

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-3-.01
Rule Title: General Requirements that Apply to All Applicants for a Certificate of Qualification

 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: October 20, 2021

REC'D & FILED

OCT 20 2021

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-3-.01, General Requirements that Apply to All Applicants for a Certificate of Qualification

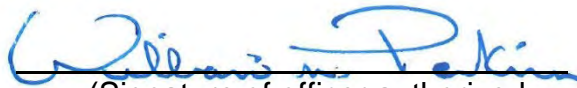
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger

A handwritten signature in blue ink, appearing to read "William P. Kin", is written over a horizontal line.

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

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.

Authors: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §34-24-53; Act No. 93-148.

History: Filed May 20, 1993 for publication. See also Notice of Intended Action dated May 20, 1993 repealing existing Chapter 3. **Amended:** July 21, 1993; effective August 25, 1993.

Amended: Filed July 26, 1999; effective August 30, 1999. **Amended:** Filed October 15, 2008; effective November 19, 2008. **Amended:** Published May 29, 2020; effective July 13, 2020.

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-3-.02
Rule Title: Medical Education Requirement

 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: October 20, 2021 OCT 20 2021

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-3-.02, Medical Education Requirement


INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger

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

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 ~~of the American Medical Association.~~

(b) A college of osteopathy accredited by the ~~American Osteopathic Association.~~
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 ~~may~~, 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) ~~The Board has determined H~~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 Tecnologica de Santiago, Dominican Republic (UTESA)

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

- (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 Federico 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

Authors: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §34-24-53 and Act No. 93-148.

History: Filed May 20, 1993 for publication. See also Notice of Intended Action dated May 20, 1993 repealing existing Chapter 3. Approved/Adopted: July 21, 1993. Effective Date: August 25, 1993. **Amended:** Filed May 20, 1996; effective June 25, 1996. **Amended:** Filed May 20, 1997; effective June 24, 1997. **Amended:** Filed November 20, 1997; effective December 25, 1997. **Amended:** Filed July 26, 1999; effective August 30, 1999. **Amended:** Filed January 20, 2000; effective February 24, 2000. **Amended:** Filed October 17, 2003; effective November 21, 2003. **Amended:** Filed June 23, 2006; effective July 28, 2006. **Amended:** Filed June 22, 2007; effective July 27, 2007. **Amended:** Filed December 13, 2007; effective January 17, 2008. **Amended:** Filed September 17, 2009; effective October 22, 2009. **Amended:** Filed January 19, 2012; effective February 23, 2012. **Amended:** Filed March 15, 2017; effective April 23, 2017.

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-3-.03
Rule Title: Post-Graduate Education Requirements

_____ 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?

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: October 20, 2021

REC'D & FILED

OCT 20 2021

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-3-.03, Post-Graduate Education Requirement


INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger

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

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 ~~of the American Medical Association~~ or a college of osteopathy accredited by the ~~American Osteopathic Association~~ 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 ~~listed in the directory of approved residency training programs published-accredited~~ by the ~~American Medical Association~~ 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 ~~of the American Medical Association~~ or a college of osteopathy not accredited by the ~~American Osteopathic Association~~ 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 ~~listed in the directory of approved residency training programs published-accredited~~ by the ~~American Medical Association~~ Accreditation Council for Graduate Medical Education.

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

Authors: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §34-24-53; Act No. 93-148.

History: Filed May 20, 1993 for publication. See also Notice of Intended Action dated May 20, 1993 repealing existing Chapter 3. **Amended:** July 21, 1993; effective August 25, 1993.

Amended: Filed November 20, 1997; effective December 25, 1997. **Amended:** Filed August 23, 1999; effective August 30, 1999. **Amended:** Filed August 22, 2002; effective September 26, 2002. **Amended:** Filed March 11, 2010; effective April 15, 2010.

