

04/07/08

It is the objective of MAPA's lobbying firm, Capitol Resources, to add PAs to MS law everywhere possible.

References to PAs have been successfully added to several code sections of MS law this session. They include the following three bills:

HB 847 which allows PAs to refer patients to physical therapists for treatment. This bill has been passed and is on the Governor's desk for his signature. 4-8-08 is the signature response deadline. We expect he will sign this bill.

SB 2910 affects MS voting law, and allows a PA to sign a form indicating a person is temporarily physically handicapped and requires an absentee ballot for voting purposes. This bill is in conference, where House and Senate members are attempting to reconcile differences between the two house positions. The PA provision is not a point of contention.

SB 2430 allow a NP or PA work with a physician to asses the physical and mental state of a patient in commitment procedures, current law requires two physicians to make such a determination. The bill is in conference and this issue is not a point of contention between the two houses.

PAs were added to several other code sections in bills that failed, including allowing PAs and NPs to certify a disability for a person to use a crossbow.

The title pages of **HB 847**, **SB 2910** and **SB 2430** are listed below:

(HB 847)

1 AN ACT TO AMEND SECTION 73-23-33, MISSISSIPPI CODE OF 1972, TO
2 ALLOW PHYSICIAN ASSISTANTS TO REFER PATIENTS TO PHYSICAL
3 THERAPISTS FOR TREATMENT; TO EXTEND THE DATE OF REPEAL ON THE
4 DEFINITION SECTION OF THE MISSISSIPPI PHYSICAL THERAPY LAW; TO
5 AMEND SECTION 73-23-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
6 IT SHALL BE UNLAWFUL TO USE CERTAIN TERMS AND ABBREVIATIONS
7 IMPLYING PHYSICAL THERAPY SERVICES IN CONNECTION WITH A PARTY'S
8 NAME UNLESS THE PARTY PROVIDING SUCH SERVICES IS LICENSED IN
9 ACCORDANCE WITH THIS ACT; **TO ALLOW PHYSICIAN ASSISTANTS TO REFER**
10 PATIENTS TO PHYSICAL THERAPISTS FOR TREATMENT; TO EXTEND THE DATE
11 OF REPEAL ON THAT SECTION; TO AMEND SECTION 73-23-39, MISSISSIPPI
12 CODE OF 1972, TO EXEMPT FROM STATE LICENSURE REQUIREMENTS ANY
13 PHYSICAL THERAPISTS LICENSED IN OTHER JURISDICTIONS TEACHING OR
14 PARTICIPATING IN PHYSICAL THERAPY EDUCATION PROJECTS IN THIS STATE

15 OR PROVIDING SERVICES TO VISITING ESTABLISHED ATHLETIC
16 ORGANIZATIONS; TO AMEND SECTION 73-23-41, MISSISSIPPI CODE OF
17 1972, TO REVISE THE CERTAIN QUALIFICATIONS OF PHYSICIAN MEMBERS
18 APPOINTED TO THE BOARD; TO PROVIDE STAGGERED TERMS FOR MEMBERS
19 APPOINTED TO THE BOARD AND THE PROCEDURE FOR FILLING VACANCIES ON
20 THE BOARD; TO AMEND SECTION 73-23-43, MISSISSIPPI CODE OF 1972, TO
21 CLARIFY AND REVISE THE POWERS AND DUTIES OF THE BOARD; TO AMEND
22 SECTION 73-23-45, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
23 DISBURSEMENT OF MONIES IN THE PHYSICAL THERAPY FUND UPON WARRANTS
24 ISSUED BY THE STATE FISCAL OFFICER UPON REQUISITION OF THE BOARD
25 OR ITS DESIGNEE; TO AMEND SECTION 73-23-47, MISSISSIPPI CODE OF
26 1972, TO REVISE THE QUALIFICATIONS FOR PERSONS DESIRING TO
27 PRACTICE PHYSICAL THERAPY IN THIS STATE; TO REQUIRE THE PAYMENT OF
28 A NONREFUNDABLE EXAMINATION FEE AS SET BY THE BOARD; TO AMEND
29 SECTION 73-23-49, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL PERSONS
30 DESIRING TO BE LICENSED AS A PHYSICAL THERAPIST OR PHYSICAL
31 THERAPIST ASSISTANT TO PAY AN APPLICATION FEE FIXED ANNUALLY BY
32 THE BOARD; TO AUTHORIZE THE BOARD TO ADOPT A FEE SCHEDULE; TO
33 PROVIDE THAT THE CURRENT FEES SET BY THE BOARD IN EFFECT BEFORE
34 JULY 1, 2008, SHALL REMAIN IN EFFECT UNTIL SUCH TIME THE BOARD
35 ACTS TO IMPLEMENT A NEW FEE SCHEDULE; TO AUTHORIZE THE BOARD TO
36 ASSESS THE APPLICANT FOR LICENSURE AN ADDITIONAL FEE FOR COST
37 ASSOCIATED WITH THE BOARD'S USE OF A NATIONAL TESTING SERVICE FOR
38 THE PREPARATION, ADMINISTRATION OR GRADING OF EXAMINATIONS; TO
39 AMEND SECTION 73-23-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THE
40 REQUIREMENTS OF LICENSED FOREIGN PHYSICAL THERAPISTS; TO AMEND
41 SECTION 73-23-53, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE
42 ISSUANCE OF A TEMPORARY LICENSE TO ANY PHYSICAL THERAPIST OR

