

By: Senator(s) Blackwell

To: Public Health and Welfare

SENATE BILL NO. 2079

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 ANESTHETISTS 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 AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE  
 13 REQUIREMENT OF ENTERING AND MAINTAINING A  
 14 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN  
 15 OR DENTIST AFTER COMPLETING 6,240 PRACTICE HOURS; TO PROVIDE THAT  
 16 CERTIFIED REGISTERED NURSE ANESTHETISTS SHALL BE EXEMPT FROM  
 17 MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A  
 18 LICENSED PHYSICIAN OR DENTIST UPON COMPLETION OF 8,000 CLINICAL  
 19 PRACTICE HOURS; TO PROVIDE THAT ADVANCED PRACTICE REGISTERED  
 20 NURSES AND CERTIFIED REGISTERED NURSE ANESTHETISTS MAY APPLY HOURS  
 21 WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO FULFILL THEIR  
 22 RESPECTIVE HOUR REQUIREMENT; TO CONFORM CERTAIN PROVISIONS WITH  
 23 THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 73-15-29,  
 24 MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED  
 25 NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY  
 26 ACTIONS AGAINST NURSES; TO AMEND SECTION 41-21-131, MISSISSIPPI  
 27 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR  
 28 RELATED PURPOSES.

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

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



32           73-15-3. In order to safeguard life and health, any person  
33 practicing or offering to practice as a registered nurse, an  
34 advanced practice registered nurse or a licensed practical nurse  
35 in Mississippi for compensation shall hereafter be required to  
36 submit evidence of qualifications to practice and shall be  
37 licensed or hold the privilege to practice as hereinafter  
38 provided. It shall be unlawful for any person not licensed or  
39 holding the privilege to practice under the provisions of this  
40 article:

41           (a) To practice or offer to practice as a registered  
42 nurse, an advanced practice registered nurse or a licensed  
43 practical nurse;

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

47           Any person offering to practice nursing in Mississippi must  
48 be licensed or otherwise authorized to practice as provided in  
49 this article.

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

52           73-15-5. (1) "Board" means the Mississippi Board of  
53 Nursing.

54           (2) The "practice of nursing" by a registered nurse means  
55 the performance for compensation of services which requires  
56 substantial knowledge of the biological, physical, behavioral,



57 psychological and sociological sciences and of nursing theory as  
58 the basis for assessment, diagnosis, planning, intervention and  
59 evaluation in the promotion and maintenance of health; management  
60 of individuals' responses to illness, injury or infirmity; the  
61 restoration of optimum function; or the achievement of a dignified  
62 death. "Nursing practice" includes, but is not limited to,  
63 administration, teaching, counseling, delegation and supervision  
64 of nursing, and execution of the medical regimen, including the  
65 administration of medications and treatments prescribed by any  
66 licensed or legally authorized physician, advanced practice  
67 registered nurse or dentist. The foregoing shall not be deemed to  
68 include acts of medical diagnosis or prescriptions of medical,  
69 therapeutic or corrective measures, except as may be set forth by  
70 rules and regulations promulgated and implemented by the  
71 Mississippi Board of Nursing.

72 \* \* \*

73 ( \* \* \*3) "Advanced nursing practice" means, in addition to  
74 the practice of professional nursing, the performance of  
75 advanced-level nursing approved by the board which, by virtue of  
76 graduate education and experience are appropriately performed by  
77 an advanced practice registered nurse. The advanced practice  
78 registered nurse may diagnose, treat and manage medical  
79 conditions. This may include prescriptive authority as identified  
80 by the board. Except as otherwise authorized in Section  
81 73-15-20(3), advanced practice registered nurses must practice in



82 a collaborative/consultative relationship with a physician \* \* \*  
83 dentist with an unrestricted license to practice in the State of  
84 Mississippi and advanced nursing must be performed within the  
85 framework of a standing protocol or practice guidelines, as  
86 appropriate.

