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6/93

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners

Rule No. 540-X-14-10

Rule Title: Record Keeping Requirement

_____ New Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Angie W. Greer*

Date: April 18, 2017

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6/93

ALABAMA STATE BOARD
OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: 540-X-14-.10, Record Keeping Requirement (Continuing Medical Education)

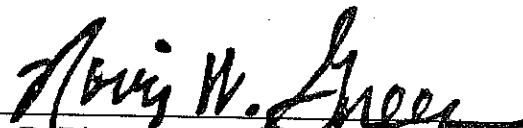
INTENDED ACTION: To amend the rule

SUBSTANCE OF PROPOSED ACTION: To amend the rule to conform with previously amended rules and removing language that non compliance with the rules is declared to be unprofessional conduct

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Patricia E. Shaner, Office of General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, 848 Washington Avenue (36104), Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including Monday, June 2, 2017. Persons wishing to obtain copies of the text of this rule should contact Patricia E. Shaner, Office of General Counsel, (334-242-4116), PO Box 946, 848 Washington Avenue (36104), Montgomery, Alabama 36101-0946. A copy is also available at the Board's web site, www.albme.org.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: June 2, 2017

CONTACT PERSON AT AGENCY: Patricia E. Shaner



Larry D. Dixon, Executive Director

540-X-14-.10 Record Keeping Requirement. 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. Documentation adequate to demonstrate compliance with the minimum continuing medical education requirement of this Chapter shall consist of certificates of attendance, completion certificates, proof of registration, or similar documentation issued by the organization or entity sponsoring or conducting the continuing medical education program. 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. 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. ~~Failure~~ Non compliance with the requirements established in this rule to maintain records documenting that a physician has met the minimum continuing medical education requirement, and/or ~~failure to provide such records upon request to the State Board of Medical Examiners is hereby declared to be unprofessional conduct and may constitute grounds for discipline of the physician's license to practice medicine, within the discretion of the Medical Licensure Commission and in accordance with the statutes and regulations governing the disciplining of a physician's license.~~

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama 1975, §34-24-53 & Act 89-244.

History: Adopted: October 17, 1990. Filed: November 2, 1990. Effective Date: October 1, 1991. Repealed and Replaced/Approved: January 21, 2004,

Effective Date: May 28, 2004. Amended/approved for publication: April 13, 2017.