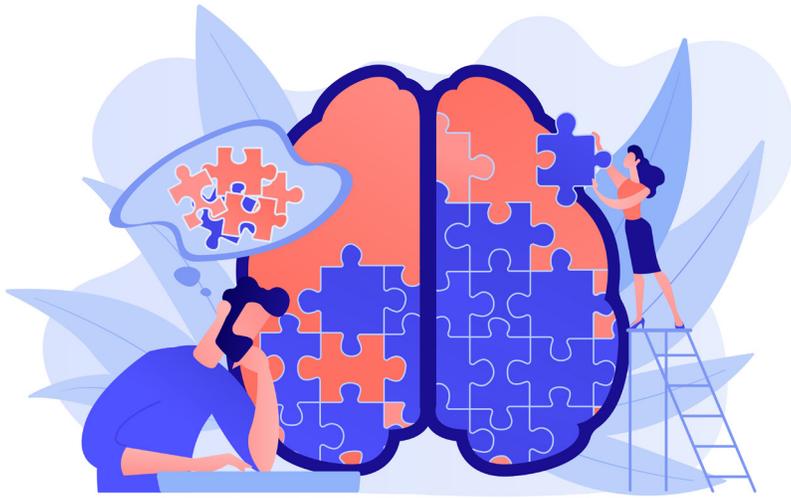


Alabama State Board of Medical Examiners and Medical Licensure Commission



MEDICALDIGEST

Summer 2022 | www.albme.gov



Licenses Not Required to Report Mental Health Treatment

For more than a century, physicians have experienced a significantly higher rate of death by suicide than the general population. Advance practice providers, nurses, and other health care professionals also have a higher than average risk of suicide. Along with the increased stress, depression and burnout resulting from the COVID-19 pandemic, experts also expect to see an increase in the health care worker suicide rate once large recent datasets are available.

In the past, medical license renewal applications in Alabama and most other states asked specific questions regarding current and past treatment for mental health conditions. While the intent of these questions was to ensure patient protection, they may have had the opposite effect. In a 2021 Medscape survey, physicians cited concerns that they would be required to report mental health treatment to the medical board as a leading reason (43%) for not seeking evaluation for depression, anxiety or other mental health conditions. The lack of appropriate treatment for these conditions could result in increased stress, fatigue, and impairment and make physicians more likely to commit medical errors.

To eliminate potential barriers to physicians seeking the treatment they need for mental health conditions, the Alabama Medical Licensure Commission removed all questions related to mental health treatment and conditions from Alabama's renewal application in February 2018. Licensees are now asked to initial a statement certifying that they understand and acknowledge their duty to address any health condition, including mental health conditions and substance use disorders, which could affect their ability to practice medicine with reasonable skill and safety to patients. Additionally, if you are a participant in the Alabama Professionals Health Program and are compliant with your contract, you can answer "No" to this license renewal question regarding treatment for substance use disorders and sexual boundary issues:

(7) 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 or sexual boundary issues?

Physician wellness is a priority for the Alabama Board of Medical Examiners and the Medical Licensure Commission of Alabama, and we urge physician and physician assistant licensees to seek treatment for their medical or mental health conditions. If you are unsure where to seek mental health or substance use treatment in your area, contact the Alabama Professionals Health Program, a confidential, non-punitive program available to all licensed physicians, residents, physician assistants, and medical students in Alabama:

Alabama Professionals Health Program
<https://alabamaphp.weebly.com>
334-954-2596 / 800-239-6272
staff@alabamaphp.org



Jorge A. Alsip, MD, MBA, FACEP

Dr. Jorge Alsip is board certified in Emergency Medicine and Clinical Informatics and currently serves as Vice Chairman of the Medical Licensure Commission of Alabama.

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Prescription Form Requirements for PAs, CRNPs, and CNMs

Administrative rules describe the requirements for prescription forms used by Physician Assistants, Certified Registered Nurse Practitioners, and Certified Nurse Midwives when prescribing legend drugs or controlled drugs.

A prescription form must include all of the following:

- Name, medical practice site address, and telephone number of the collaborating/supervising physician;
- The medical practice site address and telephone number of the PA/CRNP/CNM, if different from the address of the supervising/collaborating physician;
- The PA/CRNP/CNM's license number and the QACSC registration number, when a controlled substance is prescribed;
- The words "Product Selection Permitted" printed on one side of the prescription form directly underneath a signature line; and
- The words "Dispense as written" printed on one side of the prescription form directly underneath a signature line.

