Mississippi Secretary of State

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

ADMINISTR	ATIVE	PROCEDURES	NOTICE FILING

ADDRESS STATE 2P Machine 1840	AGENCY NAME MississIppl State Board Of Medical Licensure		CONTACT PERSON Mike Lucius	TELEPHONE NUMBER (601)987-0248		MBER	
Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.13 is being deleted and replaced with Rule 1.14. Specific legal authority authorizing the promulgation of rule: 73-43-11 List all rules repealed, amended, or suspended by the proposed rule: Part 2640: Prescribing, Administering and Dispensing, Rule 1.13 ORAL PROCEEDING: An oral proceeding is scheduled for this rule on Date: Time: Place: Presently, an oral proceeding is not scheduled and rules the held if a written request for an oral proceeding is useful authorized; and if you are an agent or state part and education and sould include the mane, address, and legible in expension and under the request should be submitted to the agency contact person at the above address within the twenty-live (29) days after the filling of an agent or statemer, the name, address, amile address, and seleptione number of the party or parties you represent. At any time within the twenty-live (29) days public comment period, without submitted to the agency contact person at the proposed rule/amendment/repeal may be submitted to the filling agency. ECONOMIC IMPACT STATEMENT: Concline impact statement not required for this rule. Concise summary of economic impact statement attached. TEMPORARY RULES PROPOSED ACTION ON RULES Action proposed: New rule(s) Repeal of edisting rule(s) Repeal of edisting rule(s) Repeal of edisting rule(s) Repeal of edisting rule(s) Action taken: 3 days after filling Other (spectly): Other (spectly): OFICIAL FILING STAMP OFICIAL FILING STAMP OFICIAL FILING STAMP Accepted for filling by Accepted for filling by Accepted for filling by			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
replaced with Rule 1.14. Specific legal authority authorizing the promulgation of rule: 73-43-11 Ust all rules repealed, amended, or suspended by the proposed rule: Part 2640: Prescribing, Administering and Dispensing, Rule 1.13 ORAL PROCEEDING: An oral proceeding is scheduled for this rule on Date: Time: Place: Tensently, 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 holde the name, address, ental address, and telephone number of the person of the							
Specific legal authority authorizing the promulgation of rule: 73-43-11 List all rules repealed, amended, or suspended by the proposed rule: Part 2640: Prescribing, Administering and Dispensing, Rule 1.13 ORAL PROCEEDING: An oral proceeding is scheduled for this rule on Date: Time: Place:	Short explanation of rule/amendment	/repeal and reaso	on(s) for proposing rule/amendr	nent/repeal: (Rule 1.13 is be	ing deleted and	
List all rules repealed, amended, or suspended by the proposed rule: Part 2640: Prescribing, Administering and Dispensing, Rule 1.13 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 tan (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 proceeding and should include the name, address, and telephone number of the party or parties you represent. At any time within the twenty-five Days days uper agent or altorney, the name, address, and telephone number of the party or parties you represent. At any time within the twenty-five Day days uper agency or attorney, the name, address, and telephone number of the party or parties you represent. At any time within the twenty-five Day days uper agency or attorney, the name, address, and telephone number of the party or parties you represent. At any time within the twenty-five Day days to represent. At any time within the twenty-five Day days uper agency or attorney, the name, address, and telephone number of the party or parties you represent. At any time within the twenty-five Day agency or agency or attorney, the name of the party of the party or parties you represent. At any time within the twenty-five Day agency or agency or attorney, the name and transmitted to the filing of the party or parties you represent. At any time within the twenty-five Day agency or age	replaced with Rule 1.14.						
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, small add	Specific legal authority authorizing the	promulgation of	rule: 73-43-11				
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 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: Concise summary of economic impact statement attached. TEMPORARY RULES	List all rules repealed, amended, or su	spended by the p	roposed rule: Part 2640: Prescri	bing, Adminis	tering and Dis	pensing, Rule 1.13	
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 filling of this notice of prosposed rule adoption and should include the name, address, ental address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment persons, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filling agency. ECONOMIC IMPACT STATEMENT: Concise summary of economic impact statement not required for this rule. Concise summary of economic impact statement attached. TEMPORARY RULES	ORAL PROCEEDING:						
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 fling of this notice of proposed rule adoption and should include the name, address, and telephone number of the persons) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties your represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, date, and views on the proposed rule/amendment/repeal may be submitted to the filling agency. ECONOMIC IMPACT STATEMENT: TEMPORARY RULES PROPOSED ACTION ON RULES Action proposed: Renewal of effectiveness To be in effect in days Effective date: Original filling Other (specify): Adopted with changes in text Y adopted with changes in text Adopted with changes in text Y adopted with changes in text Adopted with changes in text Y adopted with changes Effective date: Y adopted with changes Adopted by reference Withdrawn Repeal adopted as proposed Effective date: Y and adopted as proposed Effective date: Y adopted with no changes in text Y adopted with no changes in t	An oral proceeding is scheduled fo	r this rule on Da	ite: Time: Place:				
