

Phase I: Administrative Rule Inventory for the Medical Licensure Commission of Alabama
Current As Of September 1, 2023

Rule Citation	Rule Title	Short Description	Regulatory Text	Statutory Authority	Number of Discretionary Restrictions
545-X-1-.01	Composition of the Commission	Composition	(1) The Commission shall be composed of seven physicians, each of whom must be either a doctor of medicine or a doctor of osteopathy and be licensed to practice medicine in Alabama.	Ala. Code § 34-24-310, 311	0
545-X-1-.01	Composition of the Commission	Composition	(1)...There shall be one public member, who shall not be a licensee of the Commission or hold a professional degree in any health care field or practice as a licensed health care professional.	Ala. Code § 34-24-310, 311	0
545-X-1-.01	Composition of the Commission	Composition	(2) The members shall be appointed as follows: [listing]	Ala. Code § 34-24-310, 311	0
545-X-1-.01	Composition of the Commission	Composition	(3) The members shall serve a five-year term with no limit as to the number of terms a member can serve.	Ala. Code § 34-24-310, 311	0
545-X-1-.01	Composition of the Commission	Composition	(3)...In order to stagger the terms, the initial appointment shall be as follows: [listing]	Ala. Code § 34-24-310, 311	0
545-X-1-.02	Officers of the Commission	Prescribes Commission Officers and Duties	(1) The Commission shall elect from its members a chairman and a vice chairman.	Ala. Code § 34-24-311	0
545-X-1-.02	Officers of the Commission	Prescribes Commission Officers and Duties	(1) ...The election of officers shall be held annually.	Ala. Code § 34-24-311	0
545-X-1-.02	Officers of the Commission	Prescribes Commission Officers and Duties	(2)(a) The chairman shall preside at meetings of the Commission and appoint members to serve on such committees as may be created.	Ala. Code § 34-24-311	0
545-X-1-.02	Officers of the Commission	Prescribes Commission Officers and Duties	(2)(b) The vice chairman shall preside in the absence of the chairman and shall assume the duties of the chairman when necessary.	Ala. Code § 34-24-311	0
545-X-1-.02	Officers of the Commission	Prescribes Commission Officers and Duties	(2)(c) The chairman shall have the authority to take such action in the absence of the Commission that is necessary for the continuance of the day-to-day operation of the Commission and its staff.	Ala. Code § 34-24-311	0
545-X-1-.02	Officers of the Commission	Prescribes Commission Officers and Duties	(2)(d) The chairman shall preside over the meetings and hearings of the Commission	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(1) The Commission shall meet each month, usually the fourth Wednesday of each month.	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(3) At least four members of the Commission shall constitute a quorum for a regular meeting and as such shall be competent to act, except that the Commission shall not order the suspension or the revocation of a license unless at least five members of the Commission are present ...	Ala. Code § 34-24-311, 366	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(4) The executive officer or his designee shall keep a record of all meetings.	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(4)...The place of each meeting of the Commission, names of the members present, all official acts of the Commission, and tally of votes cast shall be recorded in the minutes.	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(4)...The minutes shall be presented for approval or amendment at the next regular meeting,	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(4)...The minutes, not including any section relating to proceedings conducted during a properly called executive session of the Commission, shall be open to public inspection.	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(5) All meetings of the Commission shall be open and public, except those portions of meetings and/or hearings conducted during a properly called executive session.	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(5) Reports of investigation; [and other specified matter] shall be considered privileged and confidential and shall not be disclosed except to an agent, attorney or employee of the Commission. The foregoing nonpublic records of the Commission shall not be subject to subpoena except upon the express order of a court of competent jurisdiction.	Ala. Code § 34-24-311	0
545-X-1-.03	Meetings of the Commission	Prescribes Commission Meetings and Protocols	(6) Meetings of the Commission shall be governed by Roberts Rules of Order...	Ala. Code § 34-24-311	0
545-X-1-.07	Rules and Regulations	Prescribes rulemaking procedures	(1) All rules and regulations of the Commission shall be adopted, amended or repealed in accordance with the Alabama Administrative Procedure Act...	Ala. Code § 34-24-311	0

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545-X-1-.07	Rules and Regulations	Prescribes rulemaking procedures	(2) Prior to adoption, amendment or repeal of any rule the Commission shall:(a) give at least thirty-five days notice of its intended action...	Ala. Code § 34-24-311	0
545-X-1-.07	Rules and Regulations	Prescribes rulemaking procedures	the notice shall include a statement of either the terms of substance of the intended action or a description of the subject of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views thereon; and the notice shall be published in the Alabama Administrative Monthly;	Ala. Code § 34-24-311	0
545-X-1-.07	Rules and Regulations	Prescribes rulemaking procedures	(b) [shall] afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. The Commission shall consider fully all written and oral submissions respecting the proposed rule.	Ala. Code § 34-24-311	0
545-X-1-.07	Rules and Regulations	Prescribes rulemaking procedures	(4) After adoption by the Commission, each rule shall be filed with the Legislative Reference Service,	Ala. Code § 34-24-311	0
545-X-1-.08	Petition for Adoption, Amendment, or Repeal of a Rule	Prescribes procedures for petitions to adopt, amend, or repeal administrative rules	(1) Any interested person may petition the Commission requesting the adoption, amendment, or repeal of a rule. The petition shall:	Ala. Code §§ 34-24-311, 41-22-8	0
545-X-1-.08	Petition for Adoption, Amendment, or Repeal of a Rule	Prescribes procedures for petitions to adopt, amend, or repeal administrative rules	(a) be submitted in writing;	Ala. Code §§ 34-24-311, 41-22-8	1
545-X-1-.08	Petition for Adoption, Amendment, or Repeal of a Rule	Prescribes procedures for petitions to adopt, amend, or repeal administrative rules	(b) include an exact statement of the proposed rule, amendment or identification of a rule to be repealed;	Ala. Code §§ 34-24-311, 41-22-8	1
545-X-1-.08	Petition for Adoption, Amendment, or Repeal of a Rule	Prescribes procedures for petitions to adopt, amend, or repeal administrative rules	(c) include the pertinent facts, data, opinions or arguments in support of the petitioner's position.	Ala. Code §§ 34-24-311, 41-22-8	1
545-X-1-.08	Petition for Adoption, Amendment, or Repeal of a Rule	Prescribes procedures for petitions to adopt, amend, or repeal administrative rules	(2) Within sixty days after submission of a petition, the Commission shall initiate rule-making proceedings or shall deny the petition in writing on the merits, stating its reasons for the denial.	Ala. Code §§ 34-24-311, 41-22-8	0
545-X-1-.08	Petition for Adoption, Amendment, or Repeal of a Rule	Prescribes procedures for petitions to adopt, amend, or repeal administrative rules	(3) A petition requesting adoption, amendment, or repeal of a rule shall not be considered by the Commission if the subject of the petition is the same or similar to the subject presented in another petition considered by the Commission within the previous twelve months.	Ala. Code §§ 34-24-311, 41-22-8	1
545-X-1-.09	Declaratory Rulings	Prescribes procedures for seeking declaratory rulings	(2) The petition shall be in writing and shall include: [listing]	Ala. Code §§ 34-24-311, 41-22-11	2
545-X-1-.09	Declaratory Rulings	Prescribes procedures for seeking declaratory rulings	(4) Circumstances in which rulings shall not be issued include but are not necessarily limited to: [listing]	Ala. Code §§ 34-24-311, 41-22-11	3
545-X-1-.09	Declaratory Rulings	Prescribes procedures for seeking declaratory rulings	(5) In the event the Commission declines to issue a ruling, the petitioner shall be notified in writing that the request for a declaratory ruling was denied and the reasons therefor shall be specified.	Ala. Code §§ 34-24-311, 41-22-11	0
545-X-1-.10	Public Inspection of Rules	Provides for public inspection of the rules promulgated by the Commission.	(1) All rules and other written statements of policy or interpretations formulated, adopted or used by the Commission in the discharge of its functions shall be made available for public inspection and copying, at cost.	Ala. Code §§ 34-24-311, 41-22-(4)(a)(3)	0

