

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18, Appendix A
Rule Title: Application for Qualified Controlled Substances Registration Certificate for Certified Registered Nurse Practitioners and Certified Nurse Midwives

 New Amend X Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer William R. Pelt

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SERVICES AGENCY

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18, Appendix A, Application for Qualified Controlled Substances Registration Certificate for Certified Registered Nurse Practitioners and Certified Nurse Midwives

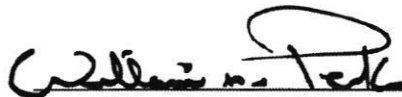
INTENDED ACTION: Repeal the rule

SUBSTANCE OF PROPOSED ACTION: Application form is repealed.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

REPEAL

540-X-18, Appendix A
ALABAMA BOARD OF MEDICAL EXAMINERS
P. O. Box 946 – Montgomery, Alabama 36101 • 848 Washington Avenue – 36104

**Application for Qualified Controlled Substances Registration Certificate for
Certified Registered Nurse Practitioners and Certified Nurse Midwives**

Under Alabama law, this document is a public record and will be provided upon request.

The cost for the initial QACSC received is \$110.00; each additional QACSC is \$60.00
The annual renewal fee for each QACSC is \$60.00

Collaborating Physician Name
Collaborating Physician Specialty
Collaborating Physician License number
CP Number

CRNP/ CNM name
CRNP/CNM License number
Primary practice address

All applicants must answer the following questions. (If the answer to question A, B, C, D, E or F is yes, please provide a detailed explanation.)

- A. Has your privilege for dispensing, accessing, or prescribing controlled substances ever been suspended, restricted, revoked, voluntarily surrendered while under investigation, or disciplined in any manner in any state?
 - B. Have you ever been convicted of any state or federal crime relating to any controlled substance?
 - C. Has your Federal DEA registration ever been suspended, restricted, revoked or voluntarily surrendered while under investigation?
 - D. Has your employment as a CRNP/CNM ever been suspended, restricted, revoked or disciplined in any manner for any reason related to the prescribing or dispensing of controlled substances?
 - E. Are you currently* engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or received any therapy or treatment for alcohol or drug use, sexual boundary issues or mental health issues? (If you are an anonymous participant in a voluntary health monitoring program and are in compliance with your contract, you may answer "No" to this question, such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners)
- *The term "currently" does not mean on the day of, or even in the weeks or months preceding the completion of this application. Rather, it means recently enough so that the condition referred to may have an ongoing impact on one's

functioning as a CRNP/CNM within the last two years.

IMPORTANT: The Board recognizes that registrants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its registrants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program (334-293-5200) an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the registrant is unable to practice with reasonable skill and safety to patients, can result in the Board taking action against the Qualified Alabama Controlled Substances Certificate.

_____ Please initial certifying that you understand and acknowledge your duty as a licensee to address any such condition as stated above.

F. To your knowledge, has disciplinary action been taken or is pending against you with the Board of Nursing or any other licensing authority of any state, territory, or country including but not limited to the Alabama Board of Nursing?

G. Have you completed a board-approved pharmacology of controlled substances course or courses? (This must include documentation of successful completion of twelve (12) hours of Category I credits including "Prescribing Controlled Drugs: Critical Issues and Common Pitfalls", a Board-approved course that includes advanced pharmacology and prescribing trends relating to controlled substances. The (12) hour course must have been completed in the preceding 12 months for initial QACSC applicants. Starting with this 12-hour initial course, the CRNP/CNM must obtain (every two (2) years) four (4) AMA PRA Category 1 credits or equivalent through a board-approved course or courses that include advanced pharmacology and prescribing trends related to controlled substances.)

You answered no, you do not qualify for a QACSC and should not complete this application.

You answered yes, upload documentation of completion.

Name of board approved course

Date course taken

Number of Hours obtained

Upload documentation

I have not received documentation from the board approved course or courses.

