

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control 540 Department or Agency Alabama State Board of Medical Examiners

Rule No. Chapter 540-X-8-.04

Rule Title: Qualifications for Physicians in Collaborative Practice with Certified Registered Nurse Practitioners

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? 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 \_\_\_\_\_  
*T. J. [Signature]*

Date: February 19, 2015

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

**INTENDED ACTION:** To amend the rule

**SUBSTANCE OF PROPOSED ACTION:** To amend the rule to increase the number of physician extenders a physician may collaborate with or supervise

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** All interested persons may submit data, views, or arguments concerning the proposed new rule(s) orally or 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 Friday, April 3, 2015. 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 3, 2015

**CONTACT PERSON AT AGENCY:** Patricia E. Shaner



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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 registration forms.

(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 ~~twenty (120)~~ sixty (160) hours per week (~~three~~ 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 on which the certified registered nurse practitioner began providing services under the collaborative practice agreement. Notice to the Board shall be provided within five (5) business days after this date.~~ 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 certified registered nurse practitioner was terminated. Notice to the Board shall be provided within five (5) business days after this date. The notice required by this section shall specify the name and practice address of the collaborating physician, the name and practice address of the certified registered nurse practitioner, and the date on which the collaborative practice agreement commenced or was terminated. The notice shall be signed by the collaborating physician. Notice to the Board may be sent by e-mail, facsimile, overnight delivery or U.S. mail. The Board will confirm receipt of the notice required by this section.~~ 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.