

APA-2
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ALABAMA MEDICAL LICENSURE COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medical Licensure Commission

RULE NO. & TITLE: 545-X-2-.03 Certificate of Registration

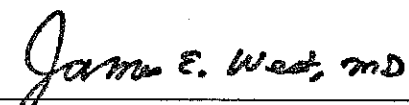
INTENDED ACTION: To amend rule 545-X-2-.03

SUBSTANCE OF PROPOSED ACTION: To make a provision for physicians that are assessed an administrative fine or cost bill to renew their medical license while making installment payments.

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 **Tuesday, November 4, 2014**. 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: November 4, 2014

CONTACT PERSON AT AGENCY: Karen H. Silas


James E. West, M.D., Chairman

545-X-2-.03 Certificate Of Registration.

(1) Every person licensed to practice medicine or osteopathy shall apply to the Commission, on or before December 31 of each succeeding year for a certificate of registration.

(2) Each application, which shall include the physician's or osteopath's name, address, the date and license number and signature, must be filed with the Commission along with the annual fee which shall be set at \$300.00.

(3) If application for a certificate of registration is not made each year on or before December 31, a \$ 100.00 late fee shall apply. The late fee shall apply to all application for registrations made between January 1 and January 31 of each year.

(4) When a licensee fails to renew his or her license on or before December 31, the license shall remain in full force and effective during the period January 1 through January 31.

(5) Upon receipt of the application and fee the Commission shall issue a certificate of registration, signed by the Executive Officer, which shall be effective during the next calendar year; provided, however, that the Commission shall not renew the annual certificate of registration of any physician against whom an administrative fine or administrative cost has been assessed by the Board of Medical Examiners or the Commission until such fine or cost is paid in full. However, if an order of the Medical Licensure Commission or the Board of Medical Examiners allows for the payment of the fine or costs in installments and if the licensee is current with the installment payment, then the physician shall be permitted to renew his or her certificate of registration. Upon

payment of any past due fine or cost the Commission shall renew the certificate of registration; provided, however, that in the event that the delinquent fine or cost is not paid until thirty-one (31) days after registration is due as provided in subsection (4) ~~below~~ above, the licensee shall be required to pay the reinstatement fee and complete forms as provided by these rules. Prior to said reinstatement, a criminal background check shall have been obtained, pursuant to Code of Alabama, Section 34-24-337 as amended by Act 2008-397.

(6) If a licensee fails to register and pay the registration fee and late fee if applicable, within thirty-one days after registration becomes due, the license shall automatically become inactive, provided that any person whose license shall become inactive in this way may make application in writing for the reinstatement of such license.

(7) When any physician or osteopath licensed by this Commission shall have such license become inactive for nonpayment of the annual registration fee required under Code of Ala. 1975, §§34-24-337, such physician or osteopath may apply to the Commission in writing for reinstatement of such license by filing with the Commission an application in the form specified in Appendix C to Chapter 2 of these rules, together with the payment of all past due renewal fees and the additional sum of \$250.00 dollars.

(8) Upon receipt of a properly completed application, criminal background check and the payment to the Commission of all required past due renewal fees plus the additional sum of \$250.00 dollars then the Commission shall reinstate the license of the application. In the event that the answers provided by the applicant to any question on

the application form or from any other source indicates that the applicant has committed any act or undergone any change of circumstance which would constitute grounds for the revoking of a license to practice medicine in the State of Alabama under Code of Ala. 1975, §§34-24-360, then the Commission shall refer the application to the State Board of Medical Examiners for investigation into all of the facts and circumstances surrounding such acts or circumstances in order to determine if a complaint for revocation or suspension of that physician's license should or should not be initiated.

(9) Before denying an application submitted under this section the Commission shall comply with all of the requirements of a contested case under the Alabama Administrative Procedure Act and the rules of this Commission.

(10) An example of the application for reinstatement is contained in Appendix C to Chapter 2 of these rules.

Author: Alabama Medical Licensure Commission

Statutory Authority: Code of Ala. 1975, §§§§34-24-337, 34-24-338.

History: Filed May 6, 1983. **Amended:** Filed September 25, 1986, July 27, 1990.

Effective Date: August 31, 1990. **Amended/Published:** July 30, 1993. **Adopted:** Filed

September 22, 1993; effective October 27, 1993. **Amended:** Filed October 27, 2000;

effective December 1, 2000. **Amended:** Filed July 30, 2001; effective September 3,

2001. **Amendment Approved for Publication:** August 27, 2003. **Amendment**

Adopted: November 19, 2003. Filed November 25, 2003; effective December 30, 2003.

Amended/Approved August 22, 2007; Emergency Rule Effective September 4, 2007

Approved November 28, 2007; Effective January 4, 2008. **Amended/Approved:** July

23, 2008; Emergency Rule Effective October 1, 2008. **Approved for Adoption:**
October 22, 2008; Filed October 29, 2008, Effective Date: December 3, 2008.

Amended/Approved: August 27, 2014; Filed w/LR September 4, 2014