AN ACT TO AMEND SECTION 73-25-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COLLABORATIVE AGREEMENTS BETWEEN NURSE PRACTITIONERS AND LICENSED PHYSICIANS FOR PROVIDING SERVICES IN ANY CLINICAL SETTINGS SHALL BE APPROVED BY THE STATE BOARD OF MEDICAL LICENSURE WITH A 75-MILE DISTANCE RESTRICTION FROM THE PRIMARY PRACTICE LOCATION OF THE PRIMARY PRACTICE; TO AMEND SECTIONS 73-15-5 AND 73-15-20, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES SHALL HAVE FULL PRACTICE AUTHORITY; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 73-25-35, Mississippi Code of 1972, is amended as follows:

73-25-35. (1) Registered nurses who are licensed and certified by the Mississippi Board of Nursing as nurse practitioners * * * shall be authorized to practice in any clinical setting under the general supervision of a licensed physician under a collaborative relationship approved by the State Board of Medical Licensure wherein patients are treated by the nurse practitioner within seventy-five (75) miles from the primary office of the collaborative physician. No more than six (6) nurse
practitioners may be supervised by a single licensed physician under a collaborative.

(2) The State Board of Medical Licensure shall amend its regulations to conform to the requirements of this section.

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

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

(2) The "practice of nursing" by a registered nurse means the performance for compensation of services which requires substantial knowledge of the biological, physical, behavioral, psychological and sociological sciences and of nursing theory as the basis for assessment, diagnosis, planning, intervention and evaluation in the promotion and maintenance of health; management of individuals' responses to illness, injury or infirmity; the restoration of optimum function; or the achievement of a dignified death. "Nursing practice" includes, but is not limited to, administration, teaching, counseling, delegation and supervision of nursing, and execution of the medical regimen, including the administration of medications and treatments prescribed by any licensed or legally authorized physician or dentist. The foregoing shall not be deemed to include acts of medical diagnosis or prescriptions of medical, therapeutic or corrective measures, except as may be set forth by rules and regulations promulgated and implemented by the Mississippi Board of Nursing.
(3) "Clinical nurse specialist practice" by a certified clinical nurse specialist means the delivery of advanced practice nursing care to individuals or groups using advanced diagnostic and assessment skills to manage and improve the health status of individuals and families; diagnose human responses to actual or potential health problems; plan for health promotion, disease prevention, and therapeutic intervention in collaboration with the patient or client; implement therapeutic interventions based on the nurse specialist's area of expertise and within the scope of advanced nursing practice, including, but not limited to, direct patient care, counseling, teaching, collaboration with other licensed health care providers; and, coordination of health care as necessary and appropriate and evaluation of the effectiveness of care.

(4) "Advanced nursing practice" means, in addition to the practice of professional nursing, the performance of advanced-level nursing approved by the board which, by virtue of graduate education and experience are appropriately performed by an advanced practice registered nurse. The advanced practice registered nurse may diagnose, treat and manage medical conditions. This may include prescriptive authority as identified by the board. * * *

(5) The "practice of nursing" by a licensed practical nurse means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological
and sociological sciences and of nursing procedures which do not require the substantial skill, judgment and knowledge required of a registered nurse. These services are performed under the direction of a registered nurse or a licensed physician or licensed dentist and utilize standardized procedures in the observation and care of the ill, injured and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by any licensed physician or licensed dentist authorized by state law to prescribe. On a selected basis, and within safe limits, the role of the licensed practical nurse shall be expanded by the board under its rule-making authority to more complex procedures and settings commensurate with additional preparation and experience.

(6) A "license" means an authorization to practice nursing as a registered nurse or a licensed practical nurse designated herein.

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

(8) A "licensed practical nurse" is a person who is licensed or holds the privilege to practice under this article and who practices practical nursing as defined herein. "LPN" is the abbreviation for the title of Licensed Practical Nurse.
(9) A "registered nurse in clinical practice" is one who functions in any health care delivery system which provides nursing services.

(10) A "clinical nurse specialist" is a person who is licensed or holds the privilege to practice under this article in this state to practice professional nursing and who in this state practices advanced nursing as defined herein. "CNS" is the abbreviation for the title of Clinical Nurse Specialist.

