

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 540 Department or Agency Alabama State Board of Medical Examiners

Rule No. 540-X-3-15

Rule Title: Provisional Approval for Certificate of Qualification

New 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

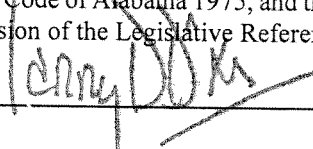
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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 

Date: February 20, 2013

APA-2
6/93

**ALABAMA STATE BOARD
OF MEDICAL EXAMINERS**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: 540-X-3-.15, Provisional Approval for Certificate of Qualification

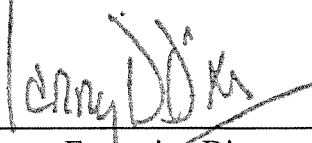
INTENDED ACTION: To add a rule and renumber remaining rules in Chapter

SUBSTANCE OF PROPOSED ACTION: To add a rule providing for provisional approval for certificates of qualification in specific circumstances

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: Patricia E. Shaner, 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 April 4, 2013. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Patricia E. Shaner, 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.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 4, 2013

CONTACT PERSON AT AGENCY: Patricia E. Shaner



Larry D. Dixon, Executive Director

540-X-3-.15 Provisional Approval for Certificate of Qualification.

(1) Provisional approval for the issuance of a certificate of qualification may be given by the Board based on the following:

(a) An applicant has met all of the requirements of Ala. Code § 34-24-70 and Board of Medical Examiners Rules, Chapter 540-X-3, necessary for the issuance of a certificate of qualification, except that the Board has not received satisfactory evidence that the applicant has successfully completed the post graduate or residency training requirement; and

(b) There are no grounds for denial of a certificate of qualification by the Board pursuant to Ala. Code § 34-24-70(d).

(2) Upon receipt by the Board of acceptable documentation from the post graduate or residency training program certifying that the applicant has successfully completed the post graduate training requirement necessary for the issuance of a certificate of qualification, the Board shall issue the certificate of qualification.

Author: Alabama Board of Medical Examiners.

Statutory Authority: Code of Alabama 1975, §34-24-53 and Act No. 93-148.

History: Adopted/approved: February 20, 2013.