ALABAMA BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE CODE

CHAPTER 540-X-18
QUALIFIED ALABAMA CONTROLLED SUBSTANCES REGISTRATION CERTIFICATE (QACSC) FOR CERTIFIED REGISTERED NURSE PRACTITIONERS (CRNP) AND CERTIFIED NURSE MIDWIVES (CNM)

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540-X-18-.01 Definitions.

The following definitions shall apply to the rules in this chapter:

(1) Administer - The direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient by any of the following:

(a) A collaborating physician, or, in his or her presence, his or her authorized agent;

(b) A certified registered nurse practitioner (CRNP) or certified nurse midwife (CNM); or

(c) The patient at the direction and in the presence of the collaborating physician, certified registered nurse practitioner (CRNP) or certified nurse midwife (CNM).

(2) Board - The Alabama State Board of Medical Examiners.

(3) Certified Nurse Midwife (CNM) - An advanced practice nurse who is subject to a collaborative practice agreement with a collaborating physician pursuant to §34-21-5, Code of Ala. 1975, as amended, and who has advanced knowledge and skills relative to the management of women's health care focusing on pregnancy, childbirth, the postpartum period, care of the newborn, family planning, and gynecological needs of women, within a health care system that provides for consultation, collaborative management, or referral as indicated by the health status of the patient.

(4) Certified Registered Nurse Practitioner (CRNP) - An advanced practice nurse who is subject to a collaborative practice agreement with a collaborating physician pursuant to §34-21-5, Code of Ala. 1975, as amended, and who has demonstrated by certification that he or she has advanced knowledge and skills in the delivery of nursing services within a health care system that provides for consultation, collaborative management, or referral as indicated by the health status of the patient.

(5) Collaborating Physician - A doctor of medicine or a doctor of osteopathy licensed to practice medicine in Alabama who agrees in writing to practice in collaboration with one or more certified registered nurse practitioners or certified nurse midwives in accordance with §34-21-5, Code of Ala. 1975, as amended, and the rules and regulations adopted by the Alabama Board of Medical Examiners and the Alabama Board of Nursing.

(6) Dispense - To deliver a controlled substance to an ultimate user by or pursuant to the lawful order of a physician or CRNP or CNM, including the prescribing, administering, packaging, labeling or compounding necessary to prepare the substance for that delivery.

(7) Excessive Dispensing - A registrant may be considered to have excessively dispensed a controlled substance if the Board finds that either the controlled substance was dispensed for no legitimate medical purpose, or that the amount of the controlled substance dispensed is not reasonably related to the proper medical management of the patient's illness or condition. Drug addiction shall not be considered an illness or condition which would justify the continued dispensing of a controlled substance, except in gradually decreasing dosages administered to the patient for the purpose of curing the addiction.

(8) Prescribe or Prescribing - The act of issuing a prescription for a controlled substance.

(9) Prescription - Any order for a controlled substance written or signed or transmitted by word of mouth, telephone,

telegraph, closed circuit television or other means of communication by a legally competent collaborating physician, certified registered nurse practitioner, or certified nurse midwife authorized by law to prescribe and administer the drug which is intended to be filled, compounded, or dispensed by a pharmacist.

(10) QACSC - Qualified Alabama Controlled Substances Registration Certificate.

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013.

540-X-18-.02 General Requirements.

(1) The Board is the certifying board which may issue or deny a QACSC of a CRNP or CNM.

(2) Beginning October 1, 2013, QACSCs may be issued by the Board to CRNPs and CNMs.

(3) A CRNP or CNM who prescribes, administers, or authorizes for administration any controlled substance within Alabama or who proposes to engage in the prescribing, administering, or authorizing for administration any controlled substance within Alabama shall obtain, annually, a QACSC for each collaborative practice agreement approved by the Alabama Board of Nursing and the Alabama Board of Medical Examiners.

(4) A CRNP or CNM who prescribes, administers, or authorizes for administration, or who proposes to engage in the prescribing, administering, or authorizing for administration of any controlled substance within Alabama shall obtain the appropriate registration or registrations issued by the United States Drug Enforcement Administration.

(5) A CRNP or CNM who applies for a Qualified Alabama Controlled Substances Certificate shall provide the Board with the DEA registration number authorizing his or her prescribing of controlled substances in Alabama at the time of application, or, if no such registration has been issued, shall provide the Board with the DEA registration number as soon as it is issued. Each CRNP or CNM who is issued a Qualified Alabama Controlled Substances Certificate shall provide a copy of the DEA registration certificate to the Board immediately upon renewal of the registration.

