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To: Public Health and Human
Services

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 849

1 AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO
2 INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF
3 PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION
4 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS
5 AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW
6 REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-9,
7 MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE
8 MISSISSIPPI BOARD OF NURSING TO INCLUDE A CERTIFIED REGISTERED
9 NURSE ANESTHETIST AS A MEMBER; TO AMEND SECTION 73-15-20,
10 MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO
11 THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT
12 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 8,000 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 THIS ACT; TO PROVIDE
28 FOR THE LICENSURE AND REGULATION OF ANESTHESIOLOGIST ASSISTANTS BY
29 THE STATE BOARD OF MEDICAL LICENSURE; TO DEFINE CERTAIN TERMS; TO
30 PROVIDE THAT THE BOARD SHALL REVIEW AND DETERMINE THE
31 QUALIFICATIONS OF PERSONS APPLYING FOR A LICENSE TO PRACTICE AS AN
32 ANESTHESIOLOGIST ASSISTANT; TO PROVIDE THE POWERS OF THE BOARD
33 REGARDING LICENSURE OF ANESTHESIOLOGIST ASSISTANTS AND PRESCRIBE
34 THE QUALIFICATIONS FOR LICENSURE; TO AUTHORIZE THE BOARD TO ISSUE



35 TEMPORARY LICENSES; TO PROVIDE THAT ANESTHESIOLOGIST ASSISTANTS
36 MAY ASSIST IN THE PRACTICE OF MEDICINE ONLY UNDER THE SUPERVISION
37 OF AN ANESTHESIOLOGIST; TO PROVIDE THAT ANESTHESIOLOGIST
38 ASSISTANTS MAY PERFORM ONLY THOSE DUTIES DELEGATED TO THEM BY A
39 SUPERVISING ANESTHESIOLOGIST; TO PROVIDE THAT A SUPERVISING
40 ANESTHESIOLOGIST SHALL DELEGATE TO AN ANESTHESIOLOGIST ASSISTANT
41 ANY DUTIES REQUIRED TO DEVELOP AND IMPLEMENT A COMPREHENSIVE
42 ANESTHESIA CARE PLAN FOR A PATIENT; TO AUTHORIZE THE BOARD TO
43 REVOKE LICENSES AND TAKE OTHER DISCIPLINARY ACTION AGAINST
44 LICENSEES AND TO REINSTATE LICENSES AFTER REVOCATION; TO PROHIBIT
45 PRACTICING AS AN ANESTHESIOLOGIST ASSISTANT WITHOUT A LICENSE, AND
46 PROVIDE A CRIMINAL PENALTY FOR PERSONS CONVICTED OF UNAUTHORIZED
47 PRACTICE; AND FOR RELATED PURPOSES.

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

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

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

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

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



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

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

71 73-15-5. (1) "Board" means the Mississippi Board of
72 Nursing.

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



91 * * *

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

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



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

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

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

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

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

137 * * *

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



141 provider contributing the provider's respective expertise to
142 optimize the overall care delivered to the patient.

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

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

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



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

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

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

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



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

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

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

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

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

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



215 shall be a licensed physician who shall always be a member of the
216 State Board of Medical Licensure; and one (1) of whom shall
217 represent consumers of health services. There shall be at least
218 one (1) board member from each congressional district in the
219 state; * * * however, * * * the physician member, the consumer
220 representative member and one (1) registered nurse member shall be
221 at large always.

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



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

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

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

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

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

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



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

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

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

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

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



288 certified registered nurse midwife, clinical nurse specialist
289 and * * * certified nurse practitioner.

290 (3) **Collaboration.** Except as otherwise authorized in this
291 subsection (3), an advanced practice registered nurse shall
292 perform those functions authorized in this section within a
293 collaborative/consultative relationship with a dentist or
294 physician with an unrestricted license to practice dentistry or
295 medicine in this state and within an established protocol or
296 practice guidelines, as appropriate, that is filed with the board
297 upon license application, license renewal, after entering into a
298 new collaborative/consultative relationship or making changes to
299 the protocol or practice guidelines or practice site. The board
300 shall review and approve the protocol to ensure compliance with
301 applicable regulatory standards. * * * After an advanced practice
302 registered nurse has completed eight thousand (8,000) practice
303 hours, the advanced practice registered nurse, except certified
304 registered nurse anesthetists, shall be exempt from the
305 requirement of entering and maintaining a
306 collaborative/consultative relationship with a licensed physician
307 as provided under this subsection (3). Certified registered nurse
308 anesthetists shall be exempt from maintaining a
309 collaborative/consultative relationship with a licensed physician
310 as provided under this subsection (3) upon completion of eight
311 thousand (8,000) clinical practice hours. Advanced practice
312 registered nurses and certified registered nurse anesthetists may



