## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control <u>540</u> Department or Agency <u>Alabama State Board of Media</u> Rule No. <u>Chapter 540-X-821</u>	eal Examiners
Rule Title: Temporary Approval to Practice as a Certified Nurse	Midwife
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
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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 v subsection (f) of Section 41-22-23, <u>Code of Alabama 1975</u> .	vith
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Certification of Authorized Official	*******
I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 32, Title 41, Code of Alabama 1975, requirements of the Administrative Procedure Division of the Legislative Reference	and that it conforms to all applicable filing e Service.
Signature of certifying officer	
Date:March 19, 2015	

## ALABAMA STATE BOARD OF MEDICAL EXAMINERS

## **NOTICE OF INTENDED ACTION**

**AGENCY NAME:** 

Alabama State Board of Medical Examiners

RULE NO. & TITLE:

Chapter 540-X-8-.21, Temporary Approval to Practice as a

Certified Nurse Midwife

**INTENDED ACTION:** 

To amend the rule

SUBSTANCE OF PROPOSED ACTION:

To amend the rule to change the provisional

approval time limit from one year to six months

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) orally or 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 Tuesday, May 5, 2015. 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: May 5, 2015

**CONTACT PERSON AT AGENCY:** 

Patricia E. Shaner

Larry D. Dixon, Executive Director

## 540-X-8-.21 Temporary Approval as a Certified Nurse Midwife.

- (1) The applicant for approval to practice as a certified nurse midwife may be granted temporary approval for practice under the following stipulations until such time as the application is approved or denied by the Board of Nursing and the Board of Medical Examiners.
- (a) The applicant shall meet the requirements of Rules 540-X-8-.15 and 540-X-8-.17.
- (b) The collaborating physician shall meet the qualifications established in Rule 540-X-8-.16.
- (c) Temporary approval is limited to the standard protocol and formulary, including oxytocics, approved by the Joint Committee of the Alabama Board of Nursing and the Alabama State Board of Medical Examiners and does not include the authority to:
  - (i)1. Perform additional skills as provided in Rule 540-X-8-.22.
- (ii)2. Prescribe drugs other than oxytocics that are defined in the standard formulary with "Restrictions."
- (2) Provisional Approval: A registered nurse who meets the requirements of Rules 610-X-5-.15 and 610-X-5-.17 with the exception of national certification, and who has applied for initial certification may be granted temporary approval under paragraph (1) (c) of this rule with these additional stipulations.
- (a) Practice under the on-site supervision of an approved certified nurse midwife or a licensed physician.
  - (b) During a minimum of the first thirty days of practice or until satisfactory

clinical skills are demonstrated, the collaborating physician or covering physician shall be in attendance at all deliveries by the nurse midwife. The nurse midwife shall contact the collaborating physician or the physician providing medical coverage.

- (c) The nurse midwife with provisional approval may use the designation "Graduate Nurse Midwife."
- Provisional approval to practice is limited to a maximum of one year six (d) months and shall expire immediately upon:
  - <del>(i)</del>1. Notification of passing the certification examination.
  - <del>(ii)</del>2. Notification of failing the certification exam.
- Interim Approval: If the relationship with the collaborating physician is (3)terminated, a certified nurse midwife approved to practice under the provisions of these rules may continue in a collaborative practice with an interim physician after application for approval until such time as the new application is approved or denied, provided all requirements and stipulations for temporary approval cited in paragraph (1) are met.

**Author:** Alabama Board of Medical Examiners.

Statutory Authority: Code of Alabama 1975, as amended, §§ 34-24-53,

34-21-84, and 34-21-85.

History: Amended/Approved for Publication: May 21, 2003. Approved/Adopted: August 20, 2003. Effective Date: September 30, 2003. Amended/Approved: March 18, 2015.