

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-7-31
 Rule Title: Forms Requiring a Physician's Signature - Physician Assistant (P.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 Aly J. Downing

Date: 5/22/18

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**ALABAMA STATE BOARD
OF MEDICAL EXAMINERS**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: 540-X- 7-.31, Forms Requiring a Physician's Signature - Physician Assistant (P.A.)

INTENDED ACTION: To amend the rule

SUBSTANCE OF PROPOSED ACTION: To delete the prohibition from signing prescriptions for
controlled substances in light of Physician Assistants' ability to write controlled substances prescriptions pursuant to
Ala. Code §§ 30-2-60 et seq.

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 July 5, 2018. 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 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: July 5, 2018

CONTACT PERSON AT AGENCY: Carla H. Kruger


Amy T. Dorminey, Board Secretary

540-X-7-.31 Forms Requiring a Physician's Signature - Physician Assistant

(P.A.).

(1)——Unless prohibited by Federal or state statutes or regulations or by the agency governing a specific form, a physician assistant may sign any form which can be authenticated by the supervising physician's signature, if signing by the physician assistant is authorized by the supervising physician.

~~(2)——Physician assistants are prohibited from signing prescriptions for controlled substances.~~

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. Amended/Approved: May 16, 2018.