

ALABAMA STATE BOARD OF HEALTH  
ALABAMA DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF PROFESSIONAL AND SUPPORT SERVICES  
OFFICE OF PRIMARY CARE/RURAL HEALTH  
ADMINISTRATIVE CODE

CHAPTER 420-11-2  
RULES FOR QUALIFICATIONS AND CRITERIA FOR RETIRED PHYSICIANS AND  
DENTISTS TO BE ELIGIBLE TO PARTICIPATE IN PROFESSIONAL LIABILITY  
COVERAGE WHILE SERVING AT FREE HEALTH CARE CLINICS

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420-11-2-.01 Purpose. This chapter establishes the qualifications and criteria for retired physicians and dentists who volunteer their services at established free medical clinics to be eligible to participate in professional liability coverage administered by the Department of Finance.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

**History: New Rule:** Filed September 17, 2010; effective October 22, 2010.

420-11-2-.02 Definitions. The following terms shall have the following meanings respectively ascribed to them.

(a) "Board" - The State Board of Health as constituted by Code of Ala. 1975, §§22-2-1.

(b) "Dentist" - A person authorized to practice dentistry in

accordance with Code of Ala. 1975, §34-9-3 and in good standing with the Board of Dental Examiners.

(c) "Department" - The Alabama Department of Public Health.

(d) "CE Hours" - Hours of continuing professional education required for physicians as determined by the Alabama Board of Medical Examiners or required for dentists as determined by the Alabama Board of Dental Examiners.

(e) "Established Free Medical Clinic" - An established free medical clinic as defined by Code of Ala. 1975, §6-5-662 as an organized community-based program providing medical care, without charge to individuals unable to pay for it, and which is limited to care that does not require the services of a licensed hospital or ambulatory surgical center, and care that does not include the use of general anesthesia or require an overnight stay in a health care facility.

(f) "Physician" - A person authorized to practice medicine or osteopathy in accordance with Code of Ala. 1975, §34-24-50, *et seq.* and in good standing with the Board of Medical Examiners.

(g) "Retired" - A physician in "retired" status as determined by the Board of Medical Examiners or a dentist in "retired" status as determined by the Board of Dental Examiners.

(h) "Volunteer" - To provide medical or dental services, including treatment, diagnosis and advice, without a fee or compensation.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

**History: New Rule:** Filed September 17, 2010; effective October 22, 2010.

**420-11-2-.03 Limitations On Areas Of Practice.** To be eligible to participate in the professional liability coverage program under this Chapter an individual shall be either a retired dentist trained in general dentistry or a retired physician trained within the professional guidelines of one of the following areas of specialty:

- (a) Family Practice;
- (b) Internal Medicine;
- (c) Pediatrics.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

**History: New Rule:** Filed September 17, 2010; effective October 22, 2010.

**420-11-2-.04 Minimum And Maximum Hours Per Month.**

(1) To be eligible for participation in the professional liability coverage program under this chapter a retired physician or dentist shall provide volunteer services no less than 4 hours and no more than 32 hours per month at an established free medical clinic.

(2) Retired physicians and dentists shall establish generally acceptable methods of maintaining accurate records of hours practiced and permit reasonable inspection of such records for audit purposes.

(3) The Department shall require monthly reporting of hours volunteered at established free medical clinics.

(4) Failure to comply with the provisions of this rule may result in disqualification to participate in professional liability coverage provided by the Department of Finance.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

**History: New Rule:** Filed September 17, 2010; effective October 22, 2010.

**420-1-2-.05 Licensure And Continuing Education.** To be eligible to participate in the professional liability coverage program under this chapter a retired physician or dentist shall possess a the appropriate license to practice the profession in the State of Alabama and must maintain the current number of CE hours as prescribed by the applicable examining board.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

**History: New Rule:** Filed September 17, 2010; effective October 22, 2010.

**420-11-2-.06 Application.** An application to participate in the professional liability coverage program for a retired physician or dentist who volunteers at an established free medical clinic shall be completed and submitted to the Department. The following information may be required in the application:

- (a) Name, addresses, phone numbers, and e-mail addresses of the applicant.
- (b) Educational background and qualifications of the applicant.
- (c) Area of practice of the applicant.
- (d) State of Alabama medical or dentistry license number of the applicant.
- (e) Name, address, phone numbers and e-mail addresses of the established free medical clinic.
- (f) The number of hours the established free medical clinic will be open to the public.
- (g) The applicant's practice agreement with the established free medical clinic.
- (h) The number of hours the applicant will volunteer to work at the established free medical clinic.
- (i) Number of patients that visit the established free medical clinic annually.
- (j) Attestation of compliances with these rules.
- (k) Statements of assurance.
- (l) Signature and/or initials of the applicant, as well as dates.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

**History: New Rule:** Filed September 17, 2010; effective October 22, 2010.

**420-11-2-.07 Selection Process.**

(1) Eligible applicants shall be selected to participate in the professional liability coverage program based upon area of discipline and shall be selected on a first-come, first-served basis as long as funding is available.

(2) The number of retired physicians and dentists selected to participate shall be determined by the State Health Officer based upon available funding.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

**History: New Rule:** Filed September 17, 2010; effective October 22, 2010.

**420-11-2-.08 Authorization Period.**

(1) Participation in the program shall be authorized for a period of 12 months from the date of the approval of the application.

(2) In order to be reauthorized to participate in the program, an application must be submitted to and approved by the Department pursuant to the requirements of this Chapter.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6), 36-1-6.1

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**420-11-2-.09 Relationship To Volunteer Medical Professional Act.** Nothing in this chapter is intended to affect in any way the provisions of and protections provided by the Volunteer Medical Professional Act, Code of Ala. 1975, §6-5-660, et seq.

**Author:** John R. Wible

**Statutory Authority:** Code of Ala. 1975, §§ 22-2-2(6), 36-1-6.1

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