

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 165 Department or Agency Alabama Athletic Commission

Rule No. 165-X-4-.04

Rule Title: Medical Requirements

         New   X   Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?         NO        

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?         NO        

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        

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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.

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Certification of Authorized Official

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

Signature of certifying officer                                 Joseph Mill                                

Date           4/14/18          

(DATE FILED)  
(STAMP)

ALABAMA ATHLETIC  
COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME:

*Alabama Athletic Commission*

RULE NO. & TITLE:

*165-X-4-.04: Medical Requirements*

INTENDED ACTION:

*Amend the AAC Rules and Regulations.*

SUBSTANCE OF PROPOSED ACTION:

*Fixes heading labels, amends physician requirements, and fixes grammatical errors and audit findings.*

TIME, PLACE, MANNER OF PRESENTING VIEWS:

*The Rules Amendment was voted on by the AAC at the Regularly Scheduled Meeting on Friday, April 13, 2018. The amendment passed Unanimously*

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

*June 4, 2018*

CONTACT PERSON AT AGENCY:

*Ashley McGhee  
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Montgomery, AL 36104  
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JOSEPH B. MCCORMICK, II  
EXECUTIVE DIRECTOR

#### **165-X-4-.04 Medical Requirements.**

(1) **Age.** No fighter will be allowed over 37 years of age or under 18 years of age.

(2) **Rounds.** No fighter will be allowed to participate who has fought 200 or more rounds in toughman contests, elimination boxing or a combination of the two.

#### **(3) Medical Examinations.**

(a) **Pre-Fight Examination.** At the time of weigh-in, or at such other time as is then announced, all contestants must pass a pre-fight medical examination and a commission designated physician must complete a Pre-Fight Medical Examination Form. The examining physician shall deliver all Pre-Fight Examination Forms to the Athletic Commission or to its authorized representative no more than five (5) days after the weigh-in.

#### **(a) (b) Pregnancy Testing.**

1. Each female contestant, during the pre-fight physical, will be required to submit to a pregnancy test administered under the direction of the examining physician, or such physician's authorized assistant. The cost of such test shall be the responsibility of the promoter. No contestant shall be allowed whose pregnancy test indicates they are pregnant.

2. Female contestants submitting written documentation acceptable to the examining physician may be waived from the pre-fight physical pregnancy test requirement. Such documentation shall be limited to:

(i) A copy of a lab report from a recognized clinical laboratory and dated within ten (10) days of the pre-fight physical attesting that the contestant is not pregnant, or

(ii) A statement from a state licensed physician, on such physician's letterhead stationery, stating that the contestant has undergone certain medical procedures rendering her medically improbable of bearing children.

#### **(b) (c) Failed Pre-Fight Physical.**

1. Whenever a contestant examination indicates that he or she is unfit for competition, because of any weakness or disability discovered by the physician, an immediate report of such evidence must be made to the Commission. In such case, the contestant shall be prohibited from participating in the event.

2. The examining physician shall deliver all pre-fight examination reports to the Commission or to its authorized representative immediately after the weigh-in.

3. Any contestant who fails his or her pre-fight physical for medical reasons or for lack of general conditioning shall be placed on immediate medical suspension and reported to the Commission.

(e) (d) Hydration Testing.

1. At the official weigh-in, all contestants' hydration shall be tested by the appointed event physician.

(d) (e) Minimum Uncorrected Visual Acuity.

1. A contestant must have a minimum uncorrected visual acuity of 20/200 in both eyes. Any person who applies for a license or renewal of license to compete as a professional contestant in Alabama may, upon the request of the Commission, be required to present evidence of his/her visual acuity.

(e) (f) Additional Medical Examinations.

1. Upon recommendation of the examining physician or the medical advisory panel, the Commission may require a contestant to undergo additional medical examinations performed by a state licensed physician to determine the contestant's medical fitness to compete.

(f) (g) Drugs Prohibited.

1. The administration or use of any drugs, alcohol, stimulants, or injections in any part of the contestant's body, either prior to or during a match, is prohibited unless such drugs are administered by a physician and with the approval of the commission.

(g) (h) The Commission may order a contestant to undergo a drug screening at any time. A Drug Screen Form must be completed by an approved laboratory and submitted to the Commission within seven (7) days of the order.

(h) (i) Post Contest Inactive Period.

1. No contestant shall be permitted to engage in another contest or exhibition in this state for a period of seven (7) days after competing in a contest or exhibition.

(i) (j) Head Injury.

1. Any contestant who suffers a knock out, concussion, or other serious head injury should be examined by the Ringside Physician. The Physician shall immediately report to the Commission or its representative, the condition of such contestant and whether or not additional medical attention is advised.

(j) (k) Consecutive Losses.

1. Six or More Consecutive Losses. A contestant who has lost six (6) or more consecutive fights shall have their ability to register summarily suspended. Suspension will be listed as "Indefinite Pending Hearing."

2. Three or More Consecutive Losses by TKO, KO, or DQ. A contestant who has lost three (3) consecutive fights by knock-out, technical knock-out, or disqualification shall have their registration summarily suspended pending a hearing by the Commission. Suspension will be listed as "Indefinite Pending Hearing."

3. History of Poor Performance. Any contestant whose history of poor performance is evidenced by consecutive losses, listed above, shall not be approved to compete again.

~~(k)~~ (l) Verification of Contestant Experience.

1. Contestant shall sign an affidavit attesting to the following as true:

(i) Contestant is not a professional boxer or mixed martial artist.

~~(iii)~~ (ii) Contestant has not lost his or her last six (6) consecutive fights.

~~(iv)~~ (iii) Contestant has not lost three (3) consecutive fights by TKO, KO, or DQ.

~~(h)~~ (m) General Responsibilities and Provisions.

1. During the performance of any promotion, it shall be the promoter's responsibility to ensure the compliance with all laws and rules governing toughman and elimination tough man in Alabama. Such responsibilities shall include, but will not be limited to the following:

(i) Medical Insurance.

(I) The promoter shall provide for the contestants' insurance covering ambulance services, medical, surgical, and hospital care with a minimum limit of \$20,000 for injuries sustained while participating in said program and for a \$20,000 death benefit awarded to the estate of any contestant should death occur from injuries received while participating in the contest or exhibition.

(ii) Physician.

(I) A ringside physician shall be present at all events. A Commission designated ringside physician must be at ringside each bout. A Commission designated ringside physician shall be either a M.D. or D.O.

1. Physicians not having completed the Ringside Physician Certification shall be licensed as "Non-Ringside Physicians," but may serve at ring or cage side so long as a minimum of one certified Ringside Physician is present.

(II) All "Ringside" physicians serving ring or cage side shall obtain ARP/ACSM Certified Ringside Physician (CRP) certification no later than December 31, 2016. All physicians having completed the CRP shall be licensed as a "Ringside Physician."

(iii) Ambulance Service.

(I) The promoter shall provide continuous ambulance service with a state-certified EMT attendant and a state-certified paramedic, who shall provide a resuscitator, stretcher, backboard, oxygen, and such other medical equipment reasonably expected for immediate trauma care, and who shall be present before the start of each contest and shall remain on site until the end of the program.

(II) For the purposes of this section, a program of toughman begins with the commencement of the first contest or exhibition and ends when the last contestant leaves the site of the program.

(III) The chief referee and/or Commission appointed supervisor shall meet with the EMT and paramedic prior to the beginning of the match, contest, or exhibition. During such meeting the chief referee or Commission supervisor will instruct the EMT and paramedic concerning the match, contest, or exhibition, placement of the stretcher and any other information necessary to ensure prompt and appropriate immediate care.

(IV) An ambulance shall be able and available to immediately transport any severely injured contestant to an appropriate medical facility. No other scheduled contest or exhibition may proceed until there is an ambulance and paramedic at the facility, that has met with the chief referee and/or the Commission appointed supervisor as ~~prescribed~~ described in subparagraph (III), above.

**Authors:** Matt Bledsoe; Brandon Owens

**Statutory Authority:** Code of Ala. 1975, §41-9-1020.

**History: New Rule:** Filed December 27, 2013; effective January 31, 2014.