CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and
adopted on the 15th day of December, 2021, and filed with the agency secretary on the
15th day of December, 2021.

AGENCY NAME: Alabama State Board of Medical Examiners

____X____Amendment ______New ______Repeal (Mark appropriate space)

Rule No. 540-X-3-.01
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: General Requirements that apply to All Applicants for a Certificate of
Qualification

ACTION TAKEN: State whether the rule was adopted with or without changes from the
proposal due to written or oral comments:

No comments received. Rule adopted without changes from the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM,
DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed)
(For LRS Use Only)

Certifying Officer or his or her Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be
certified within 90 days after completion of the notice.
540-X-3-.01 General Requirements that Apply to All Applicants for a Certificate of Qualification. All applicants for a certificate of qualification shall satisfy the requirements of Rules 540-X-3-.01 to 540-X-3-.10, inclusive, complete the Federation of State Medical Boards (FSMB) on-line Uniform Application, and submit to FSMB the Sixty-Dollar ($60.00) Uniform Application fee, or the fee in effect at the time of the application published by FSMB. This fee is not refundable once payment is received by the Board.

Author: Alabama Board of Medical Examiners
CERTIFICATION OF ADMINISTRATIVE RULES
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OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

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AGENCY NAME: Alabama State Board of Medical Examiners

___X___Amendment ______New ______Repeal (Mark appropriate space)

Rule No. 540-X-3-.02
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Medical Education Requirement

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

No comments received. Rule adopted without changes from the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM, DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed)
(For LRS Use Only)

RECD & FILED

DEC 20 2021

Certifying Officer or his or her Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.
540-X-3-.02 Medical Education Requirement.

(1) All applicants for a certificate of qualification shall present a diploma or evidence of graduation from any of the following institutions:

(a) A college of medicine or school of medicine accredited by the Liaison Committee on Medical Education.

(b) A college of osteopathy accredited by the Commission on Osteopathic College Accreditation.

(c) A college of medicine or school of medicine not accredited by the Liaison Committee on Medical Education which is approved by the Board of Medical Examiners and whose graduates are eligible for examination by the Education Commission for Foreign Medical Graduates (ECFMG) for its certificate. The Education Commission for Foreign Medical Graduates (ECFMG) and its sponsoring organizations define a "graduate of a foreign medical school" as a physician whose basic medical degree or qualification was conferred by a medical school located outside the United States, Canada, and Puerto Rico. The medical school must be listed, at the time of an applicant's graduation, in the World Directory of Medical Schools published by the World Health Organization or in the International Medical Education Directory published by the Foundation for Advancement of International Medical Education and Research.

(2) The Board, within its discretion, may withhold approval of any college of medicine designated in (1)(c) above which:

(a) Has had its accreditation withdrawn by a national or regional accreditation organization; or
(b) Has had its authorization, certification, or licensure revoked or withdrawn by a national or regional governmental supervisory agency; or

(c) Has been denied approval or has had its approval withdrawn by any national, state, or territorial licensing jurisdiction based upon an evaluation of the college of medicine or upon a finding of misconduct by the college; or

(d) Has engaged in fraudulent, criminal, or other practices which are inconsistent with quality medical education.

1. A college of medicine which allows graduation from its medical school program, issues diplomas, or confers medical degrees based on course work offered via the Internet or online programs, and which is deemed by the Board to be a college of medicine which engages in practices which are inconsistent with quality medical education, will not be an approved college of medicine for the purpose of fulfilling the medical education requirement of Code of Ala. 1975, §34-24-70 and this rule.

3. Documentation submitted through the Federation Credentials Verification Service (FCVS) may be accepted to demonstrate compliance with subparagraphs (1)(a), (1)(b) and (1)(c) above.

4. If the diploma of the applicant is based in any part upon clinical rotations, clerkships or training which was completed at hospitals which are not located within the same country where the medical school is principally located or where the director of the clinical rotation, clerkship or training is not directly responsible to the administration of the medical school, the applicant shall have the director of the clinical rotation, clerkship or training at the hospital where the clinical rotation, clerkship or training was undertaken send an original letter to the Board outlining the dates of the training, the
exact type of training completed and an evaluation of the applicant's performance in the clinical rotation, clerkship or training undertaken.

