

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-4-.03

Rule Title: Renewal of an Alabama Controlled Substances Certificate

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

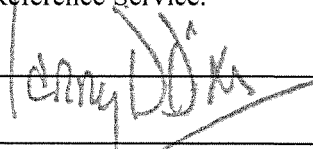
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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: September 19, 2013

**ALABAMA STATE BOARD
OF MEDICAL EXAMINERS**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: 540-X-4-.03, Renewal of an Alabama Controlled Substances Certificate

INTENDED ACTION: To propose a new rule and renumber remaining sections

SUBSTANCE OF PROPOSED ACTION: To propose a new rule providing that, in order to renew an Alabama Controlled Substances Certificate, the applicant must be registered with the Alabama Prescription Drug Monitoring Program and must hold a current, valid registration from the U. S. Drug Enforcement Administration

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, November 4, 2013. 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. Copies of the proposed rules may also be downloaded from the Board's web site, www.albme.org/rules.html.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Nov. 4, 2013

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



Larry D. Dixon, Executive Director

NEW

540-X-4-.03 Renewal of an Alabama Controlled Substances Certificate.

- (1) Renewal of an Alabama Controlled Substances Certificate shall be annually on or before December 31 of each year.
- (2) An applicant for renewal of an Alabama Controlled Substances Certificate shall submit to the Board the required certificate fee of \$150.00.
- (3) Before renewing an Alabama Controlled Substances Certificate, the applicant shall have a current registration to access the Controlled Substances Prescription Database established and maintained by the Alabama Department of Public Health.
- (4) Before renewing an Alabama Controlled Substances Certificate, an applicant shall have a current and appropriate registration issued by the United States Drug Enforcement Agency.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama 1975, § 20-2-51; Act 2013-256 (amendment to § 20-2-214).

History: New rule approved September 18, 2013.