

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-7-23

Rule Title: Requirements for Supervised Practice - Physician Assistant (P. A.)

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

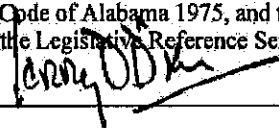
If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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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 \_\_\_\_\_



Date: October 12, 2015

APA-2  
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-.23, Requirements for Supervised Practice - Physician Assistants (P.A.)

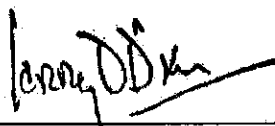
INTENDED ACTION: To amend the rule.

SUBSTANCE OF PROPOSED ACTION: Revise requirement for supervising physician's presence at an approved remote practice site, exempt facilities certified by the Alabama Dept. of Mental Health from requirement of written verification of physician availability.

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 December 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: December 4, 2015

CONTACT PERSON AT AGENCY: Patricia E. Shaner



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Larry D. Dixon, Executive Director

540-X-7-.23 Requirements for Supervised Practice - Physician Assistants

(P.A.)

(1) Physician supervision requires, at all times, a direct, continuing and close supervisory relationship between a physician assistant and the physician to whom the assistant is registered.

(2) There shall be no independent, unsupervised practice by physician assistants.

(3) The supervising physician shall be readily available for direct communication or by radio, telephone or telecommunication.

(4) The supervising physician shall be available for consultation or referrals of patients from the physician assistant.

(5) In the event the physician to whom the physician assistant is registered is not readily available, provisions must be made for medical coverage by a physician pursuant to Rule 540-X-7-.24.

(6) If the physician assistant is to perform duties at a site away from the supervising physician, the application for registration must clearly specify the circumstances and provide written verification of physician availability for consultation and/or referral, and direct medical intervention in emergencies and after hours, if indicated. The Board, at its discretion, may waive the requirement of written verification upon documentation of exceptional circumstances. Employees of state and county health departments and facilities certified by the Alabama Department of Mental Health are exempt from the requirement of written verification of physician availability.

(7) The supervising physician and the physician assistant shall adhere to any

written guidelines established by the Board to govern the prescription practices of physician assistants.

(8) If the physician assistant is to perform duties at a site away from the supervising physician, physician supervision requires the following:

(a) ~~The~~ The supervising physician receives a daily status report to be made in person, by telephone, or by telecommunications from the assistant on any complications or unusual problems encountered;

(b) ~~Supervising physician visits the site, in person, 10% of the time during regular business hours that the PA is present in the remote site, and not less than quarterly, to observe and to provide medical direction and consultation; provided, however, that when the physician assistant is performing duties at a patient's home, this requirement shall not apply; The supervising physician will be present ten percent (10%) of the P. A.'s scheduled work hours in an approved remote practice site if:~~

1. The P. A. has less than two (2) years (4,000 hours) in a registration agreement.

2. The P. A. has entered into a new registration agreement and the new supervising physician has a dissimilar primary specialty than the previous supervising physician.

(c) If the P. A. has at least two (2) years (4,000 hours) in a registration agreement, the supervising physician shall:

1. Visit the remote site no less than twice a year.

2. Meet with the P. A. no less than quarterly.

(d) A pre-approved covering physician is allowed to be present in lieu of the

| supervising physician.

| (ce) ~~§~~The supervising physician, during office visits, if applicable, reviews with  
| the assistant case histories of patients with unusual problems or complications, and

| (df) An appropriate physician personally diagnoses or treats patients requiring  
physician follow-up.

(9) The mechanism for quality analysis shall be as follows:

(a) A written plan for review of medical records and patient outcomes shall be  
submitted with the application for registration, with documentation of the reviews  
maintained.

(b) Countersignature by supervising physician must be pursuant to  
established policy and/or applicable legal regulations and accreditation standards.

**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: August 18, 2010. Effective Date:  
November 29, 2010. Amended/approved: October 15, 2014. Effective Date:  
January 15, 2015.