

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Alabama State Board of Respiratory Therapy

Rule No.: 798-X-2

Rule Title: Definitions

_____ New 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? 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 
Paula McCaleb, Executive Director 334.396.2332

Date: February 15, 2017

(DATE FILED)
(STAMP)

APA-2
11/96

Alabama State Board of Respiratory Therapy

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Respiratory Therapy

RULE NO. & TITLE:

798-X-2 Definitions

INTENDED ACTION:

To Amend.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board of Respiratory Therapy proposes to amend Rules and Regulations under which to operate. Specifically, to provide a definition for preceptor and update numbering.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

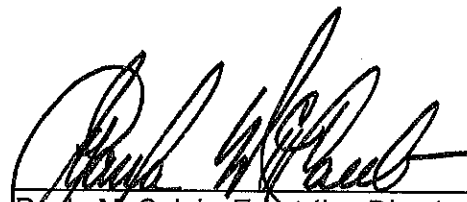
Written comments will be received by the Alabama State Board of Respiratory Therapy until 4:30 p.m. on April 5, 2017. Comments should be directed to Paula McCaleb, Executive Director, at P.O. Box 241386, Montgomery, AL 36124-1386, or via fax at 334-396-2384.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

April 5, 2017

CONTACT PERSON AT AGENCY:

Paula McCaleb, *Executive Director*
334.396.2332



Paula McCaleb, *Executive Director*

CHAPTER 798-X-2
Definitions

798-X-2 Definitions

- (1) AARC - American Association for Respiratory Care.
- (2) Applicant - any individual seeking licensure by the Board who has submitted an official application and paid the application fee.
- (3) ASBRT - The Alabama State Board of Respiratory Therapy.
- (4) ASRC - Alabama Society for Respiratory Care.
- (5) Biannual - every two years.
- (6) Board - The Alabama State Board of Respiratory Therapy.
- (7) CAAHEP - the Commission on Accreditation of Allied Health Education Programs.
- (8) CoARC - Committee on Accreditation for Respiratory Care.
- (9) CRCE units - Continuing respiratory care education units.
- (10) CRT - Certified Respiratory Therapist as granted by the NBRC or its successor organization.
- (11) Currently employed – persons employed in the administration of respiratory therapy under the direction of a physician in the State of Alabama on the effective date of the adoption of the rules and regulations, or were employed in the administration of respiratory therapy under the direction of a physician in the State of Alabama in the previous 365 days.
- (12) Direct clinical supervision - A situation where a licensed respiratory therapist or physician is available for the purpose of communication, consultation, and assistance.
- (13) Healthcare facility - Hospitals, nursing homes, and other inpatient treatment facilities as defined in Section 22-21-260, Code of Alabama (1975).
- (14) Hemodynamic monitoring - Setup and maintenance of pressure transducers for monitoring arterial blood pressure, central venous pressure and pulmonary artery pressures; drawing mixed venous blood gases from pulmonary artery catheters and calculating cardiac and vascular parameters, measuring cardiac output using a pulmonary artery catheter, recognizing normal and abnormal cardiac and vascular pressures and flow tracings.

(15) Hospital - Hospitals as defined by Section 22-21-20, Code of Alabama (1975).

(16) Licensed respiratory therapist - a person licensed by the Board to administer respiratory therapy and who has the knowledge and skills necessary to administer respiratory therapy, monitor patient responses, modify respiratory therapy based upon patient response, provide information and education to patients about deficiencies or disorders of the cardiopulmonary system, and supervise others in the delivery of appropriate respiratory therapy procedures.

(17) Medically approved protocol - A healthcare facility's plan for taking specific diagnostic or treatment actions, or both, authorized by the treating physician of the patient, all of which actions shall be:

(a) In a hospital or other inpatient healthcare facility, approved by the supervising physician of the respiratory therapist or in an outpatient treatment setting approved by the supervising physician of the respiratory therapist.

(b) Except in cases of medical emergency, instituted following an evaluation of the patient by the physician or otherwise directed by the supervising physician of the respiratory therapist.

(c) Consistent with the definition of the scope of practice of respiratory therapy, as established by this act.

(18) NBRC - National Board for Respiratory Care, Inc.

(19) Outpatient treatment facility - a facility which provides diagnostic, therapeutic and rehabilitative services to persons who do not require a stay greater than 23 hours.

(20) Physician - A person who is a doctor of medicine or osteopathy licensed to practice.

(21) Preceptor – A teacher or tutor, or specifically as used in these rules, a respiratory therapist licensed in the state of Alabama, who instructs and/or supervises respiratory therapy students in the clinical environment.

(22) Public records - Records maintained by the Board that are reasonably necessary to record the business and activities required to be done or carried out by the Board so that the status and conditions of such business and activities can be known by the public. Public records include records maintained by the Board pursuant to the Alabama Open Meetings Act and records subject to public disclosure under both the Alabama Open Meetings Act and the Alabama Open Records Act.

(a) Public records maintained by the Board include, but are not limited to, the following records:

(i) Board minutes, except those minutes recorded during an executive session that are prohibited from disclosure by the Alabama Open Meetings Act;

(ii) Names and addresses of current licensees;

(iii) Names of persons whose licenses have been suspended, revoked, or denied, including the type, date, infraction, the penalty incurred, and length of the penalty;

(iv) Rules and regulations of the Board, as promulgated and published in accordance with the Administrative Procedures Act, Sections 41-22-1, et seq., Code of Alabama (1975);

(v) Other written statements of policy or interpretations formulated, adopted, or used by the Board in the discharge of its duties and functions; and

(vi) Final orders, decisions, declaratory rulings, and opinions issued by the Board.

(b) Records maintained by the Board that do not constitute public records include, but are not limited to, records that are confidential or privileged under federal and/or state law and records the disclosure of which would be detrimental to the best interests of the public.

(223) Respiratory therapy or care - therapy, management, rehabilitation, diagnostic evaluation, and care of patients with deficiencies and abnormalities of the cardiopulmonary system and associated aspects of other systems' functions, given by a health care professional under the direction of a physician. The term includes, but is not limited to, the activities listed in the scope of practice conducted upon written prescription, verbal order, or medically approved protocol.

(234) RRT - Registered Respiratory Therapist as granted by the NBRC or its successor organization.

Author: The Alabama State Board of Respiratory Therapy

Statutory Authority: Code of Alabama (1975) § 34-27B-1 thru § 34-27B-17.

Effective Date: September 14, 2005