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545-X-1-.10	Public Inspection of Rules	Provides for public inspection of the rules promulgated by the Commission.	(2) All final orders, decisions and opinions of the Commission shall be available for public inspection and copying, at cost, except those expressly made confidential or privileged	Ala. Code §§ 34-24-311, 41-22-(4)(a)(3)	0
545-X-1-.11	Definitions	Provides definitions of terms used in the Commission's rules.	["Shall" is used in this Rule only in the sense of "shall mean"; it is judged that there are no "restrictive terms" in this rule.]	Ala. Code § 34-24-311	0
545-X-2-.01	Initial License	Procedures for issuance of an initial license to practice medicine or osteopathy	(1)...the Commission, after being satisfied that all requirements of the law have been met and that the applicant should be approved for licensure, shall issue the license to practice medicine.	Ala. Code §§ 34-24-311, 334, 335	0
545-X-2-.01	Initial License	Procedures for issuance of an initial license to practice medicine or osteopathy	(2) The license shall be dated and numbered in the order of issuance and shall be signed by the chairman.	Ala. Code §§ 34-24-311, 334, 335	0
545-X-2-.01	Initial License	Procedures for issuance of an initial license to practice medicine or osteopathy	the Commission shall promptly notify the applicant of its action, and such notice shall contain the reasons for the denial of the application.	Ala. Code §§ 34-24-311, 334, 335	0
545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(1) Every person licensed to practice medicine shall apply to the Commission, on or before December 31 of each succeeding year for a certificate of registration.	Ala. Code §§ 34-24-311, 337	0
545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(2) Each application, which shall include the physician's name, address, the date and license number and signature, must be filed with the Commission along with the annual fee which shall be set at \$300.00.	Ala. Code §§ 34-24-311, 337	0
545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(3) If application for a certificate of registration is not made each year on or before December 31, a \$100.00 late fee shall apply.	Ala. Code §§ 34-24-311, 337	0
545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(4) When a licensee fails to renew his or her license on or before December 31, the license shall remain in full force and effective during the period January 1 through January 31.	Ala. Code §§ 34-24-311, 337	0
545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(5) Upon receipt of the application and fee the Commission shall issue a certificate of registration, signed by the chairman or his designee,	Ala. Code §§ 34-24-311, 337	0
545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(5)...Commission shall not renew the annual certificate of registration of any physician against whom an administrative fine or administrative cost has been assessed by the Board of Medical Examiners or the Commission until such fine or cost is paid in full.	Ala. Code §§ 34-24-311, 337, 383	0
545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(5)...Upon payment of any past due fine or cost the Commission shall renew the certificate of registration;	Ala. Code §§ 34-24-311, 337	0

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545-X-2-.03	Certificate of Registration	Prescribes procedures for statutorily-required annual license registration	(5)...licensee shall be required to pay the reinstatement fee and complete forms as provided by these rules. Prior to said reinstatement, a criminal background check shall have been obtained...	Ala. Code §§ 34-24-311, 337	0
545-X-2-.03	Certificate of Registration	License to become inactive if not properly renewed	(6) If a licensee fails to register and pay the registration fee and late fee if applicable, within thirty-one (31) days after registration becomes due, the license shall automatically become inactive,...	Ala. Code §§ 34-24-311, 337	0
545-X-2-.03	Certificate of Registration	Commission to renew license	(8) Upon receipt of a properly completed application, ...then Commission shall reinstate the license of the application.	Ala. Code §§ 34-24-311, 337	0
545-X-2-.05	Replacement/New License Certificate	Prescribes procedures for obtaining a replacement certificate or for the change of name on an existing certificate.	Such application shall be accompanied by an affidavit setting out the facts concerning the loss or destruction of the license.	Ala. Code §§ 34-24-311, 332	0
545-X-2-.05	Replacement/New License Certificate	Prescribes procedures for obtaining a replacement certificate or for the change of name on an existing certificate.	Such application shall be accompanied by a copy of the court order or marriage certificate.	Ala. Code §§ 34-24-311, 332	0
545-X-2-.05	Replacement/New License Certificate	Prescribes procedures for obtaining a replacement certificate or for the change of name on an existing certificate.	The fee for any replacement/new license certificate shall be \$25.00, payable to the Medical Licensure Commission.	Ala. Code §§ 34-24-311, 332	0
545-X-2-.06	License Issued For Participation In Retired Senior Volunteer Program.	Prescribes procedures for obtaining a license to participate in the Retired Senior Volunteer Program for physicians.	(2) A license issued under this section shall contain the following information upon the face of the document, "Issued subject to restrictions under the Retired Senior Volunteer Program."	Ala. Code §§ 34-24-311, 75.1	0
545-X-2-.06	License Issued For Participation In Retired Senior Volunteer Program.	Prescribes procedures for obtaining a license to participate in the Retired Senior Volunteer Program for physicians.	(3) Such license shall be issued by the Commission without cost to the applicant.	Ala. Code §§ 34-24-311, 333, 75.1	0
545-X-2-.06	License Issued For Participation In Retired Senior Volunteer Program.	Prescribes procedures for obtaining a license to participate in the Retired Senior Volunteer Program for physicians.	(4) Each license shall state on its face that it is valid for a period of one calendar year, and the expiration date.	Ala. Code §§ 34-24-311, 333, 75.1	0
545-X-2-.07	Provisional Approval For Initial License.	Authorizes the Commission to issue provisional approval of an initial license.	(2) Upon receipt by the Commission of a certificate of qualification issued by the Board, the Commission shall issue the license.	Ala. Code § 34-24-311	0
545-X-2-.08	Temporary Expedited License For Military Members And Spouses.	Expedited licenses for servicemembers and their spouses.	(1)...the Medical Licensure Commission of Alabama, . . . shall issue an to an applicant an expedited temporary license to practice medicine in the state of Alabama.	Ala. Code §§ 34-24-311, 70.1	0

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545-X-2-.08	Temporary Expedited License For Military Members And Spouses.	Expedited licenses for servicemembers and their spouses.	(2) An expedited license for military members and spouses shall be dated and numbered in the order of issuance, shall bear the date of issuance, and shall indicate on its face that the license is a temporary license for military service members and their spouses.	Ala. Code §§ 34-24-311, 70.1	0
545-X-2-.08	Temporary Expedited License For Military Members And Spouses.	Expedited licenses for servicemembers and their spouses.	(3) A temporary expedited license for military members and spouses shall expire twelve (12) months after the date of issuance of the license	Ala. Code §§ 34-24-311, 70.1	0
545-X-2-.10	Emergency Expedited Temporary License.	Expedited licensure due to COVID-19 emergency.	[Emergency rule due to COVID-19 emergency orders; no longer effective?]	Ala. Code § 34-24-311	0
545-X-2-.11	Emergency Expedited Temporary License.	Expedited licensure due to COVID-19 emergency.	[Emergency rule due to COVID-19 emergency orders; no longer effective?]	Ala. Code § 34-24-311	0
545-X-3-.02	Application and Scope	Provides for the applicable scope of the rule.	These rules shall apply to all hearings conducted by the Medical Licensure Commission pursuant to its authority to issue, reinstate, revoke, suspend, restrict or otherwise discipline a license.	Ala. Code §§ 34-24-311, 360	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Initiation of a contested case before the Medical Licensure Commission	(1) A contested case before the Medical Licensure Commission shall be initiated by the filing of a written administrative complaint signed by any member of the Alabama Board of Medical Examiners...	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Mandatory reporting obligation for physicians	(2) Any physician holding a certificate of qualification to practice medicine in Alabama shall and is hereby required to, ... report to the Board or the Commission any information such physician or other person may have which appears to show that any physician ... in Alabama may be guilty of any of the acts, offenses or conditions set out in Code of Ala. 1975, § 34-24-360;	Ala. Code §§ 34-24-311, -360, -361(b); 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement for written complaint	(3) In a contested case for the discipline of a license instituted by the filing of an administrative complaint, all parties shall be afforded an opportunity for hearing after reasonable notice in writing.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement of service of the written complaint	(3) ... Such notice shall be delivered to the physician against whom the administrative complaint is filed by personal service required by § 34-24-361(e).	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Required contents of the administrative complaint	(4) The notice shall include: [list of requirements]	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement of filing of an answer	(6) Upon receipt of the Notice of Hearing by the respondent, the respondent shall file an answer with the Commission which either admits or denies the allegations	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	General denial if no answer filed	(6)...If the respondent fails to file an answer, a general denial shall be entered on behalf of the respondent and the allegations in the administrative complaint shall be deemed denied.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Scope of hearing	(6)(a) If the respondent admits the allegations of the administrative complaint and those admissions indicate that the respondent is guilty of a violation of Code of Ala. 1975, § 34-24-360, then the hearing scheduled by the Medical Licensure Commission shall proceed on the question of appropriate punishment for the violation. At this hearing, all parties shall be afforded the opportunity to present evidence which is germane to the issue of appropriate punishment.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Scope of hearing	(6)(b) If the answer filed by the respondent denies the allegations of the administrative complaint filed with the Medical Licensure Commission, then the hearing scheduled by the Commission shall proceed on the factual matters which are alleged in the administrative complaint.	Ala. Code §§ 34-24-311, 360; 41-22-12	0