313 apply hours worked before July 1, 2025, to fulfill their
314 respective hour requirements under this subsection (3).

315 (4) **Renewal.** The board shall renew a license for an
316 advanced practice registered nurse upon receipt of the renewal
317 application, fees and any required protocol or practice
318 guidelines. The board shall adopt rules establishing procedures
319 for license renewals. The board shall by rule prescribe
320 continuing education requirements for advanced practice registered
321 nurses * * * as a condition for renewal of * * * licensure.

322 (5) **Reinstatement.** Advanced practice registered nurses may
323 reinstate a lapsed privilege to practice upon submitting
324 documentation of a current active license to practice professional
325 nursing, a reinstatement application and fee, * * * any required
326 protocol or practice guidelines, documentation of current
327 certification as an advanced practice registered nurse in a
328 designated area of practice by a national certification
329 organization recognized by the board and documentation of at least
330 forty (40) hours of continuing education related to the advanced
331 clinical practice of the * * * advanced practice registered nurse
332 within the previous two-year period. The board shall adopt rules
333 establishing the procedure for reinstatement.

334 (6) **Changes in status.** * * * An advanced practice
335 registered nurse who is required to have a
336 collaborative/consultative relationship with a licensed physician
337 shall notify the board immediately regarding changes in the



338 collaborative/consultative relationship * * *. If changes leave
339 the advanced practice registered nurse without a board-approved
340 collaborative/consultative relationship with a physician or
341 dentist, the advanced practice registered nurse may not practice
342 as an advanced practice registered nurse.

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

345 (a) According to standards and guidelines of their
346 respective professional organization and the National
347 Certification Organization.

348 (b) Except as otherwise authorized in subsection (3) of
349 this section, in a collaborative/consultative relationship with a
350 licensed physician whose practice is compatible with that of
351 the * * * advanced practice registered nurse. However, certified
352 registered nurse anesthetists may collaborate/consult with any
353 physician or licensed * * * dentist. The advanced practice
354 registered nurse must be able to communicate reliably with a
355 collaborating/consulting physician or dentist while practicing.
356 Advanced practice registered nurses who are not required to have a
357 collaborative/consultative relationship with a licensed physician
358 or dentist shall collaborate with other health care providers and
359 refer or transfer patients as appropriate.

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



363 (d) Advanced practice registered nurses practicing as
364 certified registered nurse anesthetists must practice according to
365 board-approved practice guidelines that address pre-anesthesia
366 preparation and evaluation; anesthesia induction, maintenance, and
367 emergence; post-anesthesia care; peri-anesthetic and clinical
368 support functions.

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

376 (f) Each required collaborative/consultative
377 relationship shall include and implement a formal quality
378 assurance/quality improvement program which shall be maintained on
379 site and shall be available for inspection by representatives of
380 the board. This quality assurance/quality improvement program
381 must be sufficient to provide a valid evaluation of the practice
382 and be a valid basis for change, if any.

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



387 (8) **Prescribing controlled substances and medications. * * ***
388 Advanced practice registered nurses may apply for controlled
389 substance prescriptive authority after completing a board-approved
390 educational program. * * * Advanced practice registered nurses
391 who have completed the program and received prescription authority
392 from the board may prescribe Schedules II-V. The words
393 "administer," "controlled substances" and "ultimate user," shall
394 have the same meaning as set forth in Section 41-29-105, unless
395 the context otherwise requires. The board shall promulgate rules
396 governing prescribing of controlled substances, including
397 distribution, record keeping, drug maintenance, labeling and
398 distribution requirements and prescription guidelines for
399 controlled substances and all medications. Prescribing any
400 controlled substance in violation of the rules promulgated by the
401 board shall constitute a violation of Section 73-15-29(1)(f), (k)
402 and (l) and shall be grounds for disciplinary action. The
403 prescribing, administering or distributing of any legend drug or
404 other medication in violation of the rules promulgated by the
405 board shall constitute a violation of Section 73-15-29(1)(f), (k)
406 and (l) and shall be grounds for disciplinary action. Advanced
407 practice registered nurses may issue written certifications for
408 medical cannabis in accordance with the provisions of the
409 Mississippi Medical Cannabis Act.

