

By: Senator(s) Blackwell

To: Public Health and Welfare

SENATE BILL NO. 2070

1 AN ACT TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE A NURSE PRACTITIONER TO DISPENSE A LEGEND DRUG OR
3 MEDICATION TO PATIENTS OF THE NURSE PRACTITIONER; TO CONFORM IN
4 ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 73-15-20, Mississippi Code of 1972, is
8 amended as follows:

9 73-15-20. (1) **Advanced practice registered nurses.** Any
10 nurse desiring to be certified as an advanced practice registered
11 nurse shall apply to the board and submit proof that he or she
12 holds a current license to practice professional nursing and that
13 he or she meets one or more of the following requirements:

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

18 (b) Certification by a board-approved certifying body.

19 Such certification shall be required for initial state



20 certification and any recertification as a registered nurse
21 anesthetist, nurse practitioner or nurse midwife. The board may
22 by rule provide for provisional or temporary state certification
23 of graduate nurse practitioners for a period of time determined to
24 be appropriate for preparing and passing the National
25 Certification Examination. Those with provisional or temporary
26 certifications must practice under the direct supervision of a
27 licensed physician or a certified nurse practitioner or certified
28 nurse midwife with at least five (5) years of experience.

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

32 (2) **Rulemaking.** The board shall provide by rule the
33 appropriate requirements for advanced practice registered nurses
34 in the categories of certified registered nurse anesthetist,
35 certified nurse midwife and advancedu practice registered nurse.

36 (3) **Collaboration.** An advanced practice registered nurse
37 shall perform those functions authorized in this section within a
38 collaborative/consultative relationship with a dentist or
39 physician with an unrestricted license to practice dentistry or
40 medicine in this state and within an established protocol or
41 practice guidelines, as appropriate, that is filed with the board
42 upon license application, license renewal, after entering into a
43 new collaborative/consultative relationship or making changes to
44 the protocol or practice guidelines or practice site. The board



45 shall review and approve the protocol to ensure compliance with
46 applicable regulatory standards. The advanced practice registered
47 nurse may not practice as an APRN if there is no
48 collaborative/consultative relationship with a physician or
49 dentist and a board-approved protocol or practice guidelines.

50 (4) **Renewal.** The board shall renew a license for an
51 advanced practice registered nurse upon receipt of the renewal
52 application, fees and protocol or practice guidelines. The board
53 shall adopt rules establishing procedures for license renewals.
54 The board shall by rule prescribe continuing education
55 requirements for advanced practice nurses not to exceed forty (40)
56 hours biennially as a condition for renewal of a license or
57 certificate.

58 (5) **Reinstatement.** Advanced practice registered nurses may
59 reinstate a lapsed privilege to practice upon submitting
60 documentation of a current active license to practice professional
61 nursing, a reinstatement application and fee, a protocol or
62 practice guidelines, documentation of current certification as an
63 advanced practice nurse in a designated area of practice by a
64 national certification organization recognized by the board and
65 documentation of at least forty (40) hours of continuing education
66 related to the advanced clinical practice of the nurse
67 practitioner within the previous two-year period. The board shall
68 adopt rules establishing the procedure for reinstatement.



69 (6) **Changes in status.** The advanced practice registered
70 nurse shall notify the board immediately regarding changes in the
71 collaborative/consultative relationship with a licensed physician
72 or dentist. If changes leave the advanced practice registered
73 nurse without a board-approved collaborative/consultative
74 relationship with a physician or dentist, the advanced practice
75 nurse may not practice as an advanced practice registered nurse.

76 (7) **Practice requirements.** The advanced practice registered
77 nurse shall practice:

78 (a) According to standards and guidelines of the
79 National Certification Organization.

80 (b) In a collaborative/consultative relationship with a
81 licensed physician whose practice is compatible with that of the
82 nurse practitioner. Certified registered nurse anesthetists may
83 collaborate/consult with licensed dentists. The advanced practice
84 nurse must be able to communicate reliably with a
85 collaborating/consulting physician or dentist while practicing.

86 (c) According to a board-approved protocol or practice
87 guidelines.

88 (d) Advanced practice registered nurses practicing as
89 nurse anesthetists must practice according to board-approved
90 practice guidelines that address pre-anesthesia preparation and
91 evaluation; anesthesia induction, maintenance, and emergence;
92 post-anesthesia care; peri-anesthetic and clinical support
93 functions.



94 (e) Advanced practice registered nurses practicing in
95 other specialty areas must practice according to a board-approved
96 protocol that has been mutually agreed upon by the nurse
97 practitioner and a Mississippi licensed physician or dentist whose
98 practice or prescriptive authority is not limited as a result of
99 voluntary surrender or legal/regulatory order.

100 (f) Each collaborative/consultative relationship shall
101 include and implement a formal quality assurance/quality
102 improvement program which shall be maintained on site and shall be
103 available for inspection by representatives of the board. This
104 quality assurance/quality improvement program must be sufficient
105 to provide a valid evaluation of the practice and be a valid basis
106 for change, if any.

107 (g) Nurse practitioners may not write prescriptions
108 for, dispense or order the use of or administration of any
109 schedule of controlled substances except as contained in this
110 chapter or in the Mississippi Medical Cannabis Act.

111 Notwithstanding any provision of law to the contrary, a nurse
112 practitioner may dispense a legend drug or medication for which
113 the nurse practitioner possesses prescriptive authority, other
114 than a schedule of controlled substance, to patients of the nurse
115 practitioner.

116 (8) **Prescribing controlled substances and medications.**
117 Certified nurse midwives and certified nurse practitioners may
118 apply for controlled substance prescriptive authority after



119 completing a board-approved educational program. Certified nurse
120 midwives and certified nurse practitioners who have completed the
121 program and received prescription authority from the board may
122 prescribe Schedules II-V. The words "administer," "controlled
123 substances" and "ultimate user," shall have the same meaning as
124 set forth in Section 41-29-105, unless the context otherwise
125 requires. The board shall promulgate rules governing prescribing
126 of controlled substances, including distribution, record keeping,
127 drug maintenance, labeling and distribution requirements and
128 prescription guidelines for controlled substances and all
129 medications. Prescribing any controlled substance in violation of
130 the rules promulgated by the board shall constitute a violation of
131 Section 73-15-29(1)(f), (k) and (l) and shall be grounds for
132 disciplinary action. The prescribing, administering or
133 distributing of any legend drug or other medication in violation
134 of the rules promulgated by the board shall constitute a violation
135 of Section 73-15-29(1)(f), (k) and (l) and shall be grounds for
136 disciplinary action.

137 **SECTION 2.** This act shall take effect and be in force from
138 and after July 1, 2024.