ten (19) 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, and telephone number of the persons) making the request; and, if you are an agent or altorney, the name, address, email address, and telephone number of the persons) making the request; and, if you are an agent or attorney, the name, 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	Presently, an oral proceeding is no	t scheduled on th	is rule.				
Economic impact statement not required for this rule. Concise summary of economic impact statement attached.	ten (10) or more persons. The written request notice of proposed rule adoption and should in agent or attorney, the name, address, emall adcomment period, written submissions including	should be submitted to clude the name, addre dress, and telephone n	o the agency contact person at the abov ss, emall address, and telephone numb umber of the party or parties you repre	ve address within er of the person(esent. At any tim	twenty (20) days s) making the req e within the twen	after the filing of this uest; and, if you are an aty-five (25) day public	
TEMPORARY RULES Original fillingRenewal of effectivenessObe in effect indaysEffective date:Other (specify):Other (specify):	ECONOMIC IMPACT STATEMENT:						
Action proposed: Renewal of effectiveness To be in effect in days Effective date: immediately upon filing Other (specify): Printed name and Title of person authorized to file rules: OFFICIAL FILING STAMP Accepted for filing by	Economic impact statement not re	quired for this rul	e. Concise summary of e	conomic imp	act statement	attached,	
Printed name and Title of person authorized to file rules: Mike Lucius, Deputy Director Signature of person authorized to file rules: OFFICIAL FILING STAMP DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP OFFICIAL FILING STAMP SEP 2 8 2018 MISSISSIPPI SECRETARY OF STATE Accepted for filing by Accepted for filing by	Original filing Renewal of effectiveness New To be in effect in days Ame Effective date: immediately upon filing Ado Other (specify): Proposed fi 30 d		oosed:	Date Propo Action take	Date Proposed Rule Filed: 06/13/2018 Action taken: X Adopted with no changes in text Adopted with changes Adopted by reference Withdrawn Repeal adopted as proposed Effective date: X 30 days after filing		
OFFICIAL FILING STAMP DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP SEP 2 8 2018 MISSISSIPPI SECRETARY OF STATE Accepted for filing by Accepted for filing by	To be in effect in days Effective date: immediately upon filing	Am Rep Ado Proposed f 30 c	endment to existing rule(s) eal of existing rule(s) ption by reference inal effective date: lays after filing	Adop With Repe Effective da X 30 days a	oted by referend odrawn eal adopted as p ote: fter filing	ce	
OFFICIAL FILING STAMP OFFICIAL FILING STAMP SEP 2 8 2018 MISSISSIPPI SECRETARY OF STATE Accepted for filing by Accepted for filing by Accepted for filing by	To be in effect in days Effective date: immediately upon filing Other (specify):	Am Rep Ado Proposed f 30 c	endment to existing rule(s) eal of existing rule(s) ption by reference inal effective date: lays after filing er (specify):	Adop With Repe Effective da X 30 days a	oted by referend odrawn eal adopted as p ote: fter filing	ce	
SEP 2 8 2018 MISSISSIPPI SECRETARY OF STATE Accepted for filing by Accepted for filing by # 23704	To be In effect In days Effective date: Immediately upon filing Other (specify): Printed name and Title of person a	Am Rep Ado Proposed f 30 c Othe	endment to existing rule(s) eal of existing rule(s) ption by reference inal effective date: lays after filing er (specify): rules: _Mike Lucius, Deputy	Adop With Repe Effective da X 30 days a	oted by referend odrawn eal adopted as p ote: fter filing	ce	
#23704 6 00	To be in effect in days Effective date: immediately upon filing Other (specify): Printed name and Title of person a Signature of person authorized to f	Am Rep Ado Proposed f 30 c Othe uthorized to file ile rules;	endment to existing rule(s) eal of existing rule(s) ption by reference inal effective date: lays after filling er (specify): rules: _Mike Lucius, Deputy	Ado With Repe Effective da Othe Director	oted by referent drawn eal adopted as p ite: fter filing er (specify):	proposed	
	To be in effect in days Effective date: immediately upon filing Other (specify): Printed name and Title of person a Signature of person authorized to f	Am Rep Ado Proposed f 30 c Othe uthorized to file ile rules;	endment to existing rule(s) eal of existing rule(s) ption by reference inal effective date: lays after filling er (specify): rules: _Mike Lucius, Deputy	Ado	sted by referent drawn eal adopted as pite: fter filling er (specify):	STAMP 2018	
	To be in effect in days Effective date: immediately upon filing Other (specify): Printed name and Title of person a Signature of person authorized to f	Am Rep Ado Proposed f 30 c Othe uthorized to file ile rules; DO NO O	endment to existing rule(s) eal of existing rule(s) ption by reference inal effective date: lays after filling er (specify): rules: Mike Lucius, Deputy TYCOM THIS LINE FFICIAL FILING STAMP	Adoption Ado	oted by reference of the second secon	STAMP 2018	

