

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-7-26

Rule Title: Limitations upon Utilization of Physician Assistants (P.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

Does the proposed rule have an economic impact?

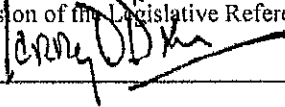
 NO

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 2, 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: 540-X-7-.26, Limitations upon Utilization of Physician Assistants (P.A.)

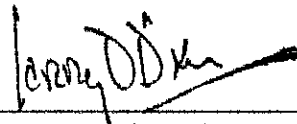
INTENDED ACTION: To amend the rule.

SUBSTANCE OF PROPOSED ACTION: To amend the rule to increase the cumulative work time for all mid level practitioners being supervised and to provide for a transitional allowance request

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 Wednesday, 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



Larry D. Dixon, Executive Director

540-X-7-.26 Limitations upon Utilization of Physician Assistants (P.A.).

(1) A supervising physician must be present in the operating room or be immediately available to that operating room whenever a physician assistant is involved in the care of a patient in the operating room. Whenever a physician assistant performs or assists in performing invasive procedures with involvement deeper than the complete dermis, the supervising physician must be present in the operating room, unless otherwise specifically approved by the Board.

(2) The cumulative work time for all physician assistants being supervised by an individual primary supervising physician shall not exceed one hundred and ~~twentysixty~~ (120/160) hours per week.

(3) A physician assistant may be registered to more than one supervising physician at any one time. The number of supervising physicians to whom a physician assistant may be registered shall be restricted by the Board if the Board, in its discretion, determines that such restriction is appropriate to maintain the quality of medical services being provided or to otherwise protect the public health, safety and welfare.

(4) A physician in a registration agreement/collaboration with a Physician Assistant, Certified Registered Nurse Practitioner or Certified Nurse Midwife totaling one hundred and sixty (160) hours per week (four (4) full-time equivalents (FTEs)) may request a transitional allowance increasing the total weekly hours for the purpose of orientation of the incoming Physician Assistant. The transitional allowance shall not exceed forty-five (45) days. The physician shall request the transitional allowance in writing and specify the starting date for this FTE allowance.

(45) Employees of the State Health Department or of a county board of health are specifically exempt from the requirements of paragraph (2) of this rule. The Board of Medical Examiners, in its discretion, may determine how many physician assistants may be registered to and/or supervised by a physician employed by the State Health Department or by a county board of health.

Author: Alabama Board of Medical Examiners

Statutory Authority: *Code of Alabama* §§34-24-290, *et. seq.*

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. Repealed and Replaced: Approved June 6, 2002. Effective Date: October 24, 2002. Amended/Approved: April 20, 2005. Emergency Rule Effective: January 17, 2008. Effective Date: April 24, 2008. Amended/Approved: June 17, 2015.