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6/93

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners

Rule No. 540-X-19-.07

Rule Title: Investigations

_____ 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

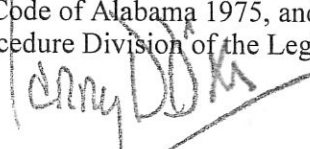
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? _____ YES

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: March 20, 2014

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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-19-.07, Investigaions

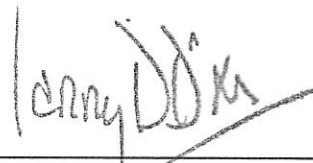
INTENDED ACTION: To amend the rule

SUBSTANCE OF PROPOSED ACTION: To amend the rule to correct references to new
Alabama statutes

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 Monday, May 5, 2014. 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. The rule amendment will also be available at the Board's web site, www.albme.org.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: May 5, 2014

CONTACT PERSON AT AGENCY: Patricia E. Shaner



Larry D. Dixon, Executive Director

540-X-19-.07 Investigations.

(1) The Board or its agents, on the Board's own motion or in response to a written complaint, may investigate known or suspected violations of §§ 34-24-40600, et seq., Code of Alabama 1975, as amended, and may issue subpoenas.

(2) In addition to the powers granted under §§ 34-24-40600, et seq., Code of Alabama 1975, as amended, the Board or its agents are further authorized to conduct any investigation pursuant to its authority in § 34-24-361, Code of Alabama 1975, as amended, including but not limited to, the conducting of formal interviews with a physician, the filing of a written administrative complaint and the request for the temporary emergency suspension of the license of a physician by the Medical Licensure Commission of Alabama.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 34-24-53, Act 2013-257

History: Approved for Publication: September 18, 2013. Effective Date: December 19, 2013. Amended/Approved for Publication: March 19, 2014.