

Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi State Board of Medical Licensure		CONTACT PERSON Jonathan Dalton	TELEPHONE NUMBER 601-987-0248	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL mboard@msbml.ms.gov	SUBMIT DATE <u>3/28/22</u>	Name or number of rule(s): Part 2640 Rules Pertaining to Prescribing, Administering, and Dispensing of Medication, Rule 1.14 Pain Management Medical Practice		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Lifting of the permanent prohibition against practicing in pain if the licensee has previous discipline related to prescribing controlled substances and to allow CME to be obtained via video conferencing.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann., §73-43-11

List all rules repealed, amended, or suspended by the proposed rule: Rule 1.14 Pain Management Medical Practice

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: <u>11/29/21</u> Action taken: ☒ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: ☒ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Jonathan Dalton, Director of Investigations

Signature of person authorized to file rules: [Signature]

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by _____	Accepted for filing by _____	FILED MAR 28 2022 MISSISSIPPI SECRETARY OF STATE Accepted for filing by <u>26218 Bm</u>

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



RESOLUTION

Whereas, it is necessary for the Occupational Licensing Review Commission to issue a resolution regarding the approval or denial of specific rules submitted for its review: NOW, THEREFORE, LET IT BE RESOLVED BY THE OCCUPATIONAL LICENSING REVIEW COMMISSION, that the following rules shall be known to have been approved by the Commission at a duly called meeting of its members on March 9, 2022, and may now be filed as final with the Secretary of State's Office for inclusion in the Mississippi Administrative Code:

- Rules of the Board of Optometry – Title 30, Part 2901, Chapters 1-11; HB 1302. *Approved as amended to clarify whether 'days' are calendar days or working days and whether 'year' is a calendar year or otherwise.*
- Rules of the Autism Board – Rules 1.2, 1.3(f), 13.1, 14.1, 15.1, 16.1, 17.1; Change (Amend) the principal office location, New Open Meetings Rule, New Public Records Request Rule, new Executive Session Rule, new Rule for the Licensing of Military-Trained Counselors and Military Spouses, and new Rule to comply with Fresh Start Act of 2019. *Approved as amended to correct the Board's address and various grammatical errors.*
- Rules of the Board of Architecture – Title 30, Part 203: Interior Design Advisory Committee to the Mississippi State Board of Architecture; Amend Rule 2.4 to bring the rule into compliance with the "Universal Recognition of Occupational Licenses Act" (HB 1263, 2021 Regular Session); amend Rule 6.3 to update the Board's website address; and adopt new Rule 6.8 to incorporate by reference the disciplinary rules for the Board of Architecture.
- Rules of the Board of Architecture – Title 30, Part 202: Landscape Architecture Advisory Committee to the Mississippi State Board of Architecture; Amend Rules 1.2 and 1.5 to comply with the statute; amend Rule 1.10 to allow for a waiver of the CLARB Certificate for reinstatement applicants; amend Rule 1.11 to move language regarding preliminary documents from the commentary to the rule text and to allow for electronic and digital signatures; amend Rule 1.13 to bring the rule into compliance with the "Universal Recognition of Occupational Licenses Act" (HB 1263, 2021 Regular Session); and amend Rule 3.1 to incorporate by reference the disciplinary rules for the Board of Architecture.
- Rules of the Board of Medical Licensure – Part 2615: Physician Assistants, Rule 1.7 Supervising Physician Limited; Revision of the face-to-face quarterly review requirements to allow for video conferencing as an option.
- Rules of the Board of Medical Licensure – Part 2630: Collaboration with Nurse Practitioners, Rule 1.8 Quality Improvement; Revision of the face-to-face quarterly review requirements to allow for video conferencing as an option.

- Rules of the Board of Medical Licensure – Part 2640: Rules Pertaining to Prescribing, Administering, and Dispensing of Medication, Rule 1.14 Pain Management Medical Practice; Lifting of the permanent prohibition against practicing in pain if the licensee has previous discipline related to prescribing controlled substances and to allow CME to be obtained via video conferencing.