## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control <u>540</u> Department or Rule No. <u>540-X-1205</u>	Agency <u>Alabama State</u>	e Board of Medica	l Examiners
Rule Title: Renewal of a Quality	fied Alabama Controlle	ed Substances Reg	istration Contificate (OAGGG)
New X	Amend	Repeal	Adopt by Reference
Would the absence of the propos significantly harm or endanger the health, welfare, or safety?	sed rule ne public		YES
Is there a reasonable relationship state's police power and the prot public health, safety, or welfare?	ection of the	_	YES
Is there another, less restrictive n regulation available that could ac protect the public?	nethod of dequately		NO
Does the proposed rule have the directly or indirectly increasing to fany goods or services involved to what degree?	he costs	-	
Is the increase in cost, if any, more to the public than the harm that m from the absence of the proposed	night result	-	NO NO
Are all facets of the rulemaking p designed solely for the purpose of they have, as their primary effect, protection of the public?	f. and so		YES
*********	who		
**************************************	conomic impact?	**************************************	**************************************
If the proposed rule has an econor required to be accompanied by a f subsection (f) of Section 41-22-23	iscal note prepared in	0000000000000001	
**************************************	*******		********
I certify that the attached proposed compliance with the requirements all applicable filing requirements Service.	of Chapter 22 Title 4	1 0 1 0	na 1975, and that it conforms to of the Legislative Reference
Signature of certifying officer	<u>a</u>		ser.
Date: September 19, 2013		1	

## ALABAMA STATE BOARD OF MEDICAL EXAMINERS

## **NOTICE OF INTENDED ACTION**

AGENCY NAME:

Alabama State Board of Medical Examiners

RULE NO. & TITLE:

540-X-12-.05, Renewal of a Qualified Alabama Controlled

Substances Registration Certificate (QACSC)

**INTENDED ACTION:** 

To amend the rule

<u>SUBSTANCE OF PROPOSED ACTION</u>: To amend the rule to require that an applicant have a current registration to access the Alabama Controlled Substances Prescription Database and a current and appropriate registration issued by the U.S. Drug Enforcement Administration before renewing a QACSC.

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, November 4, 2013. 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: November 4, 2013

<u>CONTACT PERSON AT AGENCY</u>:

Patricia E. Shaner

Larry D. Dixon, Executive Director

540-X-12-.05 Renewal of a Qualified Alabama Controlled Substances

Registration Certificate (QACSC).

- (1) Renewal of a QACSC shall be annually on or before January 1<sup>st</sup> of each year. An application for annual renewal of a QACSC shall be received by the Board on or before December 31<sup>st</sup> and shall be accompanied by the required QACSC renewal fee.
- (2) The Board shall not renew the QACSC of any P.A. when an administrative fine has been assessed by the Board until such fine is paid in full. In the event that the fine is subsequently reduced or set aside on judicial review, the P.A. shall be entitled to a prompt refund of the amount of the fine, but shall not be entitled to interest thereon.
- (3) As a requirement for renewing a QACSC, a P.A. shall obtain four (4) AMA PRA Category 1 credits™ or equivalent regarding the prescribing of controlled substances every two years.
- (3) Before renewing a Qualified Alabama Controlled Substances Certificate, the applicant shall have a current registration to access the Controlled Substances

  Prescription Database established and maintained by the Alabama Department of Public Health.
- (4) Before renewing a Qualified Alabama Controlled Substances Certificate, an applicant shall have a current and appropriate registration issued by the United States Drug Enforcement Administration.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 20-2-60, et. seq., Act 2009-489

History: Approved for publication: November 18, 2009. Effective Date: March

24, 2010. Amended/approved for publication: September 18, 2013.