NOTICE: To lawfully administer, dispense or prescribe controlled substances in the State of Alabama, federal and state statutes require a Qualified Alabama Controlled Substances Registration Certificate and a DEA certificate of registration with the State of Alabama. For further information concerning federal requirements, go to www.deadiversion.doj.gov. You will apply for your DEA once the QACSC is issued.

I understand and agree that by typing my name, I am providing an electronic

signature that has the same legal effect as a written signature pursuant to Ala. Code §§ 8-1A-2 and 8-1A-7. I attest that the foregoing information has been provided by me and is true and correct to the best of my knowledge, information, and belief.

I understand that knowingly providing false information to the Alabama Board of Medical Examiners could result in disciplinary actions. Section 20-2-54, **Code of Alabama** 1975 (as amended) states that a registration may be suspended or revoked by the board upon finding that the registrant has furnished false or fraudulent material or information in any application.

Author: Alabama Board of Medical Examiners

Authority: Ala. Code §§ 20-2-50, 20-2-259

History: Amended/Approved: May 17, 2017. Effective date: September 5, 2017. Repeal and Replace/Approved: November 16, 2017. Repeal/Replace filed: February 27, 2018. Effective Date: April 13, 2018. Amended/Approved: June 20, 2018. Certified Filed: August 23, 2018. Effective Date: October 8, 2018.

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18, Appendix B
Rule Title: Qualified Controlled Substances Registration Certificate for Certified Registered Nurse Practitioners and Certified Nurse Midwives Renewal

 New Amend X Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer William G. Park

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18, Appendix B, Qualified Controlled Substances
Registration Certificate for Certified Registered Nurse
Practitioners and Certified Nurse Midwives Renewal


INTENDED ACTION: Repeal the rule

SUBSTANCE OF PROPOSED ACTION: Application form is repealed.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger


(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

REPEAL

540-X-18, Appendix B, Qualified Controlled Substances Registration Certificate Renewal (Nurse Practitioners)

Renewal - 20XX

Qualified Controlled Substances Registration Certificate for Certified Registered Nurse Practitioners and Certified Nurse Midwives Renewal

Deadline: December 31, 20XX

WARNING: SECTION 20-2-254, CODE OF ALABAMA 1975 (AS AMENDED)
STATES THAT A REGISTRATION MAY BE SUSPENDED OR REVOKED BY
THE BOARD UPON A FINDING THAT THE REGISTRANT HAS FURNISHED
FALSE OR FRAUDULENT MATERIAL INFORMATION IN ANY APPLICATION.

Under Alabama law, this document is a public record and will be provided upon request.

Answer yes or no to the following questions. If any answers to questions 1 through 6
are "yes," please provide a detailed explanation.

1. Has your privilege for dispensing or prescribing controlled substances ever been suspended, restricted, revoked, voluntarily surrendered while under investigation or disciplined in any manner in any state?
2. Have you ever been convicted of any state or federal crime relating to any controlled substance?
3. Has your Federal DEA registration ever been suspended, restricted, voluntarily surrendered while under investigation or revoked?
4. Have your staff privileges at any hospitals ever been suspended, restricted, revoked or disciplined in any manner for any reason related to the prescribing or dispensing of controlled substances?
5. To your knowledge, has disciplinary action been taken or is pending against you with the Board of Nursing or other licensing authority of any state, territory, or country including but not limited to the Alabama Board of Nursing?
6. Since your last renewal, have you engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or received any therapy or treatment for alcohol or drug use, sexual boundary issues or mental health issues? (If you are an anonymous participant in a voluntary health monitoring program and are in compliance with your contract, you may answer "No" to this question, such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners)
If you answer "Yes", then a description is required.

IMPORTANT: The Board recognizes that registrants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its registrants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Board of Nursing's Voluntary

Disciplinary Alternative Program (334-293-5200) an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the registrant is unable to practice with reasonable skill and safety to patients, can result in the Board taking action against the Qualified Alabama Controlled Substances Certificate. _____ Please initial certifying that you understand and acknowledge your duty as a registrant to address any such condition as stated above.

