

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-7-.17
Rule Title: Qualifications of the Supervising Physician – Physician Assistants (A.A.)

 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? 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 action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

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 *William R. Perkins*

Date: January 20, 2022

REC'D & FILED

JAN 20 2022

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA STATE BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.17, Qualifications of the Supervising Physician – Physician Assistants

INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend rule to clarify as a qualification having practiced medicine at least one year and the registration's practice site (not physician's principal practice site) is limited to a hospital.

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: Carla H. Kruger, Office of the 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 March 7, 2022. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Carla H. Kruger by telephone (334-242-4116) during said period. Copies can also be obtained at the Board's web site, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: March 7, 2022

CONTACT PERSON AT AGENCY: Carla H. Kruger



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

540-X-7-.17 Qualifications of the Supervising Physician – Physician Assistants (P.A.). The physician to whom a physician assistant is registered shall:

- (1) Possess a current, unrestricted license to practice medicine in the State of Alabama;
- (2) On the date of the application:
 - (a) Have satisfied one of the following experience requirements:
 1. Practiced medicine for at least three years; or
 2. Practiced medicine for at least one year and certified by one or more of the specialty boards recognized by the American Board of Medical Specialties or the American Osteopathic Association; or
 3. Practiced medicine for at least one year and the ~~supervising physician's principal registration's~~ practice site is limited solely to a general acute care hospital, a critical access hospital, or a specialized hospital licensed as such by the Alabama Department of Public Health.
- (3) Effective January 1, 2024, have obtained continuing medical education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama, not more than forty-eight (48) months prior to or within twelve (12) months of registration to a physician assistant.
- (4) The Board, in its discretion, may waive the practice requirements in (2)(a).
- (5) Effective January 1, 2024, all supervising physicians shall obtain continuing medical education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama every forty-eight months (48) following registration to a physician assistant.
- (6) The Board of Medical Examiners may decline to consider an application where the physician is under investigation for a potential violation of the Code of Alabama, Section 34-24-360 or any rule of the Alabama Board of Medical Examiners of Medical Licensure Commission of Alabama.

Author: Alabama State Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. **Repealed and New Rule:** Filed August 22, 2002; effective September 26, 2002. **Repealed and New Rule:** Filed September 19, 2002; effective October 24, 2002.

Amended/Approved for Publication August 18, 2021. Certified Rule Filed October 20, 2021. Effective Date: December 13, 2021.

Amended/Approved for Publication July 21, 2021. Certified Rule Filed October 20, 2021. Effective Date: December 13, 2021. **Amended:** January 20, 2022.