

By: Representative Eubanks

To: Public Health and Human Services

HOUSE BILL NO. 1652

1 AN ACT TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO
2 DELETE CERTAIN DEFINITIONS AND REVISE CERTAIN DEFINITIONS IN THE
3 NURSING PRACTICE LAW REGARDING ADVANCED NURSING PRACTICE; TO AMEND
4 SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN
5 PROVISIONS RELATING TO THE PRACTICE OF ADVANCED PRACTICE
6 REGISTERED NURSES; TO PROVIDE THAT THE PHYSICIAN OR DENTIST WITH
7 WHOM AN ADVANCED PRACTICE REGISTERED NURSE HAS ENTERED INTO A
8 COLLABORATIVE/CONSULTATIVE RELATIONSHIP SHALL NOT CHARGE OR
9 REQUIRE ANY PAYMENT FROM THE ADVANCED PRACTICE REGISTERED NURSE
10 FOR SERVING IN THAT CAPACITY WITH THE ADVANCED PRACTICE REGISTERED
11 NURSE; TO PROVIDE THAT AFTER AN ADVANCED PRACTICE REGISTERED
12 NURSE, EXCEPT A CERTIFIED REGISTERED NURSE ANESTHETIST, HAS
13 COMPLETED NOT LESS THAN 5,000 CLINICAL PRACTICE HOURS IN A
14 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A PHYSICIAN OR WITH
15 AN ADVANCED PRACTICE REGISTERED NURSE COMPLETED NOT LESS THAN
16 5,000 CLINICAL PRACTICE HOURS, THE ADVANCED PRACTICE REGISTERED
17 NURSE IS EXEMPT FROM THE REQUIREMENT OF ENTERING AND MAINTAINING A
18 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN
19 OR DENTIST; TO PROVIDE THAT AFTER A CERTIFIED REGISTERED NURSE
20 ANESTHETIST HAS COMPLETED NOT LESS THAN 8,000 CLINICAL PRACTICE
21 HOURS IN A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A
22 PHYSICIAN OR WITH AN ADVANCED PRACTICE REGISTERED NURSE COMPLETED
23 NOT LESS THAN 5,000 CLINICAL PRACTICE HOURS, THE CERTIFIED
24 REGISTERED NURSE ANESTHETIST IS EXEMPT FROM MAINTAINING A
25 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN
26 OR DENTIST; TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES
27 MAY APPLY HOURS WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO
28 FULFILL THEIR RESPECTIVE CLINICAL PRACTICE HOUR REQUIREMENT; AND
29 FOR RELATED PURPOSES.

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



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

33 73-15-5. (1) "Board" means the Mississippi Board of
34 Nursing.

35 (2) The "practice of nursing" by a registered nurse means
36 the performance for compensation of services which requires
37 substantial knowledge of the biological, physical, behavioral,
38 psychological and sociological sciences and of nursing theory as
39 the basis for assessment, diagnosis, planning, intervention and
40 evaluation in the promotion and maintenance of health; management
41 of individuals' responses to illness, injury or infirmity; the
42 restoration of optimum function; or the achievement of a dignified
43 death. "Nursing practice" includes, but is not limited to,
44 administration, teaching, counseling, delegation and supervision
45 of nursing, and execution of the medical regimen, including the
46 administration of medications and treatments prescribed by any
47 licensed or legally authorized physician, advanced practice
48 registered nurse or dentist. The foregoing shall not be deemed to
49 include acts of medical diagnosis or prescriptions of medical,
50 therapeutic or corrective measures, except as may be set forth by
51 rules and regulations promulgated and implemented by the
52 Mississippi Board of Nursing.

53 * * *

54 (* * *3) "Advanced nursing practice" means, in addition to
55 the practice of professional nursing, the performance of



56 advanced-level nursing approved by the board which, by virtue of
57 graduate education and experience are appropriately performed by
58 an advanced practice registered nurse. The advanced practice
59 registered nurse may diagnose, treat and manage medical
60 conditions. This may include prescriptive authority as identified
61 by the board. Except as otherwise authorized in Section
62 73-15-20(3), advanced practice registered nurses must practice in
63 a collaborative/consultative relationship with a physician or
64 dentist with an unrestricted license to practice in the State of
65 Mississippi and advanced nursing must be performed within the
66 framework of a standing protocol or practice guidelines, as
67 appropriate.

68 (* * *4) The "practice of nursing" by a licensed practical
69 nurse means the performance for compensation of services requiring
70 basic knowledge of the biological, physical, behavioral,
71 psychological and sociological sciences and of nursing procedures
72 which do not require the substantial skill, judgment and knowledge
73 required of a registered nurse. These services are performed
74 under the direction of a registered nurse or a licensed physician
75 or licensed dentist and utilize standardized procedures in the
76 observation and care of the ill, injured and infirm; in the
77 maintenance of health; in action to safeguard life and health; and
78 in the administration of medications and treatments prescribed by
79 any licensed physician * * *, licensed dentist or advanced
80 practice registered nurse authorized by state law to prescribe.



