

APA1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. 165 Department or Agency Alabama Athletic Commission
Rule No. 165-X-6-04
Rule Title: Medical Requirements
 New 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? Yes; Licensing Fees

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

Does the proposed rule have an economic impact? Yes

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

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 Legislative Reference Service.

Signature of certifying officer Joseph B. Neill
Date 7/19/16

(DATE FILED)
(STAMP)

APA-2
07/04

**Alabama Athletic Commission
NOTICE OF INTENDED ACTION**

AGENCY NAME:

Alabama Athletic Commission

RULE NO. & TITLE:

165-X-6-.04 Medical Requirements

INTENDED ACTION:

Create rules and regulations for the currently unregulated combative sport of professional kickboxing.

SUBSTANCE OF PROPOSED ACTION:

This section defines the medical requirements for kickboxing competitors, as well as on-site medical personnel.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

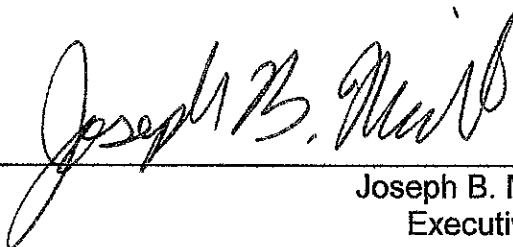
This rule was proposed and adopted by the AAC met on Friday, September 16, 2016, to enter the rules process. The proposal passed unanimously.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

November 14, 2016

CONTACT PERSON AT AGENCY:

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Joseph B. McCormick
Executive Director
Alabama Athletic Commission

(1) Medical Examinations.**(a) Neurological Examination.**

1. All kickboxers intended to compete in Alabama, who have competed in over two hundred (200) rounds during their professional career, according to the number of rounds disclosed on such kickboxer's official record, and prior to competing in Alabama, must submit to the Commission the results of a detailed neurological examination, performed within the previous twelve (12) months by a board certified and state licensed neurologist.

2. Such examination shall include a careful examination for signs of any trauma-induced neurological damage along with any other specific test or tests requested by the neurologist.

3. Any kickboxer not submitting said results prior to the match may be allowed to compete provided however that such kickboxer's license will, at the conclusion of the match, be medically suspended until such time as his or her neurological examination requirement is fulfilled.

(b) Eye Examination.

1. All kickboxers intending to compete in Alabama, who have competed in over two hundred (200) rounds during their professional career, according to the number of rounds disclosed on such kickboxer's official record, and prior to competing in Alabama, must submit to the Commission results from a complete ophthalmological examination, performed within the previous twelve (12) months, by a board certified and state licensed ophthalmologist.

2. Such examination shall include a careful dilated examination of the retinal periphery utilizing indirect ophthalmoscope sufficient to identify any sign of previous trauma or retinal damage along with any other specific test or tests requested by said ophthalmologist.

3. Any kickboxer not submitting said results prior to the match may be allowed to compete provided however that such kickboxer's license will, at the conclusion of the match, be medically suspended until such time as this ophthalmological requirement is fulfilled.

(i) The Commission may require updated examinations pursuant to subparagraphs (a) and (b) of this rule after each successive fifty (50) fought rounds, after the previous submission, as disclosed on such kickboxer's official ring record.

(2) Pre-Fight Examination. At the time of weigh-in, or at such other time as is then announced, all kickboxers must pass a pre-fight medical examination and a Commission designated physician must

complete a Pre-Fight Medical Examination Form. The examining physician shall deliver all Pre-Fight Medical Examination Forms to the Commission or to its authorized representative no more than five (5) days after the weigh-in.

(a) Pregnancy Testing.

1. Each female kickboxer, during the pre-fight physical, will be required to submit a pregnancy test administered under the direction of the examining physician, or such physician's authorized assistant. The cost of such test, unless the kickboxer's contract or bout agreement states otherwise, shall be the responsibility of the promoter. For purposes of this sub-paragraph, the term "pass" shall mean that the contestant is not pregnant.

2. Female kickboxers submitting written documentation acceptable to the examining physician may be waived from the pre-fight physical pregnancy test requirement. Such documentation shall be limited to:

(i) A copy of a lab report from a recognized clinical laboratory and dated within ten (10) days of the pre-fight physical attesting that the kickboxer is not pregnant, or

(ii) A statement from a state licensed physician, on such physician's letterhead, stating that the kickboxer has undergone certain medical procedures rendering her medically improbable of bearing children.

(b) Failed Pre-Fight Physical.

1. Whenever a kickboxer's examination indicates that they are unfit for competition, because of any weakness or disability discovered by the physician, an immediate report of such evidence must be made to the Commission. In such case, the kickboxer shall be prohibited from participating in the match.

2. The examining physician shall deliver all pre-fight examination reports to the Commission or to its authorized representative immediately following the weigh-in.

3. Any contestant who fails his or her pre-fight physical for medical reasons or for lack of general conditioning shall be placed on immediate medical suspension and reported to the Commission.

(c) Hydration Testing.

1. At the official weigh-in, all kickboxers hydration shall be examined by the pre-fight physician.

(d) Minimum Uncorrected Visual Acuity.

1. A kickboxer must have a minimum uncorrected visual acuity of 20/200 in both eyes. Any person who applies for a license or renewal of

license to compete as a professional kickboxer in Alabama may, upon the request of the Commission, be required to present evidence of his or her visual acuity.

(e) Additional Medical Examinations.

1. Upon recommendation of the examining physicians or the medical advisory panel, the Commission may require a kickboxer to undergo additional medical examinations performed by a state licensed physician to determine the kickboxer's medical fitness to compete.

