

By: Senator(s) Blackwell

To: Public Health and Welfare

SENATE BILL NO. 2377

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 AMEND SECTION 73-15-20,
9 MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO
10 THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT
11 AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE
12 REQUIREMENT OF ENTERING AND MAINTAINING A
13 COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN
14 OR DENTIST AFTER COMPLETING 3,600 PRACTICE HOURS; TO PROVIDE THAT
15 CERTIFIED REGISTERED NURSE ANESTHETISTS SHALL BE EXEMPT FROM
16 MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A
17 LICENSED PHYSICIAN OR DENTIST UPON COMPLETION OF 8,000 CLINICAL
18 PRACTICE HOURS; TO PROVIDE THAT ADVANCED PRACTICE REGISTERED
19 NURSES AND CERTIFIED REGISTERED NURSE ANESTHETISTS MAY APPLY HOURS
20 WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO FULFILL THEIR
21 RESPECTIVE HOUR REQUIREMENT; TO CONFORM CERTAIN PROVISIONS WITH
22 THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 73-15-29,
23 MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED
24 NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY
25 ACTIONS AGAINST NURSES; TO AMEND SECTION 41-21-131, MISSISSIPPI
26 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR
27 RELATED PURPOSES.

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

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



31 73-15-3. In order to safeguard life and health, any person
32 practicing or offering to practice as a registered nurse, an
33 advanced practice registered nurse or a licensed practical nurse
34 in Mississippi for compensation shall hereafter be required to
35 submit evidence of qualifications to practice and shall be
36 licensed or hold the privilege to practice as hereinafter
37 provided. It shall be unlawful for any person not licensed or
38 holding the privilege to practice under the provisions of this
39 article:

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

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

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

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

51 73-15-5. (1) "Board" means the Mississippi Board of
52 Nursing.

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



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

71 * * *

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



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

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

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

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



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

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

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

117 * * *

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

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



130 abbreviation for the title of advanced practice registered nurse.

131 As used in this subsection (10):

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

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

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

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



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

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

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

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

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

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



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

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

185 73-15-9. (1) There is hereby created a board to be known as
186 the Mississippi Board of Nursing, composed of thirteen (13)
187 members, two (2) of whom shall be nurse educators; three (3) of
188 whom shall be registered nurses in clinical practice, two (2) to
189 have as basic nursing preparation an associate degree or diploma
190 and one (1) to have as basic nursing preparation a baccalaureate
191 degree; one (1) of whom shall be a registered nurse at large; one
192 (1) of whom shall be a registered nurse practitioner; four (4) of
193 whom shall be licensed practical nurses; * * * one (1) of whom
194 shall be a certified registered nurse anesthetist; and one (1) of
195 whom shall represent consumers of health services. There shall be
196 at least one (1) board member from each congressional district in
197 the state; provided, however, that the physician member, the
198 consumer representative member and one (1) registered nurse member
199 shall be at large always.

200 (2) Members of the Mississippi Board of Nursing, excepting
201 the member of the State Board of Medical Licensure, shall be
202 appointed by the Governor, with the advice and consent of the
203 Senate, from lists of nominees submitted by any Mississippi
204 registered nurse organization and/or association chartered by the



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

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

226 (4) Vacancies occurring by reason of resignation, death or
227 otherwise shall be filled by appointment of the Governor upon
228 nominations from a list of nominees from the affected group to be
229 submitted within not more than thirty (30) days after such a



230 vacancy occurs. In the absence of such list, the Governor is
231 authorized to fill such vacancy in accordance with the provisions
232 for making full-term appointments. All vacancy appointments shall
233 be for the unexpired terms.

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

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

239 73-15-20. (1) **Advanced practice registered nurses.** Any
240 nurse desiring to be * * * licensed as an advanced practice
241 registered nurse shall apply to the board and submit proof that he
242 or she holds a current license * * * as a registered nurse and
243 that he or she meets one or more of the following requirements:

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

248 (b) Certification by a board-approved certifying body.
249 Such certification shall be required for initial state * * *
250 licensure and any * * * license renewal as a certified registered
251 nurse anesthetist, certified nurse practitioner, clinical nurse
252 specialist or certified nurse midwife. The board may by rule
253 provide for provisional or temporary state * * * licensure of
254 graduate * * * advanced practice registered nurses for a period of



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

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

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

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



280 registered nurse has completed three thousand six hundred (3,600)
281 practice hours, the advanced practice registered nurse, except
282 certified registered nurse anesthetists, shall be exempt from the
283 requirement of entering and maintaining a
284 collaborative/consultative relationship with a licensed physician
285 as provided under this subsection (3). Certified registered nurse
286 anesthetists shall be exempt from maintaining a
287 collaborative/consultative relationship with a licensed physician
288 as provided under this subsection (3) upon completion of eight
289 thousand (8,000) clinical practice hours. Advanced practice
290 registered nurses and certified registered nurse anesthetists may
291 apply hours worked before the effective date of this act to
292 fulfill their respective hour requirements.