(6) The Board of Medical Examiners may decline to consider an application when the CRNP or CNM or the collaborating physician is

under investigation by the Board of Medical Examiners for a potential violation of the Code of Alabama, Sections 20-2-1, et seq., or 34-24-50, et seq., or any rule of the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013. **Amended:** Published August 31, 2022; effective October 15, 2022. **Amended:** Published December 30, 2022; effective February 13, 2023.

540-X-18-.03 **Requirements For The Issuance Of A Qualified Alabama Controlled Substances Registration Certificate (QACSC).**

To qualify for a QACSC, an individual must meet the following requirements:

(1) Be a CRNP or CNM who is practicing in accordance with §34-21-5, Code of Ala. 1975, as amended, and all Alabama Board of Nursing and Alabama Board of Medical Examiners rules governing collaboration between a qualified physician and a qualified CRNP or CNM and who is in a collaborative practice with a physician who holds and maintains a valid, current and unrestricted ACSC;

(2) Submit proof of successful completion of a course or courses (AMA PRA Category 1™) approved by the Board which includes eight (8) hours of instruction regarding the prescribing of controlled substances and four (4) hours of advanced pharmacology and prescribing trends relating to controlled substances within one (1) year preceding the filing of an application for a QACSC.

(3) Provide accurate and complete documentation of a minimum of twelve (12) months of active clinical practice pursuant to one or more collaborative practice agreements approved by the Alabama Board of Nursing and the Alabama Board of Medical Examiners. Temporary approval practice and provisional approval practice shall not be considered or used to meet this requirement;

(4) Provide information regarding whether the QACSC will be utilized at a remote site and/or in a different type of clinical setting than the collaborating physician.

(5) Submit an application on forms provided by the Board; and

(6) Pay the required application fee required by the Board.
Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: New Rule: Filed August 27, 2013; effective October 1, 2013. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Published December 30, 2022; effective February 13, 2023. **Amended:** Published October 31, 2023; effective December 15, 2023.

540-X-18-.03.01 Application For A Qualified Alabama Controlled Substances Registration Certificate (QACSC).

An applicant for a Qualified Alabama Controlled Substances Certificate shall disclose whether:

(1) Applicant's privilege for prescribing controlled substances has ever been suspended, restricted, voluntarily surrendered while under investigation, revoked, or disciplined in any manner in any state or U.S. territory.

(2) Applicant has ever been arrested for, cited for, charged with, or convicted of any crime, offense, or violation of any law, felony, or misdemeanor, including, but not limited to, offenses related to professional healthcare practice, state or federal controlled substances laws, or driving under the influence (DUI).

(3) Any Federal Drug Enforcement Administration registration ever held by applicant has ever been suspended, restricted, revoked or voluntarily surrendered while under investigation.

(4) Applicant's privileges at any hospitals have ever been suspended, restricted, revoked, or disciplined in any manner for any reason related to the prescribing or administering of controlled substances.

(5) Applicant is currently suffering from any condition that impairs their judgment or that would otherwise adversely affect their ability to practice in a competent, ethical, and professional manner.

(6) Within the past five years, the applicant has raised the issue of any physical or psychiatric health disorder as a defense, mitigation, or explanation for their actions during any administrative or judicial proceeding or investigation; any inquiry or other proceeding; or any proposed termination by an educational institution; employer; government agency; professional organization; or licensing authority.

(7) Applicant has attested to having read and understood this statement:

The Board recognizes that permittees encounter potentially impairing health conditions just as their patients and other health care providers do, including psychiatric or physical illnesses which may impact cognition, as well as substance use disorders. The Board expects its permittees to address their health concerns, both mental and physical, in a timely manner to ensure patient safety. Permittees should seek appropriate medical care and should limit their practice when appropriate and as needed. The Board encourages permittees to utilize the services of the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program (VDAP), an advocacy organization dedicated to improving the health and wellness of nursing professionals. The failure to adequately address a health condition, where the permittee is unable to practice with reasonable skill and safety to patients, can result in the Board taking action against the Qualified Alabama Controlled Substances Certificate.