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



412 73-15-29. (1) The board shall have power to revoke, suspend
413 or refuse to renew any license issued by the board, or to revoke
414 or suspend any privilege to practice, or to deny an application
415 for a license, or to fine, place on probation and/or discipline a
416 licensee, in any manner specified in this article, upon proof that
417 such person:

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

420 (b) Has been convicted of a felony, or a crime
421 involving moral turpitude or has had accepted by a court a plea of
422 nolo contendere to a felony or a crime involving moral turpitude
423 (a certified copy of the judgment of the court of competent
424 jurisdiction of such conviction or pleas shall be prima facie
425 evidence of such conviction);

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

429 (d) Has had a license or privilege to practice as a
430 registered nurse, an advanced practice registered nurse or a
431 licensed practical nurse suspended or revoked in any jurisdiction,
432 has voluntarily surrendered such license or privilege to practice
433 in any jurisdiction, has been placed on probation as a registered
434 nurse, an advanced practice registered nurse or a licensed
435 practical nurse in any jurisdiction or has been placed under a
436 disciplinary order(s) in any manner as a registered nurse, an



437 advanced practice registered nurse or a licensed practical nurse
438 in any jurisdiction, (a certified copy of the order of suspension,
439 revocation, probation or disciplinary action shall be prima facie
440 evidence of such action);

441 (e) Has negligently or willfully practiced nursing in a
442 manner that fails to meet generally accepted standards of such
443 nursing practice;

444 (f) Has negligently or willfully violated any order,
445 rule or regulation of the board pertaining to nursing practice or
446 licensure;

447 (g) Has falsified or in a repeatedly negligent manner
448 made incorrect entries or failed to make essential entries on
449 records;

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

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

457 (j) Has engaged in any other conduct, whether of the
458 same or of a different character from that specified in this
459 article, that would constitute a crime as defined in Title 97 of
460 the Mississippi Code of 1972, as now or hereafter amended, and



461 that relates to such person's employment as a registered nurse, an
462 advanced practice registered nurse or a licensed practical nurse;

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

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

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

468 (n) Violation(s) of the provisions of Sections 41-121-1
469 through 41-121-9 relating to deceptive advertisement by health
470 care practitioners. This paragraph shall stand repealed on July
471 1, 2025; or

472 (o) Violation(s) of any provision of Title 41, Chapter
473 141, Mississippi Code of 1972.

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

478 (a) Denying application for a license or other
479 authorization to practice nursing or practical nursing;

480 (b) Administering a reprimand;

481 (c) Suspending or restricting the license or other
482 authorization to practice as a registered nurse, an advanced
483 practice registered nurse or a licensed practical nurse for up to
484 two (2) years without review;



485 (d) Revoking the license or other authorization to
486 practice nursing, advanced practice registered nursing or
487 practical nursing;

488 (e) Requiring the discipline to submit to care,
489 counseling or treatment by persons and/or agencies approved or
490 designated by the board as a condition for initial, continued or
491 renewed licensure or other authorization to practice nursing,
492 advanced practice registered nursing or practical nursing;

493 (f) Requiring the discipline to participate in a
494 program of education prescribed by the board as a condition for
495 initial, continued or renewed licensure or other authorization to
496 practice;

497 (g) Requiring the discipline to practice under the
498 supervision of a registered nurse or an advanced practice
499 registered nurse for a specified period of time; or

500 (h) Imposing a fine not to exceed Five Hundred Dollars
501 (\$500.00).