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545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement for due process	(8) Opportunity shall be afforded all parties to respond and present evidence and argument on all material issues involved and to be represented by counsel at their own expense.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Specification of the record on appeal	(10) The record in a contested case shall include: [extensive list (a) through (h)]	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Hearings to be closed by statute	(11) Hearings on administrative complaints shall be closed.	Ala. Code §§ 34-24-311, -360, -361.1; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Record on hearings to be confidential by statute	(11)...The record in such hearings, including witness testimony, exhibits and pleadings, shall be confidential and shall not be available for public inspection;	Ala. Code §§ 34-24-311, -360, -361.1; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Administrative Complaint and final Commission findings to be public documents	(11)...provided, however, that all administrative complaints, and amendments thereto, and all orders of the Commission which are dispositive of the issues raised by such complaints, shall be public record.	Ala. Code §§ 34-24-311, -360, -361.1; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement for transcription	(12) Oral proceedings shall be recorded either by mechanized means or by qualified shorthand reporters.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement for transcription	(12)...Oral proceedings or any part thereof shall be transcribed at the request of any party with the expense of the transcription charged to the requesting party.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement to maintain the transcript of proceedings	(12)...The recording of stenographic notes of oral proceedings or the transcription thereof shall be filed with and maintained by the agency for at least five years from the date of decision and shall be made available for inspection by the public, except in those cases where hearings are closed, or where the proceedings shall be ordered sealed by order of court, or are required to be sealed by statute.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Limitation on amendment of administrative complaint	(13)...but no amendments shall be permitted that are not germane to the acts, offenses or conditions originally charged ...	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Findings of fact to be grounded in administrative record	(14) Findings of fact shall be based solely on the evidence in the record and on matter officially noticed in the record.	Ala. Code §§ 34-24-311, 360; 41-22-12	0
545-X-3-.03	Initiation Of A Contested Case; Notice And Opportunity For Hearing [etc]	Requirement for quorum and majority vote	(15) The Commission shall not order the suspension or revocation of a license unless at least five members of the Commission are present and a majority of those present vote for such suspension or revocation.	Ala. Code §§ 34-24-311, -360,-366; 41-22-12	0
545-X-3-.04	Discovery In Contested Cases.	Limited discovery allowed in contested cases	(1)...the parties shall not be permitted to prolong or unnecessarily delay the proceedings in contested cases for discovery purposes.	Ala. Code §§ 34-24-311, -360,-361.1; 41-22-12	0
545-X-3-.04	Discovery In Contested Cases.	Limited discovery allowed in contested cases; no discovery of privileged matter.	(1)...However, no party to a hearing shall be entitled to discover the contents of any investigative files, records, including investigative reports, statements, summaries, or other materials compiled and accumulated by the investigators, attorneys or staff of the Commission, or the Board of Medical Examiners, pursuant to its ordinary and usual investigative function	Ala. Code §§ 34-24-311, -360,-361.1; 41-22-12	0
545-X-3-.05	Witnesses/How Subpoenaed And Sworn; Failure To Comply.	Return of service to be sworn	(1)...If served by anyone other than a sheriff, the return of service shall be sworn to by said person before some officer authorized to administer oaths.	Ala. Code §§ 34-24-311, -360,-363, -364	0
545-X-3-.05	Witnesses/How Subpoenaed And Sworn; Failure To Comply.	Power to punish disobedience of subpoena	(3)...and the court or judge shall have the power to punish for contempt as in cases of disobedience of a like order or subpoena issued by or from such court, or a refusal to testify therein.	Ala. Code §§ 34-24-311, -360,-363, -364	0

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545-X-3-.05	Witnesses/How Subpoenaed And Sworn; Failure To Comply.	Costs to be borne by the proponent of the subpoena	(4) The expense of the subpoena including mileage and per diem as specified by law shall be borne by the party requesting the subpoena.	Ala. Code §§ 34-24-311, -360, -363, -364	0
545-X-3-.05	Witnesses/How Subpoenaed And Sworn; Failure To Comply.	Costs to be borne by the proponent of the deposition	(5)...The party at whose request the deposition is held shall be responsible for all administrative costs of the deposition.	Ala. Code §§ 34-24-311, -360, -363, -364	0
545-X-3-.06	Intervention In Contested Cases.	Right to intervene	In contested cases, upon timely application, any person shall be permitted to intervene when a statute confers an unconditional right to intervene, or when the applicant has an individual interest in the outcome of the case...	Ala. Code §§ 34-24-311, -360; 41-22-14	0
545-X-3-.07	Disqualification From Participation In Proposed Order Or Final Decision Based Upon Conflict Of Interest Or Personal Bias.	Disqualification from contested cases	(1) No individual who participates in the making of any proposed order or final decision in a contested case shall have prosecuted or represented a party in connection with that case,	Ala. Code §§ 34-24-311, -360; 41-22-18	0
545-X-3-.07	Disqualification From Participation In Proposed Order Or Final Decision Based Upon Conflict Of Interest Or Personal Bias.	Disqualification from contested cases	(1)...Nor shall any such individual be subject to the authority, direction or discretion of any person who has prosecuted or advocated in connection with that contested case, the specific controversy underlying that contested case, or a pending factually related contested case or controversy, involving the same parties.	Ala. Code §§ 34-24-311, -360; 41-22-18	0
545-X-3-.07	Disqualification From Participation In Proposed Order Or Final Decision Based Upon Conflict Of Interest Or Personal Bias.	Disqualification from contested cases	(2)...The agency shall determine the matter as part of the record in the case. When the Commission in these circumstances makes such a determination with respect to the Commission member, that determination shall be subject to de novo judicial review	Ala. Code §§ 34-24-311, -360; 41-22-18	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of the hearing officer	(1)...The hearing officer shall be an attorney licensed to practice law in the state of Alabama.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of the hearing officer	(1)...The Commission's hearing officer shall not have participated in the investigation or prosecution of the licensee in the matters pertaining to the contested case.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of the hearing officer	(1)...The hearing officer shall not have a manifest conflict of interest with any party in a contested case.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of the hearing officer	(1)...The general duties of the hearing officer shall be to preside over and direct the course of contested cases before the Commission	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of legal counsel	(2)...Legal counsel shall be an attorney licensed to practice law in the state of Alabama.	Ala. Code §§ 34-24-311, -360, -313	0

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545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of legal counsel	(2)...The legal counsel shall be compensated at a rate to be prescribed by the Commission for services actually performed pursuant to a contractual agreement.	Ala. Code §§ 34-24-311, -360, -313	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of legal counsel	(2)...The general duties of the legal counsel shall be to advise the Commission on matters of law and evidence pertaining to contested cases and issues before the Commission and to assist the Commission in the preparation of orders, communications, opinions and decrees.	Ala. Code §§ 34-24-311, -360, -313	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of legal counsel	(2)(b) The legal counsel shall advise the Commission on matters of evidence and law during its deliberations.	Ala. Code §§ 34-24-311, -360, -313	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of legal counsel	(2)(c) When directed by the Commission, the legal counsel shall prepare the final order reflecting the decision of the Commission in each contested case. The final order shall be executed and authenticated in the manner prescribed by the Commission.	Ala. Code §§ 34-24-311, -360, -313	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of legal counsel	(2)(d) The legal counsel shall draft and advise the Commission on rules changes as directed by the Commission.	Ala. Code §§ 34-24-311, -360, -313	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Role of legal counsel	(2)(e) In addition, the legal counsel shall be authorized to perform such duties and functions as may be prescribed by the Commission, it being the intent of this rule that the legal counsel shall be the chief legal advisor to the Commission.	Ala. Code §§ 34-24-311, -360, -313	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(3) Where no hearing officer is appointed by the Commission, the Chairman of the Commission shall preside during hearings with the assistance and advice of legal counsel and perform all other duties of the hearing officer.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(4) All evidence and argument shall be presented before the Commission and no member of the Commission shall participate in the final decision unless he has been present during all of the hearing or unless he has considered the complete record of those proceedings which took place in his absence.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(5) All rulings of the hearing officer or Chairman, where no hearing officer is appointed, or the Chairman's designee shall be final and shall be deemed to be the action of the Commission unless such rulings are challenged by a member of the Commission.	Ala. Code §§ 34-24-311, -360; 41-22-12	0