(8) Any disciplinary action has been taken or is pending against applicant with the Alabama Board of Nursing or any other licensing authority of any state, territory, or country.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-60, et seq.
History: **New Rule:** Publication December 30, 2022; effective February 13, 2023. **Amended:** Published December 29, 2023; effective February 12, 2024. **Amended:** Published March 31, 2025; effective May 15, 2025.

540-X-18-.04 **Issuance Of A Qualified Alabama Controlled Substances Registration Certificate (QACSC).**

(1) The Board may issue a QACSC to a CRNP or CNM when all of the requirements for issuance have been met.

(2) Every QACSC issued shall have a unique QACSC number which identifies the particular applicant as a CRNP or CNM with a valid QACSC.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013.

540-X-18-.04.01 **Issuance Of An Additional Qualified Alabama Controlled Substances Registration Certificate (QACSC).**

(1) After the first QACSC for an approved collaborative practice agreement has been obtained by a CRNP or CNM pursuant to Board

Rules 540-X-18-.02, .03 and .04, any subsequent QACSC obtained for an additional collaborative practice shall be designated an additional QACSC.

(2) The Board may issue an additional QACSC to a CRNP or CNM when all of the requirements for issuance have been met.

(3) Every additional QACSC issued shall have a unique QACSC number which identifies the particular applicant as a CRNP or CNM with a valid QACSC.

(4) The fee for an additional QACSC is Sixty Dollars ($60.00)
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §20-2-259.
History: New Rule: February 27, 2018; effective April 14, 2018.

540-X-18-.05 Renewal Of A Qualified Alabama Controlled Substances Registration Certificate (QACSC).

(1) Renewal of a QACSC shall be annually on or before January 1 of each year. An application for annual renewal of a QACSC shall be received by the Board on or before December 31 and shall be accompanied by the required QACSC renewal fee.

(2) As a requirement for renewing a QACSC, a CRNP or CNM shall obtain, every two years, four (4) AMA PRA Category 1 credits™ or equivalent through a Board approved course or courses regarding the prescribing of controlled substances.

(3) Before renewing a Qualified 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 a Qualified Alabama Controlled Substances Certificate, an applicant shall have a current and appropriate registration issued by the United States Drug Enforcement Administration.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: New Rule: Filed August 27, 2013; effective October 1, 2013. **Amended:** Filed December 12, 2013; effective January 16, 2014. **Amended:** Filed March 19, 2015; effective April 23, 2015. **Amended:** Publication December 30, 2022; effective February 13, 2023.

540-X-18-.05.01 Renewal Of A Qualified Alabama Controlled Substances Registration Certificate (QACSC) - Required Disclosures.

(1) The applicant shall disclose whether:

(a) Applicant's privilege for dispensing or prescribing controlled substances has ever been suspended, restricted, voluntarily surrendered while under investigation, revoked, or disciplined in any manner in any state or U.S. territory.

(b) Applicant has ever been been arrested for, cited for, charged with, or convicted of any crime, offense, or violation of any law, felony, or misdemeanor, including, but not limited to, offenses related to the practice of professional healthcare, state or federal controlled substances laws, or driving under the influence (DUI)?

(c) Any Federal Drug Enforcement Administration registration ever held by applicant has ever been suspended, restricted, revoked or voluntarily surrendered while under investigation.

(d) Applicant's privileges at any hospitals have ever been suspended, restricted, revoked, or disciplined in any manner for any reason related to the prescribing or dispensing of controlled substances.

(e) Applicant is currently suffering from any condition that impairs their judgment or that would otherwise adversely affect their ability to practice in a competent, ethical, and professional manner.

(f) Within the past five years, applicant has raised the issue of any physical or psychiatric health disorder as a defense, mitigation, or explanation for their actions during any administrative or judicial proceeding or investigation; any inquiry or other proceeding; or any proposed termination by an educational institution; employer; government agency; professional organization; or licensing authority.

(g) Applicant has attested to have read and understood the following statement:

> The Board recognizes that permittees encounter potentially impairing health conditions just as their patients and other health care providers do, including psychiatric or physical illnesses which may impact cognition, as well as substance use disorders. The Board expects its permittees to address their health concerns, both mental and physical, in a timely manner to ensure

patient safety. Permittees should seek appropriate medical care and should limit their practice when appropriate and as needed. The Board encourages permittees to utilize the services of the Alabama Board of Nursing's Voluntary Disciplinary Alternative Program, an advocacy organization dedicated to improving the health and wellness of nursing professionals in a confidential manner. The failure to adequately address a health condition, where the permittee is unable to practice with reasonable skill and safety to patients, can result in the Board taking action against the Qualified Alabama Controlled Substances Certificate.