Part 2640: Prescribing, Administering and Dispensing

Part 2640 Chapter 1: Rules Pertaining to Prescribing, Administering and Dispensing of Medication

Rule 1.13 Security of Controlled Substances. In all clinics or offices within the control of a licensee, all controlled substances and other drugs having addiction-forming or addiction-sustaining liability must be maintained in such a manner as to deter loss by theft or burglary. All controlled substances must be stored in a securely locked, substantially constructed container or area. Only the physician or persons authorized by the physician shall have access to this storage area. When a licensee detects a loss of controlled substances, the Board may issue an order requiring that person to appear before the Board and present a plan designed to prevent further loss of controlled substances. The Board has the authority to order implementation measures to improve security over controlled substances.

Source: Miss. Code Ann. §73-43-11 (1972, as amended).



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 September 10, 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 2640 Prescribing, Administering
 and Dispensing Rule 1.1; Rule 1.1 is being updated to clarify which licensees the rule
 will affect.
- Rules of the Board of Medical Licensure, as amended Title 30 Part 2640 Prescribing,
 Administering and Dispensing Rule 1.2; Rule 1.2 is being updated to clarify and define
 terms used throughout Chapter 1. Approved as amended to fix a clerical error in Rule
 1.2 I. and to add the words 'any licensee' to Rule 1.2 M.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering and Dispensing Rule 1.3; Rule 1.3 is being modified to require registration by licensees to the Prescription Monitoring Program and requirements for review of the PMP reports.

- Rules of the Board of Medical Licensure, as amended Title 30 Part 2640 Prescribing,
 Administering and Dispensing Rule 1.4; Rule 1.4 is being modified to require licensees to maintain a records and inventories log and the requirements associated with the logs.
 Approved as amended to add a reference to the telemedicine Rule 5.5.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering
 and Dispensing Rule 1.5; Rule 1.5 is being modified to clarify the rules regarding the use
 of diet medication.
- Rules of the Board of Medical Licensure, as amended Title 30 Part 2640 Prescribing, Administering and Dispensing Rule 1.6; Rule 1.6 is being modified to clarify the rules regarding bariatric medicine, medical weight loss and weight management practices.
 Approved as amended to include 'medical director' as a title for the licensed physician associated with a bariatric medicine, medical weight loss, or weight management practice.
- Rules of the Board of Medical Licensure Title 30 Part 2640 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.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering
 and Dispensing Rule 1.8; Rule 1.8 is being modified to clarify the rules regarding drug
 maintenance requirements.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering and Dispensing Rule 1.9; Rule 1.9 is being modified to clarify the rules regarding the labeling requirements for dispensing physicians.

- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering
 and Dispensing Rule 1.10; Rule 1.10 is being modified to clarify the rules regarding the
 controlled substances prescription guidelines.
- Rules of the Board of Medical Licensure, as amended Title 30 Part 2640 Prescribing,
 Administering and Dispensing Rule 1.11; Rule 1.11 is being modified to clarify the rules regarding the all medications prescription guidelines. Approved as amended to add a reference to the telemedicine Rule 5.5 to Rule 1.11A.2.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering
 and Dispensing Rule 1.12; Rule 1.12 is being modified to include licensees instead of
 only physicians in the Freedom of Choice rule.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering and Dispensing Rule 1.13; Rule 1.13 is being deleted and replaced with Rule 1.14.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering
 and Dispensing Rule 1.14; Rule 1.15 is now Rule 1.14. The rule is being updated to
 reflect changes in the operation of pain management medical practices.
- Rules of the Board of Medical Licensure Title 30 Part 2640 Prescribing, Administering and Dispensing Rule 1.15; Rule 1.16 is now Rule 1.15. The rule is being updated with cosmetic changes only.
- Rules of the Board of Medical Licensure, as amended Title 30 Part 2640 Prescribing,
 Administering and Dispensing Rule 1.16; Rule 1.17 is now Rule 1.16. The rule is being updated with cosmetic changes only. Approved as amended to change the effective date.