

APA-1  
6/93

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners  
 Rule No. 540-X-14-.11  
 Rule Title: Non-Compliance with Chapter  
 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 Jonny D. D...

Date: February 5, 2016

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-14-.11, Non-Compliance with Chapter (Continuing Medical Education)

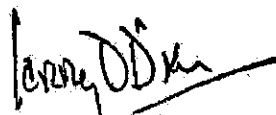
**INTENDED ACTION:** To amend the rule

**SUBSTANCE OF PROPOSED ACTION:** To amend the rule to delete "intentional falsification" of a certificate of compliance with the CME requirement and add as a ground for discipline "failure to comply with a rule of the Board or Commission."

**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, Office of General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, 848 Washington Avenue (36104), 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 Monday, April 4, 2016. Persons wishing to obtain copies of the text of this rule should contact Patricia E. Shaner, Office of General Counsel, (334-242-4116), PO Box 946, 848 Washington Avenue (36104), Montgomery, Alabama 36101-0946

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** April 4, 2016

**CONTACT PERSON AT AGENCY:** Patricia E. Shaner



---

Larry D. Dixon, Executive Director

540-X-14-.11 Non-Compliance with Chapter. ~~Intentional falsification of a certification of compliance~~ Non-compliance with the continuing medical education program basic requirement established in this Chapter ~~is hereby declared to be unprofessional conduct~~ and may constitute grounds for discipline of the physician's license to practice medicine, within the discretion of the Medical Licensure Commission, on the ground of failure to comply with a rule of the Board or Medical Licensure Commission or on the ground of unprofessional conduct. ~~and~~ in accordance with the statutes and regulations governing the disciplining of a physician's license.

**Author:** Alabama Board of Medical Examiners

**Statutory Authority:** Code of Alabama 1975, §34-24-53 & Act 89-244.

**History:** Adopted: October 17, 1990. Filed: November 2, 1990. Effective Date: October 1, 1991. Repealed and Replaced/Approved: January 21, 2004, Effective Date: May 28, 2004.