(h) Any disciplinary action has been taken or is pending against applicant with the Alabama Board of Nursing or any other licensing authority of any state, territory, or country.

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-60, et seq.
History: **New Rule:** Publication December 30, 2022; effective February 13, 2023. **Amended:** Published December 29, 2023; effective February 12, 2024. **Amended:** Published March 31, 2025; effective May 15, 2025.

540-X-18-.06 **Fees - Qualified Alabama Controlled Substances Registration Certificate (QACSC).**

(1) An applicant for a QACSC shall submit to the Board an application fee in the amount of One Hundred and Ten Dollars ($110.00), which includes the fee payable to the Alabama Department of Public Health Prescription Drug Monitoring Data Bank required by §20-2-217, Code of Ala. 1975, as amended.

(2) An applicant for annual renewal of a QACSC submitted on or before December 31 shall submit to the Board a QACSC renewal fee in the amount of Sixty Dollars ($60.00), which includes the fee payable to the Alabama Department of Public Health Prescription Drug Monitoring Data Bank required by §20-2-217, Code of Ala. 1975, as amended.

(3) An applicant for annual renewal of a QACSC submitted after the renewal deadline of December 31 and prior to January 31 shall submit to the Board a QACSC renewal fee in the amount of Sixty Dollars ($60.00), which includes the fee payable to the Alabama Department of Public Health Prescription Drug Monitoring Data Bank required by §20-2-217, Code of Ala. 1975, as amended, and a late fee in the amount of Seventy-Five Dollars ($75.00).

(4) An applicant for annual renewal of a QACSC submitted after January 31 shall submit to the Board of QACSC renewal fee in the amount of Sixty Dollars ($60.00) which includes the fee payable to the Alabama Department of Public Health Prescription Drug

Monitoring Data Bank required by §20-2-217, Code of Ala. 1975, as amended, and a penalty fee in the amount of One Hundred Ten Dollard ($110.00).

(5) An applicant for annual renewal of a QACSC submitted after January 31 who has also prescribed controlled substances between January 1 and the date of application shall submit to the Board a QCSAS renewal fee in the amount of Sixty Dollars ($60.00), which includes the fee payable to the Alabama Department of Public Health Prescription Drug Monitoring Data Bank required by §20-2-217, Code of Ala. 1975, as amended, and a penalty fee in the amount of One Hundred Fifty Dollars ($150.00).

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: New Rule: Filed August 27, 2013; effective October 1, 2013. **Amended:** Published August 31, 2022; effective October 15, 2022.

540-X-18-.07 Utilization Of Qualified Alabama Controlled Substances Registration Certificate (QACSC) - Limitations.

(1) The authority of a CRNP or CNM to prescribe, administer, or authorize for administration pursuant to a QACSC is limited to those controlled substances enumerated in Schedules III, IV and V.

(2) A CRNP or CNM shall not use the authority of his or her QACSC to prescribe, administer, or authorize for administration, any controlled substance enumerated in Schedule I or Schedule II.

(3) A CRNP or CNM shall prescribe, administer, or authorize for administration controlled substances in accordance with the requirements of Code of Ala. 1975, §§20-2-250 through 20-2-259; any other applicable sections of the Alabama Uniform Controlled Substances Act (Code of Ala. 1975, §§20-2-1, et seq.); Board rules; protocols, formularies, and medical regimens established by the Board for regulation of a QACSC; and any requirements or limitations established in an approved formulary by the collaborating physician.

(4) A CRNP or CNM shall not utilize his or her QACSC for the purchasing, obtaining, maintaining or ordering of any stock supply or inventory of any controlled substance in any form.

(5) A CRNP or CNM who has been issued a valid and current QACSC may accept from pharmaceutical representatives prepackaged samples or starter packs in their original packages or containers for controlled substances enumerated in Schedules III, IV or V, subject to any restriction or limitations on the CRNP’s or CNM’s

approved formulary and subject to any protocols or medical regimens established by the Board.

(6) A CRNP or CNM shall not prescribe, administer, or authorize for administration any controlled substance to his or her own self, spouse, child or parent.