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545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(7) The hearing shall be conducted in so far as is practicable in the same manner as a civil action at law.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(7)...In a hearing the complainant shall have the obligation to proceed first and to present such evidence touching upon the specific allegations of the complaint	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(7)...At the conclusion of the complainant's presentation, the respondent shall have the opportunity to call witnesses on his or her behalf and to rebut the allegations of the complainant	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(7)...Complainant shall be allowed to call witnesses or submit evidence to rebut facts or issues raised by Respondent.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Conduct of the contested case hearing	(8) At the conclusion of the hearing, the Commission shall hold its deliberations in executive session in consultation with the legal counsel.	Ala. Code §§ 34-24-311, -360; 41-22-12	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Due date for payment of fines	(8)(d)(i) All administrative fines assessed by the Commission shall be due and payable to the Commission within thirty (30) days from the date the fine is assessed	Ala. Code §§ 34-24-311, -360;	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Requirement to pay fines as a condition of annual license renewal	(8)(d)(ii) ...The Commission shall not renew the annual certificate of registration as set forth in Section 34-24-337 of any physician against whom an administrative fine has been assessed by the Board of Medical Examiners or the Commission until such fine is paid in full.	Ala. Code §§ 34-24-311, -360,-383	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Reinstatement process required	(8)(d)(ii)...In the event that the fine is paid more than thirty-one (31) days after registration is due, the licensee shall be required to pay the reinstatement fee and complete all forms as provided by these rules.	Ala. Code §§ 34-24-311, -360,-383	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Deposit of funds into escrow account	(8)(d)(iii) All administrative fines received by the Commission shall be deposited in an escrow account and held until all proceedings seeking review of the Commission's order have concluded.	Ala. Code §§ 34-24-311, -360,-383	0

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545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Enforcement of costs	(10) Payment of any costs, fees, or expenses ordered by the Commission shall be made and enforced in the same manner as an administrative fine, as set forth in the preceding section.	Ala. Code §§ 34-24-311, -360	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Procedure for imposition of costs	(10) ... The following procedures shall be followed with the regard to requests for costs, fees and expenses: [list of procedural steps]	Ala. Code §§ 34-24-311, -360	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Unlawful to practice while suspended	(11) If a license to practice medicine in Alabama is suspended or revoked, the holder of that license shall not practice in Alabama during the term of the suspension or revocation.	Ala. Code §§ 34-24-311, -360, -362	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Commission to issue ruling if physician found not guilty	(12) If the Commission finds that the physician is not guilty of any of the acts, offenses or conditions enumerated in § 34-24-360, it shall issue a judgment setting out such findings and dismiss the administrative complaint.	Ala. Code §§ 34-24-311, -360	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Physician to bear costs of examination	(13) ...The expense of such examination shall be borne by the physician who is so examined.	Ala. Code §§ 34-24-311, -360	0
545-X-3-.08	Appointment And Authority Of Hearing Officer And Legal Counsel; Grounds For Suspension Or Revocation Of License.	Physician implied consent to examination	(14) Every physician licensed to practice medicine in Alabama who accepts the privilege of practicing medicine in Alabama by actually practicing or by the making and filing of an annual registration to practice medicine shall be deemed to have given his consent to submit to a mental, physical or laboratory examination or to any combination of such examination...	Ala. Code §§ 34-24-311, -360	0
545-X-3-.09	Rules Of Evidence In Contested Cases.	Rules of evidence in contested cases before the Medical Licensure Commission	(1) In contested cases, the rules of evidence as applied in nonjury civil cases in the circuit courts of the state shall be followed.	Ala. Code §§ 34-24-311, -360; 41-22-13	0
545-X-3-.09	Rules Of Evidence In Contested Cases.	Rules of evidence in contested cases before the Medical Licensure Commission	(1)...Objections to evidentiary offers may be made and shall be noted in the record.	Ala. Code §§ 34-24-311, -360; 41-22-13	0
545-X-3-.09	Rules Of Evidence In Contested Cases.	Rules of evidence in contested cases before the Medical Licensure Commission	(1)...Whenever any evidence is excluded as inadmissible, all such evidence existing in written form shall remain a part of the record as an offer of proof.	Ala. Code §§ 34-24-311, -360; 41-22-13	0
545-X-3-.09	Rules Of Evidence In Contested Cases.	Rules of evidence in contested cases before the Medical Licensure Commission	(1)...All rulings on the admissibility of evidence shall be final and shall appear in the record.	Ala. Code §§ 34-24-311, -360; 41-22-13	0

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545-X-3-.09	Rules Of Evidence In Contested Cases.	Rules of evidence in contested cases before the Medical Licensure Commission	(1)...The testimony of parties and witnesses shall be made under oath.	Ala. Code §§ 34-24-311, -360; 41-22-13	0
545-X-3-.09	Rules Of Evidence In Contested Cases.	Rules of evidence in contested cases before the Medical Licensure Commission	(2) Upon request, parties shall be given an opportunity to compare the copy with the original.	Ala. Code §§ 34-24-311, -360; 41-22-13	0
545-X-3-.09	Rules Of Evidence In Contested Cases.	Rules of evidence in contested cases before the Medical Licensure Commission	(6) A copy of records that are certified by the custodian of those records shall be admissible in evidence in a contested hearing before the Commission or Board. The certificate of the custodian of records provided for in this paragraph shall be in substantially the form as follows:	Ala. Code §§ 34-24-311, -360; 41-22-13	0
545-X-3-.10	Form And Content Of Final Order; When Final Order To Be Rendered; Service Of Notice And Copies Of Final Order.	Specifications for the Commission's final orders	(1) The final order in a proceeding which affects substantial interests shall be in writing and made a part of the record and include findings of fact and conclusions of law separately stated, and it shall be rendered within thirty days:	Ala. Code §§ 34-24-311, -360; 41-22-16	0
545-X-3-.10	Form And Content Of Final Order; When Final Order To Be Rendered; Service Of Notice And Copies Of Final Order.	Specifications for the Commission's final orders	(3) Findings of fact, if set forth in a manner which is no more than mere tracking of the statutory language, shall be accompanied by a concise and explicit statement of the underlying facts of record which support the findings.	Ala. Code §§ 34-24-311, -360; 41-22-16	0
545-X-3-.10	Form And Content Of Final Order; When Final Order To Be Rendered; Service Of Notice And Copies Of Final Order.	Specifications for the Commission's final orders	(3) The Commission, in its discretion, may require the submission of proposed findings of fact from the parties. If the Commission requests such proposed findings of fact, the order shall include a ruling upon each proposed finding and a brief statement of the grounds for denying the application or request.	Ala. Code §§ 34-24-311, -360; 41-22-16	0
545-X-3-.10	Form And Content Of Final Order; When Final Order To Be Rendered; Service Of Notice And Copies Of Final Order.	Specifications for the Commission's final orders	(5) Parties shall be notified either personally or by certified mail, return request requested, of any order and, unless waived, a copy of the final order shall be so delivered or mailed to each party or to his attorney of record.	Ala. Code §§ 34-24-311, -360; 41-22-16	0
545-X-3-.11	Filing Of Application For Rehearing; Form And Content; Effect Of Application On Final Order Grounds For Rehearing; Service Of Application On Parties Of Record; Agency Decision On Application.	Requirements applicable to requests for rehearing	(1) Any party to a contested case who deems himself aggrieved by a final order and who desires to have the same modified or set aside may, within fifteen days after entry of said order, file an application for rehearing or a motion to alter, amend, or vacate the order, which shall specify in detail the grounds for relief sought therein and authorities in support thereof.	Ala. Code §§ 34-24-311, -360; 41-22-17	0
545-X-3-.11	Filing Of Application For Rehearing; Form And Content; Effect Of Application On Final Order Grounds For Rehearing; Service Of Application On Parties Of Record; Agency Decision On Application.	Requirements applicable to requests for rehearing	(2) The filing of such an application for rehearing or motion to alter, amend, or vacate shall not extend, modify, suspend or delay the effective date of the order, and said order shall take effect on the date fixed by the agency and shall continue in effect unless and until said application shall be granted or until said order shall be suspended, modified, or set aside in a manner provided by law.	Ala. Code §§ 34-24-311, -360; 41-22-17	0
545-X-3-.11	Filing Of Application For Rehearing; Form And Content; Effect Of Application On Final Order Grounds For Rehearing; Service Of Application On Parties Of Record; Agency Decision On Application.	Requirements applicable to requests for rehearing	(4) Copies of such application for rehearing shall be served on all parties of record, who may file replies thereto.	Ala. Code §§ 34-24-311, -360; 41-22-17	0