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

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

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

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

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

99 * * *

100 (9) "Collaboration" or "collaborate" means the act of
101 communicating pertinent information or consulting with a licensed
102 physician or other licensed health care provider with each
103 provider contributing the provider's respective expertise to
104 optimize the overall care delivered to the patient.



105 (* * * 10) An "advanced practice registered nurse" is a
106 person who is licensed or holds the privilege to practice under
107 this article as a professional nurse and who is * * * licensed as
108 an advanced practice registered nurse or specialized nursing
109 practice and includes certified registered nurse midwives,
110 certified registered nurse anesthetists, clinical nurse
111 specialists and certified nurse practitioners. "APRN" is the
112 abbreviation for the title of advanced practice registered nurse.
113 As used in this subsection (10):

114 (a) "Certified registered nurse midwife" means a
115 registered nurse who holds certification as a certified registered
116 nurse midwife by a nationally recognized certifying body approved
117 by the board and is licensed by the board to engage in advanced
118 practice nursing in this state. "CNM" is the abbreviation for the
119 title of Certified Nurse Midwife * * * .

120 (b) "Certified registered nurse anesthetist" means a
121 registered nurse who holds certification as a certified registered
122 nurse anesthetist by a nationally recognized certifying body
123 approved by the board and is licensed by the board to engage in
124 advanced practice nursing in this state. "CRNA" is the
125 abbreviation for the title of Certified Registered Nurse
126 Anesthetist.

127 (c) "Certified nurse practitioner" means a registered
128 nurse who holds certification as a certified nurse practitioner by
129 a nationally recognized certifying body approved by the board and



130 is licensed by the board to engage in advanced practice nursing in
131 this state. "CNP" is the abbreviation for the title of Certified
132 Nurse Practitioner.

133 (d) "Clinical nurse specialist" means a registered
134 nurse who holds certification as a clinical nurse specialist by a
135 nationally recognized certifying body approved by the board and is
136 licensed by the board to engage in advanced practice nursing in
137 this state. "CNS" is the abbreviation for the title of Clinical
138 Nurse Specialist.

139 (* * *11) A "nurse educator" is a registered nurse who
140 meets the criteria for faculty as set forth in a state-accredited
141 program of nursing for registered nurses, or a state-approved
142 program of nursing for licensed practical nurses, and who
143 functions as a faculty member.

144 (* * *12) A "consumer representative" is a person
145 representing the interests of the general public, who may use
146 services of a health agency or health professional organization or
147 its members but who is neither a provider of health services, nor
148 employed in the health services field, nor holds a vested interest
149 in the provision of health services at any level, nor has an
150 immediate family member who holds vested interests in the
151 provision of health services at any level.

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



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

158 (15) "Clinical practice hours" include, but are not limited
159 to clinical practice hours completed in an APRN program, CRNA
160 critical care nursing hours and practice hours completed as an
161 authorized APRN in this state or any other state.

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

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

167 73-15-20. (1) **Advanced practice registered nurses.** Any
168 nurse desiring to be * * * licensed as an advanced practice
169 registered nurse shall apply to the board and submit proof that he
170 or she holds a current license * * * as a registered nurse and
171 that he or she meets one or more of the following requirements:

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

176 (b) Certification by a board-approved certifying body.
177 Such certification shall be required for initial state * * *
178 licensure and any * * * license renewal as a certified registered
179 nurse anesthetist, certified nurse practitioner, clinical nurse



180 specialist or certified registered nurse midwife. The board may
181 by rule provide for provisional or temporary state * * * licensure
182 of graduate * * * advanced practice registered nurses for a period
183 of time determined to be appropriate for preparing and passing the
184 National Certification Examination. Those with provisional or
185 temporary * * * licenses must practice under the direct
186 supervision of a licensed physician or * * * an advanced practice
187 registered nurse with at least five (5) years of experience.

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

191 (2) **Rulemaking.** The board shall provide by rule the
192 appropriate requirements for advanced practice registered nurses
193 in the categories of certified registered nurse anesthetist,
194 certified registered nurse midwife, clinical nurse specialist
195 and * * * certified nurse practitioner.

196 (3) **Collaboration.** (a) Except as otherwise authorized in
197 this subsection (3), an advanced practice registered nurse shall
198 perform those functions authorized in this section within a
199 collaborative/consultative relationship with a dentist or
200 physician with an unrestricted license to practice dentistry or
201 medicine in this state and within an established protocol or
202 practice guidelines, as appropriate, that is filed with the board
203 upon license application, license renewal, after entering into a
204 new collaborative/consultative relationship or making changes to



205 the protocol or practice guidelines or practice site. The board
206 shall review and approve the protocol to ensure compliance with
207 applicable regulatory standards. * * * The physician or dentist
208 with whom an advanced practice registered nurse has entered into a
209 collaborative/consultative relationship shall not charge or
210 require any payment from the advanced practice registered nurse
211 for serving in that capacity with the advanced practice registered
212 nurse.