Pharmacies and pharmacy benefit managers might refuse prescriptions that don't contain all the required information.

Notice to Special Purpose Licensees (Licenses to Practice Medicine Across State Lines)

On Apr. 12, 2022, Governor Kay Ivey signed Act No. 2022-302 providing for the regulation of the practice of telemedicine in Alabama. The Act also repeals the "special purpose license" established by Ala. Code §§ 34-24-500 through 508.

The Special Purpose License to Practice Medicine Across State Lines (SP) will be abolished as of July 11, 2022. No new SP licenses may be issued nor existing SP licenses be renewed after this date. Any SP license active on July 11, 2022, will continue until its expiration date, at which time the license will not be renewable. SP licensees must obtain either a full license or a license via the Interstate Medical Licensure Compact to continue to practice medicine in Alabama after the expiration of the SP license.

A physician providing telehealth medical services owes to the patient the same duty to exercise reasonable care, diligence, and skill as would be applicable if the service or procedure were provided in person.

The Board and Commission express their gratitude to Sen. Dan Roberts, R-Mountain Brook, Sen. Bobby Singleton, D-Greensboro, and Rep. Paul Lee, R-Dothan, for their efforts as primary sponsors of this legislation.

CONTROLLED SUBSTANCES PRESCRIPTION GUIDELINES

All prescriptions for controlled substances shall meet the following requirements:

- The prescription shall be dated as of, and signed on, the day when issued.
- The prescription shall bear the full name and address of the patient to whom the drug is prescribed.
- The prescription shall bear the drug name, strength, dosage form, and quantity prescribed.
- The prescription shall bear directions for use of the drug.
- The prescription shall bear the name, address, and Alabama Controlled Substances Certificate number of the physician prescribing the drug.
- Where an oral order is not permitted, prescriptions for controlled substances shall be written with ink or indelible pencil or typewriter and shall be manually signed by the physician issuing the prescription. For purposes of this rule, “manually signed” requires a non-electronic, handwritten signature. Oral orders are not permitted for prescriptions for Schedule II and Schedule IIN controlled substances.
- A prescription issued by a physician may be communicated to a pharmacist by an employee or agent of the physician.
- A prescription may be prepared by an employee or agent of the physician for the signature of the prescribing physician. However, the prescribing physician is ultimately responsible for ensuring that the prescription meets the requirements of this regulation.
- When a physician prescribes a controlled substance, he or she shall not delegate the responsibility of determining the type, dosage form, frequency of application, and number of refills of the drug prescribed.
- Every written prescription for a controlled substance issued by a physician shall contain two signature lines. Under one signature line shall be printed clearly the words “dispense as written.” Under the other signature line shall be printed clearly the words “product selection permitted.” The prescribing physician shall communicate instructions to the pharmacist by entering his or her non-electronic, handwritten signature on the appropriate line.
- It is improper for any prescription for a controlled substance to be signed by any person in the place of or on behalf of the prescribing physician.
- It is improper, under any circumstances, for a physician to pre-sign blank prescription pads or forms and make them available to employees or support personnel.
- It is improper for a physician to utilize blank prescription pads or forms upon which the signature of the physician has been mechanically or photostatically reproduced.



HOWARD JOSEPH FALGOUT, M.D., APPOINTED TO MEDICAL LICENSURE COMMISSION

Howard J. (Joey) Falgout, M.D., F.A.C.S. is a board certified General Surgeon in Tuscaloosa, Alabama, where he has practiced for 35 years. Dr. Falgout graduated with honors from the University of Alabama where he was a member of Phi Beta Kappa, receiving his bachelor's degree in chemistry. He obtained his medical degree at the University of South Alabama in 1982, where he was a member of Alpha Omega Alpha and completed his surgical residency in 1987 at The University of South Alabama Medical Center. He has served as President of the Tuscaloosa County Medical Society, President of the Medical Staff of DCH Regional Medical Center and was Chairman of the Alabama Board of Medical Examiners from 2017-2019. Dr. Falgout is a member of the American College of Surgeons, the American Society of Breast Surgeons, and the Christian Medical and Dental Association.