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545-X-3-.12	Immediate Effect Of Commission Order; Judicial Review; Vacation Of Order By Court; Venue.	No stay of Commission action	Any order of the Commission suspending or revoking a license to practice medicine shall have immediate effect and shall not be stayed or held in abeyance by any court.	Ala. Code §§ 34-24-311, -367	0
545-X-3-.12	Immediate Effect Of Commission Order; Judicial Review; Vacation Of Order By Court; Venue.	Commission action may be vacated by writ of mandamus	upon issuance of a preemptory writ of mandamus, the order of the Commission shall be vacated.	Ala. Code §§ 34-24-311, -367	0
545-X-3-.12	Immediate Effect Of Commission Order; Judicial Review; Vacation Of Order By Court; Venue.	Appellate review is confined to administrative record	The reviewing court, however, shall not itself hear or accept any further evidence with respect to issues of fact determined by the Commission.	Ala. Code §§ 34-24-311, -367	0
545-X-3-.12	Immediate Effect Of Commission Order; Judicial Review; Vacation Of Order By Court; Venue.	Appeals heard in the Court of Civil Appeals	any action commenced for the purpose of seeking judicial review of the administrative decisions of the Commission, including writ of mandamus, or judicial review pursuant to Chapter 22, Title 41, Code of Ala.1975, must be filed, commenced, and maintained in the Alabama Court of Civil Appeals.	Ala. Code §§ 34-24-311, -367	0
545-X-3-.13	Emergency Suspension	Authority for emergency suspension of license	(1) The Commission shall temporarily suspend the license of a physician without a hearing: [conditions stated]	Ala. Code §§ 34-24-311, -361(f), 41-22-19(d)	0
545-X-3-.13	Emergency Suspension	Immediate effect of summary suspension	(2)...The suspension shall become effective immediately unless otherwise stated.	Ala. Code §§ 34-24-311, -361(f), 41-22-19(d)	0
545-X-3-.13	Emergency Suspension	Time limit on summary suspension	(2)...The suspension may be effective for a period of not longer than 120 days and shall not be renewable;	Ala. Code §§ 34-24-311, -361(f), 41-22-19(d)	0
545-X-3-.13	Emergency Suspension	Summary suspension upon physician's refusal to comply with order	(2)...summary suspension for failure to comply with an order of the Board issued pursuant to Section 34-24-360(19) or (20) shall continue in effect until such time as the physician complies with the order of the Board	Ala. Code §§ 34-24-311, -360(19)e, -360(20)c, -361(f), 41-22-19(d)	0
545-X-3-.13	Emergency Suspension	Limitation on summary suspensions	(2)...The Commission shall not suspend the same license for the same or substantially similar emergency within one calendar year from its first suspension unless ...	Ala. Code §§ 34-24-311, -361(f), 41-22-19(d)	0
545-X-3-.13	Emergency Suspension	Initiation of contested case required simultaneously with summary suspension	(2)...When such suspension is ordered, a formal suspension or revocation proceeding under subsection c of this shall also be promptly be instituted and acted upon.	Ala. Code §§ 34-24-311, -361(f), 41-22-19(d)	0
545-X-3-.13	Emergency Suspension	Initiation of contested case required simultaneously with summary suspension	(4)...Commission shall schedule a hearing to be held consistent with these rules and regulations	Ala. Code §§ 34-24-311, -361(f), 41-22-19(d)	0
545-X-3-.14	Appointment Of Hearing Panels	Minimum size of hearing panels	(2) A hearing panel shall consist of no fewer than three (3) Commission members.	Ala. Code §§ 34-24-311, -366	0
545-X-3-.14	Appointment Of Hearing Panels	Preparation of proposed findings by the panel	(3)...At the conclusion of each hearing conducted by a hearing panel, such hearing panel shall prepare an order which shall be presented to the full Commission for ratification	Ala. Code §§ 34-24-311, -366	0
545-X-3-.14	Appointment Of Hearing Panels	Chairman to designate active chairman for the panel	(4) When a hearing panel is appointed and the chairman of the Commission does not participate in the panel, the chairman of the Commission shall designate one (1) panel member to serve as acting chairman for the panel.	Ala. Code §§ 34-24-311, -366	0
545-X-3-.14	Appointment Of Hearing Panels	Hearings to be conducted in the usual fashion	(5) All contested cases heard by a hearing panel shall be conducted in accordance with Rules 545-X-3-.03 through 545-X-3-.09.	Ala. Code §§ 34-24-311, -366	0
545-X-3-.14	Appointment Of Hearing Panels	Requirement of five members present for final action	(6) Before the Commission shall render a decision based on a hearing panel's recommendation, at least five (5) members of the Commission must be present and a majority of those present vote in favor of such decision.	Ala. Code §§ 34-24-311, -366	0

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545-X-3-.15	Applications For Reinstatement Of Licenses And Applications For Modification Of Orders	Applications for reinstatement within 24 months of revocation may be deemed premature	An application as described above which is filed with the Commission more than 24 months following the effective date of the Commission's order may be granted or may be set for a hearing before the Commission, and such hearing shall be conducted as a contested case under the Alabama Administrative Procedure Act.	Ala. Code §§ 34-24-311, - 361(h)(9)	0
545-X-3-.15	Applications For Reinstatement Of Licenses And Applications For Modification Of Orders	Commission lacks jurisdiction to consider applications for reinstatement filed more than five years after revocation	The commission shall be without jurisdiction to reinstate the license to practice medicine of a physician whose license was revoked or indefinitely suspended ... if the application for reinstatement is received more than five years after the effective date of the revocation or surrender of the license.	Ala. Code §§ 34-24-311, - 361(h)(9)	0
545-X-3-.15	Applications For Reinstatement Of Licenses And Applications For Modification Of Orders	Statutory license reinstatement process is required	No application for reinstatement of a license to practice medicine which has been revoked or suspended by the Commission shall be considered unless a criminal background check shall have been obtained...	Ala. Code §§ 34-24-311, - 361(h)(9)	0
545-X-3-.16	Probation Compliance Hearings	Due process in probation compliance hearings	(2) In a probation compliance hearing, the probationer shall be afforded an opportunity to be heard after reasonable notice in writing.	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Notice of probation compliance hearings	(2)...Notice shall be served on the probationer in the same manner as provided for in § 34-24-361(e) of the Code of Ala. 1975, at least 20 days prior to the date set for the hearing and shall include: [list of items]	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Requirement to serve the Board of Medical Examiners concurrently	(4) A copy of the notice shall be served on the Alabama Board of Medical Examiners concurrently with service on the probationer.	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Board of Medical Examiners right to intervene in probation compliance hearings	(4)...The Board shall have the right to intervene as a complainant at any time prior to the hearing date.	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Board of Medical Examiners right to intervene in probation compliance hearings	(4)...the Board shall notify the probationer and the Commission by filing a petition to intervene as complainant with the Commission, which shall serve a copy of the petition on the probationer.	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Board of Medical Examiners right to intervene in probation compliance hearings	(4)...Board shall have the right to appear through counsel, call witnesses, present evidence and argument, cross examine any witnesses	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Board of Medical Examiners right to intervene in probation compliance hearings	(4)...The Board shall be limited to the subject matter identified in the notice unless it alleges additional violations of the Commission's probation order in the petition to intervene.	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Notice and opportunity to be heard in probation compliance hearings	(5) In a probation compliance hearing, a probationer shall be afforded the opportunity to be heard by the Commission, to call witnesses, [etc]	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Rules of evidence in probation compliance hearings	(7) The rules of evidence in a probation compliance hearing shall be as set out in § 41-22-13 of the Code of Ala. 1975, and Section 545-X-3-.09 above.	Ala. Code § 34-24-311	0
545-X-3-.16	Probation Compliance Hearings	Requirement of written findings in probation compliance hearings	(9) An order of the Commission entered pursuant to § 545-X-3-.16 (8)(a) or (b) immediately above shall be in writing and made part of the record. The order shall state: [listed items]	Ala. Code § 34-24-311	0