(7) If the Alabama Controlled Substances Certificate of the collaborating physician under whose supervision the CRNP or CNM utilizes a QACSC becomes inactive, revoked, suspended, restricted, or placed on probation, then the QACSC of the CRNP or CNM shall be administratively terminated by operation of law.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223.
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Publication December 30, 2022; effective February 13, 2023. **Amended:** Published July 31, 2023; effective September 14, 2023.

540-X-18-.07.01 Prescription Guidelines - Qualified Alabama Controlled Substances Registration Certificate (QACSC).

(1) When prescribing controlled substances, a CRNP or CNM shall use a prescription form that includes all of the following:

(a) The name, medical practice site address, and telephone number of the collaborating physician.

(b) The name of the CRNP or CNM;

(c) The medical practice site address and telephone number of the CRNP or CNM if different from that of the collaborating physician;

(d) CRNP or CNM's registered nurse license number assigned by the Board of Nursing.

(e) The words "Product Selection Permitted" printed on one side of the prescription form directly beneath a signature line;

(f) The words "Dispense as written" printed on one side of the prescription form directly beneath a signature line.

(g) The date that the prescription is issued to the patient.

(h) The patient's full name and address.

(i) The CRNP or CNM's QACSC registration number.

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-60, et seq.; Act 2009-489.
History: **New Rule:** Publication December 30, 2022; effective February 13, 2023.

540-X-18-.08 **Grounds For Denial, Restriction, Limitation, Suspension Or Revocation - Qualified Alabama Controlled Substances Registration Certificate (QACSC).**

The Board may deny a CRNP's or CNM's application for a QACSC, deny a CRNP's or CNM's application for renewal or reinstatement of a QACSC, or initiate action against the QACSC of a CRNP or CNM based on the following grounds:

(1) Fraud or deceit in applying for, procuring, or attempting to procure a QACSC in the state of Alabama.

(2) Conviction of a crime under any state or federal law relating to any controlled substance.

(3) Conviction of a crime or offense which affects the ability of the CRNP or CNM to practice with due regard for the health or safety of his or her patients.

(4) Prescribing a drug or utilizing a QACSC in such a manner as to endanger the health of any person or patient of the CRNP, CNM or collaborating physician.

(5) Suspension or revocation of a registration number issued to the CRNP or CNM by the United States Drug Enforcement Administration.

(6) Excessive dispensing or prescribing of a controlled substance to any person or patient of the CRNP, CNM or collaborating physician.

(7) Unfitness or incompetence due to the use of or dependence on alcohol, chemicals, or any mood-altering drug to such an extent as to render the CRNP or CNM unsafe or unreliable to prescribe drugs or to hold a QACSC.

(8) Any violation of a requirement set forth in §§20-2-250 through 20-2-259, Code of Ala. 1975, as amended; a rule of the Board; a protocol or medical regimen adopted by the Board; or a limitation established by the collaborating physician in an approved formulary.

(9) Prescribing a controlled substance without a valid QACSC.

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013. **Amended:** Published August 31, 2022; effective October 15, 2022.

540-X-18-.09 Due Process Proceedings - Denial Of And Actions Against Qualified Alabama Controlled Substances Registration Certificate (QACSC).

(1) Before denying an application for a QACSC, denying an application for renewal or reinstatement of a QACSC, or taking action against a QACSC of a CRNP or CNM, the Board shall serve upon the CRNP or CNM an order to show cause why registration should not be denied or why the QACSC should not be restricted, limited, suspended or revoked.

(2) Any hearing concerning the order to show cause shall be before the Board.

(3) The order to show cause shall contain a statement of the basis therefor and shall call upon the applicant or registrant to appear before the Board at a time and place not less than thirty (30) days after the date of service of the order, but in the case of denial of renewal of registration, the show cause order shall be served not later than thirty (30) days before the expiration of the registration.

(4) Proceedings to deny renewal of registration shall not abate the existing registration which shall remain in effect pending the outcome of the administrative hearing.

(5) The Board may restrict, suspend or revoke a QACSC whenever a CRNP or CNM shall be found guilty on the basis of substantial evidence of any of the acts or offenses enumerated in Rule 540-X-18-.08.

(6) The Board may limit revocation or suspension of a QACSC to the particular controlled substance with respect to which grounds for revocation or suspension exist.

(7) The Board shall promptly notify the Drug Enforcement Administration of the United States Department of Justice of all orders restricting, limiting, suspending or revoking a QACSC.