502 (3) In addition to the grounds specified in subsection (1)
503 of this section, the board shall be authorized to suspend the
504 license or privilege to practice of any licensee for being out of
505 compliance with an order for support, as defined in Section
506 93-11-153. The procedure for suspension of a license or privilege
507 to practice for being out of compliance with an order for support,
508 and the procedure for the reissuance or reinstatement of a license
509 or privilege to practice suspended for that purpose, and the



510 payment of any fees for the reissuance or reinstatement of a
511 license or privilege to practice suspended for that purpose, shall
512 be governed by Section 93-11-157 or 93-11-163, as the case may be.
513 If there is any conflict between any provision of Section
514 93-11-157 or 93-11-163 and any provision of this article, the
515 provisions of Section 93-11-157 or 93-11-163, as the case may be,
516 shall control.

517 (4) If the public health, safety or welfare imperatively
518 requires emergency action and the board incorporates a finding to
519 that effect in an order, the board may order summary suspension of
520 a license pending proceedings for revocation or other action.
521 These proceedings shall be promptly instituted and determined by
522 the board.

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

527 (a) Participation in the program is voluntary with the
528 licensee, and the licensee must enter the program before the board
529 holds a disciplinary action hearing regarding the licensee;

530 (b) The full cost of participation in the program,
531 including the cost of any care, counseling, treatment and/or
532 education received by the licensee, shall be borne by the
533 licensee;



534 (c) All of the procedures and records regarding the
535 licensee's participation in the program shall be confidential,
536 shall not be disclosed and shall be exempt from the provisions of
537 the Mississippi Public Records Act of 1983; and

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

541 (6) * * * An advanced practice registered nurse who provides
542 a written certification as authorized under the Mississippi
543 Medical Cannabis Act and in compliance with rules and regulations
544 adopted thereunder shall not be subject to any disciplinary action
545 under this section solely due to providing the written
546 certification.

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

549 41-21-131. As used in Sections 41-21-131 through 41-21-143,
550 the following terms shall have the meanings as defined in this
551 section:

552 (a) "Crisis Intervention Team" means a community
553 partnership among a law enforcement agency, a community mental
554 health center, a hospital, other mental health providers,
555 consumers and family members of consumers.

556 (b) "Participating partner" means a law enforcement
557 agency, a community mental health center or a hospital that has



558 each entered into collaborative agreements needed to implement a
559 Crisis Intervention Team.

560 (c) "Catchment area" means a geographical area in which
561 a Crisis Intervention Team operates and is defined by the
562 jurisdictional boundaries of the law enforcement agency that is
563 the participating partner.

564 (d) "Crisis Intervention Team officer" or "CIT officer"
565 means a law enforcement officer who is authorized to make arrests
566 under Section 99-3-1 and who is trained and certified in crisis
567 intervention and who is working for a law enforcement agency that
568 is a participating partner in a Crisis Intervention Team.

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

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

572 (ii) The person has threatened or attempted
573 homicide or other violent behavior; or

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

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

578 (v) There is substantial likelihood that serious
579 harm will occur unless the person is placed under emergency
580 treatment.

581 (f) "Single point of entry" means a specific hospital
582 that is the participating partner in a Crisis Intervention Team



583 and that has agreed to provide psychiatric emergency services and
584 triage and referral services.

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

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

595 (i) "Comprehensive psychiatric emergency service" means
596 a specialized psychiatric service operated by the single point of
597 entry and located in or near the hospital emergency department
598 that can provide psychiatric emergency services for a period of
599 time greater than can be provided in the hospital emergency
600 department.

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

604 (k) "Psychiatric nurse practitioner" means a registered
605 nurse who has completed the educational requirements specified by
606 the State Board of Nursing, has successfully passed either the



607 adult or family psychiatric nurse practitioner examination and is
608 licensed by the State Board of Nursing * * *.

609 (1) "Psychiatric physician assistant" means a physician
610 assistant who has completed the educational requirements and
611 passed the certification examination as specified in Section
612 73-26-3, is licensed by the State Board of Medical Licensure, has
613 had at least one (1) year of practice as a physician assistant
614 employed by a community mental health center, and is working under
615 the supervision of a physician at a single point of entry.

616 **SECTION 7. Definitions.** As used in Sections 7 through 13 of
617 this act, unless the context otherwise requires:

618 (a) "Anesthesiologist" means a physician who is
619 licensed under Section 73-25-1 et seq. and who has completed a
620 residency in anesthesiology approved by the American Board of
621 Anesthesiology or the American Osteopathic Board of
622 Anesthesiology.