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545-X-3-.16	Probation Compliance Hearings	Administrative record in probation compliance hearings	(10) Record. All data, staff memoranda, evidence, argument, and testimony accepted or relied upon by the Commission relative to a probation compliance hearing shall be made a part of the record and shall be maintained by the Commission for at least five (5) years.	Ala. Code § 34-24-311	0
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Requirements to initiate appeal to the Commission	(1)...Notice of appeal must be initiated in writing and directed to the Commission and filed within thirty (30) days from the date of the letter of notice of the Board of Medical Examiners	Ala. Code §§ 34-24-311, -330	3
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Scope of appeal to the Commission	(2) Scope of Appeal. The appeal to the Commission shall not be a hearing de novo, but shall be limited to consideration of the record of the proceedings before the Board.	Ala. Code §§ 34-24-311, -330	0
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Authority of the Commission to act on appeal	(2)...the Commission shall have the right to affirm the Board's action or order the Board to modify its action as the Commission deems appropriate.	Ala. Code §§ 34-24-311, -330	0
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Opportunity of the Board to supplement evidence in response	(2)...In the event that such application is granted, the Board shall be afforded an opportunity to respond or to refute such evidence.	Ala. Code §§ 34-24-311, -330	0
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Specification of the record on appeal	(3) Record on Appeal. The record on appeal shall consist of: [list of items]	Ala. Code §§ 34-24-311, -330	0
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Briefs permitted	(4) Briefs. Neither the appellant nor the Board shall be required to submit a brief or argument, but shall be permitted to do so either by counsel or pro se.	Ala. Code §§ 34-24-311, -330	0
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Briefs limited to 20 pages	(4)...The brief and argument, if submitted, in no event shall exceed twenty pages in length.	Ala. Code §§ 34-24-311, -330	1
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Oral argument allowed	(5) Oral Argument. Upon request to the Commission, the appellant or a representative of the Board shall be permitted to appear personally or be represented by counsel before the Commission to present such oral argument as he or she may deem appropriate;	Ala. Code §§ 34-24-311, -330	0
545-X-4-.01	Rules For Processing Of Appeals To The Medical Licensure Commission	Commission may set time limits on argument	(5)...the matters to be argued are limited to the record and that the Commission shall be entitled to set reasonable time limits upon such presentation.	Ala. Code §§ 34-24-311, -330	0
545-X-4-.05	Acupuncture Rules And Regulations	Acupuncture must be practiced in accordance with FDA standards.	(2) The Commission therefore determines that it shall be deemed unprofessional conduct, and grounds for action against the license of any physician pursuant to Code of Ala. 1975, § 34-24-360(a), for a physician to offer or administer acupuncture treatment except in compliance with the requirements set forth by the Federal Food and Drug Administration in Federal Register Vol. 88, No. 46, p 6419 (March 9, 1973).	Ala. Code § 34-24-311	1
545-X-4-.05	Acupuncture Rules And Regulations	Acupuncture must be practiced in accordance with FDA standards.	(2)(a) All acupuncture devices in this state must be labeled properly according to applicable Federal Food and Drug requirements.	Ala. Code § 34-24-311	1
545-X-4-.05	Acupuncture Rules And Regulations	Acupuncture must be practiced in accordance with FDA standards.	(2)(b) A physician must secure a patient's informed consent according to the guidelines established at 21 Code of Federal Regulations, § 130.37, and no claims of therapeutic or diagnostic effectiveness may be made by a physician.	Ala. Code § 34-24-311	1
545-X-4-.05	Acupuncture Rules And Regulations	Acupuncture must be practiced in accordance with FDA standards.	(3) The Commission hereby announces its intention to require that physicians wishing to investigate and experiment with the use of acupuncture treatment must comply fully with the above stated requirements of this Commission and with the requirement of the Federal Food and Drug Administration cited herein.	Ala. Code § 34-24-311	0

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Rule Citation	Rule Title	Short Description	Regulatory Text	Statutory Authority	Number of Discretionary Restrictions
545-X-4-.06	Unprofessional Conduct	Definition and specification of "unprofessional conduct"	Unprofessional conduct shall mean the Commission or omission of any act that is detrimental or harmful to the patient of the physician or detrimental or harmful to the health, safety, and welfare of the public, and which violates the high standards of honesty, diligence, prudence and ethical integrity demanded from physicians and osteopaths licensed to practice in the State of Alabama.	Ala. Code § 34-24-360(2)	
545-X-4-.06	Unprofessional Conduct	Definition and specification of "unprofessional conduct"	Furthermore, without limiting the definition of unprofessional conduct in any manner, the Commission sets out the below as examples of unprofessional conduct: [extensive list]	Ala. Code § 34-24-360(2)	12
545-X-4-.07	Sexual Misconduct In The Practice Of Medicine: A Joint Statement Of Policy And Guidelines By The State Board Of Medical Examiners And The Medical Licensure Commission	Sexual contact between physician and patient prohibited	(5)...Immoral, unprofessional or dishonorable conduct is grounds for disciplining the license of a physician under the provisions of Code of Ala. 1975, § 34-24-360(2). A physician's sexual contact with a patient is a violation of this statute.	Ala. Code § 34-24-311	1
545-X-4-.07	Sexual Misconduct In The Practice Of Medicine: A Joint Statement Of Policy And Guidelines By The State Board Of Medical Examiners And The Medical Licensure Commission	Sexual contact between physician and patient prohibited	(9) Physicians must be alert to signs indicating that a patient may be encouraging a sexual relationship and must take all steps necessary to maintain the boundaries of the professional relationship including transferring the patient.	Ala. Code § 34-24-311	1
545-X-4-.07	Sexual Misconduct In The Practice Of Medicine: A Joint Statement Of Policy And Guidelines By The State Board Of Medical Examiners And The Medical Licensure Commission	Sexual contact between physician and patient prohibited	(10) Physicians must respect a patient's dignity at all times and should provide appropriate gowns and private facilities for dressing, undressing and examination.	Ala. Code § 34-24-311	1
545-X-4-.07	Sexual Misconduct In The Practice Of Medicine: A Joint Statement Of Policy And Guidelines By The State Board Of Medical Examiners And The Medical Licensure Commission	Sexual contact between physician and patient prohibited	(16) Sexual Misconduct. Sexual contact with a patient is sexual misconduct and is unprofessional conduct within the meaning of Code of Ala. 1975, § 34-24-360(2).	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Requirements regarding notice to patients	(1)(b) NOTIFICATION. Notification shall be conducted by US Mail in a form letter to the active patients at their last known address or an electronic message sent via a HIPAA compliant electronic record system or HIPAA-compliant electronic health record system ...	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	General obligation to maintain treatment records	(2)(a) ... physicians have an ethical obligation to manage medical records appropriately...	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	General obligation to provide copy of record to patient	(2)(b)...On a legally compliant request of a patient or a patient's legal representative, a physician or his or her practice shall provide a copy of the medical record to the patient or to another physician, attorney, or other person designated by the patient	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Limit on cost for reproduction	(2)(b)...The cost of reproduction shall not exceed what is authorized under state and federal law.	Ala. Code § 34-24-311	1

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Rule Citation	Rule Title	Short Description	Regulatory Text	Statutory Authority	Number of Discretionary Restrictions
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	General retention requirement for treatment records	(2)(c) Retention of Medical Records. Medical records shall be retained for a period of not less than five (5) years from the physician's and/or other providers within his or her practice last professional contact with the patient	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Retention requirement for immunization records	(2)(c)1. Immunization records which have not been transmitted to the immunization registry maintained by the State Board of Health shall be retained for a period of not less than one (1) year after the minor reaches the age of majority or ten years from the date of the physician's ... last professional contact	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Retention requirement for radiographs	(2)(c)2. X-rays, radiographs and other imaging products shall be retained for at least five (5) years	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Retention requirement for mammography	(2)(c)2. ...However, mammography imaging and reports shall be maintained for ten (10) years	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Retention requirement for treatment of minors	(2)(c)3. Medical records of minors shall be retained for a period of not less than one (1) year after the minor reaches the age of majority or ten (10) years from the date of the physician's ... last professional contact with the patient	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Prohibition on destroying records subject of dispute	(2)(c)4. Notwithstanding the foregoing, no medical record involving services which are under dispute shall be destroyed	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Prohibition on singling out records for destruction	(2)(d)1. No medical record shall be singled out for destruction other than in accordance with the established office operating procedures.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Records may be destroyed only in the ordinary course of business	(2)(d)2. Records shall be destroyed only in the ordinary course of business according to established office operating procedures that are consistent with these rules and state and federal privacy requirements.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Requirement to document destruction of treatment records	(2)(d)4. When records are destroyed, the time, date and circumstances of the destruction shall be recorded and maintained for not less than four (4) years.	Ala. Code § 34-24-311	2
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Recordkeeping requirement for telemedicine	(2)(e) ... Physicians who provide care via telemedicine must retain access to the medical records which document their delivery of health care services via telemedicine.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Patient notification requirement in case of retirement, death, license suspension, or departure from practice group	(3)...At a minimum, the notification to patients shall identify the physician who treated the patient, the general reason for the patient to being notified, an explanation of how the patient may obtain his or her medical records, a HIPAA authorization for the patient to complete, how long the medical records will be made available to the patient, and the intended disposition of the medical records if no instructions are received within the time provided.	Ala. Code § 34-24-311	6