(i) The Commission shall require re-examinations submitted after each successive fifty (50) professional rounds after the previous submission, as disclosed on such kickboxer's official record.

(f) Medical Suspensions by Other Commissions.

1. Medical suspensions. Other athletic commissions recognized by the Association of Boxing Commissions and Combative Sports and which are published by any boxing and/or mixed martial arts registry approved for such purposes by the Association of Boxing Commission and Combative Sports shall be recognized by the Commission.

2. Medical examinations after suspensions. A kickboxer who is under medical suspension in another state shall submit to any medical examination listed in this chapter as requested by the Commission prior to competing in a contest, match, or exhibition in this state.

(g) Drugs Prohibited.

1. The administration or use of any drugs, alcohol, stimulants, or injections in any part of the kickboxer's body, either prior or during a match, is prohibited, unless such drugs are administered by a physician and with the approval of the Commission.

(i) The Commission may order a kickboxer to undergo drug screening at any time. A Drug Screen Form must be completed by an approved laboratory and submitted to the Commission within seven (7) days of the order. On site doping control tests may also be implemented for the enforcement purposes of these rules.

(h) Post Contest Inactive Period.

1. No kickboxer shall be permitted to engage in another match in this state for a period of seven (7) days after competing in a match. The Commission shall recognize such suspensions from other commissions recognized by the Association of Boxing Commissions and Combative Sports.

(i) Head Injury.

1. Any kickboxer who suffers a knockout, concussion, or other serious head injury shall be examined by the Ringside Physician. The physician shall immediately report to the Commission or its representative, the condition of such kickboxer and whether or not additional medical attention is advised.

(j) Knockout and Technical Knockout.

1. When a kickboxer is defeated by knockout, that kickboxer's license shall be placed on an immediate sixty (60) day medical suspension.

2. Upon a kickboxer's second defeat by knockout, the kickboxer's license may be placed on an immediate ninety (90) day medical suspension, with discretion given to the physician and the Commission's Executive Director.

3. Any kickboxer losing by knockout in three (3) or more consecutive fights shall be placed on immediate medical suspension for a period of six (6) months.

4. Unless otherwise ordered by the attending ringside physician, there shall be a minimum thirty (30) day medical suspension after a technical knockout.

5. Technical knockouts caused by a severe cut shall result in a sixty (60) day medical suspension.

6. Completing a suspension may require approved medical evaluations as determined by the ringside physician.

(k) Under-Conditioned Fighter.

1. A kickboxer deemed under-conditioned by the referee, the Commission, or any designated representative of the Commission, shall be immediately disqualified and suspended for ninety (90) days.

(i) If it should be determined by the referee, any member of the Commission present, or any designated representative of the Commission present that a kickboxer did not give a good faith effort to display his or her skills, then that kickboxer shall be subject to disciplinary action.

(ii) A disqualified kickboxer may be disciplined by the Commission.

(l) Consecutive Losses.

1. Four (4) or More Consecutive Losses by TKO, KO, or DQ. A kickboxer who suffers his fourth (4th) or more consecutive loss by knockout, technical knockout, or disqualification, according to the kickboxer's official record, shall be summarily suspended pending a hearing by the Commission. The suspension will be listed as "Indefinite Pending

Hearing" and reported to both the official boxing and mixed martial arts registries, or an official registry for kickboxing.

2. History of Poor Performance. Any kickboxer with a history of poor performance shall not be approved to compete against any other kickboxer, except another kickboxer who has a similar history of poor performance in the same weight class.

(m) Verification of Contestant Experience.

1. The trainer or manager for a kickboxer that meets the following criteria shall submit an affidavit that the kickboxer is prepared for a professional contest:

(i) Kickboxer is making a pro debut;

(ii) Kickboxer has not competed in the last twelve (12) months;

(iii) Kickboxer has lost his or her last six (6) consecutive events;

(iv) Kickboxer has lost four (4) or more consecutive events by TKO, KO, or DQ.

(n) General Responsibilities and Provisions.

1. During the performance of any promotion, it shall be the promoter's responsibility to ensure the compliance with all laws and rules governing professional kickboxing in Alabama. Such responsibilities shall include, but will not be limited to the following:

(i) Medical Insurance.

(I) The promoter shall provide for the kickboxers' insurance covering ambulance services, medical, surgical, and hospital care with a minimum limit of \$20,000 for injuries sustained while participating in said program and for a \$20,000 death benefit awarded to the estate of any contestant should death occur from injuries received while participating in the contest or exhibition.

(ii) Physician.

(I) A ringside physician shall be present at all events. A Commission-designated ringside physician must be at ringside each bout. A Commission-designated ringside physician shall be either a M.D. or D.O.

(II) All physicians serving ringside shall obtain ARP/ACSM Certified Ringside Physician (CRP) certification no later than December 31, 2016.

(iii) Ambulance Service.

participation in each kickboxing match in Alabama if the match is scheduled to occur more than (365) days after the date of the most recent test. The results must be submitted to the Commission with the show date request prior to the official weigh-in.

(II) Positive tests for blood-borne pathogens. Any kickboxer who tests positive for Hepatitis B, Hepatitis C, or HIV shall appear before the medical advisory panel, which after verifying the results of the test, shall advise the Commission as to whether the kickboxer's participation in a match would pose a threat to the health and safety of a participant, official, or spectator.

I. Any kickboxer that tests positive for Hepatitis B, Hepatitis C, or HIV who is scheduled for competition must disclose to the promoter that they have tested positive for Hepatitis B, Hepatitis C, or HIV.

Authors: Joseph B. McCormick, J. Matt Bledsoe, Stan D. Frierson, Shane T. Sears

Statutory Authority: Code of Ala. 1975, §41-9-1024

History: New Rule: