

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 545 Department or Agency Alabama Medical Licensure Commission

Rule No. Chapter 545-X-5-.16

Rule Title: Sanctions for Non-Compliance

 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 James E. West, MD

Date: May 25, 2012

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ALABAMA MEDICAL LICENSURE COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medical Licensure Commission

RULE NO. & TITLE: 545-x-5-.16 Sanctions for Non-Compliance

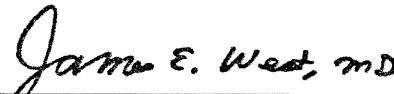
INTENDED ACTION: To renumber rule 545-x-5-.16

SUBSTANCE OF PROPOSED ACTION: Renumbering

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: Karen H. Silas, Executive Assistant, Alabama Medical Licensure Commission, Post Office Box 887, Montgomery, Alabama 36101-0887, 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, August 3, 2012. Persons wishing to obtain copies of the text of this rule and submit data, views or comments or arguments orally should contact Karen H. Silas, by telephone (334/242-4153) 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: August 3, 2012

CONTACT PERSON AT AGENCY: Karen H. Silas



James E. West, M.D., Chairman

545-X-5-.16 15 Sanctions for Non-compliance.

If a physician is found to be not in compliance with the requirements of this Chapter, his license to practice medicine may be subject to discipline by the Medical Licensure Commission as authorized under Code of Ala. 1975, §34-24-361, §34-24-381.

Administrative complaints asserting non-compliance with this Chapter may be filed by the Board of Medical Examiners with the Medical Licensure Commission in accordance with the Alabama Administrative Procedure Act and Chapter 540 5-X-3 of the Rules and Regulations of the Medical Licensure Commission.

Author: Wendell R. Morgan

Statutory Authority: Code of Ala. 1975, §34-24-311, Act 89-244.

History: Filed November 2, 1990; effective October 1, 1991.

[Amended] Repealed and Replaced January 28, 2004.

Adopted as an Emergency Rule effective January 30, 2004

Repeal and Replace Approved for Publication, January 28, 2004

Filed January 30, 2004; Effective May 28, 2004

Amended: Approved for Publication January 27, 2010; Filed February 4, 2010,

Final Approval April 28, 2010; Filed May 5, 2010; Effective Date June 9, 2010

Amended: Adopted as an Emergency Rule (renumbered) filed/effective May 25, 2012

Approved for Publication May 23, 2012, Filed May 25, 2012