

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

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c) (2) a. and b.

I certify that the attached emergency new rule is a correct copy as promulgated and adopted on the 29th day of October 2021

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. AND TITLE: 545-X-2-.11ER Emergency Expedited
Temporary License

EFFECTIVE DATE OF RULE: October 30, 2021

EXPIRATION DATE:December 31, 2021.

NATURE OF EMERGENCY:

See attached Statement of Reasons

STATUTORY AUTHORITY: Ala. Code §§ 34-24-311, 333, 334 (1975)

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS	YES	X	NO
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NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR
COPY OF RULE:

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George C. Smith Jr MD

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

FILING DATE:

545-X-2-.11 ER. Emergency Expedited Temporary License

(1) Preamble. On March 13, 2020, the Governor of the State of Alabama declared the existence of a state public health emergency based on the appearance of the 2019 novel coronavirus known as COVID-19. On March 18, 2020, the Governor proclaimed the existence of conditions that warrant the implementation of extraordinary measures and relief during the existing state health emergency to guard public health and protect human life. The Governor extended the state of emergency several times and terminated the state of emergency on July 6, 2021. Since the termination of the state of emergency, Alabama has experienced a rapid rise in the number of COVID-19 cases in the state of Alabama, including variants of the disease. In response to that rapid rise in cases and the resulting difficulties attended by such rise in the ability of Alabama's healthcare facilities to adequately treat patients suffering from the disease, the Governor, on August 13, 2021, again declared a state public health emergency. The Medical Licensure Commission hereby finds that the state public health emergency caused by SARS-CoV-2 and its variants has placed a strain on Alabama's healthcare system and has markedly increased the need for qualified physicians to provide medical services in Alabama; that such need warrants the emergency adoption of this rule to provide for the issuance of an emergency license to physicians licensed in other states who may assist with this health emergency. The intent of this rule is to provide for the expedited issuance of medical licenses to qualified physicians who desire to provide health care to citizens of Alabama suffering from and affected by the 2019 novel coronavirus known as COVID-19 and its variants. The Medical Licensure Commission hereby finds that physicians who obtain an

emergency certificate of qualification by endorsement from the State Board of Medical Examiners are eligible for an emergency medical license.

(2) Upon the receipt of an emergency certificate of qualification and all applicable forms from the State Board of Medical Examiners, the Executive Secretary of the Medical Licensure Commission, or his or her designee, shall issue an expedited emergency license to the applying physician.

(3) An emergency license issued under this rule shall expire at 11:59 p.m., Central Standard Time, on December 31, 2021. No emergency license may be issued following the termination of the state's public health emergency. An emergency license shall not be renewed.

(4) Applicants for an emergency license shall not be required to pay a fee.

(5) A physician who is issued an emergency license under this rule shall be restricted to providing medical care to patients in inpatient units, emergency departments, or other acute care units at the general acute care hospital, critical access hospital, or specialized hospital identified in his or her application or as may be designated to the Board of Medical Examiners from time to time.

Author: Medical Licensure Commission of Alabama

Statutory Authority: Code of Alabama 1975, ' 34-24-311, § 34-24-333, § 34-24-334.

History: Filed: Filed: October 30, 2021 Effective: October 30, 2021

Statement of Reason:

On March 13, 2020, the Governor of the State of Alabama declared the existence of a state public health emergency based on the appearance of the 2019 novel coronavirus known as COVID-19. On March 18, 2020, the Governor proclaimed the existence of conditions that warrant the implementation of extraordinary measures and relief during the existing state health emergency to guard public health and protect human life. The Governor extended the state of emergency several times and terminated the state of emergency on July 6, 2021. After the termination of the state of emergency, Alabama experienced a rapid rise in the number of COVID-19 cases in the state of Alabama, including variants of the disease. In response to that rapid rise in cases and the resulting difficulties attended by such rise in the ability of Alabama's healthcare facilities to adequately treat patients suffering from the disease, the Governor, on August 13, 2021, again declared a state public health emergency. The Medical Licensure Commission found that the state public health emergency caused by SARS-CoV-2 and its variants placed a strain on Alabama's healthcare system and this markedly increased the need for qualified physicians to provide medical services in Alabama; that such need warranted the emergency adoption of this rule to provide for the issuance of an emergency license to physicians licensed in other states who may assist with this health emergency. The intent of this rule is to provide for the expedited issuance of medical licenses by endorsement to qualified physicians who are licensed in other states and who desire to provide health care to citizens of Alabama suffering from and affected by the 2019 novel coronavirus known as COVID-19 and its variants.

The Medical Licensure Commission hereby finds that physicians who obtain an emergency certificate of qualification by endorsement from the State Board of Medical Examiners are eligible for an emergency medical license. The Commission has determined that there remains a need for physicians to fill in-patient positions of hospitals in this state, and that such emergency presents an immediate danger to the public health, safety, or welfare and requires the adoption of this rule upon less than 35 days notice. This new emergency rule is intended to allow an extension of time for expedited licensees to practice medicine under the emergency license in inpatient units, emergency departments, or other acute care units at general acute care hospitals, critical access hospitals, and specialized hospitals in order to help the said health care facilities cope with COVID-19 cases. The Alabama Medical Licensure Commission has determined that this rule must be filed to provide for the continuity of patient care.