

APA-2
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-1-.07, Powers and Duties of the Board


INTENDED ACTION: To amend the Rule

SUBSTANCE OF PROPOSED ACTION: To correct a reference to the Code of Alabama.

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, General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including February 2, 2018. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Patricia E. Shaner, by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Additionally, the intended action is available at the Board's web site, www.albme.org.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: February 2, 2018

CONTACT PERSON AT AGENCY: Patricia E. Shaner


Edward H. Munson, Jr., Acting Executive Director

540-X-1-.07 Powers And Duties Of The Board.

- (1) The Board is authorized to:
 - (a) Adopt and promulgate rules and regulations and to do such other acts as may be necessary to carry into effect the duties and powers which accrue to the Board under laws now in force or which may hereafter be in force.
 - (b) Issue certificates of qualification to the Medical Licensure Commission for applicants meeting the statutory qualifications for licensure.
 - (c) Commence and maintain proceedings to restrain the unlawful practice of medicine.
 - (d) Serve as the certifying board for physicians applying for an Alabama Controlled Substances Certificate.
 - (e) Carry out the provisions of law relating to assistants to physicians.
 - (f) Administer and/or approve an examination in certain specified branches of medical learning.
 - (g) Keep complete records of all examinations held by the Board.
 - (h) Keep complete minutes of all the Board's proceedings.
 - (i) Keep records of all reports of claims or actions for negligence in the performance of a licensee's professional services and review the reports annually.
 - (j) Approve, jointly, with the Alabama Board of Nursing, qualified applicants for collaborative practice as Certified Registered Nurse Practitioners and Certified Nurse Midwives.
 - (k) Record and maintain a permanent file on all professional corporations incorporated by physicians and osteopaths.

(l) Administer and enforce the provisions of the Controlled Substances Therapeutic Research Program.

(m) Furnish all personnel and facilities necessary to administer and enforce the provisions of law relating to the Medical Licensure Commission.

(n) Employ investigators, attorneys, agents and other employees necessary to aid the Medical Licensure Commission in the administration and enforcement of the sections of law applicable to said commission.

(o) Certify applications of Alabama licenses for reciprocity in other states.

(p) Promote continuing medical education of all physicians and osteopaths licensed by the commission.

(q) The Board on its own motion may investigate any evidence which appears to show that a physician or osteopath holding a certificate of qualification to practice medicine or osteopathy in Alabama is or may be guilty of any of the acts, offenses, or conditions set out in Code of Ala. 1975, § 34-24-3640.

(r) Request that the Medical Licensure Commission temporarily suspend a license to practice medicine when the statutory grounds for temporary suspension are present.

(s) Accept surrender of, or grant the request for restrictions on, a certificate of qualification.

(t) Submit recommendations to the Medical Licensure Commission for disposition of complaints against physicians found to be in violation of any of the specified grounds for suspension or revocation of a license to practice medicine.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama 1975, §§ 10-4-229, 10-4-230, 20-2-50,

20-2-52, 20-2-53, 20-2-54, 20-2-113, 34-19-3, 34-19-10, 34-24-52, 34-24-53, 34-24-56, 34-24-70, 34-24-71, 34-24-72, 34-24-73, 34-24-75, 34-24-76, 34-24-77, 34-24-78, 34-24-290, 34-24-292, 34-24-293, 34-24-312, 34-24-313, 34-24-330, 34-24-331, 34-24-336, 34-24-361.

History: Filed November 9, 1982. Re-adopted: Filed February 8, 1983.

Amended/approved: December 20, 2000. Effective date: April 19, 2001.

Amended/approved: June 6, 2002. Effective Date: September 26, 2002.

Amended/approved: December 13, 2017. Effective Date: