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 20th day of October, 2021, and filed with the agency secretary on the 20th day of October, 2021.

AGENCY NAME: Alabama State Board of Medical Examiners

_______Amendment _____X____ New _____Repeal (Mark appropriate space)

Rule No. 540-X-3-.19.1
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Denial of Application for COQ - Hearing

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

No comments received. No changes from proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXIX, ISSUE NO. 11, AAM, DATED AUGUST 31, 2021.


(Date Filed)
(For LRS Use Only)

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-.19.1 Denial of Application for Certificate of Qualification - Hearing.

(1) If, after examination of the application for a certificate of qualification to practice medicine and after consideration of any information developed by the Board pursuant to an investigation into the qualifications of the physician to practice medicine, the Board determines that there is probable cause to believe there exist grounds upon which the application for a certificate of qualification may be denied, the Board shall take the following actions:

(a) Defer final decision on the application for certificate of qualification; and

(b) Notify the applicant of the grounds for possible denial of the application for a certificate of qualification and the procedure for obtaining a hearing before the Board.

(2) If requested by the applicant within the time frame specified by the Board, a hearing shall be set before the Board on the application for a certificate of qualification.

(3) If the applicant, after being notified of the grounds for denial, fails to request a hearing within the time frame specified by the Board, the applicant will be deemed to have waived his or her right to a hearing, and the certificate of qualification shall be denied.

(4) All hearings under this rule shall be conducted in accordance with the Alabama Administrative Procedure Act, Ala. Code §§ 41-22-1 et seq.

Author: Alabama Board of Medical Examiners