43 PHYSICAL THERAPIST ASSISTANT LICENSED IN ANOTHER STATE WHO IS
44 MOVING INTO THIS STATE AND HAS FILED AN APPLICATION WITH THE BOARD
45 FOR A PERMANENT LICENSE IN THIS STATE; TO AMEND SECTION 73-23-57,
46 MISSISSIPPI CODE OF 1972, TO REQUIRE THE PAYMENT OF THE FEE SET
47 BY THE BOARD FOR THE RENEWAL OF A PHYSICAL THERAPIST LICENSE; TO
48 AUTHORIZE THE BOARD TO ESTABLISH THE MANNER BY WHICH LAPSED
49 LICENSES SHALL BE REVIVED, EXTENDED OR REINSTATED; TO AMEND
50 SECTION 73-23-59, MISSISSIPPI CODE OF 1972, TO REVISE THE
51 AUTHORITY OF THE BOARD TO SUSPEND, REVOKE, OR REFUSE TO ISSUE OR
52 RENEW ANY LICENSE OR TAKE ANY OTHER ACTION AS A SANCTION AGAINST
53 LICENSEES FOUND TO BE IN VIOLATION OF THIS ACT; **TO ALLOW PHYSICIAN**
54 **ASSISTANTS TO REFER PATIENTS TO PHYSICAL THERAPISTS FOR**
55 **TREATMENT; TO EXTEND THE DATE OF REPEAL ON THAT SECTION;** TO AMEND
56 SECTION 73-23-63, MISSISSIPPI CODE OF 1972, TO REVISE NOTICE
57 REQUIREMENTS FOR PERSONS WHOSE APPLICATION FOR A LICENSE IS DENIED
58 FOR PURPOSES OF A HEARING; TO AMEND SECTION 73-23-64, MISSISSIPPI
59 CODE OF 1972, TO INCREASE THE PENALTY FOR PERSONS IN VIOLATION OF
60 SECTION 73-23-59, AND ESTABLISH PENALTIES FOR SUBSEQUENT
61 OFFENSES; TO AUTHORIZE THE BOARD TO SUMMARILY SUSPEND THE LICENSE
62 OF ANY LICENSEE PENDING PROCEEDINGS BEFORE THE BOARD; TO AUTHORIZE
63 THE BOARD TO ISSUE ADVISORY LETTERS TO LICENSEES IF THE COMPLAINT
64 OR INVESTIGATION DOES NOT MERIT DISCIPLINARY ACTION BY THE BOARD;
65 TO AUTHORIZE THE BOARD TO LEVY UPON ANY LICENSEE OR APPLICANT FOR
66 LICENSURE THE COST INCURRED IN THE INVESTIGATION AND PROSECUTION
67 OF ANY LICENSURE OR DISCIPLINARY ACTION; TO CREATE A NEW SECTION
68 TO BE CODIFIED AS SECTION 73-23-67, MISSISSIPPI CODE OF 1972, TO
69 REQUIRE THE BOARD TO MAINTAIN CONFIDENTIAL RECORDS OF INFORMATION
70 RELATING TO THE RECEIPT AND INVESTIGATION OF COMPLAINTS FILED

71 AGAINST LICENSEES OR APPLICANTS UNTIL SUCH INFORMATION IS
72 DISCLOSED IN THE COURSE OF INVESTIGATIONS OR SUBSEQUENT
73 PROCEEDINGS BEFORE THE BOARD; TO REQUIRE THAT INFORMATION OF
74 PATIENT RECORDS RELATING TO DIAGNOSTIC FINDINGS AND PATIENT
75 IDENTIFICATION REMAINS CONFIDENTIAL INFORMATION FOR THE BOARD AND
76 NOT BE SUBJECT TO PUBLIC DISCLOSURE; AND FOR RELATED PURPOSES.

