

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-.50
Rule Title: Qualifications of the Supervising Anesthesiologist - Anesthesiologist 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

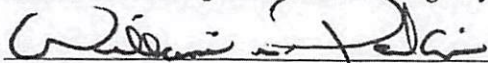
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

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 

Date: November 18, 2022

REC'D & FILED

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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-.50, Qualifications of the Supervising Anesthesiologist
- Anesthesiologist Assistants (A.A.)

INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: Amend to add experience requirements for an supervising anesthesiologist.

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 January 4, 2023. Persons wishing to submit data, views, or comments should contact Carla H. Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: January 4, 2023

CONTACT PERSON AT AGENCY: Carla H. Kruger



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

540-X-7-.50 Qualifications Of The Supervising Anesthesiologist – Anesthesiologist Assistants (A.A.). The anesthesiologist to whom an anesthesiologist assistant is registered shall:

(1) ~~Hold-Possess~~ a current, unrestricted license to practice medicine in the State of Alabama and practice in the medical specialty of anesthesiology;

(2) On the date of the application, ~~h~~:

~~(a)~~ Have satisfied one of the following experience requirements:

~~(a)1.~~ Practiced medicine for at least three years, including any practice as a licensed physician while enrolled in an internship, residency, or fellowship;

~~(b)2.~~ Practiced medicine as a licensed physician for at least one year, including any practice while enrolled in an internship, residency, or fellowship, and ~~be board~~ certified by the American Board of Anesthesiology (ABA) or by the American Osteopathic Board of Anesthesiology; ~~or~~

~~(c)3.~~ Practiced medicine as a licensed physician for at least one year, including ~~any~~ practice while enrolled in an internship, residency, or fellowship, and the 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) The Board, in its discretion, may waive the practice requirements in (2).

Author: ~~Patricia E. Shiner, Attorney for the 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 Replaced: Filed July 23, 1999; effective August 27, 1999. Amended: Filed November 22, 1999; effective December 27, 1999. 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 (Rule Number Only): Filed September 11, 2008; effective October 16, 2008. Amended: Published January 31, 2022; effective March 7, 2022.

Ed. Note: Previous Rule 540-X-7-.47 was renumbered to .50 as per certification filed September 11, 2008; effective October 16, 2008