87 ( \* \* \*4) The "practice of nursing" by a licensed practical  
88 nurse means the performance for compensation of services requiring  
89 basic knowledge of the biological, physical, behavioral,  
90 psychological and sociological sciences and of nursing procedures  
91 which do not require the substantial skill, judgment and knowledge  
92 required of a registered nurse. These services are performed  
93 under the direction of a registered nurse or a licensed physician  
94 or licensed dentist and utilize standardized procedures in the  
95 observation and care of the ill, injured and infirm; in the  
96 maintenance of health; in action to safeguard life and health; and  
97 in the administration of medications and treatments prescribed by  
98 any licensed physician \* \* \*, licensed dentist or an advanced  
99 practice registered nurse authorized by state law to prescribe.

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

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



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

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

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

118 \* \* \*

119 (9) "Collaboration" or "collaborate" means the act of  
120 communicating pertinent information or consulting with a licensed  
121 physician or other licensed health care provider with each  
122 provider contributing the provider's respective expertise to  
123 optimize the overall care delivered to the patient.

124 ( \* \* \*10) An "advanced practice registered nurse" is a  
125 person who is licensed or holds the privilege to practice under  
126 this article as a professional nurse and who is \* \* \* licensed as  
127 an advanced practice registered nurse or specialized nursing  
128 practice and includes certified registered nurse midwives,  
129 certified registered nurse anesthetists, clinical nurse  
130 specialists and certified nurse practitioners. "APRN" is the



131 abbreviation for the title of advanced practice registered nurse.

132 As used in this subsection (10):

133 (a) "Certified registered nurse midwife" means a  
134 registered nurse who holds certification as a certified registered  
135 nurse midwife by a nationally recognized certifying body approved  
136 by the board and is licensed by the board to engage in advanced  
137 practice nursing in this state. "CNM" is the abbreviation for the  
138 title of Certified Nurse Midwife \* \* \*.

139 (b) "Certified registered nurse anesthetist" means a  
140 registered nurse who holds certification as a certified registered  
141 nurse anesthetist by a nationally recognized certifying body  
142 approved by the board and is licensed by the board to engage in  
143 advanced practice nursing in this state. "CRNA" is the  
144 abbreviation for the title of Certified Registered Nurse  
145 Anesthetist.

146 (c) "Certified nurse practitioner" means a registered  
147 nurse who holds certification as a certified nurse practitioner by  
148 a nationally recognized certifying body approved by the board and  
149 is licensed by the board to engage in advanced practice nursing in  
150 this state. "CNP" is the abbreviation for the title of Certified  
151 Nurse Practitioner.

152 (d) "Clinical nurse specialist" means a registered  
153 nurse who holds certification as a clinical nurse specialist by a  
154 nationally recognized certifying body approved by the board and is  
155 licensed by the board to engage in advanced practice nursing in



156 this state. "CNS" is the abbreviation for the title of Clinical  
157 Nurse Specialist.

158 ( \* \* \*11) A "nurse educator" is a registered nurse who  
159 meets the criteria for faculty as set forth in a state-accredited  
160 program of nursing for registered nurses, or a state-approved  
161 program of nursing for licensed practical nurses, and who  
162 functions as a faculty member.

163 ( \* \* \*12) A "consumer representative" is a person  
164 representing the interests of the general public, who may use  
165 services of a health agency or health professional organization or  
166 its members but who is neither a provider of health services, nor  
167 employed in the health services field, nor holds a vested interest  
168 in the provision of health services at any level, nor has an  
169 immediate family member who holds vested interests in the  
170 provision of health services at any level.

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

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

177 (15) "Practice hours" include, but are not limited to:  
178 clinical practice hours completed in an APRN program, CRNA  
179 critical care nursing hours and practice hours completed as an  
180 authorized APRN in this state or any other state.



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

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

186       73-15-9. (1) There is hereby created a board to be known as  
187 the Mississippi Board of Nursing, composed of thirteen (13)  
188 members, two (2) of whom shall be nurse educators; three (3) of  
189 whom shall be registered nurses in clinical practice, two (2) to  
190 have as basic nursing preparation an associate degree or diploma  
191 and one (1) to have as basic nursing preparation a baccalaureate  
192 degree; one (1) of whom shall be a registered nurse at large; one  
193 (1) of whom shall be a registered nurse practitioner; \* \* \* three  
194 (3) of whom shall be licensed practical nurses; one (1) of whom  
195 shall be a certified registered nurse anesthetist; one (1) of whom  
196 shall be a licensed physician who shall always be a member of the  
197 State Board of Medical Licensure; and one (1) of whom shall  
198 represent consumers of health services. There shall be at least  
199 one (1) board member from each congressional district in the  
200 state; provided, however, that the physician member, the consumer  
201 representative member and one (1) registered nurse member shall be  
202 at large always.