623 (b) "Anesthesiologist assistant" means a person who
624 meets the requirements of Section 9 of this act and is
625 board-approved to assist in the practice of medicine under the
626 delegation of an anesthesiologist.

627 (c) "Assists" means the anesthesiologist assistant
628 personally performs those duties and responsibilities delegated by
629 the anesthesiologist.

630 (d) "Board" means the State Board of Medical Licensure.



631 (e) "Supervision" means the availability of a physician
632 anesthesiologist who can delegate, coordinate, direct or consult,
633 and oversee the implementation of the anesthesiologist's
634 intentions.

635 (f) "Certification examination" means the initial
636 certifying examination approved by the board for the certification
637 of anesthesiologist assistants, including the examination
638 administered by the National Commission for the Certification of
639 Anesthesiologist Assistants or another national anesthesiologist
640 assistant certifying agency that has been reviewed and approved by
641 the board.

642 **SECTION 8. Board; powers and duties.** (1) The board shall
643 review and determine the qualifications and fitness of all persons
644 applying for a license to practice as an anesthesiologist
645 assistant.

646 (2) The board shall:

647 (a) Grant, deny, revoke and reinstate licenses of
648 anesthesiologist assistants;

649 (b) Investigate allegations that an anesthesiologist
650 assistant or the supervising anesthesiologist has engaged in
651 conduct constituting a ground for revocation;

652 (c) Conduct informal interviews and hearings;

653 (d) Adopt rules governing the practice of
654 anesthesiologist assistants; and



655 (e) Retain jurisdiction over only those licensees to
656 whom temporary or full licenses are granted under Sections 7
657 through 13 of this act, regardless of whether the license has
658 expired, has lapsed or was relinquished during or after any
659 alleged occurrence of conduct.

660 (3) The board shall establish a position to be filled by an
661 anesthesiologist assistant licensed under Sections 7 through 13 of
662 this act.

663 **SECTION 9. Licensure; use of title; temporary license;**
664 **temporary licensure; fees.** (1) A person may not practice in this
665 state as an anesthesiologist assistant or use the title or
666 represent that the person is a certified anesthesiologist
667 assistant, anesthesiologist assistant or use the abbreviation
668 "C.A.A." or "A.A." without having a license granted by the board
669 under Sections 7 through 13 of this act.

670 (2) The board may grant an anesthesiologist assistant
671 license to an applicant who:

672 (a) Graduated from an anesthesiologist assistant
673 program accredited by the Commission on Accreditation of Allied
674 Health Education Programs or its predecessor or successor
675 organization;

676 (b) Satisfactorily completed a certification
677 examination administered by the National Commission for the
678 Certification of Anesthesiologist Assistants or another national



679 certifying agency that has been reviewed and approved by the board
680 and that is currently certified;

681 (c) Completes an application form; and

682 (d) Pays the required application and licensure fees as
683 prescribed by the board in rule.

684 (3) A license issued under Sections 7 through 13 of this
685 act, other than a temporary license, is valid for a period of one
686 (1) year. A licensee shall renew the license every other year on
687 or before June 30 by completing and submitting to the board a
688 renewal application form as prescribed by the board and the
689 prescribed renewal fee before the current license expires. The
690 board shall provide renewal notices to licensees at least one (1)
691 month before the expiration date.

692 (4) The board may reinstate a lapsed license if the
693 applicant pays a reinstatement fee as prescribed by the board in
694 rule and meets the requirements for initial licensure.

695 (5) The board may issue a temporary license to any person
696 who:

697 (a) Completes a temporary license application;

698 (b) Pays the required temporary license fee as
699 prescribed by the board in rule; and

700 (c) Successfully completes a Commission on
701 Accreditation of Allied Health Education program or another
702 board-approved program for educating and training anesthesiologist
703 assistants but who has not passed a certification examination.



704 The person shall take the next available certification
705 examination after receiving a temporary license. A temporary
706 license may not be issued for a period of more than six (6) months
707 and is subject to any other requirements that the board adopts by
708 rule.

