinstatement of a  
530 license or privilege to practice suspended for that purpose, shall  
531 be governed by Section 93-11-157 or 93-11-163, as the case may be.  
532 If there is any conflict between any provision of Section  
533 93-11-157 or 93-11-163 and any provision of this article, the



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

536 (4) If the public health, safety or welfare imperatively  
537 requires emergency action and the board incorporates a finding to  
538 that effect in an order, the board may order summary suspension of  
539 a license pending proceedings for revocation or other action.  
540 These proceedings shall be promptly instituted and determined by  
541 the board.

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

546 (a) Participation in the program is voluntary with the  
547 licensee, and the licensee must enter the program before the board  
548 holds a disciplinary action hearing regarding the licensee;

549 (b) The full cost of participation in the program,  
550 including the cost of any care, counseling, treatment and/or  
551 education received by the licensee, shall be borne by the  
552 licensee;

553 (c) All of the procedures and records regarding the  
554 licensee's participation in the program shall be confidential,  
555 shall not be disclosed and shall be exempt from the provisions of  
556 the Mississippi Public Records Act of 1983; and



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

560 (6) \* \* \* An advance practice registered nurse who provides  
561 a written certification as authorized under the Mississippi  
562 Medical Cannabis Act and in compliance with rules and regulations  
563 adopted thereunder shall not be subject to any disciplinary action  
564 under this section solely due to providing the written  
565 certification.

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

568 41-21-131. As used in Sections 41-21-131 through 41-21-143,  
569 the following terms shall have the meanings as defined in this  
570 section:

571 (a) "Crisis Intervention Team" means a community  
572 partnership among a law enforcement agency, a community mental  
573 health center, a hospital, other mental health providers,  
574 consumers and family members of consumers.

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

579 (c) "Catchment area" means a geographical area in which  
580 a Crisis Intervention Team operates and is defined by the



581 jurisdictional boundaries of the law enforcement agency that is  
582 the participating partner.

583 (d) "Crisis Intervention Team officer" or "CIT officer"  
584 means a law enforcement officer who is authorized to make arrests  
585 under Section 99-3-1 and who is trained and certified in crisis  
586 intervention and who is working for a law enforcement agency that  
587 is a participating partner in a Crisis Intervention Team.

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

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

591 (ii) The person has threatened or attempted  
592 homicide or other violent behavior; or

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

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

597 (v) There is substantial likelihood that serious  
598 harm will occur unless the person is placed under emergency  
599 treatment.

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

604 (g) "Psychiatric emergency services" means services  
605 designed to reduce the acute psychiatric symptoms of a person who





606 is mentally ill or a person who has an impairment caused by drugs  
607 or alcohol and, when possible, to stabilize that person so that  
608 continuing treatment can be provided in the local community.

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

614 (i) "Comprehensive psychiatric emergency service" means  
615 a specialized psychiatric service operated by the single point of  
616 entry and located in or near the hospital emergency department  
617 that can provide psychiatric emergency services for a period of  
618 time greater than can be provided in the hospital emergency  
619 department.

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

623 (k) "Psychiatric nurse practitioner" means a registered  
624 nurse who has completed the educational requirements specified by  
625 the State Board of Nursing, has successfully passed either the  
626 adult or family psychiatric nurse practitioner examination and is  
627 licensed by the State Board of Nursing \* \* \*.

628 (l) "Psychiatric physician assistant" means a physician  
629 assistant who has completed the educational requirements and  
630 passed the certification examination as specified in Section



631 73-26-3, is licensed by the State Board of Medical Licensure, has  
632 had at least one (1) year of practice as a physician assistant  
633 employed by a community mental health center, and is working under  
634 the supervision of a physician at a single point of entry.

635         **SECTION 7.** This act shall take effect and be in force from  
636 and after July 1, 2024.