203       (2) Members of the Mississippi Board of Nursing, excepting  
204 the member of the State Board of Medical Licensure, shall be  
205 appointed by the Governor, with the advice and consent of the





206 Senate, from lists of nominees submitted by any Mississippi  
207 registered nurse organization and/or association chartered by the  
208 State of Mississippi whose board of directors is elected by the  
209 membership and whose membership includes registered nurses  
210 statewide, for the nomination of registered nurses, and by  
211 the \* \* \* National Association of Licensed Practical Nurses and  
212 the Mississippi Licensed Practical Nurses' Association for the  
213 nomination of a licensed practical nurse. Nominations submitted  
214 by any such registered nurse organization or association to fill  
215 vacancies on the board shall be made and voted on by registered  
216 nurses only. Each list of nominees shall contain a minimum of  
217 three (3) names for each vacancy to be filled. The list of names  
218 shall be submitted at least thirty (30) days before the expiration  
219 of the term for each position. If such list is not submitted, the  
220 Governor is authorized to make an appointment from the group  
221 affected and without nominations. Appointments made to fill  
222 vacancies for unexpired terms shall be for the duration of such  
223 terms and until a successor is duly appointed.

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

229 (4) Vacancies occurring by reason of resignation, death or  
230 otherwise shall be filled by appointment of the Governor upon



231 nominations from a list of nominees from the affected group to be  
232 submitted within not more than thirty (30) days after such a  
233 vacancy occurs. In the absence of such list, the Governor is  
234 authorized to fill such vacancy in accordance with the provisions  
235 for making full-term appointments. All vacancy appointments shall  
236 be for the unexpired terms.

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

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

242 73-15-20. (1) **Advanced practice registered nurses.** Any  
243 nurse desiring to be \* \* \* licensed as an advanced practice  
244 registered nurse shall apply to the board and submit proof that he  
245 or she holds a current license \* \* \* as a registered nurse and  
246 that he or she meets one or more of the following requirements:

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

251 (b) Certification by a board-approved certifying body.  
252 Such certification shall be required for initial state \* \* \*  
253 licensure and any \* \* \* license renewal as a certified registered  
254 nurse anesthetist, certified nurse practitioner, clinical nurse  
255 specialist or certified nurse midwife. The board may by rule



256 provide for provisional or temporary state \* \* \* licensure of  
257 graduate \* \* \* advanced practice registered nurses for a period of  
258 time determined to be appropriate for preparing and passing the  
259 National Certification Examination. Those with provisional or  
260 temporary \* \* \* licenses must practice under the direct  
261 supervision of a licensed physician or \* \* \* an advanced practice  
262 registered nurse with at least five (5) years of experience.

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

266 (2) **Rulemaking.** The board shall provide by rule the  
267 appropriate requirements for advanced practice registered nurses  
268 in the categories of certified registered nurse anesthetist,  
269 certified nurse midwife, clinical nurse specialist and \* \* \*  
270 certified nurse practitioner.

271 (3) **Collaboration.** Except as otherwise authorized in this  
272 subsection (3), an advanced practice registered nurse shall  
273 perform those functions authorized in this section within a  
274 collaborative/consultative relationship with a dentist or  
275 physician with an unrestricted license to practice dentistry or  
276 medicine in this state and within an established protocol or  
277 practice guidelines, as appropriate, that is filed with the board  
278 upon license application, license renewal, after entering into a  
279 new collaborative/consultative relationship or making changes to  
280 the protocol or practice guidelines or practice site. The board



281 shall review and approve the protocol to ensure compliance with  
282 applicable regulatory standards. \* \* \* After an advanced practice  
283 registered nurse has completed six thousand two hundred forty  
284 (6,240) practice hours, the advanced practice registered nurse,  
285 except certified registered nurse anesthetists, shall be exempt  
286 from the requirement of entering and maintaining a  
287 collaborative/consultative relationship with a licensed physician  
288 as provided under this subsection (3). Certified registered nurse  
289 anesthetists shall be exempt from maintaining a  
290 collaborative/consultative relationship with a licensed physician  
291 as provided under this subsection (3) upon completion of eight  
292 thousand (8,000) clinical practice hours. Advanced practice  
293 registered nurses and certified registered nurse anesthetists may  
294 apply hours worked before the effective date of this act to  
295 fulfill their respective hour requirements.

