



## **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 December 21, 2018, and may now be filed as final with the Secretary of State's Office for the inclusion in the Mississippi

Administrative Code:

- Rules of the Board of Medical Licensure – Title 30, Part 2615, Chapter 1: The Practice of Physician Assistants - Rule 1.2 – The Physician Assistant rules are being updated in order to make them comparable to the nurse practitioner collaboration rules. Rule 1.2 is adding the definition of primary care.
- Rules of the Board of Medical Licensure – Title 30, Part 2615, Chapter 1: The Practice of Physician Assistants - Rule 1.5 – The Physician Assistant rules are being updated in order to make them comparable to the nurse practitioner collaboration rules. Rule 1.5 is adding verbiage to emphasize that physician assistants may not dispense medications.
- Rules of the Board of Medical Licensure – Title 30, Part 2615, Chapter 1: The Practice of Physician Assistants - Rule 1.6 – The Physician Assistant rules are being updated in order

to make them comparable to the nurse practitioner collaboration rules. Rule 1.6 is adding and deleting verbiage to make the rule more consistent with the nurse practitioner rule.

- Rules of the board of Medical Licensure, *as amended* – Title 30, Part 2615, Chapter 1: The Practice of Physician Assistants - Rule 1.7 – The Physician Assistant rules are being updated in order to make them comparable to the nurse practitioner collaboration rules. Rule 1.7 is adding and removing verbiage to make the rules more consistent with the nurse practitioner rule. *Approved as amended to add the words ‘in person’ after the words ‘face to face’ in paragraph C.*
- Rules of the Board of Medical Licensure – Title 30, Part 2615, Chapter 1: The Practice of Physician Assistants - Rule 1.11 – The Physician Assistant rules are being updated in order to make them comparable to the nurse practitioner collaboration rules. Rule 1.11 is adding and removing verbiage to make the rules more consistent with the nurse practitioner rule.
- Rules of the Board of Medical Licensure – Title 30, Part 2605 Chapter 3: Temporary Licensure. The rules in this Chapter have been updated to remove the language that would prohibit a licensee with a temporary license from obtaining a DEA certificate.
- Rules of the State Board of Architecture, *as amended* – Title 30, Part 201: Mississippi State Board of Architecture. 3.1 Records of the Board – email addresses not considered to be public record; 3.2 Practice Procedures – clarifications, revisions to commentary as needed, define “building” to clarify application of; 4.1 Competence – clarifications and revisions to commentary as needed; 4.2 Conflict of Interest – clarifications and revisions to commentary as needed; 4.3 Compliance with laws – clarifications and revisions to commentary as needed; 4.4 Full Disclosure – clarifications and revisions to commentary

as needed, in 4.4.9 clarified that firm actions apply to violations of the code of conduct;

4.5.1 Professional Conduct – clarifications and revised commentary as needed; 5.1

Disciplinary Guidelines – clarifications. *Approved as amended to end the last sentence of Rule 3.2.10 A at the citation to Miss. Code Ann. § 19-3-69 and move the rest of the sentence to commentary below the rule. Also approved as amended to add the words ‘in responsible control of’ to the text of the second paragraph of Rule 4.5.1 so it will read “... must have an architect employed in responsible control of that office...”. A suggested amendment was also made regarding the commentary to Rule 4.3.1 to remove (g) from the citation to Miss. Code Ann. § 73-1-29(1)(g).*

- Rules of the State Board of Architecture, *as amended* – Title 30, Part 201: Mississippi State Board of Architecture. Adopt new Chapter 7 to establish code of conduct for Board members – 7.1 Purpose; 7.2 Legislative Mandate; 7.3 Responsible Performance; 7.4 Registration; 7.5 Residency; 7.6 Conflicts of Interest; 7.7 Confidentiality; 7.8 Active Participation in Board Activities; 7.9 Representation of the Board When Involved in Outside Activities; 7.10 Adherence to State Agency Laws; 7.11 Participation in Professional Organizations; 7.12 Abuse of Power; 7.13 Adherence to Criminal Laws; 7.14 Failure to Comply and Removal. *Approved as amended to change the text of the first sentence of Rule 7.11 to say “Not serve as a voting member on the governing board of a Mississippi or national professional association if such position or organization presents a conflict of interest, if the board determines that such position or organization presents a conflict of interest.*
- Rules of the Board of Pharmacy – Title 30 Part 3001 Article XL to allow pharmacy technicians to conduct medication histories in an institutional setting.

- Rules of the Board of Pharmacy – Title 30 Part 3001 Article XV to clarify that prescription copies may be transferred via facsimile.
- Rules of the Board of Pharmacy, *as amended* – Title 30 Part 3001 Article XII to allow a pharmacist to dispense the amount of dosage units authorized by a prescription to include refills. *Approved as amended to add the word ‘Only’ to the beginning of the last sentence of paragraph 5.*
- Rules of the Board of Pharmacy – Title 30 Part 3001 Article VII to allow a pharmacist to serve as a pharmacist in charge for both a community and institutional pharmacy simultaneously upon Board approval.
- Rules of the Board of Physical Therapy – Title 30, Part 3103, Chapter 1: Adding new rule to Part 3103, Chapter 1 as required by Section 73-23-101, Physical Therapy Licensure Compact and to renumber the rules in that chapter. \*Minor typographical errors corrected.\*
- Rules of the Board of Physical Therapy – Title 30, Part 3103, Chapter 10: To implement the Physical Therapy Licensure Compact Law.
- Rules of the Autism Board – Title 1, Part 17 – MS Autism Board – Licensure of Behavior Analysts and Assistant Behavior Analysts (Miss. Code Ann. Section 73-75). Rules were modified in order to publish a regular schedule for oral examinations.