

**Mississippi Secretary of State**  
 125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi State Board of Medical Licensure		CONTACT PERSON Mike Lucius	TELEPHONE NUMBER 601-987-0248	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL mboard@msbml.ms.gov	SUBMIT DATE 8/2/2021	Name or number of rule(s): Part 2635 Chapter 15: Medical Examiners		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: To create a new chapter of regulations involving the practice of physicians as Medical Examiner and/or Deputy Medical Examiner, and for other purposes.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann., §73-43-11

List all rules repealed, amended, or suspended by the proposed rule: None

**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
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>Action proposed:</b> <input checked="" type="checkbox"/> New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	<b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Mike Lucius, Deputy Director

Signature of person authorized to file rules: *Mike Lucius*

OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP <div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>25777 Pom</u>	OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

## Part 2635: Chapter 15: Medical Examiners

### Rule 15.1 | Scope and Purpose

The purpose of this regulation is to set forth certain exemptions, stipulations, and expectations as to the practice of medicine within Mississippi by physicians who serve as the State Medical Examiner or a Deputy Medical Examiner. Further, it is the intent of this regulation to set forth the requirements of those physicians to practice medicine in Mississippi, temporarily, without obtaining an unrestricted Mississippi medical license. The Board defers to state statute on any duties or requirements not specifically mentioned within this regulation.

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

### Rule 15.2 | Definitions

For the purpose of Part 2635, Chapter 15 only, the following terms have the meanings indicated:

- A. “Medical Examiner” means the person appointed by the Commissioner of Public Safety pursuant to Miss. Code Ann., §41-61-55 to investigate and certify deaths that affect the public interest.
- B. “Deputy Medical Examiner” means those professional individuals employed by The Department of Public Safety who serve under the direction of the Medical Examiner, and who perform autopsies and post-mortem examinations to determine cause of death via medical processes, such as pathology, and who may testify as an expert regarding their findings.

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

### Rule 15.3 | Temporary Practice

Recognizing the unique challenges in hiring and retaining Deputy Medical Examiners, along with the need to expeditiously conduct autopsies in order to avoid evidentiary spoilage, applicants for licensure to serve in the role of Deputy Medical Examiner may practice within Mississippi temporarily, without an unrestricted medical license, while going through the licensure process. Said physicians must first submit their application, thereby starting the licensure process, and must verify they are licensed in good standing in another state or acceptable jurisdiction. This temporary practice period shall not exceed six (6) months from the date the application is received.

Further, contract physicians who are hired on a temporary basis by The Department of Public Safety may also practice without a license, after verifying their unrestricted licensure as described above, for a period of up to one (1) month. Thereafter, said physicians must apply for a full license in Mississippi.

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

*Rule 15.4 | Violation of Rules*

The practice of medicine outside of the requirements and regulations stated herein constitutes the illegal practice of medicine, in violation of Miss. Code Ann., §97-23-43, and violators shall be subject to all fines and penalties described therein.

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