7. Do you have a current registration to access the Alabama Prescription Drug monitoring database Program (PDMP) ?
8. Do you have a current registration issued by the U. S. Drug Enforcement Administration?
Please provide your Primary DEA number and expiration date.
DEA Number _____
DEA Expiration Date _____

NOTICE: A current registration to access the Prescription Drug Monitoring Database and a current registration issued by the U.S. Drug Enforcement Administration are required before renewing a Qualified Alabama Controlled Substances Certificate. For further information concerning DEA registration, contact DEA, (800) 882-9539. For further information concerning the prescription database, contact the Alabama Dept. of Public Health, (855) 925-4767.

9. I certify that I have met the requirement to obtain, within the past two years, four (4) AMA PRA Category 1 Credits™ or equivalent through a Board approved course or courses regarding the prescribing of controlled substances.
Name of course taken _____
Date course was taken _____
Upload documentation _____

I understand and agree that by typing my name, I am providing an electronic signature that has the same legal effect as a written signature pursuant to Ala. Code §§ 8-1A-2 and 8-1A-7. I attest that the foregoing information has been provided by me and is true and correct to the best of my knowledge, information and belief.

Knowingly providing false information to the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama could result in disciplinary action.

Author: Alabama Board of Medical Examiners

Authority: Ala. Code § 20-2-50 and 20-2-259

History: Amended/Approved: May 17, 2017. Effective date: September 5, 2017.

Amended/Approved: November 16, 2017. Effective Date: April 9, 2018.

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18, Appendix C
Rule Title: Application for Additional Qualified Controlled Substances Registration Certificate for
Certified Registered Nurse Practitioners and Certified Nurse Midwives

 New Amend X Repeal Adopt by Reference

Would the absence of the proposed rule significantly
harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's
police power and the protection of the public health,
safety, or welfare? YES

Is there another, less restrictive method of
regulation available that could adequately protect
the public? NO

Does the proposed rule have the effect of directly
or indirectly increasing the costs of any goods or
services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the
public than the harm that might result from the
absence of the proposed rule? NO

Are all facets of the rulemaking process designed
solely for the purpose of, and so they have, as
their primary effect, the protection of the public? YES

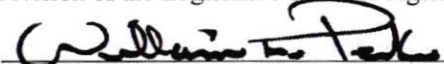
Does the proposed action relate to or affect in any
manner any litigation which the agency is a party to
concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal
note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of
Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of
the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18, Appendix C, Application for Additional Qualified Controlled Substances Registration Certificate for Certified Registered Nurse Practitioners and Certified Nurse Midwives

INTENDED ACTION: Repeal the rule

SUBSTANCE OF PROPOSED ACTION: Application form is repealed.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

REPEAL

540-X-18, Appendix C

ALABAMA BOARD OF MEDICAL EXAMINERS

P. O. Box 946 – Montgomery, Alabama 36101 • 848 Washington Avenue – 36104

**Application for Additional Qualified Controlled Substances Registration
Certificate For Certified Registered Nurse Practitioners and Certified Nurse
Midwives**

Under Alabama law, this document is a public record and will be provided upon request.

The cost for the initial QACSC received is \$110.00; each additional QACSC is \$60.00
The annual renewal fee for each QACSC is \$60.00

Collaborating Physician Name
Collaborating Physician Specialty
Collaborating Physician License number
CP Number

CRNP/ CNM name
CRNP/CNM License number
Primary practice address

All applicants must answer the following questions. (If the answer to question A, B, C, D, E or F is yes, please provide a detailed explanation.)

