

MS BOARD OF NURSING UPDATE 2022

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EXECUTIVE DIRECTOR

CONSUMER PROTECTION AGENCY

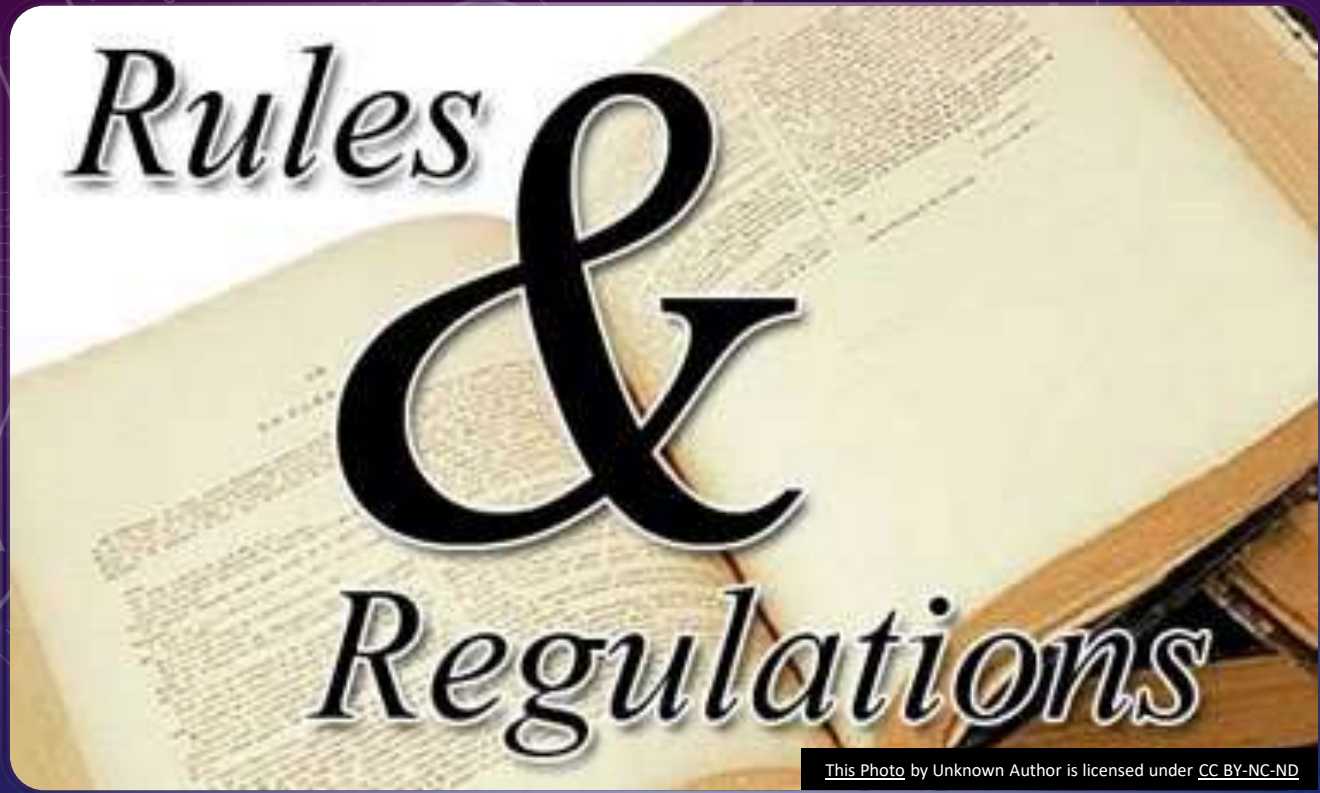
- Authority to regulate the practice of nursing through licensure as provided by the Mississippi State Code.



OBJECTIVES

Discuss regulatory changes post COVID-19

Review the proposed medical cannabis rules for APRNs



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OLRC

OCCUPATIONAL LICENSING REVIEW COMMISSION

OLRC

Authority to review Boards rules to ensure that boards do not engage in anticompetitive behavior

20 states rely on independent boards for licensing and regulating professions and occupations (includes Mississippi)

Been in existence since 2017

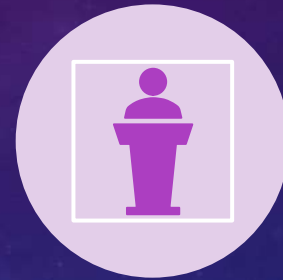
[MS Code § 73-47-9 \(2019\)](#)

Composed of Governor, SOS, and Attorney General

MONITORED PRACTICE HOURS



Temporary Emergency
Rule



Secretary of State
website for review and
comment



120 days



2nd posting



MEDICAL CANNABIS



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HISTORY

Cannabis was sold OTC prior to 1936 and used for a variety of illnesses in the United States

1936

1970

Included in the classification of controlled substances in 1970 and listed as a Schedule 1 controlled substance (Comprehensive Drug Abuse Prevention and Control Act)

1st legalization of medical marijuana approved by voters in California in 1996

- (NCSBN, 2018)

1996

MEDICAL CANNABIS RULES

New chapter
added to Part
2840, Chapter 1:
Section II

SOS website for
review and
comment

MEDICAL CANNABIS

- Marijuana is not prescribed, but dispensed if state-listed conditions are met
- Health care providers certify to the qualifying condition
- Providers have a duty to monitor the condition and the patient's response

- (NCSBN, 2018)

