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ALABAMA MEDICAL LICENSURE COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medical Licensure Commission

RULE NO. & TITLE: 545-x-5-.02 Basic Requirement

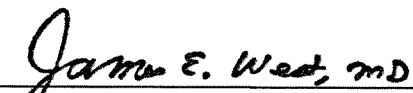
INTENDED ACTION: To amend rule 545-x-5-.02

SUBSTANCE OF PROPOSED ACTION: To amend rule to eliminate the continuing medical education grace period. To eliminate obtaining continuing medical education as a condition precedent to renewing a medical license.

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: Karen H. Silas, Executive Assistant, Alabama Medical Licensure Commission, Post Office Box 887, Montgomery, Alabama 36101-0887, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including Friday, August 3, 2012. Persons wishing to obtain copies of the text of this rule and submit data, views or comments or arguments orally should contact Karen H. Silas, by telephone (334/242-4153) 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: August 3, 2012

CONTACT PERSON AT AGENCY: Karen H. Silas

  
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James E. West, M.D., Chairman

**545-X-5-.02 Basic Requirement.**

(1)(a) ~~Effective February 1, 2010, e~~ Every physician licensed to practice medicine in Alabama who resides or practices in the state must earn in each calendar year, on or before December 31, not less than twenty-five (25) hours of AMA PRA Category I Credits™ or equivalent as defined in this rule of continuing medical education ~~as a condition precedent to receiving his or her annual registration certificate~~. For the purpose of compliance with the continuing medical education (CME) basic requirement stated in paragraph (a) for only the 2010 calendar year, credits earned in the 2009 calendar year which are not used to meet the 2009 calendar year CME requirement may be carried forward and used to meet the 2010 calendar year requirement. Carrying forward credits shall not be allowed thereafter.

(2) For the purposes of this chapter, AMA PRA Category I Credit™ Continuing Medical Education shall mean those programs of continuing medical education designated as AMA PRA Category I Credit™ which are sponsored or conducted by those organizations or entities accredited by the Council on Medical Education of the Medical Association of the State of Alabama or by the Accreditation Council for Continuing Medical Education (ACCME) to sponsor or conduct Category I Continuing Medical Education Programs.

(3) The following continuing medical education courses shall be deemed, for the purposes of this Chapter, to be the equivalent of AMA PRA Category I Credit™ Continuing Medical Education:

(a) Programs of continuing medical education designated as Category I-A which are sponsored or conducted by organizations or entities accredited by the

American Osteopathic Association to sponsor or conduct Category I-A Continuing Medical Education for osteopathic physicians.

(b) Programs of continuing medical education designated to confer "Prescribed credits" which are sponsored or conducted by organizations or entities accredited by the American Academy of Family Physicians to sponsor or conduct "Prescribed credit" continuing medical education activities.

(c) Programs of continuing medical education designated to confer "ACOG Cognates Credits" which are sponsored or conducted by organizations or entities which are accredited by the American College of Obstetrics and Gynecology to sponsor or conduct approved ACOG Cognates Credit activities on obstetrical and gynecologic related subjects.

(d) Programs of continuing medical education designated as such by the Alabama Board of Medical Examiners.

(4) Effective January 1, 2003, the Board may require all physicians and osteopaths to successfully complete a prescribed course of continuing medical education on a subject or subjects designated by the Board. The Board may prescribe by regulation a fixed period of time or deadline for completion of the prescribed continuing medical education course or courses. The Board may make provision for a physician or osteopath to be excused from this requirement for reasons satisfactory to the Board. The Medical Licensure Commission of Alabama may, subject to notice and hearing, within its discretion, indefinitely suspend the license to practice medicine of a physician or osteopath who fails to successfully complete the course or courses of continuing medical education required by this subsection or impose administrative fines

or other penalties as authorized by Section 34-24-381.

(a) Prescribed programs of continuing medical education required by the Board under the provisions of this paragraph shall count toward the basic requirement for continuing medical education as set forth in paragraph (1) above in the calendar year in which the program or course of continuing medical education was completed. Programs of continuing medical education developed by the Board under the provisions of this section and made available to physicians and osteopaths shall be deemed to be the equivalent of AMA PRA Category I Credit™ Continuing Medical Education for the purposes of this rule. The Board may fix a reasonable charge to the licensee for any program of continuing medical education developed by the Board.

(b) Physicians holding an active license to practice medicine in this state will be notified by the Board of Medical Examiners of any prescribed course of continuing medical education by written notice which may accompany the licensee's annual license renewal application. The notice will designate the subject matter, course content and credit hours of the prescribed continuing medical education course and will provide licensees with information concerning the source or sources of such programs of continuing medical education. The notice will contain a deadline by which time the licensee must have completed the prescribed course of continuing medical education, provided, however, that the deadline will not be less than 12 months following the date that the notice was mailed to the licensees.

(c) The Board may excuse a licensee from the requirement to complete a prescribed course of continuing medical education and may grant extensions for the completion deadline of prescribed courses of continuing medical education for reasons

related to ill health, disability, financial hardship or other reasons deemed sufficient by the Board. Applications for excusal or extension of deadline should be addressed to Executive Director, State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946.

**Author:** Wayne P. Turner

**Statutory Authority:** Code of Ala. 1975, §§34-24-311, 34-24-381.

**History:** Filed November 2, 1990; effective October 1, 1991.

**Amended:** Filed March 4, 2003; effective April 8, 2003.

[Amended] Repealed and Replaced Adopted as an Emergency Rule effective January 30, 2004

[Amended] Repealed and Replaced Approved January 28, 2004. Filed January 30, 2004; Effective May 28, 2004

**Amended:** Approved May 26, 2004; Filed June 8, 2004; Adopted September 22, 2004; Effective November 1, 2004

**Amended:** Approved for Publication January 27, 2010; Filed: February 4, 2010; Final Approval April 28, 2010; Filed May 5, 2010; Effective Date June 9, 2010

**Amended:** Adopted as an Emergency Rule filed/effective May 25, 2012, Approved for Publication May 23, 2012, Filed May 25, 2012