

ADVOCACY NEWS

Keeping you informed from Washington, D.C.

August 26, 2026

Mississippi Boards Issue Joint Statement on Non-FDA Approved Peptides

On August 19, the **Mississippi State Board of Medical Licensure**, **Mississippi Board of Nursing**, and **Mississippi Board of Pharmacy** issued a joint [statement](#) concerning the prescribing of non-FDA-approved, “research-grade” peptides. The statement makes clear that these products may not be compounded, prescribed, supplied, recommended, dispensed, or administered to patients by healthcare professionals in Mississippi.

Mississippi joins a growing list of state regulatory boards that are reviewing and issuing statements or guidance on prescribing of non-FDA-approved peptides, including the **Alabama Board of Medical Examiners**, which issued an [official notice](#) in May 2026 and the **South Carolina Board of Medical Examiners**, which also issued a [notice](#) in August 2026.

If you have any questions, please [contact us](#)!



Carolyn Mullen

Senior Vice President, Government Affairs
Federation of State Medical Boards
(202) 463-4000 | cmullen@fsmb.org



Pending Legislation of Interest

Rural Health

The [Rural Mothers and Fathers Choice Act \(S. 5364\)](#), introduced by **Sen. Cindy Hyde-Smith (R-MS)**, would create a 10-year federal program authorizing planning and implementation grants for eligible entities in rural and tribal communities to establish “hub and spoke”-models that address educational, health, and economic disparities by improving broadband-enabled access to telehealth and mobile health services; durable rural service networks across education, health, workforce, and early childhood sectors; mental and behavioral health services; substance use recovery supports; and healthcare and child care support, among several other provisions.

Regulatory News

Administration Appointments

On August 19, **President Donald Trump** [nominated](#) **Heidi Overton, MD**, to be the next **Food and Drug Administration (FDA) Commissioner**. Overton, a former chief policy officer of the America First Policy Institute, is board-certified in public health and general preventative medicine and currently serves as the deputy director of the White House Domestic Policy Council.

Artificial Intelligence

On August 18, the [FDA](#) released “[Considerations for the Regulation of Generative AI-Enabled Medical Devices: Discussion Paper and Request for Feedback](#),” seeking feedback from device manufacturers, clinicians, consumers, researchers, the public, and other interested parties on risk assessment, premarket evaluation built on the concept of competency assessment, risk-proportionate post market monitoring, and other topics relevant to the regulation of GenAI-enabled medical devices; [comments](#) are due by **October 19, 2026**.

Mental Health

On August 17, the [Dept. of Health and Human Services \(HHS\)](#) [announced](#) \$96.7 million in **Substance Abuse and Mental Health Services Administration (SAMHSA)** grants and cooperative agreements to strengthen behavioral health services and supports for a range of behavioral health services and initiatives, including services for people with serious mental illness and are homeless; suicide prevention and early intervention; SUD treatment; training and technical assistance; peer support; and disaster-related emotional support.

Judicial News

Reimbursement

On August 13, the health care transparency group PatientRightsAdvocate.org [sued](#) the American Medical Association over transparency concerns about its billing codes, which help to determine billions of dollars in medical service reimbursements annually, seeking to force the organization to give the public access to its Current Procedural Terminology (CPT) billing-code system.



Legislation Signed into Law

Reproductive Care

[New Jersey S 2260](#) – Enacted and effective August 20, explicitly prohibits legal or civil actions against New Jersey residents and providers for engaging in reproductive health care that is legal in the state, mandates a state policy of non-cooperation with out-of-state legal actions, establishes criminal penalties for individuals that interfere with or obstruct access to reproductive health care facilities and services, and ensures the anonymity of patients and providers in legal proceedings.

Pending Legislation of Interest

Women's Health

[New York S 10683](#) – Formally recognizes postpartum psychosis as distinct from postpartum depression and directs the Dept. of Health to develop and publish specific screening guidelines, provide these to maternal health care providers, raise awareness, promote specialized trainings, and establish unique treatment protocols for the condition.

Regulatory News

Additional Licensure Pathways

On August 3, the [Washington Medical Commission \(WMC\)](#) published a [proposed rule](#) implementing [SB 5185](#) (2025), which created a pilot program allowing qualifying international medical graduates (IMGs) in the state's existing [International Medical Graduates Clinical Experience \(MDCE\) License](#) program to pursue a primary care license.

The legislation authorizes a second provisional pathway after at least two years in the MDCE program. The proposed rule calls this a two-year clinical experience graduate pathway and would allow participants to seek conversion to a primary-care license if they held an MDCE license in good standing by July 1, 2026, submit a new nominating letter, and provide a new or updated practice agreement.