(5) In the event that the Alabama Board of Medical Examiners shall, after careful consideration, determine that there exists substantial credible evidence to indicate that a college of medicine or a college of osteopathy located outside of the United States may have issued or is issuing diplomas to individuals who have not in fact acquired such diploma by actual attendance at and participation in a residency program of medical instruction and clinical rotations then in such event the Board may require that an applicant holding a diploma from such college submit the following additional documentation in conjunction with his or her application:

(a) That the applicant document to the satisfaction of the Board actual attendance in residence at all portions of the program of medical instruction designed to be taken in residence on the premises of the college of medicine or college of osteopathy issuing the diploma.

(b) That the applicant document to the satisfaction of the Board actual attendance and participation in clinical programs of instruction, or clinical rotations at a hospital facility actually affiliated with the college of medicine or college of osteopathy and offered as a part of the overall program of medical education.

(c) The foregoing requirements shall apply to applicants for a certificate of qualification by endorsement under Code of Ala. 1975, §34-24-73, or by examination under Code of Ala. 1975, §34-24-70, or for limited licensure under Code of Ala. 1975, §34-24-75.
(d) The Board shall publish and maintain a list of any colleges of medicine or
colleges of osteopathy which it determines to be within the scope of this rule.

(e) The documentation which the Board of Medical Examiners will deem to be
acceptable for the purposes of this rule shall include, but is not limited to, passport data
showing entry to and exit from the country in which the college of medicine or college of
osteopathy is located; other travel or immigration documents issued by the United
States Government, or the government of the country in which the college of medicine
or college of osteopathy is located reflecting residence in that country; the sworn and
notarized certification of the department or division director of any clinical program
affiliated with the college of medicine or college of osteopathy attesting to the
attendance and residency of the applicant; or any other impartial documents as would
be considered trustworthy by a reasonably prudent person in the conduct of his most
important affairs. Failure of the applicant to document actual attendance as specified
above will result in a denial of the application for certificate of qualification. The
requirements set forth in this rule shall be in addition to all of the other requirements set
forth in the rules and regulations of the State Board of Medical Examiners.

(6) The following Colleges of Medicine or Schools of Medicine are not
approved by the Board for applicants for certificates of qualification pursuant to the
authority of Code of Ala. 1975, §34-24-70(a)(1)c. and Rule 540-X-3-.02(2):

(a) Universidad Tecnoglica de Santiago, Dominican Republic (UTESA)

(b) Universidad Eugenio Maria de Hostos, Dominican Republic
(UNIREMHO)

(c) St. Christopher's College, Dakar, Senegal
(d) University of Health Sciences Antigua, St. Johns (Antigua), Dominican Republic

(7) Graduates of the following colleges of medicine or schools of medicine are required to submit the additional documentation required by Rule 540-X-3-.02(5)(a) through (d) in conjunction with an application for a certificate of qualification:

(a) Kigezi International School of Medicine, Uganda, Africa

(b) Universidad Centro de Estudios Tecnologicos, Dominican Republic (CETEC)

(c) Universidad Fedrico Henriquez Carajal, Dominican Republic (UFHEC)

(d) Universidad Centro de Investigacion Formacion Asesona Social, Dominican Republic (CIFAS)

(e) Spartan University (A.K.A. St. Lucia Health Sciences University), Dominican Republic

(f) Universidad Autonoma de Ciudad Juarez, Mexico

(g) Universidad Mexico American Del Norte, Mexico

Author: Alabama Board of Medical Examiners
CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

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15th day of December, 2021.

AGENCY NAME: Alabama State Board of Medical Examiners

____X____Amendment _______New ______Repeal (Mark appropriate space)

Rule No. 540-X-3-.04
(if amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Examination Requirements

ACTION TAKEN: State whether the rule was adopted with or without changes from the
proposal due to written or oral comments:

No comments were received. No changes were made to the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM,
DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed)
(For LRS Use Only)

RECEIVED
DEC. 20, 2021

CERTIFYING OFFICER OR HIS OR HER DEPUTY

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be
certified within 90 days after completion of the notice.
540-X-3-.04 Examination Requirements.

