APA-1  
Revised 4/2018

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 540  
Department or Agency Alabama State Board of Medical Examiners

Rule No. 540-X-7.57  
Rule Title: Covering Anesthesiologists for Anesthesiologist Assistants (A.A.)

<table>
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<tr>
<th>Reference</th>
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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

Date: November 18, 2021
ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.57, Covering Anesthesiologists for Anesthesiologist Assistants (A.A.)

INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to clarify that covering anesthesiologists must meet the same qualifications as the supervising anesthesiologist.

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 January 4, 2022. 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: January 4, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger

(Signature of officer authorized to promulgate and adopt rules or his or her deputy)
(1) When the primary supervising anesthesiologist is off duty, out of town, not on call, or not immediately available to respond to patients’ medical needs, the anesthesiologist assistant is not authorized to perform any act or render any treatments unless another qualified anesthesiologist in the same partnership, group, medical professional corporation or anesthesiologist practice foundation or with whom the primary supervising anesthesiologist shares call is on call and is immediately available to supervise the anesthesiologist assistant and has previously filed with the Board a letter stating that he or she assumes all responsibility for the actions of the anesthesiologist assistant during the temporary absence of the primary supervising anesthesiologist.

(2) The covering anesthesiologist providing the supervision shall also affirm in the letter that he or she is familiar with the current rules regarding anesthesiologist assistants and the job description filed by the primary supervising anesthesiologist and the anesthesiologist assistant and that he or she is accountable for adequately supervising the medical care rendered pursuant to the job description. The covering anesthesiologist must meet the same qualifications as the supervising anesthesiologist as established in this Chapter.

Author: Alabama State Board of Medical Examiners