- A. Has your privilege for dispensing, accessing, or prescribing controlled substances ever been suspended, restricted, revoked, voluntarily surrendered while under investigation, or disciplined in any manner in any state?
- B. Have you ever been convicted of any state or federal crime relating to any controlled substance?
- C. Has your Federal DEA registration ever been suspended, restricted, revoked or voluntarily surrendered while under investigation?
- D. Has your employment as a CRNP/CNM ever been suspended, restricted, revoked or disciplined in any manner for any reason related to the prescribing or dispensing of controlled substances?
- E. Are you currently* engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or received any therapy or treatment for alcohol or drug use, sexual boundary issues or mental health issues? (If you are an anonymous participant in a voluntary health monitoring program and are in compliance with your contract, you may answer "No" to this question, such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners)

*The term "currently" does not mean on the day of, or even in the weeks or

months preceding the completion of this application. Rather, it means recently enough so that the condition referred to may have an ongoing impact on one's functioning as a CRNP/CNM within the last two years.

IMPORTANT: The Board recognizes that registrants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its registrants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program (334-293-5200) an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the registrant is unable to practice with reasonable skill and safety to patients, can result in the Board taking action against the Qualified Alabama Controlled Substances Certificate.

_____ Please initial certifying that you understand and acknowledge your duty as a licensee to address any such condition as stated above.

F. To your knowledge, has disciplinary action been taken or is pending against you with the Board of Nursing or any other licensing authority of any state, territory, or country including but not limited to the Alabama Board of Nursing?

G. Have you completed a board-approved pharmacology of controlled substances course or courses? (This must include documentation of successful completion of twelve (12) hours of Category I credits including "Prescribing Controlled Drugs: Critical Issues and Common Pitfalls", a Board-approved course that includes advanced pharmacology and prescribing trends relating to controlled substances. The (12) hour course must have been completed in the preceding 12 months for initial QACSC applicants. Starting with this 12-hour initial course, the CRNP/CNM must obtain (every two (2) years) four (4) AMA PRA Category 1 credits or equivalent through a board-approved course or courses that include advanced pharmacology and prescribing trends related to controlled substances.)

You answered no, you do not qualify for a QACSC and should not complete this application.

You answered yes, upload documentation of completion.

Name of board approved course

Date course taken

Number of Hours obtained

Upload documentation

I have not received documentation from the board approved course or courses.

NOTICE: To lawfully administer, dispense or prescribe controlled substances in

the State of Alabama, federal and state statutes require a Qualified Alabama Controlled Substances Registration Certificate and a DEA certificate of registration with the State of Alabama. For further information concerning federal requirements, go to www.deadiversion.doj.gov. You will apply for your DEA once the QACSC is issued.

I understand and agree that by typing my name, I am providing an electronic signature that has the same legal effect as a written signature pursuant to Ala. Code §§ 8-1A-2 and 8-1A-7. I attest that the foregoing information has been provided by me and is true and correct to the best of my knowledge, information, and belief.

I understand that knowingly providing false information to the Alabama Board of Medical Examiners could result in disciplinary actions. Section 20-2-54, **Code of Alabama** 1975 (as amended) states that a registration may be suspended or revoked by the board upon finding that the registrant has furnished false or fraudulent material or information in any application.

Author: Alabama Board of Medical Examiners

Authority: Ala. Code §§ 20-2-50, 20-2-259

History: New Rule Approved: December 13, 2017. New rule filed: February 27, 2018. Effective Date: April 13, 2018. Amended/Approved: June 20, 2018. Certified Filed: August 23, 2018. Effective Date: October 8, 2018.

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18-.02
Rule Title: General Requirements

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer William F. Kelly

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18-.02, General Requirements

INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend the rule to require a copy of the Drug Enforcement Administration registration be provided to the Board of Medical Examiners.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

540-X-18-.02 General Requirements.

(1) The Board is the certifying board which may issue, ~~renew, or deny, restrict, limit, suspend, or revoke~~ a QACSC for a CRNP or CNM.

(2) Beginning October 1, 2013, QACSCs may be issued by the Board to CRNPs and CNMs.

(3) A CRNP or CNM who prescribes, administers, or authorizes for administration ~~or dispenses~~ any controlled substance within Alabama or who proposes to engage in the prescribing, administering, or authorizing for administration ~~or dispensing of any controlled substance~~ within Alabama shall obtain, annually, a QACSC for each collaborative practice agreement approved by the Alabama Board of Nursing and the Alabama Board of Medical Examiners.

(4) A CRNP or CNM who prescribes, administers, or authorizes for administration ~~or dispenses~~, or who proposes to engage in the prescribing, administering, or authorizing for administration ~~or dispensing of any controlled substance~~ within Alabama shall obtain the appropriate registration or registrations issued by the United States Drug Enforcement Administration.

(5) A CRP or CNM who applies for a Qualified Alabama Controlled Substances Certificate shall provide the Board with the DEA registration number authorizing his or her prescribing of controlled substances in Alabama at the time of application, or, if no such registration has been issued, shall provide the Board with the DEA registration number as soon as it is issued. Each CRNP or CNM who is issued a Qualified Alabama Controlled Substances Certificate shall provide a copy of the DEA registration certificate to the Board immediately upon renewal of the registration.

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.

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18-.03
Rule Title: Requirements for the Issuance of a Qualified Alabama Controlled Substances Registration
Certificate (QACSC)

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer William P. Pelt

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18-.03, Requirements for the Issuance of a Qualified Alabama Controlled Substances Registration Certificate (QACSC)

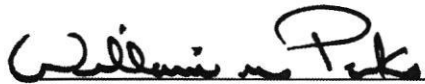
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend the rule to more generally describe the courses of education required for an application for a Qualified Alabama Controlled Substances Certificate.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger


(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

540-X-18-.03 Requirements for the Issuance of a Qualified Alabama Controlled Substances Registration Certificate (QACSC).

To qualify for a QACSC, an individual must meet the following requirements:

(1) Be a CRNP or CNM who is practicing in accordance with § 34-21-5, Code of Alabama 1975, as amended, and all Alabama Board of Nursing and Alabama Board of Medical Examiners rules governing collaboration between a qualified physician and a qualified CRNP or CNM and who is in a collaborative practice with a physician who holds and maintains a valid, current and unrestricted ACSC;

(2) Submit proof of successful completion of a course or courses (AMA PRA Category 1™) approved by the Board which includes eight (8) hours of instruction regarding the prescribing of controlled substances and four (4) hours of advanced pharmacology and prescribing trends relating to controlled substances within one (1) year preceding the filing of an application for a QACSC.

~~twelve (12) hours of AMA PRA Category 1 credits™ or the equivalent continuing medical education (CME), which shall include the following:~~

~~—— (a) “Prescribing Controlled Drugs; Critical Issues and Common Pitfalls,” a continuing medical education course jointly sponsored by the Board and the Medical Association of the State of Alabama (8 AMA PRA Category 1™ credits).~~

~~—— (b) Four (4) AMA PRA Category 1™ credits or equivalent through a Board approved course or courses that include advanced pharmacology and prescribing trends relating to controlled substances;~~

~~—— (3) Complete the required twelve (12) credits within one (1) year preceding the filing of an application for a QACSC;~~

(43) Provide accurate and complete documentation of a minimum of twelve (12) months of active clinical practice pursuant to one or more collaborative practice agreements approved by the Alabama Board of Nursing and the Alabama Board of Medical Examiners. Temporary approval practice and provisional approval practice shall not be considered or used to meet this requirement;

(4) Provide information regarding whether the QACSC will be utilized at a remote site and/or in a different type of clinical setting than the collaborating physician.

(5) Submit an application on forms provided by the Board; and

(6) Pay the required application fee required by the Board.

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.

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18-.03.01
Rule Title: Application for a Qualified Alabama Controlled Substances Registration Certificate (QACSC)

X New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer William A. Pate

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18-.03.01, Application for a Qualified Alabama Controlled Substances Registration Certificate (QACSC)

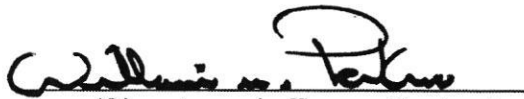
INTENDED ACTION: Adopt a new rule.

SUBSTANCE OF PROPOSED ACTION: New rule to state the information that is elicited on an application for an initial Qualified Alabama Controlled Substances Registration Certificate.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger


(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

NEW

540-X-18-.03.01 Application for a Qualified Alabama Controlled Substances
Registration Certificate (QACSC).

An applicant for a Qualified Alabama Controlled Substances Certificate shall disclose whether:

- (1) Applicant's privilege for prescribing controlled substances has ever been suspended, restricted, voluntarily surrendered while under investigation, revoked, or disciplined in any manner in any state or U.S. territory.
- (2) Applicant has ever been convicted of any state or federal crime relating to any controlled substance.
- (3) Any Federal Drug Enforcement Administration registration ever held by applicant has ever been suspended, restricted, revoked or voluntarily surrendered while under investigation.
- (4) Applicant's privileges at any hospitals have ever been suspended, restricted, revoked, or disciplined in any manner for any reason related to the prescribing or administering of controlled substances.
- (5) Applicant is currently engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or receiving any therapy or treatment for alcohol or drug use, sexual boundary issues or mental health issues.
 - (a) If applicant is an anonymous participant in the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program and is in compliance with their assistance agreement, they may answer "No" to this question. Such answer for this

purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners.

(b) The term “currently” as it is used in paragraph (5) above does not mean on the day of, or even in the weeks or months preceding the completion of the application. Rather, it means recently enough so that the condition referred to may have an ongoing impact on one’s functioning as a Certified Registered Nurse Practitioner or Certified Nurse Midwife within the last two years.

(c) Applicant shall initial certifying an understanding of a statement of the duty as a registrant to address any such condition, which states as follows:

IMPORTANT: The Board recognizes that registrants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its registrants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Board of Nursing’s Voluntary Disciplinary Alternative Program (334-293-5200), an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the registrant is unable to practice medicine with reasonable skill and safety to patients, can result in the Board taking action against the QACSC.

Author: Alabama Board of Medical Examiners

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

History:

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18-05.01
Rule Title: Renewal of a Qualified Alabama Controlled Substances Registration Certificate (QACSC)
- Required Disclosures

X New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

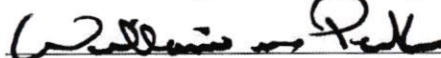
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18-.05.01, Renewal of a Qualified Alabama Controlled Substances Registration Certificate (QACSC)

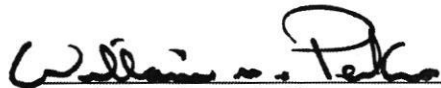
INTENDED ACTION: Adopt a new rule.

SUBSTANCE OF PROPOSED ACTION: New rule to state the information that is elicited on an application for renewal of a Qualified Alabama Controlled Substances Certificate.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger


(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

NEW

540-X-18-.05.01 Renewal of a Qualified Alabama Controlled Substances

Registration Certificate (QACSC) – Required Disclosures.

(1) The applicant shall disclose whether:

(a) Applicant's privilege for dispensing or prescribing controlled substances has ever been suspended, restricted, voluntarily surrendered while under investigation, revoked, or disciplined in any manner in any state or U.S. territory.

(b) Applicant has ever been convicted of any state or federal crime relating to any controlled substance.

(c) Any Federal Drug Enforcement Administration registration ever held by applicant has ever been suspended, restricted, revoked or voluntarily surrendered while under investigation.

(d) Applicant's privileges at any hospitals have ever been suspended, restricted, revoked, or disciplined in any manner for any reason related to the prescribing or dispensing of controlled substances.

(e) Applicant is currently engaged in the excessive use of alcohol, controlled substances, or the use of illegal drugs, or receiving any therapy or treatment for alcohol or drug use, sexual boundary issues or mental health issues.

1. If applicant is an anonymous participant in the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program and is in compliance with their assistance agreement, they may answer "No" to this question. Such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners.