(1) Applicants for a certificate of qualification shall achieve a passing score on one of the licensure examinations listed below:

(a) The United States Medical Licensing Examination (USMLE).

1. Applicants who are not dual degree candidates as specified in subparagraph (1)(a)3. below, shall have achieved a passing score on Step 3 in not more than three administrations. These applicants shall have passed Steps 1, 2 and 3 within a seven-year period. The time period for completion of Steps 1, 2 and 3 begins when the applicant initially passes his or her first Step. The Board shall not accept scores from a re-examination of a previously passed Step of the USMLE. The seven-year period is determined on a calendar year to calendar year basis. These applicants shall not have attempted to pass Steps 1, 2 and 3 a combined total of more than ten (10) times.

2. Applicants who are not dual degree candidates as specified in subparagraph (1)(a)3. below and who are currently board certified by one or more of the specialty boards recognized by the American Board of Medical Specialties or the American Osteopathic Association shall not be required to pass Steps 1, 2 and 3 within the seven-year period specified in subparagraph (1)(a)1. above; however, these applicants shall be limited to a combined total of ten (10) attempts to pass Steps 1, 2 and 3 as set forth in subparagraph (1)(a)1.

3. Applicants who are dual degree candidates as defined in these rules shall have achieved a passing score on Step 3 in not more than three administrations, and shall have completed Steps 1, 2 and 3 within a ten (10)-year period, except that the
Board may approve, within its discretion and at the request of the applicant, a longer period not to exceed 15 years. The time period for completion of Steps 1, 2, and 3 begins when the applicant initially passes his or her first step. The time period for completion is determined on a calendar year to calendar year basis. The Board shall not accept scores from a re-examination of a previously passed step of the USMLE.

4. For purposes of the United States Medical Licensing Examination, dual degree candidates are defined as the following:

(i) The applicant is pursuing the M. D. or D. O. degree and the Ph.D. degree in an institution or program accredited by the LCME and a regional university accrediting body; and

(ii) The applicant is a student in good standing, enrolled in the institution or program; and

(iii) The Ph.D. studies are in a field of biological sciences tested in the USMLE Step 1 content, including, but not limited to anatomy, biochemistry, physiology, microbiology, pharmacology, pathology, genetics, neuroscience and molecular biology.

5. If an applicant fails to achieve a passing score on Step 3 in three administrations, the Board may approve one additional attempt to pass Step 3 after demonstration by the applicant of additional education, experience, or training acceptable to the Board.

(b) The Comprehensive Osteopathic Medical Licensing Examination or its predecessor examination administered by the National Board of Osteopathic Medical Examiners.

(c) The Licentiate of the Medical Council of Canada Examination.
(d) If the examination was completed before January 1, 2000, applicants, by endorsement, who are licensed in another state, the District of Columbia, a territory of the United States, or a province of Canada are eligible for licensure upon proof of a passing score on one of the following examinations:

1. The Federation Licensing Examination.

2. The National Board of Medical Examiners Examination.

(e) The Board has established that the successful completion of certain combinations of the Federation Licensing Examination, National Board of Medical Examiners Examination and/or United States Medical Licensing Examinations, which are listed herein, are acceptable through January 1, 2000, in satisfaction of the examination requirement for a certificate of qualification. Those combinations and the passing score for each examination component are as follows:

1. NBME Part 1 (passing score=75) or USMLE Step 1 (passing score=75); plus NBME Part 11 (passing score=75) or USMLE Step 2 (passing score=75); plus NBME Part III (passing score=75) or USMLE Step 3 (passing score=75); or

2. FLEX Component 1 (passing score=75); plus USMLE Step 3 (passing score=75); or 3. NBME Part 1 (passing score=75 or USMLE Step 1 (passing score=75); plus NBME Part 11 (passing score=75) or USMLE Step 2 (passing score=75); plus FLEX Component 2 (passing score=75).
(f) Documentation submitted through the Federation Credentials Verification Service (FCVS) may be accepted to demonstrate compliance with the requirements of this rule.

