

APA-3
Revised 1/2018

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, § 41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on the 20th day of July, 2023, and filed with the agency secretary on the 20th day of July, 2023.

AGENCY NAME: Alabama State Board of Medical Examiners

 X Amendment New Repeal (Mark appropriate space)

(3) and

Rule No. 540-X-12-07(8)

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Utilization of Qualified Alabama Controlled Substances Registration
Certificate (QACSC) – Limitations (P.A.)

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

No comments received. No changes from proposal.


NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLI, ISSUE NO. 8, AAM,
DATED MAY 31, 2023.

Statutory Rulemaking Authority: Ala. Code §§ 20-2-1 et seq

(Date Filed)

REC'D & FILED (For LRS Use Only)

JUL 20 2023

LEGISLATIVE SVC AGENCY  _____
Certifying Officer or his or her Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.

540-X-12-.07 Utilization of Qualified Alabama Controlled Substances

Registration Certificate (QACSC) - Limitations.

- (1) The authority of a P.A. to prescribe, administer, or authorize for administration pursuant to a QACSC is limited to those controlled substances enumerated in Schedules III, IV and V.
- (2) A P.A. shall not prescribe, administer, or authorize for administration any controlled substance enumerated in Schedule I or Schedule II.
- (3) A P.A. shall prescribe, administer, or authorize for administration-controlled substances in accordance with the requirements of Ala. Code, §§ 20-2-60 through 20-2-69; any other applicable sections of the Alabama Uniform Controlled Substances Act (Ala. Code §§ 20-2-1, et. seq.); Board rules; protocols and medical regimens established by the Board for regulation of a QACSC; and any requirements or limitations established in an approved formulary by the supervising physician to whom the Physician Assistant is registered.
- (4) A P.A. shall not utilize his or her QACSC for the purchasing, obtaining, maintaining or ordering of any stock supply or inventory of any controlled substance in any form.
- (5) A P.A. who has been issued a valid and current QACSC may accept from pharmaceutical representatives prepackaged samples or starter packs in their original packages or containers for controlled substances enumerated in Schedules III, IV or V, subject to any restriction or limitations on the P.A.'s approved formulary and subject to any protocols or medical regimens established by the Board.

(6) A P.A. shall not prescribe, administer, or authorize for administration any controlled substance to his or her own self, spouse, child or parent.

(7) If the Alabama Controlled Substances Certificate of the supervising physician under whose supervision the P.A. utilizes a QACSC becomes inactive, revoked, suspended, restricted, or placed on probation, then the QACSC of the P.A. shall be administratively terminated by operation of law.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 20-2-60, *et. seq.*, Act 2009-489

History: Approved for publication: November 18, 2009. Effective Date: March 24, 2010. Amended/Approved: December 11, 2019. Certified Rule Filed: February 19, 2020. Effective Date: April 13, 2020. Amended/Approved October 20, 2022. Certified Rule Filed December 20, 2022. Effective Date: February 13, 2023. Certified Rule Filed July 20, 2023. Effective Date: September 14, 2023.

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AGENCY NAME: Alabama State Board of Medical Examiners

 X Amendment New Repeal (Mark appropriate space)

Rule No. 540-X-18-.07(3) and (8)

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Utilization of Qualified Alabama Controlled Substances Registration Certificate (QACSC) – Limitations (P.A.)

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

No comments received. No changes from proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLI, ISSUE NO. 8, AAM, DATED MAY 31, 2023.

Statutory Rulemaking Authority: Ala. Code §§ 20-2-1 et seq

(Date Filed)
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JUL 20 2023



Certifying Officer or his or her Deputy

LEGISLATIVE SERVICES AGENCY

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.

540-X-18-.07 Utilization of Qualified Alabama Controlled Substances Registration Certificate (QACSC) - Limitations.

(1) The authority of a CRNP or CNM to prescribe, administer, or authorize for administration pursuant to a QACSC is limited to those controlled substances enumerated in Schedules III, IV and V.

(2) A CRNP or CNM shall not use the authority of his or her QACSC to prescribe, administer, or authorize for administration any controlled substance enumerated in Schedule I or Schedule II.

(3) A CRNP or CNM shall prescribe, administer, or authorize for administration controlled substances in accordance with the requirements of Ala. Code §§ 20-2-250 through 20-2-259; any other applicable sections of the Alabama Uniform Controlled Substances Act (Ala. Code §§ 20-2-1, et. seq.); Board rules; protocols, formularies, and medical regimens established by the Board for regulation of a QACSC; and any requirements or limitations established in an approved formulary by the collaborating physician.

(4) A CRNP or CNM shall not utilize his or her QACSC for the purchasing, obtaining, maintaining or ordering of any stock supply or inventory of any controlled substance in any form.

(5) A CRNP or CNM who has been issued a valid and current QACSC may accept from pharmaceutical representatives prepackaged samples or starter packs in their original packages or containers for controlled substances enumerated in Schedules III, IV or V, subject to any restriction or limitations on the CRNP's or CNM's approved formulary and subject to any protocols or medical regimens established by the Board.

(6) A CRNP or CNM shall not prescribe, administer, or authorize for administration any controlled substance to his or her own self, spouse, child or parent.

(7) If the Alabama Controlled Substances Certificate of the collaborating physician under whose supervision the CRNP or CNM utilizes a QACSC becomes inactive, revoked, suspended, restricted, or placed on probation, then the QACSC of the CRNP or CNM shall be administratively terminated by operation of law.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama §§ 20-2-250, et. seq.; Act 2013-223

History: Approved for publication: June 12, 2013. Approved for final adoption: August 21, 2013. Effective Date: October 1, 2013. Amended/Approved: December 11, 2019. Certified Rule Filed: February 19, 2020. Effective Date: April 13, 2020. Amended/Approved October 20, 2022. Certified Rule Filed December 20, 2022. Effective Date February 13, 2023. Certified Rule Filed July 20, 2023. Effective Date: September 14, 2023.