

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. _____ Department or Agency The Board of Home Medical Equipment

Rule No. 473-X-8-.01

Rule Title: Renewal of License

_____ 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 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 Reference Service.

Signature of certifying officer

Brendy R. Benham

Date

4-23-14

APA-2
07/04

Board of Home Medical Equipment

NOTICE OF INTENDED ACTION

AGENCY NAME:

Board of Home Medical Equipment

RULE NO. & TITLE:

473-X-8-.01 Renewal of License

INTENDED ACTION:

To amend Rules and Regulations.

SUBSTANCE OF PROPOSED ACTION:

The Board of Home Medical Equipment proposes to adopt an Administrative Code or Rules and Regulations under which to operate.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

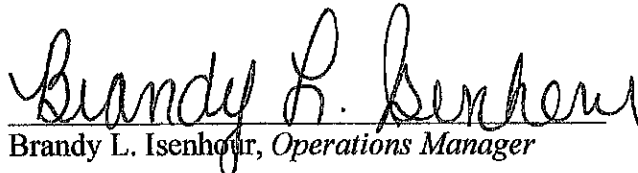
Written comments, views, or arguments will be received by the Board of Home Medical Equipment until 4:30 p.m. on July 3, 2014. Comments should be directed to Paula McCaleb, Executive Director, at Post Office Box 240636, Montgomery, AL 36124-0636, or via fax at 334-215-3457.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 3, 2014

CONTACT PERSON AT AGENCY:

Brandy L. Isenhour
334.215.3474


Brandy L. Isenhour, Operations Manager

473-X-8-.01. Renewal of License.

(1) The Home Medical Equipment ~~Services Provider~~ license shall be valid for one (1) year, expiring on August 31st of each year; however, the initial licensure period for any given license may be prorated so that its expiration date coincides with the August 31st renewal date for all valid licenses. The license fee will not be prorated for abbreviated licenses issued. A license may still be renewed within the sixty (60) day period following the expiration date of August 31st upon payment of both the required renewal fee of two hundred and fifty dollars (\$250) and a late fee of one hundred and fifty dollars (\$150).

(2) Failure to renew within sixty (60) days after the expiration date of the current licensure will result in an lapsed license. Home Medical Equipment Services Providers will not be permitted to provide home medical equipment services with an lapsed license. Licensees who operate under lapsed licenses shall be subject to the penalties established under Section 34-14-C-6(a), Code of Ala., 1975.

(3) One (1) renewal notice will be provided by U.S. Mail to the licensee's last address of record sixty (60) days prior to the renewal date. Licensees are responsible to maintain a current mailing address with the Board. One final renewal notice will be placed by an automated calling service on August 21st to licensees who have not renewed by this date.

(4) To be eligible for renewal, an applicant shall:

(a) Hold a valid, active Alabama license; and

(b) Timely submit a completed and signed renewal application and required fee(s) to the Board.

(5) Renewals will be submitted online via the Board's web site. Licensees may request manual renewal by making a written request to the Board office.

(6) Failure to receive the renewal application or notice of renewal shall not relieve the licensee of the responsibility to renew the license by the expiration date.

(7) Once a license has lapsed, a cease and desist letter will be issued by certified mail to the last address of record and a new application and inspection will be required for licensure.

(8) The Board may notify third party payors, regulatory boards and agencies, and governmental agencies responsible for reimbursement to home medical equipment services providers, such as Medicaid and Medicare, of lapsed licenses no earlier than November 1st of each licensing year.

HISTORY:

~~New Rule: Filed May 6, 2008; effective June 10, 2008. Amended: Filed January 13, 2014; effective February 17, 2014.~~