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**ALABAMA STATE BOARD
OF MEDICAL EXAMINERS**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: 540-X-19-.06, Inspections

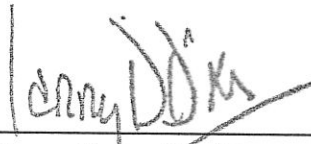
INTENDED ACTION: To amend the rule

SUBSTANCE OF PROPOSED ACTION: To amend the rule to correct references to new Alabama statutes

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 Monday, May 5, 2014. 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. The rule amendment will also be available at the Board's web site, www.albme.org.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: May 5, 2014

CONTACT PERSON AT AGENCY: Patricia E. Shaner



Larry D. Dixon, Executive Director

540-X-19-.06 Inspections.

(1) The medical records and documents of every physician registered under these rules shall be open to inspection to the extent authorized by Ala. Code § 34-24-406 and the Administrative Rules of the Board as set out below.

(2) All inspections of physician records undertaken by the Board may be conducted without prior notice to physician, clinic or its staff.

(3) Physicians registered under these rules shall make all records, notes, and files of the registrant open to inspection. In carrying out the intent of these rules, the Board shall have all of the power and authority it currently possesses in its current capacity under §§ 34-24-363 to 34-24-365, Code of Alabama 1975, as amended, inclusive, and all of the power and authority therein may be applied under these rules for purposes of pain management services registration and enforcement.

(4) If the Board finds that danger to the public health, safety, or welfare requires emergency suspension of a registration and states in writing its reason for that finding, it may proceed without hearing or upon any abbreviated hearing that it finds practicable to suspend the registration under these rules. The suspension shall become effective immediately, unless otherwise stated therein. The suspension may be effective for a period of not longer than 120 days and shall not be renewable. The Board shall not suspend the same registration for the same or substantially similar emergency within one calendar year from its first suspension unless the Board clearly establishes that it could not reasonably be foreseen during the initial 120-day period that such emergency would continue or would likely reoccur during the next nine months. When such summary suspension is ordered, a formal suspension or

revocation proceeding under § 34-24-361, Code of Alabama 1975, as amended, or § 20-2-53, Code of Alabama 1975, as amended, shall also be promptly instituted and acted upon.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 34-24-53, Act 2013-257

History: Approved for Publication: September 18, 2013. Effective Date: December 19, 2013. Amended/Approved for Publication: March 19, 2014.