

APA-1  
6/93

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control 540 Department or Agency Alabama State Board of Medical Examiners

Rule No. 540-X-7-.62

Rule Title: Continuing Medical Education - Anesthesiologist Assistant (A.A.)

         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 with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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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 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 \_\_\_\_\_

Date:          February 20, 2013

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6/93

**ALABAMA STATE BOARD  
OF MEDICAL EXAMINERS**

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.62, Continuing Medical Education - Anesthesiologist Assistant (A.A.)

INTENDED ACTION: To amend the Rule.

SUBSTANCE OF PROPOSED ACTION: To amend the rule to require twenty five (25) AMA PRA Category 1 Credits(TM) or equivalent within the twelve (12) months preceding a license renewed after Dec. 31.

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 April 4, 2013. 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: April 4, 2013

CONTACT PERSON AT AGENCY: Patricia E. Shaner



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Larry D. Dixon, Executive Director

540-X-7-.62 Continuing Medical Education - Anesthesiologist Assistant (A. A.).

(1)(a) Every anesthesiologist assistant licensed by the Board must earn or accrue in each calendar year not less than twenty five (25) hours of AMA PRA Category 1 Credits™ or the equivalent as defined in this rule of continuing medical education as a condition precedent to receiving his or her annual renewal of license, unless he or she is exempt from the minimum continuing medical education requirement.

(b) For the purpose of compliance with the continuing medical education (CME) basic requirement stated in paragraph (a) for only the 2010 calendar year, credits earned in the 2009 calendar year which are not used to meet the 2009 calendar year CME requirement may be carried forward and used to meet the 2010 calendar year requirement. Carrying forward credits shall not be allowed thereafter.

(2) For the purposes of this chapter, AMA PRA Category 1 Credit™ continuing medical education shall mean those programs of continuing medical education designated as AMA PRA Category 1 Credit™ which are sponsored or conducted by those organizations or entities accredited by the Council on Medical Education of the Medical Association of the State of Alabama or by the Accreditation Council for Continuing Medical Education (ACCME) to sponsor or conduct Category 1 continuing medical education programs.

(3) The following continuing medical education courses shall be deemed, for the purposes of this Chapter, to be the equivalent of AMA PRA Category 1 Credit™ continuing medical education:

(a) Programs of continuing medical education designated as Category 1-A

which are sponsored or conducted by organizations or entities accredited by the American Osteopathic Association to sponsor or conduct Category 1-A continuing medical education for osteopathic physicians.

(b) Programs of continuing medical education designated to confer "Prescribed credits" which are sponsored or conducted by organizations or entities accredited by the American Academy of Family Physicians to sponsor or conduct "Prescribed credit" continuing medical education activities.

(c) Programs of continuing medical education designated as such by the Alabama Board of Medical Examiners.

(d) Programs of continuing medical education designated to confer "ACOG Cognate Credits" which are sponsored or conducted by organizations or entities which are accredited by the American College of Obstetrics and Gynecology to sponsor or conduct approved ACOG Cognate Credit activities on obstetrical and gynecologic related subjects.

(4) Every anesthesiologist assistant subject to the minimum continuing medical education requirement established in these rules shall maintain records of attendance or certificates of completion demonstrating compliance with the minimum continuing medical education requirement. Documentation adequate to demonstrate compliance with the minimum continuing medical education requirements of these rules shall consist of certificates of attendance, completion certificates, proof of registration, or similar documentation issued by the organization or entity sponsoring or conducting the continuing medical education program. The records shall be maintained by the anesthesiologist assistant for a period of three (3) years following the year in which the

continuing medical education credits were earned and shall be subject to examination by representatives of the State Board of Medical Examiners upon request. Every anesthesiologist assistant subject to the continuing medical education requirements of these rules must, upon request, submit a copy of such records to the State Board of Medical Examiners for verification. Failure to maintain records documenting that an anesthesiologist assistant has met the minimum continuing medical education requirement, and/or failure to provide such records upon request to the Board is hereby declared to be unprofessional conduct and may constitute grounds for discipline of the anesthesiologist assistant's license to practice as an anesthesiologist assistant, in accordance with the statutes and regulations governing the disciplining of an anesthesiologist assistant's license.

(5) Every anesthesiologist assistant shall certify annually that he or she has met the minimum annual continuing medical education requirement established pursuant to these rules or that he or she is exempt. This certification will be made on a form provided on the annual renewal of license application required to be submitted by every anesthesiologist assistant on or before December 31st of each year. The Board shall not issue a renewed license to any anesthesiologist assistant who has not certified that he or she has met the minimum continuing medical education requirement unless the anesthesiologist assistant is exempt from the requirement.

(6) An anesthesiologist assistant who is unable to meet the minimum continuing medical education requirement by reason of illness, disability or other circumstances beyond his control may apply to the Board for a waiver of the requirement for the calendar year in which such illness, disability or other hardship

condition existed. A waiver may be granted or denied within the sole discretion of the Board, and the decision of the Board shall not be considered a contested case and shall not be subject to judicial review under the Alabama Administrative Procedure Act. If a waiver is granted, the anesthesiologist assistant shall be exempt from the continuing medical education requirement for the calendar year in which the illness, disability or other hardship condition existed.

(7) An anesthesiologist assistant receiving his or her initial license to practice medicine in Alabama is exempt from the minimum continuing medical education requirement for the calendar year in which he or she receives his initial license.

(8) An anesthesiologist assistant who is a member of any branch of the armed forces of the United States and who is deployed for military service is exempt from the continuing medical education requirement for the calendar year in which he or she is deployed.

(9) If an anesthesiologist assistant fails to renew his or her license before January 1 and, subsequently, applies to renew the license, then the applicant must submit proof of completion of not less than ~~twelve (12) hours~~ of twenty five (25) AMA PRA Category 1 Credits™ or the equivalent as defined in this rule of continuing medical education within the preceding twelve (12) months as a condition precedent to the renewal of such license.

**Author:** Alabama Board of Medical Examiners

**Statutory Authority:** Act 98-604, Effective 5/6/98. *Code of Alabama* §§34-24-290, *et. seq.*

**History:** Filed as an Emergency Rule: July 7, 1998. (Revision of Rules 540-X-7-.01 through 540-X-43 by deleting and replacing with new Rules 540-X-7-.01 through 540-X-7-.32; remaining Rules 540-X-7-.44 through 540-X-7-.62 were renumbered). Adopted: September 16, 1998. Effective Date: October 22, 1998. Repealed and Replaced: Approved June

6, 2002. Effective Date: October 24, 2002. Amended/Approved: July 17, 2002.  
Amended/Approved: March 17, 2004. Effective Date: June 25, 2004.  
Amended/Approved: September 16, 2009. Effective Date: December 23, 2009.  
Amended/Approved: January 20, 2010. Effective Date: April 15, 2010.