COMMON CME REQUIREMENT MISUNDERSTANDINGS

THE MOST COMMON CME MISTAKE IS ASSUMING YOU HAVE MET THE REQUIREMENT. THE SECOND MOST COMMON MISTAKE IS NOT CHECKING FOR YOURSELF.

LICENSURE CME REQUIREMENT IS 25 AMA PRA CATEGORY 1 CREDITS™ OR EQUIVALENT ANNUALLY.

Continuing medical education requirements may be the most misunderstood item on the long list of rules our licensees must comply with. Here are some of the most common misunderstandings and mistakes that get licensees in trouble:

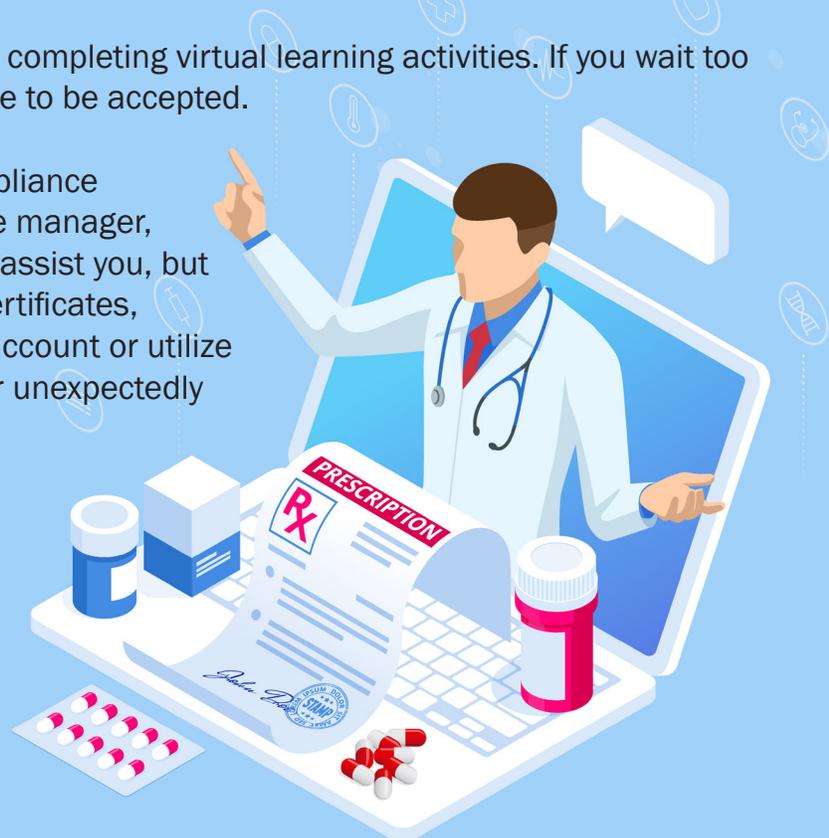
- The license CME requirement does not necessarily match that of your certifying board, hospital, or malpractice insurance carrier.
- All CME is not equal. Be absolutely sure an activity is accredited to confer AMA PRA Category 1 credits™ or equivalent* before you sign up for it.
- Completion certificates must contain the number/type of credits claimed, the date(s) of the activity, and the learner's full name. Non-traditional CME activities like teaching live activities and publishing articles still must be claimed/converted through the AMA.
- Online journal CME credits are earned when you submit the quizzes. If you fail to submit the quiz answers until after Dec. 31, even if you took the quizzes the prior year, that credit will not be valid.
- Likewise, claim your credit immediately upon completing virtual learning activities. If you wait too long, the date on your certificate may be too late to be accepted.
- The responsibility for tracking your CME compliance belongs to you - not your spouse, not your office manager, and not the Board. It's great to have someone assist you, but if another person maintains your completion certificates, have them email them to your personal email account or utilize your Licensee Portal. When the office manager unexpectedly leaves or you change offices, you won't have lost your documentation.

SEE ABOUT APPLYING FOR DIRECT CREDIT WITH AMA.

***CATEGORY 1 CREDIT EQUIVALENTS:**

- 1-A CREDITS (AMERICAN OSTEOPATHIC ASSOCIATION)
- AAFP PRESCRIBED CREDITS
- ACOG COGNATE CREDITS
- SOME NON-TRADITIONAL ACTIVITIES (AMA)

USE THE BOARD AND COMMISSION LICENSEE PORTAL TO MAINTAIN A CME CERTIFICATE REPOSITORY.





2022 SERIES

PRESCRIBING & PHARMACOLOGY OF CONTROLLED DRUGS

REGISTRATION NOW OPEN FOR AUGUST AND NOVEMBER

 **August 5-7, 2022**
Destin, FL

 **Sandestin Golf and Beach Reort**

 **November 19-20, 2022**
Birmingham, AL

 **Renaissance Birmingham Ross Bridge Golf Resort & Spa**

WHO SHOULD ATTEND
The course in Prescribing and Pharmacology of Controlled Drugs is designed for physicians in all specialties, as well as physician assistants, certified registered nurse practitioners and nurse midwives, who need or wish to increase their knowledge and ability to effectively prescribe controlled medications that have the potential for misuse and abuse.

FOR MORE DETAILS, VISIT WWW.ALAMEDICAL.ORG

REPORT OF PUBLIC ACTIONS OF THE MEDICAL LICENSURE COMMISSION AND BOARD OF MEDICAL EXAMINERS

April 2022

- Effective Apr. 21, the medical license of Oscar D. Almeida, Jr, MD, MD.12933, Mobile AL, is placed on probation.
- On Apr. 20, the medical license of Eldred M. Brunson, MD, MD.11237, Homewood AL, is reinstated and immediately suspended until certain conditions are met.
- Effective Apr. 12, the application of Terry Robinson, PA, Foley AL, for a license to practice as an assistant to physicians is denied.
- Effective Apr. 7, the medical license of David A. Lapidus, MD, MD.42061, Charlottesville VA, is voluntarily surrendered.

May 2022

- Effective May 16, the medical license of Elizabeth C. Korcz, M.D., MD.28343, Hoover AL, is voluntarily surrendered.
- On May 15, the Commission entered a consent order restricting the practice and controlled substances prescribing of John P. Cimino, MD, MD.2304, Huntsville AL, and providing that Dr. Cimino will voluntarily surrender his license in 30 days.

June 2022

- Effective Jun. 28, the medical license of Karen S. G. Moore, MD, MD.25444, Tuscaloosa AL, is reinstated to full, unrestricted status.

- Effective Jun. 24, the medical license of Sammy F. Becdach, MD, MD.25345, Decatur AL, is temporarily suspended until a hearing has been held.

- Effective Jun. 24, the medical license of John P. Cimino, MD, MD.23304, Huntsville AL, is voluntarily surrendered.

- Effective Jun. 23, the medical license of Robert P. Bolling, MD, MD.24251, Fayette AL, is temporarily suspended until a hearing has been held.

- Effective Jun. 11, the application of Iqbal I. Singh, MD, MD.14549, Selma AL, for reinstatement of a certificate of qualification to practice medicine was denied.

- Effective Jun. 1, the medical license of Craig C. Oliver, DO, DO.2104, is reinstated to full, unrestricted status.

Failure to Register as a Dispensing Physician (Administrative Fine)

- Edward G. Witt, DO, DO. 556, Huntsville, AL

Failure to Renew Alabama Controlled Substances Certificate (Administrative Fine)

- Charles B. Brenthall, MD, MD.7246, Sylacauga, AL





Alabama State Board of Medical Examiners
Alabama Medical Licensure Commission

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Upcoming BME Meeting Dates

Aug 18 • Sept 15 • Oct 20

The public portion of each meeting is scheduled for 10 a.m. CT (unless otherwise indicated) in the Dixon-Parker Building at 848 Washington Avenue in Montgomery, AL.

Meeting agendas and a full list of meeting dates and times can be found online at www.albme.gov.

Upcoming MLC Meeting Dates

Aug 24 • Sept 28 • Oct 25

Meetings are held in the Dixon-Parker Building at 848 Washington Avenue in Montgomery, AL unless otherwise indicated.

Have questions or need assistance?

Alabama Board of Medical Examiners (334) 242-4116

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Heather Lindemann

About MedicalDigest...

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Questions? Please contact the Board of Medical Examiners at (334) 242-4116.