

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-3079	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 07/18/13	Name or number of rule(s): 30 Miss. Admin Code Pt. 2630, R.1		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: In accordance with Miss. Code Ann. §25-43-3.113(2)(b)(1), the Board of Medical Licensure hereby amends its rule regarding the collaboration of physicians with advanced practice registered nurses (APRNs), pursuant to the order of the Chancery Court of Hinds County, Mississippi, suspending the amendments filed on March 26, 2013, such that the rule as it existed prior to the March 26, 2013 amendment is immediately in force and in effect.

Specific legal authority authorizing the promulgation of rule: 73-43-11

List all rules repealed, amended, or suspended by the proposed rule: 30 Miss. Admin Code Pt. 2630, R.1

ORAL PROCEEDING:

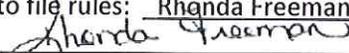
- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

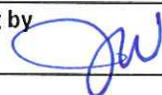
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) 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
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): immediately

Printed name and Title of person authorized to file rules: Rhonda Freeman
 Signature of person authorized to file rules: 

<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; padding: 10px;">  </div> <p>Accepted for filing by </p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

FILED
JUL 15 2013

EDDIE JEAN CARR, CHANCERY CLERK
JN Sanders D.C.

**IN THE CHANCERY COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

**MISSISSIPPI ASSOCIATION OF NURSE ANESTHETISTS, INC.
AND GOLDEN TRIANGLE PLANNING AND DEVELOPMENT, INC. PLAINTIFFS**

V. NO. G2013-565-T

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE DEFENDANT

AND

MISSISSIPPI NURSES ASSOCIATION, INC. PLAINTIFF

V. NO. 62013-570-W

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE DEFENDANT

AND

**MISSISSIPPI HOSPITAL ASSOCIATION AND
JOHN DOES 1 THROUGH 3 PLAINTIFF**

V. NO. G2013-777 O/3

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE DEFENDANT

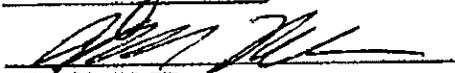
SCHEDULING ORDER

This matter came before the Court on joint request of the parties for a hearing date, and related deadlines and accordingly, it is ordered:

1. This matter is set for hearing on September 18, 2013 commencing at 9:00 a.m.;
2. All motions to be heard shall be filed and served on or before August 20, 2013;
3. Responses to motions shall be filed and served on or before September 3, 2013;
4. Replies in support of motions shall be filed and served on or before September 10, 2013; and

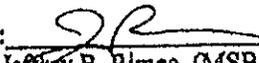
5. That the implementation of the Amended Rules Pertaining to Advance Practice Registered Nurses and the April 25, 2013, effective date of same shall be and remain suspended and shall not be implemented before, this Court issues an order deciding all motions and matters to be heard on September 18, 2013, such that advanced practice registered nurses and collaborating physicians need not comply with the Amended Rules, and shall continue under the pre-amended rules until seven (7) days following the date that the Court issues an order deciding all motions and matters to be heard on September 18, 2013.

SO ORDERED, this the 15th day of July, 2013.

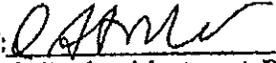

CHANCELLOR

AGREED:

MISSISSIPPI ASSOCIATION OF NURSE
ANESTHETISTS, INC., Plaintiff

BY: 
Jeffrey B. Rimes, (MSB #100017)
One of its attorneys

MISSISSIPPI NURSES ASSOCIATION, INC., Plaintiff

BY: 
O. Stephen Montagnet, III (MSB #10049)
Its Attorney

MISSISSIPPI HOSPITAL ASSOCIATION, Plaintiff

BY: 
Eugene R. Naylor (MSB # 3757)
One of Its Attorney

One of Its Attorney

GOLDEN TRIANGLE PLANNING AND
DEVELOPMENT DISTRICT, INC., Plaintiff

BY: Tommie Cardin
Tommie S. Cardin (MSB #5863)
One of Its Attorney

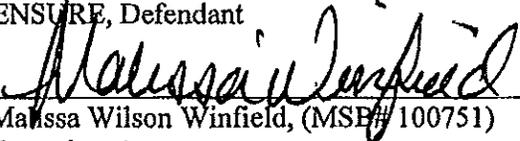
MISSISSIPPI STATE BOARD OF MEDICAL
LICENSURE, Defendant

BY: _____
Malissa Wilson Winfield, (MSB# 100751)
One of Its Attorneys

GOLDEN TRIANGLE PLANNING AND
DEVELOPMENT DISTRICT, INC., Plaintiff

BY: _____
Tommie S. Cardin (MSB #5863)
One of Its Attorney

MISSISSIPPI STATE BOARD OF MEDICAL
LICENSURE, Defendant

BY: 
Melissa Wilson Winfield, (MSB# 100751)
One of Its Attorneys