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-3-.04
Rule Title: Examination Requirements

 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: October 20, 2021

REC'D & FILED

OCT 20 2021

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-3-.04, Examination Requirements

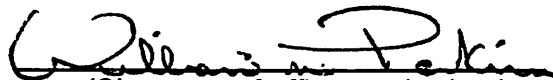
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger



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

540-X-3-.04 Examination Requirements

(1) Applicants for a certificate of qualification shall achieve a passing score as ~~determined by the Board of Medical Examiners on any~~ 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 Federation Licensing Examination.~~

~~(c) The National Board of Medical Examiners Examination.~~

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

~~(ce) The Licensing-Licentiate of the Medical Council of Canada Examination.~~

~~(f) Any other examination which is currently approved or which may later be approved by the Board of Medical Examiners and which examines in the following branches of medical learning: general medicine, surgery, obstetrics, gynecology, preventive medicine, jurisprudence, and any other branches as the Board may require. The Board of Medical Examiners does not approve the Florida State Board Examination given prior to June 1979, and the Board of Medical Examiners does not approve the Puerto Rican Board Examinations given prior to the FLEX and the NBME being used as licensing examinations in Puerto Rico.~~

~~(g) The combination of examinations as established in Rule 540-X-3.04(3) below.~~

~~(2) Beginning January 1, 2000, the following requirements shall apply:~~

~~(a) All applicants for initial licensure by examination shall achieve a passing score, as determined by the Board of Medical Examiners, on the United States Medical Licensing Examination or the National Board of Osteopathic Medical Examiners Examination or its successor examination.~~

~~(db)~~ If the examination was completed before January 1, 2000, applicants, Applicants by endorsement, who are licensed in another state, the District of Columbia, a territory of the United States, or a province of Canada who completed any one of the licensing examinations listed above prior to January 1, 2000, are eligible for licensure upon proof of a passing score of such examination, on one of the following examinations:

1. The Federation Licensing Examination.

2. The National Board of Medical Examiners Examination.

~~(c)~~ Applicants by endorsement licensed in another state or the District of Columbia, or a territory of the United States, or a province of Canada whose licensing examination was completed after January 1, 2000, shall achieve a passing score, as determined by the Board of Medical Examiners, on the United States Medical Licensing Examination or the National Board of Osteopathic Medical Examiners Examination or its successor examination.

~~(e3)~~ 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:

~~(a)~~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

~~(b)~~2. FLEX Component 1 (passing score=75); plus USMLE Step 3 (passing score=75); or

~~(c)~~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).

~~(4f)~~ Documentation submitted through the Federation Credentials Verification Service (FCVS) may be accepted to demonstrate compliance with the requirements of this rule.

Author: ~~Wendell R. Morgan, Patricia E. Shaner, Attorneys for the Alabama Board of Medical Examiners~~

Statutory Authority: Code of Ala. 1975, §34-24-53; Act No. 93-148.

History: Filed May 20, 1993 for publication. See also Notice of Intended Action dated May 20, 1993 repealing existing Chapter 3. **Amended:** July 21, 1993; effective August 25, 1993.

Amended: Filed August 21, 1997; effective September 25, 1997. **Amended:** Filed November 20, 1997; effective December 25, 1997. **Amended:** Filed July 26, 1999; effective August 30, 1999.

Amended: Filed March 22, 2002; effective April 26, 2002. **Amended:** Filed October 17, 2002; effective November 21, 2002. **Amended:** Filed March 21, 2003; effective April 25, 2003.

Amended: Filed December 17, 2005; effective January 21, 2005. **Amended:** Filed September 23, 2005; effective October 28, 2005. **Amended:** Filed October 15, 2008; effective November 19, 2008. **Amended:** Filed October 22, 2009; effective November 26, 2009.

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-3-.05
Rule Title: Criminal History Background Check

 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: October 20, 2021 OCT 20 2021

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-3-.05, Criminal History Background Check

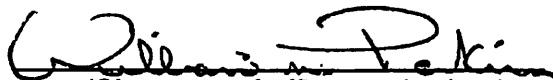
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger



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

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 (SABI), 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

Statutory Authority: Code of Ala. 1975, §34-24-53; Act No. 08-397.

History: New Rule: Filed October 15, 2008; effective November 19, 2008.

