



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 June 21, 2019, 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, *as amended* – Part 2640 Chapter 1:
Prescribing, Administering and Dispensing, Rule 1.7; Rule 1.7 is being modified to clarify the rules regarding the use of controlled substances for chronic pain. *Approved as amended to change the last sentence of paragraph M to say, 'If Methadone is prescribed to treat chronic non-cancer/non-terminal pain, the initial prescription must be written by a physician.'*
- Rules of the Board of Medical Licensure, *as amended* – Part 2640 Chapter 1:
Prescribing, Administering and Dispensing, Rule 1.14; Modifying Rule 1.14 to clarify physician contact with patients. *Approved as amended to change the word 'initiated' to the phrase 'initial prescription' in the first sentence of paragraph M.*

- Rules of the Board of Medical Licensure – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.1; Creation of regulations regarding complementary and alternative therapies. Rule 13.1 establishes the scope and purpose of this regulation.
- Rules of the Board of Medical Licensure – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.2; Creation of regulations regarding complementary and alternative therapies. Rule 13.2 establishes the definitions for this regulation.
- Rules of the Board of Medical Licensure – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.3; Creation of regulations regarding complementary and alternative therapies. Rule 13.3 discusses the topic in general and provides the overall view of the Board regarding this subject.
- Rules of the Board of Medical Licensure – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.4; Creation of regulations regarding complementary and alternative therapies. Rule 13.4 discusses informed consent.
- Rules of the Board of Medical Licensure, *as amended* – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.5; Creation of regulations regarding complementary and alternative therapies. Rule 13.5 establishes the general patient evaluation expectations of the Board. *Approved as amended to change the word ‘should’ to ‘shall’ in the last sentence of the second paragraph before the number one.*
- Rules of the Board of Medical Licensure, *as amended* – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.6; Creation of regulations regarding complementary and alternative therapies. Rule 13.6 establishes the general requirements of the treatment plan. *Approved as amended to change the word ‘should’ to ‘shall’ in the second paragraph before the number one.*

- Rules of the Board of Medical Licensure, *as amended* – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.7; Creation of regulations regarding complementary and alternative therapies. Rule 13.7 sets forth the requirements of the medical record. *Approved as amended to change the word ‘should’ to ‘shall’ in the last sentence of the first paragraph before the number one.*
- Rules of the Board of Medical Licensure, *as amended* – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.8; Creation of regulations regarding complementary and alternative therapies. Rule 13.8 establishes the general education expectations of licensees engaged in this practice. *Approved as amended to change the word ‘should’ to ‘shall’ in the last sentence.*
- Rules of the Board of Medical Licensure, *as amended* - Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.9; Creation of regulations regarding complementary and alternative therapies. Rule 13.9 sets forth requirements regarding advertising practices. *Approved as amended to change ‘should’ to ‘shall’ in the second sentence of the first paragraph and to change paragraph 6 to read “Using membership in established academic and professional societies to suggest legitimacy by association.”*
- Rules of the Board of Medical Licensure – Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.11; Creation of regulations regarding complementary and alternative therapies. Rule 13.11 states the charge for violating the rules.
- Rules of the Board of Medical Licensure – Part 2635 Chapter 14 Temporary Practice by an Athletic Team Physician, Rule 14.1; Creation of a regulation to allow out of state, non-Mississippi licensed team physicians to practice within the scope of an athletic event. Rule 14.1 establishes the scope and purpose of this regulation.

- Rules of the Board of Medical Licensure – Part 2635 Chapter 14 Temporary Practice by an Athletic Team Physician, Rule 14.2; Creation of a regulation to allow out of state, non-Mississippi licensed team physicians to practice within the scope of an athletic event. Rule 14.2 establishes the definitions for the regulation.
- Rules of the Board of Medical Licensure – Part 2635 Chapter 14 Temporary Practice by an Athletic Team Physician, Rule 14.3; Creation of a regulation to allow out of state, non-Mississippi licensed team physicians to practice within the scope of an athletic event. Rule 14.3 sets forth the requirements of the physician and the scope of the practice.
- Rules of the Board of Medical Licensure – Part 2635 Chapter 14 Temporary Practice by an Athletic Team Physician, Rule 14.4; Creation of a regulation to allow out of state, non-Mississippi licensed team physicians to practice within the scope of an athletic event. Rule 14.4 establishes the charge for violation of the rules.
- Rules of the Board of Nursing - 30 Miss. Admin. Code Pt. 2840: Advanced Practice. The Mississippi Board of Nursing is proposing amendments to Part 2840 Directly related to how Advanced Practice Registered Nurses (APRNs) prescribe controlled substances and utilize the Mississippi Prescription Monitoring Program. The amendments seek to address the ongoing Opioid and controlled substance epidemic in Mississippi. Further, the Board seeks to enhance clarity and format in multiple portions of Part 2840, including but not limited to APRN Monitored Practice Hours.
- Rules of the Board of Nursing, *as amended* – 30 Miss. Admin. Code Pt. 2825: Rules of Procedure; Part 2825 outlines the Board’s Rules of Procedure for investigations, informal and formal proceedings, appeals, and licensure restorations. *Approved as amended to*

change paragraph E (1) to be ‘In case of failure by the respondent to comply with a timely request for disclosure...’.

