Control 5			or Agency _	Alabama S	State Board o	f Medical Examiners
Rule No.	540-X		4! DI		(D. 1.)	
Rule Title	: Require	ements to Prac	tice as a Phys	sician Assi	stant (P.A.)	
	_ New	X	_ Amend		Repeal	Adopt by Reference
		the proposed public health,				NO
	ver and the p	elationship be protection of th				YES
	available th	estrictive methat could adequ				NO
or indirect	ly increasing	e have the effe g the costs of a if so, to what	any goods or			NO
public than		if any, more l nat might resu ed rule?				NO
solely for t	the purpose	lemaking prod of, and so they e protection o	y have, as			YES
manner an	y litigation v	ion relate to or which the ager matter of the	ncy is a party	to		NO
*****	*****	*****	*****	*****	*****	********
Does the p	roposed rule	e have an ecor	nomic impact	?		NO
note prepa	red in accord		bsection (f) o	f Section 4	1-22-23, <u>Cod</u>	ed to be accompanied by a fiscal le of Alabama 1975.
Certification	on of Author	rized Official				
I certify the Chapter 22 the Admin	nat the attac 2, Title 41, C	hed proposed Code of Alaba cedure Divisi	ma 1975, and	d that it con	nforms to all	pliance with the requirements of applicable fling requirements of y.
		_				LU 1 6065
Date: Fe	bruary 17, 2	.022				LEGISLATIVE SVC AGENC

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.03, Requirements to Practice as a Physician Assistant

(P.A.)

INTENDED ACTION: Amend the rule

<u>SUBSTANCE OF PROPOSED ACTION:</u> Amend to clarify the time period in which to obtain the required continuing medical education regarding the rules governing supervised practice in Alabama

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 Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, PO Box 946, Montgomery, Alabama 36101-0946 or by email to bme@albme.gov until and including April 4, 2023. Persons wishing to submit data, views, or comments in person should contact the Board of Medical Examiners at bme@albme.gov or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 4, 2023

CONTACT PERSON AT AGENCY: Carla H. Kruger

540-X-7-.03 Requirements to Practice as Aa Physician Assistant (P.A.).

- (1) To practice or offer to practice as a physician assistant, each person shall be licensed by and registered by the Board in accordance with Chapter 7 of these rules.
- (2) Effective January 1, 2024, physician assistants shall have obtained continuing education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama, not more than forty-eight (48) months prior to January 1, 2024, or within twelve (12) months of registration to a physician.

Author: Alabama State Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§ 34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. Repealed and New Rule: Filed August 22, 2002; effective September 26, 2002. Repealed and New Rule: Filed September 19, 2002; effective October 24, 2002. Amended/Approved for Publication August 18, 2021. Certified Rule Filed October 20, 2021. Effective Date: December 13, 2021. Amended/Approved February 16, 2023.

Rule Title:	Qualifica	ations for Re	gistration - Physician	Assistant (P.A.)	
1	New	X	Amend	Repeal	Adopt by Reference
Would the abse	ence of th	ne proposed	rule significantly		
narm or endanger the public health, welfare, or safety?					NO
s there a reaso police power a safety, or welfa	nd the pr		YES		
arety, or well					120
s there another regulation avaiche public?			NO		
Does the propo	sed rule	have the effe	ect of directly		
or indirectly in services involv	creasing	the costs of	any goods or		NO
s the increase	in cost, it	f any, more l	narmful to the		
oublic than the absence of the	harm tha	at might resu			NO
Are all facets o	f the rule	emaking proc	ress designed		
solely for the p	urpose of	f, and so the	y have, as		VEC
heir primary e	fiect, the	protection	i the public?		YES
Does the propo					
			ncy is a party to proposed rule?		NO
******	*****	*****	********	********	********
Ooes the propo	sed rule	have an ecor	nomic impact?		NO
			c impact, the propose bsection (f) of Section		ed to be accompanied by a fiscal e of Alabama 1975.
******	*****	******	******	******	*********
Certification of	Authoria	zed Official			
Chapter 22, Tit	tle 41, Co tive Proc	ode of Alaba edure Divisi	rule has been propo ma 1975, and that it on of the Legislative	conforms to all a	pliance with the requirements of applicable filing requirements of
rgnature of ce	rarying (Jilicoi	J-Juvan	, e	FEB 17 2023
Date: Februa	ry 17, 20	22			
					LEGISLATIVE SVC AG

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board of Medical Examiners

RULE NO. & TITLE:

540-X-7-.16, Qualifications for Registration - Physician

Assistant (P.A.)