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Rule Citation	Rule Title	Short Description	Regulatory Text	Statutory Authority	Number of Discretionary Restrictions
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of patient records generally	(4) Disposition of Patient Medical Records. All physicians shall plan for the disposition of patient medical records in accordance with this rule.	Ala. Code § 34-24-311	0
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Patient Medical Records upon Physician's Death.	(4)(a) ... When a physician dies while in active medical practice, notification shall be sent by the physician's practice if in a group practice within thirty (30) days following the death of the physician.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Patient Medical Records upon Physician's Death.	(4)(a)...The notification to active patients shall contain a HIPAA-compliant form for the patient to sign to authorize copies of the patient's records be sent to a new physician, the patient, or the patient's representative, and shall include clear directions to the patient for submission of the form to effectuate the timely transfer of records.	Ala. Code § 34-24-311	2
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Patient Medical Records upon Physician's Death.	(4)(a)...The party sending the notice shall bear the costs of notifying the physician's patients.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Patient Medical Records upon Physician's Death.	(4)(a)2...Medical records shall be maintained in custody in their original or legally reproduced form for the retention periods specified above, during which time the personal representative shall make the medical records available for transfer to the deceased physician's active patients.	Ala. Code § 34-24-311	2
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's Retirement.	(4)(b)...When a physician retires, it is his or her, if in solo practice, or his/her group practice's responsibility to send notification of retirement not less than thirty (30) days prior to retirement to all active patients.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's Retirement.	(4)(b)...The physician must ensure that all medical records are transferred to the custody of his or her active patients, to another physician, or to a HIPAA-compliant entity that agrees in writing to act as custodian of the records.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's Retirement.	(4)(b)...Medical records shall be maintained in custody in their original or legally reproduced form in compliance with the retention periods set forth in (2)(c).	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's Retirement.	(4)(b)...The notification to active patients shall contain a HIPAA-compliant form for the patient to sign to authorize copies of the patient's records to be sent to a new physician, the patient, or the patient's representative, and shall include clear directions to the patient for submission of the form to effectuate the timely transfer of records.	Ala. Code § 34-24-311	2
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's License Suspension or Revocation.	(4)(c)...When a physician's medical license is suspended or revoked, the physician or his or her practice shall send notification of the suspension or revocation within thirty days of the suspension or revocation to all active patients.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's License Suspension or Revocation.	(4)(c)...The cost of sending the patient notifications shall be borne by the physician whose license is suspended or revoked.	Ala. Code § 34-24-311	1

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545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's License Suspension or Revocation.	(4)(c)...The notification must contain a copy of the Medical Licensure Commission's Order of Suspension or Revocation.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's License Suspension or Revocation.	(4)(c)...The physician must ensure that all medical records are transferred either to the custody of the physician's active patients, to another physician, a physician practice group, or to a HIPAA-compliant entity that agrees in writing to act as custodian of the records.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's License Suspension or Revocation.	(4)(c)...Medical records shall be maintained in custody in their original or legally reproduced form in compliance with the retention periods set forth in (2)(c).	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Physician's License Suspension or Revocation.	(4)(c)...The notification to active patients shall contain a HIPAA-compliant form for the patient to sign in order to authorize copies of the patient's records to be sent to a new physician, the patient, or the patient's representative, and shall include clear directions to the patient for submission of the form to effectuate the timely transfer of records.	Ala. Code § 34-24-311	2
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)...then the departing physician shall be responsible for notifying all active patients and be responsible for the cost of such notification.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)...Absent a contractual provision to the contrary, the party who notifies the patients of the departure shall bear the costs of notification and reproducing or transferring medical records.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)...Patient notification, records retention, and record dispersal shall be accomplished in accordance with this rule.	Ala. Code § 34-24-311	0
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)1...the departing physician's active patients shall be notified of the physician's new address and offered the opportunity to have copies of their medical records forwarded to the departing physician at his or her new practice.	Ala. Code § 34-24-311	2
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)2. A group shall not withhold the medical records of any patient who has authorized their transfer to the departing physician or any other physician. The patient's freedom of choice in choosing a physician shall not be interfered with, and the choice of physician in every case should be left to the patient. The patient shall be informed that upon authorization, his or her records will be sent to the physician of the patient's choice.	Ala. Code § 34-24-311	2
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)3...the group shall bear the cost of notifying patients and reproducing or transferring medical records.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)3...the practice shall cooperate with the physician by providing the physician a list of the active patients and their last known mailing address and contact information	Ala. Code § 34-24-311	1

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545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records upon Departure from the Group.	(4)(d)3...the physician shall bear the cost of notifying his or her patients and reproducing or transferring medical records.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Sale of a Medical Practice.	(4)(e)1. The selling physician, his or her estate, or group practice must ensure that all medical records are transferred to another physician or covered entity or business associate operation on its behalf.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Sale of a Medical Practice.	(4)(e)1....Medical records shall be maintained in custody in their original or legally reproduced form in compliance with the retention periods set forth in (2)(c).	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Sale of a Medical Practice.	(4)(e)2. All active patients shall be notified within thirty (30) days of the transfer that the physician, his or her estate, or group practice is transferring the practice to another physician, group practice, or entity...	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Disposition of Medical Records when a Physician is Unavailable.	(4)(f) ... When a physician goes on vacation, goes on sabbatical, takes a leave of absence, leaves the United States, or is otherwise voluntarily unavailable to his or her patients, the physician shall arrange to provide his or her patients access to their medical records.	Ala. Code § 34-24-311	1
545-X-4-.08	Joint Guidelines Of The State Board Of Medical Examiners And Medical Licensure Commission For Medical Records Management	Abandonment of Records.	(4)(g)...It shall be a violation Code of Ala. 1975, § 34-24-360(2) and (23) for a physician to abandon his or her practice without his or her practice making provision for the maintenance, security, transfer, or to otherwise establish a secure method of patient access to their records.	Ala. Code § 34-24-311	1
545-X-4-.09	Minimum Standards For Medical Records	Minimum requirements for medical records	Therefore, every physician licensed to practice medicine in Alabama shall maintain for each of his or her patients, a record which, in order to meet the minimum standard for medical records, shall: [list of requirements]	Ala. Code §§ 34-24-311, -360(22)	10
545-X-4-.11	Dishonored Checks	Dishonored check fee	In the event a check ... is dishonored by the financial institution on which it was drawn, the Commission shall charge a dishonored check fee in the amount of \$30.00.	Ala. Code § 34-24-311	1
545-X-4-.11	Dishonored Checks	Application deemed incomplete	The Commission shall not process or shall rescind as incomplete any application, license, certificate, or renewal thereof until such time as the original fee and the additional dishonored check fee provided for herein has been received by the Commission.	Ala. Code § 34-24-311	0
545-X-5-.01	Purpose	General Continuing Medical Education requirement	The continuing medical education program requirements, policies, and procedures set forth in this Chapter are required for all licensees holding a license to practice medicine who reside within the State of Alabama.	Ala. Code §§ 34-24-311, -336	0
545-X-5-.02	Basic Requirement	General Continuing Medical Education requirement	(1) Every physician licensed to practice medicine in Alabama who resides or practices in the state must earn in each calendar year, on or before December 31, not less than twenty-five (25) AMA PRA Category I Credits™ or equivalent as defined in this rule of continuing medical education.	Ala. Code §§ 34-24-311, -336	1
545-X-5-.02	Basic Requirement	General Continuing Medical Education requirement	(3) The following courses and continuing medical education courses shall be deemed, for the purposes of this Chapter, to be the equivalent of AMA PRA Category I Credit Continuing Medical Education: [list of items]	Ala. Code §§ 34-24-311, -336	0
545-X-5-.02	Basic Requirement	General Continuing Medical Education requirement	(4)(a) Prescribed programs of continuing medical education required by the Board under the provisions of this paragraph shall count toward the basic requirement for continuing medical education as set forth in paragraph (1) above	Ala. Code §§ 34-24-311, -336	0
545-X-5-.02	Basic Requirement	General Continuing Medical Education requirement	(4)(b) Physicians holding an active license to practice medicine in this state will be notified by the Board of Medical Examiners of any prescribed course of continuing medical education by written notice	Ala. Code §§ 34-24-311, -336	0