- Rules of the Board of Nursing, *as amended* – 30 Miss. Admin. Code Pt. 2830: Practice of Nursing. The Mississippi Board of Nursing seeks to amend Rule 2.6(A) to remove the language “on the premises.” *Approved as amended to add a definition of “available for consultation”.*
- Rules of the Board of Nursing – 30 Miss. Admin. Code Pt. 2815: Continuing Education. The Mississippi Board of Nursing seeks to introduce continuing education requirements for all nurses licensed in Mississippi to ensure all nurses keep their skills and knowledge abreast of the latest medical advances and best practices.
- Rules of the Board of Accountancy, *as amended* – Board of Public Accountancy Title 30, Part 1, Appendix; Schedule of Fees; Amendment to current Appendix SCHEDULE OF FEES: A CPA firm late fee of \$150 is added; A CPA firm reinstatement fee of \$200 is added; Manual processing fees for paper renewals and non-electronic payments of \$25 each are added. *Approved as amended to remove the Twenty-Five Dollar (\$25) fee for writing a check.*
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 2, Licenses and Practice Privileges, Rule 2.2. CPA Examination; Rescission of current Rule 2.2.10 (c)(2) as this subject is not under MSBPA control. Administration of the CPA Examination is subject to management of NASBA and AICPA.
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 2, Licenses and Practice Privileges, Rule 2.3 Registration. Amendment to current

Rule 2.3.1 Clarifies that the annual registration of a CPA license must be done online with electronic payment or a manual registration/payment fee will be incurred.

- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 2, Licenses and Privileges. Rule 2.4. Reinstatement of a License. Amendment to current Rule 2.4.3. Reduces the fees in arrears on reinstatement of a CPA license to a maximum of three years.
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 2, Licenses and Privileges, Rule 2.4. Reinstatement of a License. Amendment to current Rule 2.4.4. Reduces the required “skipped” CPE hours to make up on reinstatement of a CPA license to a maximum of 120 hours.
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 2, Licenses and Privileges, Rule 2.5. Retirement Status or Permanent Disability. Amendment to current Rule 2.5.1 Allows conversion from an active CPA license to CPA-Retired status at time of receipt of application (NOT “only at the time of annual license renewal”)
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 2, Licenses and Privileges, Rule 2.6 Reciprocity. Amendment to current Rule 2.6.6. Allows reciprocal CPA licensure not only to someone active in a substantially equivalent jurisdiction, but also to those who have substantially equivalent individual qualifications.
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 3, CPA Firm Permits, Rule 3.1. General Requirements. Amendment to current Rule 3.1.3. Adds provisions allowing a CPA firm to continue to operate after the death of

a shareholder or member or partner similar to provisions for death of a sole proprietor in Rule 3.1.15.(b), as long as a designated licensee is responsible for managing the firm.

- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 4, Continuing Professional Education, Rule 4.1. Compliance Requirements. Amendment to current Rule 4.1.1. Defines August 1 as CPE reporting due date.
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 4, Continuing Professional Education, Rule 4.2. Records and Reporting. Amendment to current Rule 4.2.4. Inserts August 1 as CPE reporting due date.
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 4, Continuing Professional Education, Rule 4.4 Program Sponsors and Presentation Standards. Amendment to current Rule 4.4.4.(f). Revises the reference from “below” to “in Rule 4.4.2.(h) above”.
- Rules of the Board of Accountancy – Board of Public Accountancy Title 30, Part 1, Chapter 4, Continuing Professional Education, Rule 4.4, Program Sponsors and Presentation Standards. Amendment to current Rule 4.4.6(a) Revises the shortest recognized CPE program to consist of 0.2 hour – to accommodate nano-learning.

NOW, THEREFORE, LET IT BE RESOLVED BY THE OCCUPATIONAL LICENSING REVIEW COMMISSION, that the following rules shall be known to have been withdrawn by the submitting Board at a duly called meeting of its members on June 21, 2019, and may be filed as final with the Secretary of State’s Office for the inclusion in the Mississippi Administrative Bulletin as withdrawn:

- Rules of the Board of Medical Licensure - Part 2635 Chapter 13 Complementary and Alternative Therapies, Rule 13.10; Creation of regulations regarding complementary and alternative therapies. Rule 13.10 establishes the scope of treatment.