INTENDED ACTION:

Amend the rule

<u>SUBSTANCE OF PROPOSED ACTION:</u> Amend to clarify the time period in which to obtain the required continuing medical education regarding the rules governing supervised practice in Alabama

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 Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, PO Box 946, Montgomery, Alabama 36101-0946 or by email to bme@albme.gov until and including April 4, 2023. Persons wishing to submit data, views, or comments in person should contact the Board of Medical Examiners at bme@albme.gov or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 4, 2023

CONTACT PERSON AT AGENCY:

Carla H. Kruger

- **Qualifications for Registration Physician Assistant (P.A.)**. To qualify for registration as a physician assistant an individual must meet the following requirements:
 - (1) Be employed by:
- (a) A physician qualified under these rules or by a partnership, medical professional corporation, medical professional association or physician practice foundation that also employs a supervising physician qualified under these rules; or
 - (b) An entity approved by the Board under Rule 540-X-7-.22;
 - (2) Be of good moral character;
 - (3) Submit an application on forms approved by the Board;
 - (4) Pay the appropriate fee as determined by the Board;
- (5) Submit to the Board any other information which the Board deems necessary to evaluate the applicant's qualifications; and
- (6) Effective January 1, 2024, <u>have</u> obtain<u>ed</u> continuing education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama, not more than forty-eight (48) months prior to <u>January 1, 2024</u>, or within twelve (12) months of registration to a physician.

Author: Alabama Board of Medical Examiners

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Statutory Authority: Code of Ala. 1975, §§ 34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. Repealed and New Rule: Filed August 22, 2002; effective September 26, 2002. Repealed and New Rule: Filed September 19, 2002; effective October 24, 2002. Amended: Filed August 2, 2018; effective September 16, 2018. Amended/Approved for Publication August 18, 2021. Certified Rule Filed October 20, 2021. Effective Date: December 13, 2021.

Control 540		or Agency Alabama	State Board of M	ledical Examiners
	540-X-717			
Rule Title: Q	ualifications of the S	upervising Physician	ı - Physician Assis	tant (P.A.)
Ne	ew <u>X</u>	Amend	Repeal	Adopt by Reference
	ce of the proposed ru r the public health, w		_	NO
	able relationship betw I the protection of the e?		_	YES
	less restrictive methors ble that could adequate		_	NO
or indirectly incr	ed rule have the effect easing the costs of ard and, if so, to what d	ny goods or		NO
	cost, if any, more ha arm that might result oposed rule?		_	NO
solely for the pur	the rulemaking proce pose of, and so they ect, the protection of	have, as	_	YES
manner any litiga	ed action relate to or a ation which the agend ubject matter of the p	ey is a party to	_	NO
******	******	*******	*********	*******
Does the propose	ed rule have an econo	mic impact?	¥0-	NO
	ule has an economic accordance with subs			to be accompanied by a fiscal of Alabama 1975.
Certification of A	Authorized Official	*	• • • • • • • • • • • • • • •	*****
I certify that the Chapter 22, Title	attached proposed r 41, Code of Alabam ve Procedure Division	a 1975, and that it c	onforms to all app	ance with the requirements of police filing requirements of
orginature or cert	irying officer	- Wan	wi ell	TEB 1 / 2023
Date: February	17, 2022			LEGISLATIVE SVC AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.17, Qualifications of the Supervising Physician -

Physician Assistant (P.A.)

INTENDED ACTION: Amend the rule

<u>SUBSTANCE OF PROPOSED ACTION:</u> Amend to clarify the time period in which to obtain the required continuing medical education regarding the rules governing supervised practice in Alabama

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 Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, PO Box 946, Montgomery, Alabama 36101-0946 or by email to bme@albme.gov until and including April 4, 2023. Persons wishing to submit data, views, or comments in person should contact the Board of Medical Examiners at bme@albme.gov or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 4, 2023

CONTACT PERSON AT AGENCY: Carla H. Kruger

540-X-7-.17 <u>Qualifications of the Supervising Physician – Physician</u> Assistants (P.A.). The physician to whom a physician assistant is registered shall:

- (1) Possess a current, unrestricted license to practice medicine in the State of Alabama;
 - (2) On the date of the application:
 - (a) Have satisfied one of the following experience requirements:
 - 1. Practiced medicine for at least three years; or
- 2. Practiced medicine for at least one year and certified by one or more of the specialty boards recognized by the American Board of Medical Specialties or the American Osteopathic Association; or
- 3. Practiced medicine for at least one year and the registration's practice site is limited solely to a general acute care hospital, a critical access hospital, or a specialized hospital licensed as such by the Alabama Department of Public Health.
- (3) Effective January 1, 2024, have obtained continuing medical education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama, not more than forty-eight (48) months prior to <u>January 1, 2024</u>, or within twelve (12) months of registration to a physician assistant.
- (4) The Board, in its discretion, may waive the practice requirements in (2)(a).
- (5) Effective January 1, 2024, all supervising physicians shall obtain continuing medical education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama every forty-eight months (48) following registration to a physician assistant.
- (6) The Board of Medical Examiners may decline to consider an application where the physician is under investigation for a potential violation of the Code of Alabama, Section 34-24-360 or any rule of the Alabama Board of Medical Examiners of Medical Licensure Commission of Alabama.

Author: Alabama State Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. Repealed and New Rule: Filed August 22, 2002; effective September 26, 2002. Repealed and New Rule: Filed September 19, 2002; effective October 24, 2002.

Rule No. Rule Title:_	540-X-′ Requiren		ctice as an Anesthe	siologist Assistant ((A.A.)
	_ New	X	Amend	Repeal	Adopt by Reference
Would the	absence of th	ne proposed	rule significantly		
narm or endanger the public health, welfare, or safety?					NO
Is there a re	easonable rel	ationship be	tween the state's		
police power and the protection of the public health, safety, or welfare?					
					YES
	other, less res				
		t could adeq	uately protect		
the public?					NO
			ect of directly		
			any goods or		
services inv	volved and, i	f so, to what	degree?		NO
			harmful to the		
	the harm tha		ılt from the		
absence of	the proposed	rule?			NO
			cess designed		
solely for the purpose of, and so they have, as					
heir primai	ry effect, the	protection of	of the public?		YES
			r affect in any		
			ncy is a party to		
concerning	the subject r	natter of the	proposed rule?		NO
				******	**********
Joes the pr	oposed rule	nave an eco	nomic impact?	-	NO
					ed to be accompanied by a fiscal e of Alabama 1975.
******	*****	******	*******	******	********
Certification	n of Authori	zed Official			
certify the	at the attach	ed proposed	rule has been pro	nosed in full comp	oliance with the requirements of
					applicable filing requirements of
				ve Services Agency	
Signature o	f certifying of	officer	(- Do		N'
715 Hatare O	. sertifying (- William	w w	FEB 1 7 2023
Date: Feb	oruary 17, 20	22			1 20 11 2020

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.37, Requirements to Practice as an Anesthesiologist

Assistant (A.A.)

INTENDED ACTION: Amend the rule

<u>SUBSTANCE OF PROPOSED ACTION:</u> Amend to clarify the time period in which to obtain the required continuing medical education regarding the rules governing supervised practice in Alabama

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 Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, PO Box 946, Montgomery, Alabama 36101-0946 or by email to bme@albme.gov until and including April 4, 2023. Persons wishing to submit data, views, or comments in person should contact the Board of Medical Examiners at bme@albme.gov or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 4, 2023

CONTACT PERSON AT AGENCY: Carla H. Kruger

540-X-7-.37 <u>Requirements to Practice as aAn Anesthesiologist Assistant</u> (A.A.).

- (1) To practice or offer to practice as an anesthesiologist assistant, each person shall be licensed by and registered by the Board in accordance with Chapter 7 of these rules.
- (2) Effective January 1, 2024, anesthesiologist assistants shall have obtained continuing education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama, not more than forty-eight (48) months prior to <u>January 1, 2024</u>, or within twelve (12) months of registration to a physician.

Author: Alabama State Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§ 34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. Repealed and Replaced: Filed July 23, 1999; effective August 27, 1999. Amended: Filed November 22, 1999; effective December 27, 1999. Repealed and New Rule: Filed August 22, 2002; effective September 26, 2002. Repealed and New Rule: Filed September 19, 2002; effective October 24, 2002. Amended (Rule Number Only): Filed September 11, 2008; effective October 16, 2008. Amended: Filed November 18, 2021; effective January 14, 2022. Amended/Approved for Publication February 16, 2023.

	540-X-749 Qualifications for Registration - Anesthesiologist Assistant (A.A.)							
N	ew	Х	Amend	Repeal	Adopt by Reference			
				Repeat	raopt by reference			
			rule significantly		NO			
narm or endange	er the pu	NO						
			tween the state's					
police power an		, ma						
afety, or welfar	·e?			-	YES			
s there another,	less rest	trictive met	hod of					
egulation availa	able that	could adeq	uately protect					
he public?				_	NO			
Does the propos	ed rule h	nave the eff	ect of directly					
or indirectly inc								
ervices involve				_	NO			
s the increes in	a aast if		hown ful to the					
s the increase in public than the h	arm that	any, more i	It from the					
bsence of the p			nt from the		NO			
,				-	110			
Are all facets of	the rule	making pro	cess designed					
olely for the pu								
heir primary eff	fect, the	protection of	of the public?	-	YES			
Does the propos	ed action	relate to o	r affect in any					
			ncy is a party to					
			proposed rule?	_	NO			
******	*****	******	******	*******	********			
Does the propos	ed rule h	ave an ecor	nomic impact?	_	NO			
C 41	1 - 1							
ote proposed in	accorda	an economi	bsection (f) of Sect	ion 41-22-23, <u>Code</u>	d to be accompanied by a fiscal			
ote prepared in	accorda	nee with sa	oscerion (1) of seed	1011 41 22 23, <u>Code</u>	or madama 1975.			
******	*****	*****	******	******	*********			
Certification of A	Authoriz	ed Official						
certify that the	e attache	d proposed	rule has been pro-	posed in full compl	liance with the requirements of			
Chapter 22, Title	e 41, Co	de of Alaba	ima 1975, and that	it conforms to all a	policable filing requirements of			
ne Administrati	ve Proce	dure Divisi	on of the Legislativ	e Services Agency.	HEU D'ON TILL			
		/) n'a	-1				
ignature of cert	tifying o	fficer	Cellani	ni Vell	FEB 1 7 2023			
Date: February	y 17, 202	22			THE OLD LOCK			
				1	LEGISLATIVE SVC AGEN			

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.49, Qualifications for Registratoin - Anesthesiologist

Assistant (A.A.)

INTENDED ACTION: Amend the rule

<u>SUBSTANCE OF PROPOSED ACTION:</u> Amend to clarify the time period in which to obtain the required continuing medical education regarding the rules governing supervised practice in Alabama

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 Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, PO Box 946, Montgomery, Alabama 36101-0946 or by email to bme@albme.gov until and including April 4, 2023. Persons wishing to submit data, views, or comments in person should contact the Board of Medical Examiners at bme@albme.gov or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 4, 2023

CONTACT PERSON AT AGENCY: Carla H. Kruger

- 540-X-7-.49 Qualifications for Registration Anesthesiologist Assistant (A.A.). To qualify for registration as an anesthesiologist assistant an individual must meet the following requirements:
 - (1) Be employed by:
- (a) An anesthesiologist who practices in the medical specialty of anesthesiology and who is qualified under these rules or by a partnership, medical professional corporation, medical professional association or anesthesiologist practice foundation that also employs a supervising anesthesiologist who practices in the medical specialty of anesthesiology and who is qualified under these rules; or
 - (b) An entity approved by the Board under Rule 540-X-7-.54;
 - (2) Be of good moral character;
 - (3) Submit an application on forms approved by the Board;
 - (4) Pay the appropriate fee as determined by the Board; and
- (5) Submit to the Board any other information which the Board deems necessary to evaluate the applicant's qualifications.
- (6) Effective January 1, 2024, <u>have obtained</u> continuing education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama, not more than forty-eight (48) months prior to January 1, 2024, or within twelve (12) months of registration to an anesthesiologist.

Author: Alabama State Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§ 34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. Repealed and Replaced: Filed July 23, 1999; effective August 27, 1999.

Amended: Filed November 22, 1999; effective December 27, 1999. Repealed and New Rule: Filed August 22, 2002; effective September 26, 2002. Repealed and New Rule: Filed September 19, 2002; effective October 24, 2002. Amended: Filed September 11, 2008; effective October 16, 2008. Amended: Filed November 18, 2021; effective January 14, 2022. Amended/Approved for Publication February 16, 2023.