Author: Alabama Board of Medical Examiners
CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OUTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

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AGENCY NAME: Alabama State Board of Medical Examiners

____X____Amendment _______New _______Repeal (Mark appropriate space)

Rule No. 540-X-3-.05
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Criminal History Background Check

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

No comments were received. No changes were made to the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM, DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed)
(For LRS Use Only)

RECD & FILED
DEC 20 2021
Certifying Officer or his or her Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.
540-X-3-.05 Criminal History Background Check.

(1) Beginning October 1, 2008, all applicants for a certificate of qualification shall submit to a criminal history background check to the Board, or any channeler approved by the Board, by providing fingerprints and executing a criminal history information release using forms provided by the Board.

(2) Fingerprints provided by each applicant shall be submitted to the Alabama State Bureau of Investigation (SBI), which is responsible for forwarding the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history record check.

(3) Costs associated with conducting a criminal history background check shall be borne by the applicant and are payable directly to the Board, or its designee.

(4) Information received by the Board pursuant to a criminal history background check shall be confidential and shall not be a public record, except that such information received by and relied upon by the Board in denying the issuance of a certificate of qualification may be disclosed as may be necessary to support the denial.

Author: Alabama Board of Medical Examiners
CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

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AGENCY NAME: Alabama State Board of Medical Examiners

_____X____ Amendment _______ New _______ Repeal (Mark appropriate space)

Rule No. 540-X-3-.07
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Additional Requirements for Examination for Certain Applicants

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

No comments were received. No changes were made to the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM, DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed)
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DEC 20 2021

Certifying Officer or his or her Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.
540-X-3-.07  Additional Requirements for Examination for Certain Applicants.

(1) All applicants who have not passed the United States Medical Licensing Examination, the Comprehensive Osteopathic Medical Licensing Examination, the Licentiate of the Medical Council of Canada Examination, or the Special Purpose Examination within ten (10) years immediately preceding the date of the application shall either:

   (a) Achieve a minimum score of 75 on the Special Purpose Examination; or

   (b) Be certified by or achieve a passing score on a recertification examination given by one of the specialty boards approved by the American Board of Medical Specialties or one of the specialty boards approved by the American Osteopathic Association within ten (10) years immediately preceding the date of the application. This requirement may be satisfied by active participation by the applicant in a maintenance of certification program, established by one of the specialty boards approved pursuant to this subparagraph, for a period of at least one year before submission of the application.

(2) The SPEX shall be administered at dates and times to be established by the Examination Board of the Federation of State Medical Boards of the United States, Inc. pursuant to policies and procedures established by the Federation of State Medical Boards of the United States, Inc.

(3) SPEX Eligibility:

   (a) The following individuals are eligible to take the Special Purpose Examination in Alabama:
1. Applicants who are applying for licensure in Alabama who are required to take the examination under another provision of this section.

2. Individuals required to take the examination pursuant to an order or directive of the State Board of Medical Examiners or the Medical Licensure Commission.

(b) All applicants for a certificate of qualification who are required to achieve a passing score on the SPEX shall have achieved a passing score in not more than three (3) administrations. Applicants who have not achieved a passing score within three (3) administrations shall no longer be eligible to take the SPEX.

(c) Individuals required to take the SPEX pursuant to a Board order or directive shall have achieved a passing score in not more than three (3) administrations, and those individuals who have not achieved a passing score within three (3) administrations shall no longer be eligible to take the SPEX.

(4) Endorsement applicants who are required to take the SPEX and who choose to take the SPEX through a licensing jurisdiction other than the State of Alabama must have proof of passage of the SPEX sent directly from the Federation of State Medical Boards of the United States, Inc. to the Alabama Board of Medical Examiners. Applicants may request that a certified transcript of their SPEX score be forwarded by the Federation of State Medical Boards of the United States, Inc. to the Alabama Board of Medical Examiners. An application will not be deemed complete until such proof of passage of the SPEX is received by the Alabama State Board of Medical Examiners.
(5) Documentation submitted through the Federation Credentials Verification Service (FCVS) may be accepted to demonstrate compliance with the requirements of this rule.