RULES

Certifying practitioners must be authorized and registered with the MSDH and the BON to certify patients to obtain cannabis for medical use

Certifying practitioners must register with the BON within 30 days of receiving the unique identifier assigned by the MSDH

CONTINUING EDUCATION

- Practitioners registering as a certified practitioner for the first time must complete a minimum of eight (8) hours of CE approved by the MSDH in the area of medical cannabis before initial registration can be approved
- Certifying practitioners shall complete at least five (5) hours of CE in the area of medical cannabis after the 1st year of registration before reapplication can be approved

RULES

- Certifying Practitioner must have:
 - A bona fide certifying practitioner-patient relationship with the patient
 - Certifying Practitioner must have diagnosed the patient as having a qualifying condition after an in-person evaluation and appropriate diagnostic testing
 - Certifying practitioner believes the patient can benefit from the medical use of cannabis

WRITTEN CERTIFICATION

Diagnosis of the qualifying condition must be documented in a written certification

Shall affirm that it is made in the course of a bona fide practitioner-patient relationship

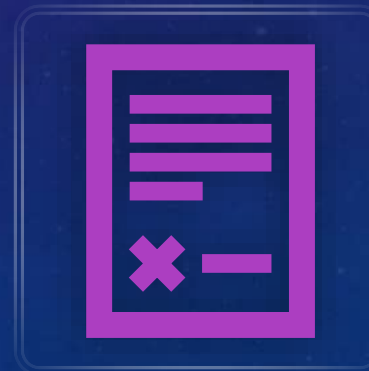
Remain current for twelve months (unless a shorter time is specified by the certifying practitioner)

Must be issued only after an in-person assessment of the patient

Be limited to the allowable amount of cannabis in a thirty-day period

TREATMENT PLAN

- Follow-up visit is required not less than six months after the date of issuance of the certification
- Failure of patient to attend a follow-up visit as required leads to no recertification until an in-person follow-up visit is conducted



PEDIATRIC CERTIFICATION

- ONLY PHYSICIANS (MDs) OR DOCTORS OF OSTEOPATHY (DOs) MAY ISSUE WRITTEN CERTIFICATIONS TO REGISTERED QUALIFYING PATIENTS WHO ARE MINORS (YOUNGER THAN 18 YEARS OF AGE)

CONTINUING EDUCATION

- Practitioners applying to register with the BON as a certifying practitioner for the first time must complete a minimum of eight (8) hours of CE approved by the MSDH in the area of medical cannabis before initial registration shall be approved
- Certifying practitioners shall complete at least five (5) hours of CE after the first year of registration in the area of medical cannabis before reapplication shall be approved

PMP

Certifying practitioners must review the MPHP at each patient encounter involving certification, re-certification, or follow-up related to medical cannabis

Documentation must be provided in the chart that the PMP was reviewed and findings of said review

URINE DRUG SCREENS

UDS should be performed as part of the in-person evaluation for initial certification and re-certification each year

Other testing methods may be used in the absence of urine

Tests must include (at a minimum) assays for opioids, benzodiazepines, amphetamines, cocaine, and cannabis

UPDATES

APRN
Compact
(Adopted
August 2020)



Three states
have
approved the
APRN
Compact

BENEFITS OF THE APRN COMPACT

- ACCESS TO CARE
- **TELEHEALTH (ENABLES APRNS TO PRACTICE VIA TELEHEALTH TO PATIENTS LOCATED ACROSS THE COUNTRY SEAMLESSLY)**
- **DISASTER/PANDEMIC RELIEF (IMMEDIATELY CROSS STATE BORDERS IN THE EVENT OF AN EMERGENCY WITHOUT NEED FOR EXECUTIVE DECLARATION)**
- MILITARY FAMILIES
- ONLINE EDUCATION
- COST EFFECTIVE (DO NOT HAVE TO OBTAIN ADDITIONAL NURSING LICENSES)
- FLEXIBLE LICENSURE (MAY OBTAIN OR MAINTAIN A SINGLE STATE LICENSE IF PREFERRED)

CSPA & APRN COMPACT

- CONTROLLED SUBSTANCE AUTHORITY NOT INCLUDED DUE TO DEA FEDERAL CONTROL
- MULTISTATE LICENSE CAN PRESCRIBE CS BASED ON REQUIREMENTS OF STATE WHERE THE PATIENT IS LOCATED AT TIME CARE IS TAKING PLACE
- APRN COMPACT REQUIRES AN APRN TO HAVE 1 YEAR OF EXPERIENCE TO OBTAIN MULTISTATE LICENSE BUT NO REQUIREMENTS FOR SUPERVISION OR TRANSITION TO PRACTICE
- [HTTPS://WWW.NCSBN.ORG/APRN-COMPACT](https://www.ncsbn.org/aprn-compact)



MONITORED PRACTICE HOURS

PART 2840, CHAPTER
1: RULE 1.3 WAS
REPEALED (Temporary
Rule)

SOS website as
required by
Administrative
procedural law

If no action is taken
within the allotted
time limit, the rule
reverts to what was
previously in place

REFERENCES

MSBN. (2022, April). *Nurse Practice Act*. Retrieved from <https://www.msbn.ms.gov>

NCSBN. (2018, July). *The NCSBN national nursing guidelines for medical marijuana*. Retrieved from https://www.ncsbn.org/The_NCSBN_Nursing_Guidelines_for_Medical_Marijuana_JNR_July_2018.pdf



Questions are the path to learning