## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 340 Department of Agency Alabama State Bos	ard of Medical Examiners
Rule No. <u>Chapter 540-X-8-,04</u> Rule Title: <u>Qualifications for Physicians in Collabor</u>	enting Practice with Cartified Pagistared Nurse
Practitioners	auve Flactice with Certified Registered Nuise
	Repeal Adopt by Reference
New A Amend	repearreopt 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
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Is there another, less restrictive method of	
regulation available that could adequately	
protect the public?	NO
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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
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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 propos	sed rule is
required to be accompanied by a fiscal note prepared in	
subsection (f) of Section 41-22-23, Code of Alabama 19	<u>975</u> .
**************	************
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 Legi	slative Reference Service.
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Signature of certifying officer	
Date: November 17, 2016	
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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:

Chapter 540-X-8-.04, Qualifications for Physicians in Collaborative Practice with Certified Registered Nurse

Practitioners

INTENDED ACTION:

To amend the rule

<u>SUBSTANCE OF PROPOSED ACTION</u>: To amend the rule to provide for expiration of a Commencement of Collaborative Practice form when no application is received within six months.

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 Wednesday, January 4, 2017. 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: January 4, 2017

**CONTACT PERSON AT AGENCY:** 

Patricia E. Shaner

Larry D. Dixon, Executive Director

540-X-8-.04 Qualifications for Physicians in Collaborative Practice with Certified Registered Nurse Practitioners.

- (1) The physician in collaborative practice with a certified registered nurse practitioner shall have:
- (a) A current, unrestricted license to practice medicine in the State of Alabama; and
- (b) Practiced medicine for at least one year, if the physician is certified by or eligible for board certification by a specialty board approved by the American Medical Association or by the American Osteopathic Association; or have practiced medicine for at least three years.
- (c) Paid all collaborative practice fees due to the Board of Medical Examiners and submitted to the Board of Medical Examiners the appropriate form a Commencement of Collaborative Practice form. In the event no application is received from the Alabama Board of Nursing within six (6) months of submission, the submitted form will be withdrawn by the Board. The fee submitted with the Commencement of Collaborative Practice form is non-refundable and non-transferable.
- (2) The Board of Medical Examiners, in its discretion, may waive the practice requirements in 1(b).
- (3) The physician shall not collaborate with or supervise any combination of certified registered nurse practitioners, certified nurse midwives and/or assistants to physicians exceeding one hundred and sixty (160) hours per week (four full-time equivalent positions) unless an exemption is granted under Rule 540-X-8-.12. "One full-time equivalent" (FTE) is herein described as a person/persons collectively working

forty hours a week, excluding time on call.

- (4) A physician entering into a collaborative practice arrangement with a certified registered nurse practitioner, including those who have been granted temporary approval to practice as a certified registered nurse practitioner under the provisions of Rule 540-X-8-.07, shall notify the State Board of Medical Examiners in writing of the following:
- (a) The date for commencement of the collaborative practice agreement using the "Commencement of Collaborative Practice" form. The Collaborative Practice Fee must accompany the "Commencement of Collaborative Practice" form.
- (b) The date on which the collaborative practice agreement between the collaborating physician and the nurse practitioner terminates. The "Notice of Termination" should be submitted within fourteen (14) days of the date of termination. The "Notice of Termination" shall be authorized by the collaborating physician and should include the name and license number of the collaborating physician and the name and license number of the Certified Registered Nurse Practitioner.

Author: Alabama Board of Medical Examiners.

**Statutory Authority:** Code of Alabama 1975, as amended, §§ 34-24-53 and 34-21-83.

History: This new Chapter 8 - Advanced Practice Nurses: Collaborative Practice replaces Chapter 8 - Nurse Midwives. This chapter is being filed as a joint effort by the Alabama Board of Nursing and the Alabama Board of Medical Examiners. Amended/Approved For Publication: March 20,1996. Approved/Adopted: June 19, 1996. Effective Date: July 25, 1996. Amended/Approved for Publication: May 21, 2003. Approved/Adopted: August 20, 2003. Effective Date: September 30, 2003. Amended/Approved: April 20, 2005. Effective Date: August 26, 2005. Emergency Rule Effective: September 4, 2007. Effective Date: December 17, 2007. Amended/Approved for Publication: February 18, 2015. Effective Date: August 6, 2015.