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-3-.07
Rule Title: Additional Requirements for Examination for Certain Applicants

 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: October 20, 2021 OCT 20 2021

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-3-.07, Additional Requirements for Examination for
Certain Applicants

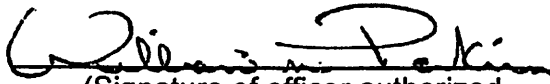
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts
No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger


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

540-X-3-.07 Additional Requirements For Examination For Certain Applicants.

(1) All applicants who have not passed a ~~written state licensing examination, the examination given by the National Board of Medical Examiners, the United States Medical Licensing Examination, the National Board of Osteopathic Medical Examiners Examination, the examination given by the Comprehensive Osteopathic Medical Licensing Examination, the Licensing-Licentiate of the Medical Council of Canada Examination, or the Special Purpose Examination, or the Federation Licensing 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.

Authors: Wendell R. Morgan, Patricia E. Shaner, Attorneys for the Alabama Board of Medical Examiners **Statutory Authority:** Code of Ala. 1975, §34-24-53; Act No. 93-148. **History:** Filed May 20, 1993 for publication. See also Notice of Intended Action dated May 20, 1993 repealing existing Chapter 3. **Approved/Adopted: New Rule:** Filed: July 21, 1993; effective August 25, 1993. **Amended:** Filed July 21, 1995; effective August 25, 1995. **Amended:** Filed November 20, 1997; effective December 25, 1997. **Amended:** Filed July 26, 1999; effective August 30, 1999. **Amended:** Filed November 13, 2007; effective December 18, 2007. **Amended (Rule Number Only):** Filed October 15, 2008; effective November 19, 2008.

Ed. Note: Rule 06 was renumbered to .07 as per certification filed October 15, 2008; effective November 19, 2008.

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-3-.19
Rule Title: Grounds for Denial of a Certificate of Qualification

 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: October 20, 2021

REC'D & FILED

OCT 20 2021

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-3-.19, Grounds for Denial of a Certificate of Qualification

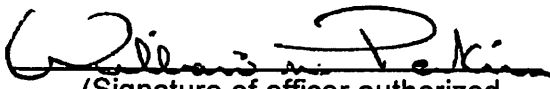
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger


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

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 Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §34-24-53; Act No. 07-402.

History: Filed May 20, 1993 for publication. See also Notice of Intended Action dated May 20, 1993 repealing existing Chapter 3. **Amended:** July 21, 1993; effective August 25, 1993.

Amended: Filed November 13, 2007; effective December 18, 2007. **Amended (Rule Number Only):** Filed October 15, 2008; effective November 19, 2008.

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.

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-3-.20
Rule Title: Non-Disciplinary Citation with Administrative Charge

 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: October 20, 2021 OCT 20 2021

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-3-.20, Non-Disciplinary Citation with Administrative Charge

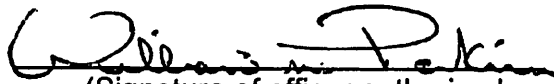
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to conform with Alabama Acts No. 2021-100

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 H. Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including December 3, 2021. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 3, 2021

CONTACT PERSON AT AGENCY: Carla H. Kruger


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

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) ~~If a certificate of qualification is issued by the Board after the payment of an administrative charge in a non-disciplinary citation and the Medical Licensure Commission does not issue a license to practice medicine to an applicant, then the amount of the administrative charge shall be returned by the Board to the applicant.~~ The administrative charge is not refundable once payment is received by the Board.

(8) The imposition of a non-disciplinary citation with administrative charge ~~shall~~ is considered public information and is not ~~be~~ 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 Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §34-24-53; Act No. 07-402.

History: Filed May 20, 1993 for publication. See also Notice of Intended Action dated May 20, 1993 repealing existing Chapter 3. **Amended:** July 21, 1993; effective August 25, 1993.

Repealed and New Rule: Filed November 13, 2007; effective December 18, 2007. **Amended (Rule Number Only):** Filed October 15, 2008; effective November 19, 2008.

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.