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545-X-5-.03	Persons Affected	Specifies who is required to comply with CME requirement	Every physician holding a current license to practice medicine in the State of Alabama who resides in the State of Alabama is required to comply with the minimum requirement for continuing medical education established by these rules.	Ala. Code §§ 34-24-311, -336	0
545-X-5-.04	Retired Physicians	Exemptions for retired physicians from the CME requirement.	An application for a waiver due to retirement shall be deemed a request for a voluntary restriction on the physician's certificate of qualification and license to practice medicine under Section 34-24-361(g) which prohibits the physician from engaging in the practice of medicine in any form while the waiver is in effect.	Ala. Code §§ 34-24-311, -336	0
545-X-5-.04	Retired Physicians	Exemptions for retired physicians from the CME requirement.	The restriction shall be considered non-disciplinary, shall not be reportable to the National Practitioner Data Bank and shall not be published in the Board of Medical Examiners' Newsletter.	Ala. Code §§ 34-24-311, -336	0
545-X-5-.04	Retired Physicians	Exemptions for retired physicians from the CME requirement.	The restriction shall be a matter of public record and available to any person or organization requesting verification of the license status of the physician.	Ala. Code §§ 34-24-311, -336	0
545-X-5-.04	Retired Physicians	Exemptions for retired physicians from the CME requirement.	In order to be granted a waiver due to retirement, the physician must voluntarily surrender his current Alabama Controlled Substances Registration Certificate, which must accompany the application for waiver.	Ala. Code §§ 34-24-311, -336	0
545-X-5-.04	Retired Physicians	Exemptions for retired physicians from the CME requirement.	A retired physician who has claimed exemption from the minimum continuing medical education requirement pursuant to this rule and who at a subsequent time desires to re-enter the practice of medicine in any form shall submit to the Board an application for removal of waiver status and proof that he has complied with the continuing medical education requirement	Ala. Code §§ 34-24-311, -336	0
545-X-5-.08	Effective Date	Effective date of CME program requirement	The Alabama Program of Continuing Medical Education shall become effective October 1, 1991 and shall apply to each calendar year thereafter.	Ala. Code §§ 34-24-311, -336	0
545-X-5-.09	Certification Of Compliance	Each physician must certify compliance annually	Every physician shall certify annually that he or she has met or will meet by December 31 the minimum annual continuing medical education requirement established pursuant to this Chapter.	Ala. Code §§ 34-24-311, -336	1
545-X-5-.10	Record Keeping Requirement	Each physician must maintain documentation of compliance	Every physician subject to the minimum continuing medical education requirement established in this Chapter shall maintain records of attendance or certificates of completion demonstrating compliance with the minimum continuing medical education requirement.	Ala. Code §§ 34-24-311, -336	1
545-X-5-.10	Record Keeping Requirement	Each physician must maintain documentation of compliance	These records shall be maintained by the physician for a period of three (3) years following the year in which the continuing medical education credits were earned and are subject to examination by representatives of the State Board of Medical Examiners upon request.	Ala. Code §§ 34-24-311, -336	2
545-X-5-.10	Record Keeping Requirement	Each physician must maintain documentation of compliance	Every physician subject to the continuing medical education requirement of this Chapter shall, upon request, submit a copy of such records to the State Board of Medical Examiners for verification.	Ala. Code §§ 34-24-311, -336	1
545-X-5-.12	Issuance Of Annual Certificate Of Registration	Annual certificate of registration conditioned upon certification of compliance	The Medical Licensure Commission shall not issue to any physician licensed in the State of Alabama who is not exempt an annual certificate of registration pursuant to §34-24-337, unless the physician certifies in writing ...	Ala. Code §§ 34-24-311, -336	0
545-X-5-.13	Reinstatement After Non-Renewal Of License Under Section 34-24-337	Reinstatement of inactive license conditioned upon certification of compliance	the applicant must submit proof of completion of not less than twenty-five (25) AMA PRA Category I Credits™ or equivalent Continuing Medical Education within the preceding twelve (12) months as a condition precedent to the reinstatement	Ala. Code §§ 34-24-311, -336	1

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545-X-5-.14	Compliance Review	Board of Medical Examiners to audit and enforce CME requirement	It shall be the responsibility of the State Board of Medical Examiners to enforce the provisions of this Chapter by reviewing records which demonstrate compliance with the program for continuing medical education	Ala. Code §§ 34-24-311, -336	0
545-X-5-.15	Sanctions For Non-Compliance				
545-X-6-.01	Initial Special Purpose License				
545-X-6-.02	Initial Special Purpose License	Commission to grant initial special purpose license	(1) Upon the filing of a certificate of qualification ..., the Commission, after being satisfied that all requirements of the law have been met and that the applicant should be approved for special purpose licensure, shall issue the special purpose license	Ala. Code §§ 34-24-311, -508 (repealed)	0
545-X-6-.04	Expiration And Renewal Of Special Purpose License	Expiration and renewal of special purpose licenses	(1) Each special purpose license issued pursuant to the provisions of this chapter shall expire on December 31 in the third calendar year after its issuance.	Ala. Code §§ 34-24-311, -508 (repealed)	0
545-X-6-.04	Expiration And Renewal Of Special Purpose License	Expiration and renewal of special purpose licenses	(3) Failure to renew a special purpose license prior to its expiration shall result in the special purpose license becoming inactive.	Ala. Code §§ 34-24-311, -508 (repealed)	0
545-X-6-.05	Effect Of Special Purpose License	Mandatory reporting rule	(1)...It shall be the affirmative duty of every licensee to report to the Board of Medical Examiners in writing within 15 days of the initiation of any disciplinary action against the licensee to practice medicine of the licensee by any state or territory in which the licensee is licensed.	Ala. Code §§ 34-24-311, -508 (repealed)	0
545-X-6-.05	Effect Of Special Purpose License	Special purpose license to remain suspended unless certain conditions are met	(3)...the temporary suspension provided herein shall remain in effect until either the licensee has complied with the request of the Board or Commission or the disciplinary action pending against the licensee has been terminated in favor of the licensee	Ala. Code §§ 34-24-311, -508 (repealed)	0
545-X-6-.07	Reciprocity	Reciprocity with other states with similar legislation	The Commission shall only issue a special purpose license to practice medicine across state lines to an applicant whose principal practice location and license to practice is located in a state or territory of the United States whose laws permit or allow for the issuance of a special purpose license	Ala. Code §§ 34-24-311, -508 (repealed)	0
545-X-7-.03	Interstate Compact Expedited License	Basic requirement to issue license through IMLC	A physician who applies for an expedited license through the Interstate Commission shall be granted an expedited license to practice medicine in the state of Alabama under the provisions of the Interstate Medical Licensure Compact	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.04	Letter Of Qualification, Alabama Principal State Of License	Requirement for BME to perform background check	the Alabama Board of Medical Examiners shall conduct a primary source verification of the qualifications set out in subsection 11 of rule 545-X-7-.02 above, including a criminal background check	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.04	Letter Of Qualification, Alabama Principal State Of License	Requirement for BME to issue letter of qualification	Upon the completion of the verification process, the Alabama Board of Medical Examiners shall issue a letter of qualification	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.06	Issuance Of Expedited License	Requirement for BME to issue letter of qualification	the Medical Licensure Commission of Alabama shall issue an expedited license to the applying physician	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.07	Renewal	Requirement for MLC to renew expedited license	(1) Upon the receipt of the applicable renewal fees and letter of qualification or other correspondence from the Interstate Commission indicating that the applicant meets the qualifications set out below, the Medical Licensure Commission of Alabama shall renew the expedited license: [list of conditions]	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.08	Fees	Interstate commission to collect and remit fees	(1) The Interstate Commission shall collect and remit to the Alabama Board of Medical Examiners a fee in the amount of \$300 in connection with the issuance of a letter of qualification	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.08	Fees	Interstate commission to collect and remit fees	(2) The Interstate Commission shall collect and remit to the Alabama Board of Medical Examiners a license fee in the amount of \$75 when an expedited license to practice medicine in the State of Alabama is issued	Ala. Code §§ 34-24-311, -520 et seq.	0

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Rule Citation	Rule Title	Short Description	Regulatory Text	Statutory Authority	Number of Discretionary Restrictions
545-X-7-.08	Fees	Interstate commission to collect and remit fees	(3) The Interstate Commission shall collect and remit to the Alabama Board of Medical Examiners a fee in the amount of \$300 when an expedited license to practice medicine in the state of Alabama is renewed	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.09	Discipline And Reinstatement	Reciprocal licensure actions required by Compact	(1) If a license granted to a physician by the member board in the state of principal license is revoked, surrendered, or relinquished in lieu of discipline, or suspended, then all licenses issued to the physician by member boards shall automatically be placed, without further action necessary by any member board, on the same status.	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.09	Discipline And Reinstatement	Reciprocal licensure actions required by Compact	(2) If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board shall remain encumbered until that respective member board takes action to reinstate the license in a manner consistent with the medical practice act of that state.	Ala. Code §§ 34-24-311, -520 et seq.	0
545-X-7-.10	Interstate Medical Licensure Compact Commission Rules	Incorporation of IMLCC rules by reference	The Interstate Commission rules are hereby incorporated by reference and shall be followed with regard to the Interstate Medical Licensure Compact in the State of Alabama	Ala. Code §§ 34-24-311, -520 et seq.	0