296 (4) **Renewal.** The board shall renew a license for an  
297 advanced practice registered nurse upon receipt of the renewal  
298 application, fees and any required protocol or practice  
299 guidelines. The board shall adopt rules establishing procedures  
300 for license renewals. The board shall by rule prescribe  
301 continuing education requirements for advanced practice registered  
302 nurses \* \* \* as a condition for renewal of \* \* \* licensure.

303 (5) **Reinstatement.** Advanced practice registered nurses may  
304 reinstate a lapsed privilege to practice upon submitting  
305 documentation of a current active license to practice professional



306 nursing, a reinstatement application and fee, \* \* \* any required  
307 protocol or practice guidelines, documentation of current  
308 certification as an advanced practice registered nurse in a  
309 designated area of practice by a national certification  
310 organization recognized by the board and documentation of at least  
311 forty (40) hours of continuing education related to the advanced  
312 clinical practice of the \* \* \* advanced practice registered nurse  
313 within the previous two-year period. The board shall adopt rules  
314 establishing the procedure for reinstatement.

315 (6) **Changes in status.** \* \* \* An advanced practice  
316 registered nurse who is required to have a  
317 collaborative/consultative relationship with a licensed physician  
318 shall notify the board immediately regarding changes in the  
319 collaborative/consultative relationship \* \* \*. If changes leave  
320 the advanced practice registered nurse without a board-approved  
321 collaborative/consultative relationship with a physician or  
322 dentist, the advanced practice nurse may not practice as an  
323 advanced practice registered nurse.

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

326 (a) According to standards and guidelines of their  
327 respective professional organization and the National  
328 Certification Organization.

329 (b) In a collaborative/consultative relationship with a  
330 licensed physician whose practice is compatible with that of the



331 nurse practitioner, except as otherwise authorized in subsection  
332 (3) of this section. Certified registered nurse anesthetists may  
333 collaborate/consult with licensed dentists. The advanced practice  
334 registered nurse must be able to communicate reliably with a  
335 collaborating/consulting physician or dentist while practicing.  
336 Advanced practice registered nurses who are not required to have a  
337 collaborative/consultative relationship with a licensed physician  
338 or dentist shall collaborate with other health care providers and  
339 refer or transfer patients as appropriate.

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

343 (d) Advanced practice registered nurses practicing as  
344 certified registered nurse anesthetists must practice according to  
345 board-approved practice guidelines that address pre-anesthesia  
346 preparation and evaluation; anesthesia induction, maintenance, and  
347 emergence; post-anesthesia care; peri-anesthetic and clinical  
348 support functions.

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



356 (f) Each required collaborative/consultative  
357 relationship shall include and implement a formal quality  
358 assurance/quality improvement program which shall be maintained on  
359 site and shall be available for inspection by representatives of  
360 the board. This quality assurance/quality improvement program  
361 must be sufficient to provide a valid evaluation of the practice  
362 and be a valid basis for change, if any.