Author: Alabama State Board of Medical Examiners

Ed. Note: Rule 06 was renumbered to .07 as per certification filed October 15, 2008; effective November 19, 2008.
CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

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AGENCY NAME: Alabama State Board of Medical Examiners

X Amendment New Repeal (Mark appropriate space)

Rule No. 540-X-3-.19
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Grounds for Denial of a Certificate of Qualification

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

No comments were received. No changes were made to the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM, DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed) 
(For LRS Use Only)

RECD & FILED 
DEC 20 2021

CERTIFYING OFFICER OR HIS OR HER DEPUTY

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.
540-X-3-.19  Grounds for Denial of a Certificate of Qualification.

The Board may deny an application for a certificate of qualification on any of the following grounds:

   (1) Failure of the applicant to achieve a passing score on any examination according to statutory and regulatory requirements.

   (2) Failure of the applicant to complete the application form as specified by the Board or to provide additional information requested by the Board in connection with the application, including failure to provide information to or submit to an evaluation recommended by the Alabama Physician Wellness Committee, or its designee.

   (3) A finding that the applicant has submitted or caused to be submitted false, misleading, or untruthful information to the Board in connection with an application for a certificate of qualification.

   (4) Failure to appear before the Board or a committee of the Board if formally requested to appear in connection with an application for a certificate of qualification.

   (5) A finding by the Board that the applicant has committed any of the acts or offenses constituting grounds to discipline the licensee to practice medicine in this state pursuant to, but not limited to, Sections 16-47-128, 34-24-360, and 34-24-57.

   (6) Failure of the applicant to comply with any of the requirements or rules for the issuance of a certificate of qualification.

Author: Alabama State Board of Medical Examiners
Ed. Note: Rule 540-X-3-.19 was previously numbered Rule 540-X-3-.18 as of the certification filed August 21, 1996. Rule 540-X-3-.19 was renumbered to 540-X-3-.17 as per certification filed November 13, 2007. Previous rule 17 was renumbered to .18 as per certification filed October 15, 2008; effective November 19, 2008. Rule .18 was renumbered to .19 as per certification filed May 16, 2013; effective June 20, 2013.
CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

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AGENCY NAME: Alabama State Board of Medical Examiners

_____X_____Amendment _______New _______Repeal (Mark appropriate space)

Rule No. 540-X-3-.20
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Non-Disciplinary Citation with Administrative Charge

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

No comments were received. No changes were made to the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM, DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed)
(For LRS Use Only)

Certifying Officer or his or her Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.
540-X-3-.20 Non-Disciplinary Citation with Administrative Charge.

(1) When the Board has determined that a ground for denial of an application for a certificate of qualification exists based upon the submission of false, misleading or untruthful information to the Board in connection with the application, the Board, in its discretion, may allow an applicant to submit a written request that a non-disciplinary citation with administrative charge be assessed against the applicant in lieu of a decision by the Board to deny the application.

(2) The Board may grant, if deemed appropriate, the request for an assessment of the citation with administrative charge and issue a certificate of qualification to the applicant.

(3) The written request to be submitted by the applicant shall be on a form approved by the Board and signed by the applicant.

(4) Submission of a written request form to the Board shall be accompanied by payment to the Board of the administrative charge in an amount determined by the Board which shall not exceed Ten Thousand Dollars ($10,000).

(5) Payment of the administrative charge shall be made to the Board prior to the issuance of a certificate of qualification.

(6) Upon receipt of a properly executed request form and payment of the administrative charge, the Board may issue the non-disciplinary citation and the certificate of qualification.

(7) The administrative charge is not refundable once payment is received by the Board.
(8) The imposition of a non-disciplinary citation with administrative charge is considered public information and is not considered a disciplinary action against the applicant, a restriction against the certificate of qualification or an adverse encumbrance against the certificate of qualification.