709 **SECTION 10. Scope of practice.** (1) This section does not
710 apply to persons who are enrolled in an anesthesiologist assistant
711 education program approved by the board.

712 (2) An anesthesiologist assistant may assist in the practice
713 of medicine only under the supervision of an anesthesiologist.
714 The anesthesiologist assistant may perform only those duties and
715 responsibilities delegated to the anesthesiologist assistant by
716 the supervising anesthesiologist.

717 (3) The supervising anesthesiologist shall be allowed to
718 supervise anesthesiologist assistants in a manner consistent with
719 federal rules or regulations for reimbursement for anesthesia
720 services.

721 (4) The supervising anesthesiologist shall be immediately
722 available to the anesthesiologist assistant who assists in the
723 delivery of medical care such that the supervising
724 anesthesiologist is able to intervene if needed.

725 (5) An anesthesiologist assistant's practice may not exceed
726 his or her education and training, and the scope of practice of
727 the supervising anesthesiologist. A medical care task assigned by
728 the supervising anesthesiologist to the anesthesiologist assistant



729 may not be delegated by the anesthesiologist assistant to another
730 person.

731 (6) A supervising anesthesiologist shall delegate to an
732 anesthesiologist assistant any duties required to develop and
733 implement a comprehensive anesthesia care plan for a patient.

734 (7) Sections 7 through 13 of this act do not prevent an
735 anesthesiologist assistant from having access to and being able to
736 obtain prescription drugs as directed by the supervising
737 anesthesiologist.

738 **SECTION 11. Regulation of licensure.** (1) The board may
739 refuse to renew and may revoke, suspend or restrict a license or
740 take other disciplinary action, including imposing conditions or
741 restrictions on a license under Sections 7 through 13 of this act
742 and the rules adopted under Sections 7 through 13 of this act.

743 (2) If the board determines that a person is ineligible for
744 licensure, that an application for licensure should be denied,
745 that a license should be suspended or that any other action should
746 be taken on a current license, the board shall adopt and enter its
747 written order and findings.

748 **SECTION 12. Reinstatement of license; requirements.** (1)
749 The board may issue a new license to an anesthesiologist assistant
750 whose license was previously revoked by the board if the applicant
751 applies in writing to the board and demonstrates to the board's
752 satisfaction that the applicant is completely rehabilitated with



753 respect to the conduct that was the basis for the revocation. In
754 making its decision, the board shall determine:

755 (a) That the applicant has not engaged in any conduct
756 during the revocation period that would constitute a basis for
757 revocation under rules adopted by the board;

758 (b) If a criminal conviction was a basis of the
759 revocation, that the applicant's civil rights have been fully
760 restored pursuant to statute or any other applicable recognized
761 judicial or gubernatorial order;

762 (c) That the applicant has made restitution to any
763 aggrieved person as ordered by a court of competent jurisdiction;
764 and

765 (d) That the applicant demonstrates any other standard
766 of rehabilitation the board determines is appropriate.

767 (2) Except as provided in subsection (3) of this section, a
768 person may not apply for license reinstatement earlier than one
769 (1) year after the date of revocation.

770 (3) If a license revocation was based on a conviction of a
771 felony or an offense involving moral turpitude and that conviction
772 has been reversed on appeal, the board shall vacate its previous
773 order to revoke the license and the anesthesiologist assistant may
774 apply for reinstatement as soon as the court enters the reversal.

775 (4) An applicant for reinstatement shall comply with all
776 initial licensure requirements prescribed by Sections 7 through 13



777 of this act and rules adopted by the board under Sections 7
778 through 13 of this act.

779 **SECTION 13. Unauthorized practice; violation; penalties.**

780 Any person practicing as an anesthesiologist assistant or
781 representing that he or she is an anesthesiologist assistant
782 without a license, or any person employing an unlicensed person to
783 practice as an anesthesiologist assistant, is guilty of a
784 misdemeanor and, upon conviction, shall be punished by a fine of
785 not more than One Thousand Dollars (\$1,000.00) or by imprisonment
786 in the county jail for not more than one (1) year, or both. Each
787 violation constitutes a separate offense for which the penalty in
788 this section may be assessed.

789 **SECTION 14.** This act shall take effect and be in force from
790 and after July 1, 2025.