2. The term “currently” as it is used in paragraph (5) above does not mean on the day of, or even in the weeks or months preceding the completion of the application. Rather, it means recently enough so that the condition referred to may have an ongoing impact on one’s functioning as a Certified Registered Nurse Practitioner or Certified Nurse Midwife within the last two years.

3. Applicant shall initial certifying an understanding of a statement of the duty as a registrant to address any such condition, which states as follows:

IMPORTANT: The Board recognizes that registrants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its registrants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Board of Nursing’s Voluntary Disciplinary Alternative Program (334-293-5200), an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the registrant is unable to practice medicine with reasonable skill and safety to patients, can result in the Board taking action against the QACSC.

Author: Alabama Board of Medical Examiners

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

History: Approved for publication:

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18-.07
Rule Title: Utilization of Qualified Alabama Controlled Substances Registration Certificate (QACSC)
- Limitations

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer William M. Perkins

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18-.07, Utilization of Qualified Alabama Controlled Substances Registration Certificate (QACSC) - Limitations


INTENDED ACTION: Amend the rule.

SUBSTANCE OF PROPOSED ACTION: Amend rule to remove the term "dispense" and to clarify that QACSC holders are required to comply with Board rules concerning the use of controlled substances for the treatment of pain.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger


(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

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 ~~or dispense~~ 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, ~~or dispense~~ any controlled substance enumerated in Schedule I or Schedule II; ~~however, a CRNP or CNM may administer a Schedule II controlled substance which has been ordered, prescribed or dispensed by a collaborating or covering physician.~~

(3) A CRNP or CNM shall prescribe, administer, or authorize for administration ~~or dispense~~ controlled substances in accordance with the requirements of §§ 20-2-250 through 20-2-259, Code of Alabama 1975, as amended; any other applicable sections of the Alabama Uniform Controlled Substances Act (§ 20-2-1, et. seq., Code of Alabama 1975, as amended); 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 ~~or dispense~~ 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.

(8) When utilizing controlled substances for the treatment of pain, a QACSC holder shall comply with Ala. Admin. Code r. 540-X-4-.08, Requirements for the Use of Controlled Substances for the Treatment of Pain.

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.

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-18-.07.01
Rule Title: Prescription Guidelines-Qualified Alabama Controlled Substances Registration Certificate
(QACSC) – Limitations

X New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer William A. Perkins

Date: October 20, 2022

REC'D & FILED

OCT 20 2022

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-18-.07.01, Prescription Guidelines - Qualified Alabama Controlled Substances Registration Certificate (QACSC)

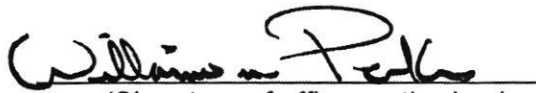
INTENDED ACTION: Adopt a new rule.

SUBSTANCE OF PROPOSED ACTION: New rule to state the requirements for controlled substances prescriptions by QACSC holders.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 5, 2022. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 5, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger


(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

NEW

540-X-18-.07.01 Prescription Guidelines- Qualified Alabama Controlled

Substances Registration Certificate (QACSC).

- (1) When prescribing controlled substances, a CRNP or CNM shall use a prescription form that includes all of the following:
 - (a) The name, medical practice site address, and telephone number of the collaborating physician.
 - (b) The name of the CRNP or CNM;
 - (c) The medical practice site address and telephone number of the CRNP or CNM if different from that of the collaborating physician;
 - (d) CRNP or CNM 's registered nurse license number assigned by the Board of Nursing.
 - (e) The words "Product Selection Permitted" printed on one side of the prescription form directly beneath a signature line;
 - (f) The words "Dispense as written" printed on one side of the prescription form directly beneath a signature line.
 - (g) The date that the prescription is issued to the patient.
 - (h) The patient's full name and address.
 - (i) The CRNP or CNM's QACSC registration number.

Author: Alabama Board of Medical Examiners

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

History: Approved for publication: