

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-7-.03  
Rule Title: Requirements to Practice as a Physician Assistant (P.A.)

         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 FEB 17 2023

Date: February 17, 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-7-.03, Requirements to Practice as a Physician Assistant (P.A.)

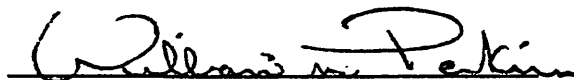
**INTENDED ACTION:** Amend the rule

**SUBSTANCE OF PROPOSED ACTION:** 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](mailto: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](mailto:bme@albme.gov) or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, [www.albme.gov](http://www.albme.gov).

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

**CONTACT PERSON AT AGENCY:** Carla H. Kruger



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

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.

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-7-.16  
Rule Title: Qualifications for Registration - Physician Assistant (P.A.)

       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 **REC'D & FILED**

Date: February 17, 2022 **FEB 17 2023**

**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-7-.16, Qualifications for Registration - Physician Assistant (P.A.)

**INTENDED ACTION:** Amend the rule

**SUBSTANCE OF PROPOSED ACTION:** 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](mailto: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](mailto:bme@albme.gov) or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, [www.albme.gov](http://www.albme.gov).

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

**CONTACT PERSON AT AGENCY:** Carla H. Kruger

A handwritten signature in black ink, appearing to read "William M. Perkins", is written over a horizontal line.

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

**540-X-7-.16      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, 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 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:** 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.



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-7-.17  
Rule Title: Qualifications of the Supervising Physician - Physician Assistant (P.A.)

       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. Perkins **REC'D & FILED** **FEB 17 2023**

Date: February 17, 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-7-.17, Qualifications of the Supervising Physician - Physician Assistant (P.A.)

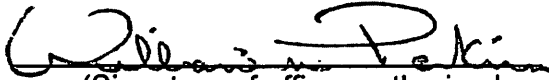
**INTENDED ACTION:** Amend the rule

**SUBSTANCE OF PROPOSED ACTION:** 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](mailto: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](mailto:bme@albme.gov) or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, [www.albme.gov](http://www.albme.gov).

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

**CONTACT PERSON AT AGENCY:** Carla H. Kruger

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



**540-X-7-.17**  
**Assistants (P.A.).**

**Qualifications of the Supervising Physician – Physician**

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 January 1, 2024, 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.

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-7-.37  
Rule Title: Requirements to Practice as an Anesthesiologist Assistant (A.A.)

         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: February 17, 2022

REC'D & FILED  
FEB 17 2023  
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-7-.37, Requirements to Practice as an Anesthesiologist Assistant (A.A.)

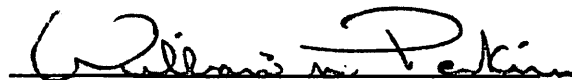
**INTENDED ACTION:** Amend the rule

**SUBSTANCE OF PROPOSED ACTION:** 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](mailto: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](mailto:bme@albme.gov) or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, [www.albme.gov](http://www.albme.gov).

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

**CONTACT PERSON AT AGENCY:** Carla H. Kruger



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

540-X-7-.37

**Requirements to Practice as an Anesthesiologist Assistant (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 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 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.

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-7-.49  
Rule Title: Qualifications for Registration - Anesthesiologist Assistant (A.A.)

       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 FEB 17 2023

Date: February 17, 2022

REC'D & FILED

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-7-.49, Qualifications for Registratoin - Anesthesiologist Assistant (A.A.)


**INTENDED ACTION:** Amend the rule

**SUBSTANCE OF PROPOSED ACTION:** 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](mailto: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](mailto:bme@albme.gov) or (334) 242-4116. Copies of proposed rules may be obtained at the Board's website, [www.albme.gov](http://www.albme.gov).

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

**CONTACT PERSON AT AGENCY:** Carla H. Kruger



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



**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, 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 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.