(11) An "advanced practice registered nurse" is a person who is licensed or holds the privilege to practice under this article and who is certified in advanced practice registered nurse or specialized nursing practice and includes certified registered nurse midwives, certified registered nurse anesthetists and certified nurse practitioners. "CNM" is the abbreviation for the title of Certified Nurse Midwife, "CRNA" is the abbreviation for the title of Certified Registered Nurse Anesthetist. "CNP" is the abbreviation for the title of Certified Nurse Practitioner.

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

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

(14) "Privilege to practice" means the authorization to
practice nursing in the state as described in the Nurse Licensure
Compact provided for in Section 73-15-22.

(15) "Licensee" is a person who has been issued a license to
practice nursing in the state or who holds the privilege to
practice nursing in the state.

SECTION 3. Section 73-15-20, Mississippi Code of 1972, is
amended as follows:

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

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

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

Such certification shall be required for initial state
certification and any recertification as a registered nurse...
anesthetist, nurse practitioner or nurse midwife. The board may
by rule provide for provisional or temporary state certification
of graduate nurse practitioners for a period of time determined to
be appropriate for preparing and passing the National
Certification Examination. Those with provisional or temporary
certifications must practice under the direct supervision of a
licensed physician or a certified nurse practitioner or certified
nurse midwife with at least five (5) years of experience.
(c) Graduation from a program leading to a master's or
post-master's degree in a nursing clinical specialty area with
preparation in specialized practitioner skills.
(2) Rulemaking. The board shall provide by rule the
appropriate requirements for advanced practice registered nurses
in the categories of certified registered nurse anesthetist,
certified nurse midwife and advanced practice registered nurse.

** Renewal. The board shall renew a license for an
advanced practice registered nurse upon receipt of the renewal
application, fees and protocol or practice guidelines. The board
shall adopt rules establishing procedures for license renewals.
The board shall by rule prescribe continuing education
requirements for advanced practice nurses not to exceed forty (40)
hours biennially as a condition for renewal of a license or
certificate.
Reinstatement. Advanced practice registered nurses may reinstate a lapsed privilege to practice upon submitting documentation of a current active license to practice professional nursing, a reinstatement application and fee, documentation of current certification as an advanced practice nurse in a designated area of practice by a national certification organization recognized by the board and documentation of at least forty (40) hours of continuing education related to the advanced clinical practice of the nurse practitioner within the previous two-year period. The board shall adopt rules establishing the procedure for reinstatement.

Practice requirements. The advanced practice registered nurse shall practice:

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

(b) According to a board-approved protocol or practice guidelines.

(c) Advanced practice registered nurses practicing as nurse anesthetists must practice according to board-approved practice guidelines that address pre-anesthesia preparation and evaluation; anesthesia induction, maintenance, and emergence; post-anesthesia care; peri-anesthetic and clinical support functions.
Nurse practitioners may not write prescriptions for, dispense or order the use of or administration of any schedule of controlled substances except as contained in this chapter.

Prescribing controlled substances and medications.

Certified nurse midwives, certified nurse practitioners and certified registered nurse anesthetists may apply for controlled substance prescriptive authority after completing a board-approved educational program. Certified nurse midwives, certified nurse practitioners and certified registered nurse anesthetists who have completed the program and received prescription authority from the board may prescribe Schedules II-V. The words "administer," "controlled substances" and "ultimate user," shall have the same meaning as set forth in Section 41-29-105, unless the context otherwise requires. The board shall promulgate rules governing prescribing of controlled substances, including distribution, record keeping, drug maintenance, labeling and distribution requirements and prescription guidelines for controlled substances and all medications. Prescribing any controlled substance in violation of the rules promulgated by the board shall constitute a violation of Section 73-15-29(1)(f), (k) and (l) and shall be grounds for disciplinary action. The prescribing, administering or distributing of any legend drug or other medication in violation of the rules promulgated by the
Nurse practitioners may practice in any clinical setting within 75 miles of supervising physician; authorize.

SECTION 4. This act shall take effect and be in force from and after July 1, 2016, and shall stand repealed from and after June 30, 2016.