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TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners
Rule No. 540-X-1-.04
Rule Title: Executive Director
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

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

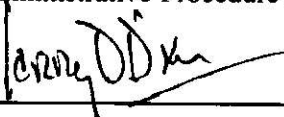
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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.

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: July 16, 2015

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**ALABAMA STATE BOARD
OF MEDICAL EXAMINERS**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: 540-X-1-.04, Executive Director

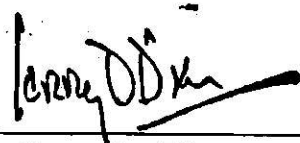
INTENDED ACTION: To amend the rule

SUBSTANCE OF PROPOSED ACTION: To amend the rule to provide that the Board and Executive Director may delegate and authorize the performance of duties to the Associate Executive Director

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 Friday, Sept. 4, 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: September 4, 2015

CONTACT PERSON AT AGENCY: Patricia E. Shaner, Esq.



Larry D. Dixon, Executive Director

540-X-1-.04 Executive Director.

(1) The Board shall employ a qualified individual to serve as Executive Director, whose duties, responsibilities and compensation shall be set by the Board.

(2) The Board may, from time to time, direct that the Executive Director perform, execute or carry out specific duties on behalf of the Board. The Executive Director may delegate duties to the Associate Executive Director.

(3) The Executive Director and the Associate Executive Director are is authorized by the Board to perform, execute or carry out on behalf of the Board duties including, but not limited to the following:

(a) Sign interim confidential orders, including orders for urine/blood drug screens, for psychiatric, psychological and neuropsychological evaluations, for professional sexual misconduct evaluations, for any physical examination/evaluation, for any mental examination/evaluation, for any laboratory examination/evaluation, for chemical dependency evaluations, for release of evaluation/examination records, for testing for medical knowledge, for evaluation of clinical competency, and for obtaining continuing medical education relating to prescribing practices.

(b) Sign subpoenas and subpoenas duces tecum.

(c) Sign administrative complaints, orders to show cause, and notices of hearings.

(d) Sign letters of concern.

(e) Sign letters requesting that a physician attend an interview with the Board.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama 1975, § 34-24-53

History: Amended/Approved for Publication March 19, 2003. Effective Date: July 31, 2003. Amended/Approved for Publication July 15, 2015.