

APA-1
6/93

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners

Rule No. 540-X-7-16

Rule Title: Exemption from Registration Requirement

X 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?

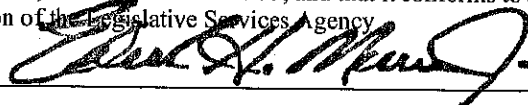
NO

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 Services Agency.

Signature of certifying officer _____



Date: December 14, 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-7-.16, Exemption from Registration Requirement

INTENDED ACTION: To adopt a new rule

SUBSTANCE OF PROPOSED ACTION: New rule that would exempt from the Physician Assistant (P. A.) registration requirement a P. A. employed as an instructor at a university/college and functioning as attending faculty at a school sponsored student-run free clinic

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

NEW

540-X-7-.16 Exemption from Registration Requirement.

(1) A P. A. may request in writing an exemption from the requirement of being registered to perform medical services under the supervision of a physician under the limited circumstances designated in this rule.

(2) Requirements necessary to request and obtain an exemption from registration are the following:

(a) The P. A. holds a current Alabama license.

(b) The P. A. is employed as an instructor at a university or college.

(c) The P. A. will be functioning as attending faculty at a school sponsored student-run free clinic which is not a free clinic within the definition of Ala. Code §§ 6-5-660 through 6-5-663, the Volunteer Medical Professional Act.

(d) The attending faculty P. A. will not be performing those medical services contemplated by Ala. Code § 34-24-292 and Board Rule 540-X-7-.25.

(e) The attending faculty P. A. will have no prescriptive privileges at the student-run free clinic.

(f) The attending faculty P. A. will not diagnose or treat patients at the student-run free clinic.

(g) The student-run free clinic functions as a wellness only clinic which provides health screenings and health education.

(3) Upon review of information provided, the Board may grant an exemption from registration when it determines that the requirements for exemption have been met.

Author: Alabama Board of Medical Examiners

Statutory Authority: *Code of Alabama §§34-24-290, et. seq.*

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. Repealed and Replaced: Approved June 6, 2002. Effective Date: October 24, 2002. New Rule Approved: December 13, 2017.