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

367 (8) **Prescribing controlled substances and medications. \* \* \***  
368 Advanced practice registered nurses may apply for controlled  
369 substance prescriptive authority after completing a board-approved  
370 educational program. \* \* \* Advanced practice registered nurses  
371 who have completed the program and received prescription authority  
372 from the board may prescribe Schedules II-V. The words  
373 "administer," "controlled substances" and "ultimate user," shall  
374 have the same meaning as set forth in Section 41-29-105, unless  
375 the context otherwise requires. The board shall promulgate rules  
376 governing prescribing of controlled substances, including  
377 distribution, record keeping, drug maintenance, labeling and  
378 distribution requirements and prescription guidelines for  
379 controlled substances and all medications. Prescribing any  
380 controlled substance in violation of the rules promulgated by the



381 board shall constitute a violation of Section 73-15-29(1)(f), (k)  
382 and (l) and shall be grounds for disciplinary action. The  
383 prescribing, administering or distributing of any legend drug or  
384 other medication in violation of the rules promulgated by the  
385 board shall constitute a violation of Section 73-15-29(1)(f), (k)  
386 and (l) and shall be grounds for disciplinary action. Advanced  
387 practice registered nurses may issue written certifications for  
388 medical cannabis in accordance with the provisions of the  
389 Mississippi Medical Cannabis Act.

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

392 73-15-29. (1) The board shall have power to revoke, suspend  
393 or refuse to renew any license issued by the board, or to revoke  
394 or suspend any privilege to practice, or to deny an application  
395 for a license, or to fine, place on probation and/or discipline a  
396 licensee, in any manner specified in this article, upon proof that  
397 such person:

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

400 (b) Has been convicted of a felony, or a crime  
401 involving moral turpitude or has had accepted by a court a plea of  
402 nolo contendere to a felony or a crime involving moral turpitude  
403 (a certified copy of the judgment of the court of competent  
404 jurisdiction of such conviction or pleas shall be prima facie  
405 evidence of such conviction);





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

409 (d) Has had a license or privilege to practice as a  
410 registered nurse, an advanced practice registered nurse or a  
411 licensed practical nurse suspended or revoked in any jurisdiction,  
412 has voluntarily surrendered such license or privilege to practice  
413 in any jurisdiction, has been placed on probation as a registered  
414 nurse, an advanced practice registered nurse or licensed practical  
415 nurse in any jurisdiction or has been placed under a disciplinary  
416 order(s) in any manner as a registered nurse, an advanced practice  
417 registered nurse or licensed practical nurse in any jurisdiction,  
418 (a certified copy of the order of suspension, revocation,  
419 probation or disciplinary action shall be prima facie evidence of  
420 such action);

421 (e) Has negligently or willfully practiced nursing in a  
422 manner that fails to meet generally accepted standards of such  
423 nursing practice;

424 (f) Has negligently or willfully violated any order,  
425 rule or regulation of the board pertaining to nursing practice or  
426 licensure;

427 (g) Has falsified or in a repeatedly negligent manner  
428 made incorrect entries or failed to make essential entries on  
429 records;



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

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

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

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

445 (l) Engages in any unprofessional conduct as identified  
446 by the board in its rules;

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

448 (n) Violation(s) of the provisions of Sections 41-121-1  
449 through 41-121-9 relating to deceptive advertisement by health  
450 care practitioners. This paragraph shall stand repealed on July  
451 1, 2025; or

452 (o) Violation(s) of any provision of Title 41, Chapter  
453 141, Mississippi Code of 1972.



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

458           (a) Denying application for a license or other  
459 authorization to practice nursing or practical nursing;

460           (b) Administering a reprimand;

461           (c) Suspending or restricting the license or other  
462 authorization to practice as a registered nurse, an advanced  
463 practice registered nurse or licensed practical nurse for up to  
464 two (2) years without review;

465           (d) Revoking the license or other authorization to  
466 practice nursing, an advanced practice registered nurse or  
467 practical nursing;

468           (e) Requiring the discipline to submit to care,  
469 counseling or treatment by persons and/or agencies approved or  
470 designated by the board as a condition for initial, continued or  
471 renewed licensure or other authorization to practice nursing, an  
472 advanced practice registered nurse or practical nursing;

473           (f) Requiring the discipline to participate in a  
474 program of education prescribed by the board as a condition for  
475 initial, continued or renewed licensure or other authorization to  
476 practice;



477 (g) Requiring the disciplinee to practice under the  
478 supervision of a registered nurse, an advanced practice registered  
479 nurse for a specified period of time; or

480 (h) Imposing a fine not to exceed Five Hundred Dollars  
481 (\$500.00).