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

300 (5) **Reinstatement.** Advanced practice registered nurses may
301 reinstate a lapsed privilege to practice upon submitting
302 documentation of a current active license to practice professional
303 nursing, a reinstatement application and fee, * * * any required
304 protocol or practice guidelines, documentation of current



305 certification as an advanced practice registered nurse in a
306 designated area of practice by a national certification
307 organization recognized by the board and documentation of at least
308 forty (40) hours of continuing education related to the advanced
309 clinical practice of the * * * advanced practice registered nurse
310 within the previous two-year period. The board shall adopt rules
311 establishing the procedure for reinstatement.

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

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

323 (a) According to standards and guidelines of their
324 respective professional organization and the National
325 Certification Organization.

326 (b) In a collaborative/consultative relationship with a
327 licensed physician whose practice is compatible with that of the
328 nurse practitioner, except as otherwise authorized in subsection
329 (3) of this section. Certified registered nurse anesthetists may



330 collaborate/consult with licensed dentists. The advanced practice
331 registered nurse must be able to communicate reliably with a
332 collaborating/consulting physician or dentist while practicing.
333 Advanced practice registered nurses who are not required to have a
334 collaborative/consultative relationship with a licensed physician
335 or dentist shall collaborate with other health care providers and
336 refer or transfer patients as appropriate.

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

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

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

353 (f) Each required collaborative/consultative
354 relationship shall include and implement a formal quality



355 assurance/quality improvement program which shall be maintained on
356 site and shall be available for inspection by representatives of
357 the board. This quality assurance/quality improvement program
358 must be sufficient to provide a valid evaluation of the practice
359 and be a valid basis for change, if any.

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

364 (8) **Prescribing controlled substances and medications. * * ***
365 Advanced practice registered nurses may apply for controlled
366 substance prescriptive authority after completing a board-approved
367 educational program. * * * Advanced practice registered nurses
368 who have completed the program and received prescription authority
369 from the board may prescribe Schedules II-V. The words
370 "administer," "controlled substances" and "ultimate user," shall
371 have the same meaning as set forth in Section 41-29-105, unless
372 the context otherwise requires. The board shall promulgate rules
373 governing prescribing of controlled substances, including
374 distribution, record keeping, drug maintenance, labeling and
375 distribution requirements and prescription guidelines for
376 controlled substances and all medications. Prescribing any
377 controlled substance in violation of the rules promulgated by the
378 board shall constitute a violation of Section 73-15-29(1)(f), (k)
379 and (l) and shall be grounds for disciplinary action. The



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

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

389 73-15-29. (1) The board shall have power to revoke, suspend
390 or refuse to renew any license issued by the board, or to revoke
391 or suspend any privilege to practice, or to deny an application
392 for a license, or to fine, place on probation and/or discipline a
393 licensee, in any manner specified in this article, upon proof that
394 such person:

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

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



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

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

418 (e) Has negligently or willfully practiced nursing in a
419 manner that fails to meet generally accepted standards of such
420 nursing practice;

421 (f) Has negligently or willfully violated any order,
422 rule or regulation of the board pertaining to nursing practice or
423 licensure;

424 (g) Has falsified or in a repeatedly negligent manner
425 made incorrect entries or failed to make essential entries on
426 records;



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

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

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

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

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

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

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

449 (o) Violation(s) of any provision of Title 41, Chapter
450 141, Mississippi Code of 1972.



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

455 (a) Denying application for a license or other
456 authorization to practice nursing or practical nursing;

457 (b) Administering a reprimand;

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

462 (d) Revoking the license or other authorization to
463 practice nursing, an advanced practice registered nurse or
464 practical nursing;

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

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



474 (g) Requiring the disciplinee to practice under the
475 supervision of a registered nurse, an advanced practice registered
476 nurse for a specified period of time; or

477 (h) Imposing a fine not to exceed Five Hundred Dollars
478 (\$500.00).

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

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



498 These proceedings shall be promptly instituted and determined by
499 the board.

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

504 (a) Participation in the program is voluntary with the
505 licensee, and the licensee must enter the program before the board
506 holds a disciplinary action hearing regarding the licensee;

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

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

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

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



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

525 41-21-131. As used in Sections 41-21-131 through 41-21-143,
526 the following terms shall have the meanings as defined in this
527 section:

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

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

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

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

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

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



548 (ii) The person has threatened or attempted
549 homicide or other violent behavior; or

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

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

554 (v) There is substantial likelihood that serious
555 harm will occur unless the person is placed under emergency
556 treatment.

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

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

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

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



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

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

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

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

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