Author: Alabama State Board of Medical Examiners

Ed. Note: Rule 540-X-3-.18 was previously numbered Rule 540-X-3-.17 as of the certification filed August 21, 1996. Previous rule 18 was renumbered to .19 as per certification filed October 15, 2008; effective November 19, 2008. Rule .19 was renumbered to .20 as per certification filed May 16, 2013; effective June 20, 2013.
CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

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AGENCY NAME: Alabama State Board of Medical Examiners

_____X____ Amendment _______ New ______ Repeal (Mark appropriate space)

Rule No. 540-X-3-.03
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Post-Graduate Education Requirements

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Comments were received. Please see attached Statement of the Alabama Board of Medical Examiners.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 1, AAM, DATED OCTOBER 29, 2021.

Statutory Rulemaking Authority: Ala. Code § 34-24-70

(Date Filed)
(For LRS Use Only)

RECORD & FILED

DECEMBER 20, 2021

Certifying Officer or his or her Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.
STATEMENT OF THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS
PURSUANT TO §41-22-5(a)(2), CODE OF ALABAMA 1975, UPON ADOPTION OF
RULE 540-X-3-.03, POST-GRADUATE EDUCATION REQUIREMENTS

December 15, 2021

Proposed amendments to Board of Medical Examiners Administrative Rule 540-X-3-.03 were published for comment on October 29, 2021. The comment period ended at the close of business on December 3, 2021. After consideration of comments received, the rule was approved for final adoption as published on October 29, 2021.

The Board received comments urging additional amendments to the rule. Regarding those comments, the Board states the following:

The comments received urge a change to the post-graduate education requirements for an Alabama medical license to designate time spent by medical doctors in teaching positions at institutions accredited by the American Council on Graduate Medical Education (ACGME) as the equivalent of post-graduate training completed in an ACGME-accredited institution.

Post-graduate training requirements for Alabama medical licenses are established in Ala. Code § 34-24-70. The Board of Medical Examiners does not have the authority to amend these requirements. Any request for a change in the requirements for an Alabama medical license should be directed to the Alabama Legislature.
540-X-3-.03 Post-Graduate Education Requirements.

(1) Applicants for a certificate of qualification who graduated from a college of medicine accredited by the Liaison Committee on Medical Education or a college of osteopathy accredited by the Commission on Osteopathic College Accreditation shall present evidence satisfactory to the Board that the applicant has completed one (1) year of post-graduate or residency training in any of the following programs:

(a) A program accredited by the Accreditation Council for Graduate Medical Education.

(b) A program accredited by the American Osteopathic Association.

(c) A program accredited by the Accreditation Committee of Royal College of Physicians and Surgeons of Canada

(d) A program accredited by the College of Family Physicians of Canada.

(e) Documentation submitted through the Federation Credentials Verification Service (FCVS) may be accepted to demonstrate compliance with subparagraphs (a), (b), (c), and (d) above.

(2) Applicants for a certificate of qualification who graduated from a college of medicine not accredited by the Liaison Committee on Medical Education or a college of osteopathy not accredited by the Commission on Osteopathic College Accreditation shall present evidence satisfactory to the Board that the applicant has completed three (3) years of post-graduate or residency training in any of the following programs:

(a) A program accredited by the Accreditation Council for Graduate Medical Education.
(b) A program accredited by the Commission on Osteopathic College Accreditation.

(c) A program accredited by the Accreditation Committee of the Royal College of Physicians and Surgeons of Canada.

(d) A program accredited by the College of Family Physicians of Canada.

(e) Documentation submitted through the Federation Credentials Verification Service (FCVS) may be accepted to demonstrate compliance with subparagraphs (a), (b), (c), and (d) above.

(3) The terms "has completed one (1) year of post-graduate or residency training" and "has completed three (3) years of post-graduate or residency training" shall mean that the applicant has successfully completed or met the program's established criteria, standards or requirements which are necessary for promotion to the next level of post-graduate training or that the applicant has successfully completed or met the program's established criteria, standards or requirements which are necessary for completion of the program.

(4) Merely accumulating twelve (12) months of post-graduate or residency training or thirty-six (36) months of post-graduate or residency training shall not be evidence satisfactory to the Board that the applicant has fulfilled the post-graduate education requirement necessary for qualifying for the issuance of a certificate of qualification for a license to practice medicine in Alabama.

Author: Alabama Board of Medical Examiners