482 (3) In addition to the grounds specified in subsection (1)  
483 of this section, the board shall be authorized to suspend the  
484 license or privilege to practice of any licensee for being out of  
485 compliance with an order for support, as defined in Section  
486 93-11-153. The procedure for suspension of a license or privilege  
487 to practice for being out of compliance with an order for support,  
488 and the procedure for the reissuance or reinstatement of a license  
489 or privilege to practice suspended for that purpose, and the  
490 payment of any fees for the reissuance or reinstatement of a  
491 license or privilege to practice suspended for that purpose, shall  
492 be governed by Section 93-11-157 or 93-11-163, as the case may be.  
493 If there is any conflict between any provision of Section  
494 93-11-157 or 93-11-163 and any provision of this article, the  
495 provisions of Section 93-11-157 or 93-11-163, as the case may be,  
496 shall control.

497 (4) If the public health, safety or welfare imperatively  
498 requires emergency action and the board incorporates a finding to  
499 that effect in an order, the board may order summary suspension of  
500 a license pending proceedings for revocation or other action.



501 These proceedings shall be promptly instituted and determined by  
502 the board.

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

507 (a) Participation in the program is voluntary with the  
508 licensee, and the licensee must enter the program before the board  
509 holds a disciplinary action hearing regarding the licensee;

510 (b) The full cost of participation in the program,  
511 including the cost of any care, counseling, treatment and/or  
512 education received by the licensee, shall be borne by the  
513 licensee;

514 (c) All of the procedures and records regarding the  
515 licensee's participation in the program shall be confidential,  
516 shall not be disclosed and shall be exempt from the provisions of  
517 the Mississippi Public Records Act of 1983; and

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

521 (6) A nurse practitioner who provides a written  
522 certification as authorized under the Mississippi Medical Cannabis  
523 Act and in compliance with rules and regulations adopted  
524 thereunder shall not be subject to any disciplinary action under  
525 this section solely due to providing the written certification.



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

528           41-21-131. As used in Sections 41-21-131 through 41-21-143,  
529 the following terms shall have the meanings as defined in this  
530 section:

531           (a) "Crisis Intervention Team" means a community  
532 partnership among a law enforcement agency, a community mental  
533 health center, a hospital, other mental health providers,  
534 consumers and family members of consumers.

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

539           (c) "Catchment area" means a geographical area in which  
540 a Crisis Intervention Team operates and is defined by the  
541 jurisdictional boundaries of the law enforcement agency that is  
542 the participating partner.

543           (d) "Crisis Intervention Team officer" or "CIT officer"  
544 means a law enforcement officer who is authorized to make arrests  
545 under Section 99-3-1 and who is trained and certified in crisis  
546 intervention and who is working for a law enforcement agency that  
547 is a participating partner in a Crisis Intervention Team.

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

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



551 (ii) The person has threatened or attempted  
552 homicide or other violent behavior; or

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

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

557 (v) There is substantial likelihood that serious  
558 harm will occur unless the person is placed under emergency  
559 treatment.

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

564 (g) "Psychiatric emergency services" means services  
565 designed to reduce the acute psychiatric symptoms of a person who  
566 is mentally ill or a person who has an impairment caused by drugs  
567 or alcohol and, when possible, to stabilize that person so that  
568 continuing treatment can be provided in the local community.

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

574 (i) "Comprehensive psychiatric emergency service" means  
575 a specialized psychiatric service operated by the single point of



576 entry and located in or near the hospital emergency department  
577 that can provide psychiatric emergency services for a period of  
578 time greater than can be provided in the hospital emergency  
579 department.

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

583 (k) "Psychiatric nurse practitioner" means a registered  
584 nurse who has completed the educational requirements specified by  
585 the State Board of Nursing, has successfully passed either the  
586 adult or family psychiatric nurse practitioner examination and is  
587 licensed by the State Board of Nursing \* \* \*.

588 (l) "Psychiatric physician assistant" means a physician  
589 assistant who has completed the educational requirements and  
590 passed the certification examination as specified in Section  
591 73-26-3, is licensed by the State Board of Medical Licensure, has  
592 had at least one (1) year of practice as a physician assistant  
593 employed by a community mental health center, and is working under  
594 the supervision of a physician at a single point of entry.

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

