

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 165 Department or Agency Alabama Athletic Commission

Rule No. 165-X-7-.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

Does the proposed rule have an economic impact? NO

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

Certification of Authorized Official

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

Signature of certifying officer Joseph M. [Signature]

Date 4/14/18

(DATE FILED)
(STAMP)

ALABAMA ATHLETIC
COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Athletic Commission

RULE NO. & TITLE:

165-X-7-.04: Medical Requirements

INTENDED ACTION:

Amend the AAC Rules and Regulations.

SUBSTANCE OF PROPOSED ACTION:

Amends requirements for eye exams, amends ringside physician requirements, and removes the ARP Certification requirement from Paramedics.

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:

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JOSEPH B. MCCORMICK, II
EXECUTIVE DIRECTOR

165-X-7-.04 Medical Requirements

(1) Medical Examinations.

(a) Neurological Examination.

1. All kickboxers intended to compete in Alabama, who have competed in over two hundred (200) rounds during their amateur career, according to the number of rounds disclosed on such kickboxer's official record, and prior to competing in Alabama, must submit to the Commission the results of a detailed neurological examination, performed within the previous twelve (12) months by a board certified and state licensed neurologist.
2. Such examination shall include a careful examination for signs of any trauma-induced neurological damage along with any other specific test or tests requested by the neurologist.
3. Any kickboxer not submitting said results prior to the match may be allowed to compete provided however that such kickboxer's license will, at the conclusion of the match, be medically suspended until such time as his or her neurological examination requirement is fulfilled.

(b) Eye Examination.

1. All kickboxers intending to compete in Alabama, who have competed in over two hundred (200) rounds during their amateur career, according to the number of rounds disclosed on such kickboxer's official record, and prior to competing in Alabama, must submit to the Commission results from a complete optometric or ophthalmological examination, performed within the previous twelve (12) months, by a board certified and state licensed ophthalmologist or a board certified and state licensed optometrist.
2. Such examination shall include a careful dilated examination of the retinal periphery utilizing indirect ophthalmoscope sufficient to identify any sign of previous trauma or retinal damage along with any other specific test or tests requested by said ophthalmologist or optometrist.
3. Any kickboxer not submitting said results prior to the match may be allowed to compete provided however that such kickboxer's license will, at the conclusion of the match, be medically suspended until such time as this ophthalmological or optometric requirement is fulfilled.

(i) The Commission may require updated examinations pursuant to sub-paragraphs (a) and (b) of this rule after each successive fifty (50) fought rounds, after the previous submission, as disclosed on such kickboxer's official ring record.

(2) Pre-Fight Examination. At the time of weigh-in, or at such other time as is then announced, all kickboxers 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 Medical Examination Forms to the Commission or to its authorized representative no more than five (5) days after the weigh-in.

(a) Pregnancy Testing.

1. Each female kickboxer, during the pre-fight physical, will be required to submit a pregnancy test administered under the direction of the examining physician, or such physician's authorized assistant. The cost of such test, unless the kickboxer's contract or bout agreement states otherwise, shall be the responsibility of the promoter. For purposes of this sub-paragraph, the term "pass" shall mean that the contestant is not pregnant.

2. Female kickboxers 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 kickboxer is not pregnant, or

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

(b) Failed Pre-Fight Physical.

1. Whenever a kickboxer's examination indicates that are they 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 kickboxer shall be prohibited from participating in the match.

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

(c) Hydration Testing.

1. At the official weigh-in, all kickboxers hydration shall be examined by the pre-fight physician.

(d) Minimum Uncorrected Visual Acuity.

1. A kickboxer 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 amateur kickboxer in Alabama may, upon the request of the Commission, be required to present evidence of his or her visual acuity.

(e) Additional Medical Examinations.

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

(i) The Commission shall require re-examinations submitted after each successive fifty (50) amateur rounds after the previous submission, as disclosed on such kickboxer's official record.

(f) Medical Suspensions by Other Commissions.

1. Medical suspensions. Other athletic commissions recognized by the Association of Boxing Commissions and Combative Sports and which are published by any boxing and/or mixed martial arts registry approved for such purposes by the Association of Boxing Commission and Combative Sports shall be recognized by the Commission.

2. Medical examinations after suspensions. A kickboxer who is under medical suspension in another state shall submit to any medical examination listed in this chapter as requested by the Commission prior to competing in a contest, match, or exhibition in this state.

(g) Drugs Prohibited.

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

(i) The Commission may order a kickboxer to undergo 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. On site doping control tests may also be implemented for the enforcement purposes of these rules.

(h) Post Contest Inactive Period.

1. No kickboxer shall be permitted to engage in another match in this state for a period of seven (7) days after competing in a match. The Commission shall recognize such suspensions from other commissions recognized by the Association of Boxing Commissions and Combative Sports.

(i) Head Injury.