213 (b) After an advanced practice registered nurse, except
214 a certified registered nurse anesthetist, has completed not less
215 than five thousand (5,000) clinical practice hours in a
216 collaborative/consultative relationship with a physician or with
217 an advanced practice registered nurse completed not less than five
218 thousand (5,000) clinical practice hours, the advanced practice
219 registered nurse is exempt from the requirement of entering and
220 maintaining a collaborative/consultative relationship with a
221 licensed physician or dentist as provided under this subsection
222 (3).

223 (c) After a certified registered nurse anesthetist has
224 completed not less than eight thousand (8,000) clinical practice
225 hours in a collaborative/consultative relationship with a
226 physician or with an advanced practice registered nurse completed
227 not less than five thousand (5,000) clinical practice hours, the
228 certified registered nurse anesthetist is exempt from maintaining



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

231 (d) Advanced practice registered nurses may apply hours
232 worked before July 1, 2024, to fulfill their respective clinical
233 practice hour requirements under this subsection (3).

234 (4) **Renewal.** The board shall renew a license for an
235 advanced practice registered nurse upon receipt of the renewal
236 application, fees and any required protocol or practice
237 guidelines. The board shall adopt rules establishing procedures
238 for license renewals. The board shall by rule prescribe
239 continuing education requirements for advanced practice registered
240 nurses * * * as a condition for renewal of * * * licensure.

241 (5) **Reinstatement.** Advanced practice registered nurses may
242 reinstate a lapsed privilege to practice upon submitting
243 documentation of a current active license to practice professional
244 nursing, a reinstatement application and fee, * * * any required
245 protocol or practice guidelines, documentation of current
246 certification as an advanced practice registered nurse in a
247 designated area of practice by a national certification
248 organization recognized by the board and documentation of at least
249 forty (40) hours of continuing education related to the advanced
250 clinical practice of the * * * advanced practice registered nurse
251 within the previous two-year period. The board shall adopt rules
252 establishing the procedure for reinstatement.



253 (6) **Changes in status. * * *** An advanced practice
254 registered nurse who is required to have a
255 collaborative/consultative relationship with a licensed physician
256 shall notify the board immediately regarding changes in the
257 collaborative/consultative relationship * * *. If changes leave
258 the advanced practice registered nurse without a board-approved
259 collaborative/consultative relationship with a physician or
260 dentist, the advanced practice nurse may not practice as an
261 advanced practice registered nurse.

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

264 (a) According to standards and guidelines of their
265 respective professional organization and the National
266 Certification Organization.

267 (b) In a collaborative/consultative relationship with a
268 licensed physician or dentist whose practice is compatible with
269 that of the nurse practitioner, except as otherwise authorized in
270 subsection (3) of this section. Certified registered nurse
271 anesthetists may collaborate/consult with licensed dentists. The
272 advanced practice registered nurse must be able to communicate
273 reliably with a collaborating/consulting physician or dentist
274 while practicing. Advanced practice registered nurses who are not
275 required to have a collaborative/consultative relationship with a
276 licensed physician or dentist shall collaborate with other health
277 care providers and refer or transfer patients as appropriate.



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

281 (d) Advanced practice registered nurses practicing as
282 certified registered nurse anesthetists must practice according to
283 board-approved practice guidelines that address pre-anesthesia
284 preparation and evaluation; anesthesia induction, maintenance, and
285 emergence; post-anesthesia care; peri-anesthetic and clinical
286 support functions.

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

294 (f) Each required collaborative/consultative
295 relationship shall include and implement a formal quality
296 assurance/quality improvement program which shall be maintained on
297 site and shall be available for inspection by representatives of
298 the board. This quality assurance/quality improvement program
299 must be sufficient to provide a valid evaluation of the practice
300 and be a valid basis for change, if any.

301 (g) * * * Advanced practice registered nurses may not
302 write prescriptions for, dispense or order the use of or



303 administration of any schedule of controlled substances except as
304 contained in this chapter.

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

306 Advanced practice registered nurses may apply for controlled
307 substance prescriptive authority after completing a board-approved
308 educational program. * * * Advanced practice registered nurses
309 who have completed the program and received prescription authority
310 from the board may prescribe Schedules II-V. The words
311 "administer," "controlled substances" and "ultimate user," shall
312 have the same meaning as set forth in Section 41-29-105, unless
313 the context otherwise requires. The board shall promulgate rules
314 governing prescribing of controlled substances, including
315 distribution, record keeping, drug maintenance, labeling and
316 distribution requirements and prescription guidelines for
317 controlled substances and all medications. Prescribing any
318 controlled substance in violation of the rules promulgated by the
319 board shall constitute a violation of Section 73-15-29(1)(f), (k)
320 and (l) and shall be grounds for disciplinary action. The
321 prescribing, administering or distributing of any legend drug or
322 other medication in violation of the rules promulgated by the
323 board shall constitute a violation of Section 73-15-29(1)(f), (k)
324 and (l) and shall be grounds for disciplinary action.

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

