

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 610 Department or Agency Alabama Board of Nursing
Rule No. 610-X-5-.05
Rule Title: Limitations Upon Utilization of Certified Registered Nurse Practitioners
 New X 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

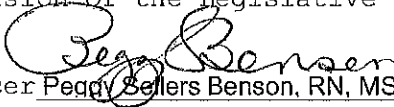
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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 Peggy Sellers Benson, RN, MSHA, MSN, NE-BC

Date May 18, 2018

(DATE FILED)
(STAMP)

APA-2
11/96

ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

RULE NO. & TITLE: 610-X-5-.05 Limitations Upon Utilization of Certified Registered Nurse Practitioners

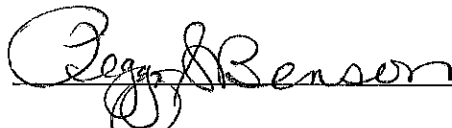
INTENDED ACTION: The Alabama Board of Nursing proposes to amend the rules related to collaborative practice.

SUBSTANCE OF PROPOSED ACTION: The Alabama Board of Nursing proposes to amend Administrative Code, 610-X-5-.05, Limitations Upon Utilization of Certified Registered Nurse Practitioners, to create a potential exemption to full-time equivalent rules for CRNPs working under specific, limited protocols. A copy of the proposed rule may be found on the Board's web site, www.abn.alabama.gov, under "laws" and then "proposed rule changes."

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or verbal comments will be received by the Board of Nursing until 4:30 P.M. on Thursday, July 5, 2018. Verbal or written comments should be directed to Peggy Benson, Executive Officer, at P.O. Box 303900, Montgomery, AL 36130-3900 or via electronic mail at Peggy.Benson@abn.alabama.gov or via telephone at 334-293-5210.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
The record closes at 4:30 P.M. on Thursday, July 5, 2018.

CONTACT PERSON AT AGENCY: Peggy Benson, Executive Officer.


Executive Officer

610-X-5-.05 Limitations Upon Utilization Of Certified Registered Nurse Practitioners.

(1) A physician may enter into a collaborative agreement with certified registered nurse practitioners not exceeding a cumulative hundred and sixty (160) hours (four FTEs) per week. The total number of persons supervised or in collaborative practice with a physician shall not exceed one hundred sixty (160) hours per week (four full-time equivalent positions) as stipulated in Rule 610-X-5-.04(3).

(2) Employees of the Alabama Department of Public Health and county health departments are specifically exempt from the requirements of paragraph (1) of this rule.

(3) CRNPs practicing under approved limited protocols, specified and approved by the Board of Nursing and the Board of Medical Examiners, may be specifically exempt from the FTE requirements of paragraph (1) of this rule, or as specified in the limited protocol, as determined by the Board of Nursing and the Board of Medical Examiners.

~~(3-4)~~ A physician in collaborative practice may request approval from the Joint Committee for additional full-time certified registered nurse practitioner positions ~~by the Joint Committee~~, with consideration given to the following factors, to ensure that an acceptable standard of care is rendered:

- (a) Availability of the physician.
- (b) Practice settings and staffing needs for extended hours of service.
- (c) Risk to patients.
- (d) Educational preparation, specialty and experience of the parties in the collaborative practice.
- (e) Complexity and risk of procedures to be performed.

(4 5) Any certified registered nurse practitioner engaged in practice with a collaborating physician prior to June 26, 1995 may not be denied approval for continued collaborative practice with that physician based on the ratio established in Rule 610-X-5-04.

(5-6) A physician in collaboration with CRNP, CNM or supervising PA personnel totaling 160 hours per week (four (4)

FTEs) may request a transitional allowance increasing the total weekly hours for the purpose of orientation of the incoming

CRNP. The transitional allowance shall not exceed 45 days. The physician shall request the transitional allowance in writing and specify the starting date for this FTE allowance.

Author: Alabama Board of Nursing Statutory Authority: Code of Ala. 1975, §34-21-80 et seq. **History:** **New Rule:** Filed August 25, 2003; effective September 29, 2003. **Amended:** Filed July 22, 2005; effective August 26, 2005. **Amended:** Filed July 2, 2015; effective August 6, 2015. **Amended:** Filed May 18, 2008

Ed. Note: Rule .04 was renumbered to .05 as per certification filed July 2, 2015; effective August 6, 2015.