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

(j) Knockout and Technical Knockout.

1. When a kickboxer is defeated by knockout, that kickboxer's license shall be placed on an immediate sixty (60) day medical suspension.
2. Upon a kickboxer's second defeat by knockout, the kickboxer's license may be placed on an immediate ninety (90) day medical suspension, with discretion given to the physician and the Commission's Executive Director.
3. Any kickboxer losing by knockout in three (3) or more consecutive fights shall be placed on immediate medical suspension for a period of six (6) months.
4. Unless otherwise ordered by the attending ringside physician, there shall be a minimum thirty (30) day medical suspension after a technical knockout.
5. Technical knockouts caused by a severe cut shall result in a sixty (60) day medical suspension.
6. Completing a suspension may require approved medical evaluations as determined by the ringside physician.

(k) Under-Conditioned Fighter.

1. A kickboxer deemed under-conditioned by the referee, the Commission, or any designated representative of the Commission, shall be immediately disqualified and suspended for ninety (90) days.

(i) If it should be determined by the referee, any member of the Commission present, or any designated representative of the Commission present that a kickboxer did not give a good faith effort to display his or her skills, then that kickboxer shall be subject to disciplinary action.

(ii) A disqualified kickboxer may be disciplined by the Commission.

(l) Consecutive Losses.

1. Four (4) or More Consecutive Losses by TKO, KO, or DQ. A kickboxer who suffers his fourth (4th) or more consecutive loss by knockout, technical knockout, or disqualification, according to the kickboxer's official record, shall be summarily suspended pending a hearing by the Commission. The suspension will be listed as "Indefinite Pending Hearing" and reported to both the official boxing and mixed martial arts registries, or an official registry for kickboxing.

2. History of Poor Performance. Any kickboxer with a history of poor performance shall not be approved to compete against any other kickboxer, except another kickboxer who has a similar history of poor performance in the same weight class.

(m) Verification of Contestant Experience.

1. The trainer or manager for a kickboxer that meets the following criteria shall submit an affidavit that the kickboxer is prepared for an amateur contest:

- (i) Kickboxer is making a pro debut;
- (ii) Kickboxer has not competed in the last twelve (12) months;
- (iii) Kickboxer has lost his or her last six (6) consecutive events;
- (iv) Kickboxer has lost four (4) or more consecutive events by TKO, KO, or DQ.

(n) 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 amateur kickboxing in Alabama. Such responsibilities shall include, but will not be limited to the following:

(i) Medical Insurance.

(I) The promoter shall provide for the kickboxers' 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 kickboxing begins with the commencement of the first contest or exhibition and ends when the last kickboxer 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. During such meeting the chief referee or Commission supervisor will instruct the EMT and paramedic concerning the match, 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 kickboxer 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.

(V) In addition to the above-mentioned ambulance, a paramedic, licensed by the State of Alabama, shall be present at ringside with the ringside physician. The paramedic shall possess advanced life support equipment necessary to resuscitate a fighter and package them for transport to the hospital. The paramedic is in addition to any EMT's or paramedics that are hired for the safety of the crowd and shall not leave ringside while a fight is taking place and shall be in direct communication with the ringside physician at all times. The ringside paramedic shall only leave ringside to attend to a spectator or other person in the event of an emergency and when no other paramedic is available.

~~(VI) All paramedics serving at ring or cage side shall complete the Association of Ringside Physicians approved course for Paramedics by December 31, 2016.~~

(iv) Hepatitis and HIV Testing.

(I) Blood borne pathogen testing. All kickboxers in all bouts shall be tested for Hepatitis B, Hepatitis C, and HIV by a laboratory approved by the Commission. The initial test for Hepatitis B, Hepatitis C, and HIV detection shall be conducted within (365) days prior to competition.

I. In addition to the pre-competition test, any kickboxer shall be re-tested for Hepatitis B, Hepatitis C, and HIV prior to his or her participation in each kickboxing match in Alabama if the match is scheduled to occur more than (365) days after the date of the most recent test. The results must be submitted to the Commission with the show date request prior to the official weigh-in.

(II) Positive tests for blood-borne pathogens. Any kickboxer who tests positive for Hepatitis B, Hepatitis C, or HIV shall appear before the medical advisory panel, which after verifying the results of the test, shall advise the Commission as to whether the kickboxer's participation in a match would pose a threat to the health and safety of a participant, official, or spectator.

I. Any kickboxer that tests positive for Hepatitis B, Hepatitis C, or HIV who is scheduled for competition must disclose to the promoter that they tested positive for Hepatitis B, Hepatitis C, or HIV.

Authors: Joseph B. McCormick, J. Matt Bledsoe, Stan D. Frierson, Shane T. Sears

Statutory Authority: Code of Ala. 1975, §41-9-1024

History: New Rule: Filed November 30, 2016; Effective February 13, 2017