The proposed rule adds supervision and evaluation requirements beyond the legislation's general requirements for satisfactory evaluations, supervising-physician attestation, and medical-director

endorsement. It would require at least five formal evaluations over two years, monthly quality-review meetings, a final capstone assessment, and practice in the same specialty at an eligible Washington site. The rule would also allow a supervising physician or medical director to decline an attestation or endorsement, subject to WMC-requested justification.

The legislation requires USMLE Step 3 and a WMC-approved competency assessment for full licensure. The proposed rule specifies that the independent primary-care clinical-skills assessment must occur during the final 12 months of the graduate pathway; it permits multiple attempts but would disqualify a participant after four or more unsuccessful attempts.

SB 5185 also requires the WMC is also required to engage with the American Board of Medical Specialties (ABMS) regarding a potential board-certification process, report annually to the Legislature from 2027 through 2035, and sunset the pilot on June 30, 2035. Those provisions, however, do not appear in the proposed rule.

Board Certification

On August 18, the **National Board of Physicians and Surgeons (NBPAS)** [announced](#) that the **Florida Board of Medicine** approved NBPAS as a recognizing agency under the state's physician advertising rule, meaning that NBPAS-certified physicians may advertise themselves as board certified in the state. In response, the American Board of Medical Specialties (ABMS) released a [statement](#) disagreeing with the decision.

Judicial News

Board Authority

On August 13, **Washington** officials [agreed](#) not to enforce its conversion-therapy ban against a licensed therapist while his First Amendment challenge proceeds. The case was reopened after the Supreme Court's March decision in *Chiles v. Salazar* potentially altered the legal framework for regulating professional speech; a ruling for the therapist could affect state boards' authority to discipline licensees for speech-based conduct.

Gender-affirming Care

On August 14, a federal judge in Massachusetts sided with a 21 state coalition of Attorneys General to [strike down](#) a Trump Administration rule that would have excluded coverage of certain types of gender-affirming care as essential health benefits under the ACA.

Reproductive Care

On August 13, a federal judge [ruled](#) that **Idaho's** near-total abortion ban is unconstitutional because it only exempts life-saving abortions, arguing that the state may not criminalize abortions deemed medically necessary to save the pregnant woman's life or prevent serious and long-term impairments to health.

FSMB Legislative Trackers

FSMB maintains free, public legislative trackers for a myriad of legislative topics impacting the regulation and practice of medicine: [artificial intelligence](#), [board authority](#), [board structure and function](#), [continuing medical education](#), [gender-affirming care](#), [licensure compacts](#), [IMGs](#), [license portability](#), [licensure pathways for internationally trained physicians](#), [occupational licensing reform](#), [pain management](#), [physician sexual misconduct](#), [reproductive care](#), and [telemedicine](#).

Contact

If you have questions regarding specific legislation, please contact **John Bremer**, Managing Director, Advocacy and Policy, at jbremner@fsmb.org, or by phone at (202) 463-4021; or **Andrew Smith**, Manager, Legislation and Policy, at asmith@fsmb.org or by phone at (202) 463-2002.

This email is not intended as an exhaustive or comprehensive statement of the law on this topic. It does not constitute legal advice. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently, as these areas of law change rapidly and there is no guarantee that the information presented reflects the current state of law and policy. If you have any questions about the contents of this document, please contact FSMB staff.



Resources for Regulators

- [Resources for FSMB Members](#)
- [Pathway to Medical Licensure in the U.S.](#)
- [Journal of Medical Regulation](#)



Meetings & Events

April 15-17, 2027: FSMB Annual Meeting, Oklahoma City, Oklahoma

[more meetings & events](#)

Subscribe to Our Newsletters!

To help medical boards keep up with the lay of the land around the country, FSMB tracks relevant legislation, regulations, and judicial news in state houses and court rooms across the United States, as well as the U.S. Congress.

[Subscribe](#)

Visit Our Archive!

Did you miss last week's *Advocacy News*? Want to see what has been introduced, vetoed, or enacted in your state? Visit the archive!

[Advocacy News Archive](#)



Texas Office: 400 Fuller Wiser Road, Euless, TX 76039
Telephone: (817) 868-4000

Washington, D.C. Office: 1775 Eye St. NW Suite 410, Washington, D.C. 20006
Telephone: (202) 463-4000



Federation of State Medical Boards | 400 Fuller Wiser Road | Euless, TX 76039 US

[Unsubscribe](#) | [Update Profile](#) | [Constant Contact Data Notice](#)



Try email marketing for free today!