(SB 2910)

AN ACT TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO

2 REMOVE AGENTS OF THE ELECTOR FROM THE LIST OF PERSONS WHO MAY
3 ORALLY REQUEST AN ABSENTEE BALLOT ON BEHALF OF THE ELECTOR; TO
4 AMEND SECTION 23-15-541, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
5 CURBSIDE VOTING BY VOTERS WITH A PHYSICAL IMPAIRMENT THAT MAKES IT
6 UNREASONABLE FOR THEM TO ENTER THE POLLING PLACE; TO AMEND
7 SECTION 23-15-719, MISSISSIPPI CODE OF 1972, TO REVISE THE
8 AFFIDAVIT PRINTED ON THE BACK OF THE ENVELOPE CONTAINING THE
9 ABSENTEE BALLOT; TO AMEND SECTION 23-15-629, MISSISSIPPI CODE OF
10 1972, TO REQUIRE THE APPLICATION FOR AN ABSENTEE BALLOT OF A
11 PERSON WHO IS TEMPORARILY PHYSICALLY DISABLED TO BE ACCOMPANIED BY
12 **A STATEMENT SIGNED BY SUCH PERSON'S PHYSICIAN, NURSE PRACTITIONER**
13 **OR PHYSICIAN'S ASSISTANT, INDICATING THAT THE PERSON APPLYING FOR**
14 **THE ABSENTEE BALLOT IS TEMPORARILY PHYSICALLY DISABLED TO SUCH A**
15 **DEGREE THAT HE IS UNABLE TO VOTE IN PERSON ON ELECTION DAY OR ANY**
16 **DAY UPON WHICH NO EXCUSE VOTING MAY BE CONDUCTED; TO AMEND**
SECTION

17 23-15-635, MISSISSIPPI CODE OF 1972, TO REVISE THE ELECTOR'S
18 CERTIFICATE OF PERSONS PROVIDING ASSISTANCE TO CERTAIN ABSENT
19 VOTERS; TO AMEND SECTION 23-15-266, MISSISSIPPI CODE OF 1972, TO
20 PROVIDE THAT ANY AGREEMENT BETWEEN AN EXECUTIVE COMMITTEE AND A
21 CIRCUIT OR MUNICIPAL CLERK OR A COUNTY OR MUNICIPAL EXECUTIVE

22 COMMITTEE TO PERFORM DUTIES AT A PARTY PRIMARY ELECTION SHALL
23 INCLUDE PROVISIONS REGARDING THE COMPENSATION THAT THE CLERK OR
24 ELECTION COMMISSION SHALL RECEIVE FROM THE EXECUTIVE COMMITTEE FOR
25 THE PERFORMANCE OF DUTIES RELATED TO THE AGREEMENT; TO PROVIDE
26 THAT THE COUNTY OR MUNICIPALITY SHALL NOT BE LIABLE FOR THE
27 PAYMENT OF ANY COMPENSATION TO CIRCUIT CLERKS OR ELECTION
28 COMMISSIONERS FOR THE PERFORMANCE OF DUTIES UNDER SUCH AN
29 AGREEMENT; TO AMEND SECTION 23-15-333, MISSISSIPPI CODE OF 1972,
30 TO ALLOW NICKNAMES TO BE PLACED ON THE PRIMARY BALLOT AND TO
31 PROHIBIT THE USE OF TITLES WITH NAMES ON THE BALLOT AND NICKNAMES
32 THAT PROMOTE A POLITICAL IDEAL; TO AMEND SECTION 23-15-367,
33 MISSISSIPPI CODE OF 1972, TO PROVIDE THE NAMES ON THE GENERAL
34 ELECTION BALLOT FOR EACH OFFICE SHALL BE ARRANGED ALPHABETICALLY;
35 TO ALLOW NICKNAMES TO BE PLACE ON THE BALLOT AND TO PROHIBIT THE

(SB 2430)

1 AN ACT TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO
2 **PROVIDE THAT THE PHYSICAL AND MENTAL EXAMINATION OF A PERSON**
3 **ALLEGED TO BE IN NEED OF MENTAL TREATMENT UNDER THE COMMITMENT**
4 **LAWS SHALL BE MADE BY EITHER TWO PHYSICIANS, OR BY A PHYSICIAN,**
5 **AND A PSYCHOLOGIST, NURSE PRACTITIONER OR PHYSICIAN ASSISTANT**
6 RATHER THAN BY PHYSICIANS ONLY; TO AMEND SECTION 41-21-69,
7 MISSISSIPPI CODE OF 1972, TO REVISE THE TIME BY WHICH THAT
8 EXAMINATION MUST BE CONCLUDED FROM TWENTY-FOUR HOURS TO
9 FORTY-EIGHT HOURS AFTER THE COURT ORDER FOR EXAMINATION; TO AMEND
10 SECTIONS 41-21-71, 41-21-77, 41-21-79 AND 41-21-103, MISSISSIPPI
11 CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR
12 RELATED PURPOSES.