(8) Any hearing before the Board shall be considered a contested case under the Alabama Administrative Procedure Act, §41-22-1, et seq., Code of Ala. 1975, as amended, and shall be conducted in accordance with the requirements of that Act.

(9) In a hearing on the request for reinstatement of a QACSC, the Board has the authority to reinstate or deny reinstatement of a QACSC. In a hearing on a request for reinstatement of a QACSC, the applicant shall have the burden of establishing to the reasonable satisfaction of the Board that the applicant is entitled to the specific relief requested.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013. **Amended:** Published August 31, 2022; effective October 15, 2022.

540-X-18-.10 Conduct Of Hearings - Qualified Alabama Controlled Substances Registration Certificate (QACSC).

Except when §§20-2-250 through 20-2-259, Code of Ala. 1975, as amended, and Board Rule 540-X-18-.09 are in conflict and shall take precedence, hearings related to a QACSC are to be governed and conducted in accordance with Board Rules 540-X-6-.03 (Hearing Officer); 540-X-6-.04 (Conduct of Hearings in Contested Cases; and 540-X-6-.05 (Miscellaneous Provisions).
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013.

540-X-18-.11 Appeals - Qualified Alabama Controlled Substances Registration Certificate (QACSC).

(1) A CRNP or CNM may obtain judicial review when adversely affected by any of the following:

(a) An order of the Board denying an application for a QACSC;

(b) An order of the Board denying an application for renewal of a QACSC;

(c) An order of the Board suspending, revoking or restricting a QACSC; or

(d) An order of the Board denying reinstatement of a QACSC.

(2) Judicial review of an order of the Board may be obtained by filing a written petition for review with the Circuit Court of Montgomery County in accordance with §41-22-20, Code of Ala. 1975, as amended.

(3) The following procedures shall take precedence over §41-22-20(c), Code of Ala. 1975, as amended, relating to the issuance of a stay of any order of the Board suspending, revoking or restricting a QACSC. The suspension, revocation or restriction of a QACSC shall be given immediate effect and no stay or supersedeas shall be granted pending judicial review of a decision by the Board to suspend, revoke or restrict a QACSC unless a reviewing court, upon proof by the party seeking judicial review, finds in writing that the action of the Board was taken without statutory authority, was arbitrary or capricious or constituted a gross abuse of discretion.

(4) From the judgment of the Circuit Court, either the Board or the affected party who invoked judicial review may obtain a review of any final judgment of the Circuit Court pursuant to §41-22-21, Code of Ala. 1975, as amended. No security shall be required of the Board.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: New Rule: Filed August 27, 2013; effective October 1, 2013.

540-X-18-.12 Access To Records - Qualified Alabama Controlled Substances Registration Certificate (QACSC).

The Board, its agents, attorneys, investigators, or inspectors shall be permitted access to inspect and copy any records of a CRNP or CNM, including patient records, which relate to a request for a QACSC; a renewal of a QACSC; possible violations of any of the provisions of the Alabama Uniform Controlled Substances Act; possible violations of §§20-2-250 through 20-2-259, Code of Ala 1975, as amended; or possible violations of any Board rule governing a QACSC.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: New Rule: Filed August 27, 2013; effective October 1, 2013.

540-X-18-.13 Covering Physician - Qualified Alabama Controlled Substances Registration Certificate (QACSC).

(1) A covering physician who applies to collaborate with or does collaborate with a CRNP or CNM possessing a QACSC, shall hold a valid, current and unrestricted Alabama Controlled Substances Registration Certificate (ACSC).

(2) The covering physician shall state in writing to the Board the following:

(a) That he or she is familiar with the Board rules concerning the QACSC;

(b) That he or she is familiar with any protocols or medical regimens adopted by the Board concerning the QACSC;

(c) That he or she is familiar with any limitation on the prescribing of controlled substances agreed to in the approved formulary by the CRNP or CNM and the collaborating physician; and

(d) That, having full knowledge of the authority of the CRNP or CNM to prescribe controlled substances, the covering physician agrees to provide medical oversight for the CRNP or CNM accordingly.

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013.

540-X-18-.14 Controlled Substances Prescription Database Access.

All CRNPs or CNMs possessing a QACSC who are permitted access to the information in the controlled substances database shall abide by the requirements and limitations stated in §§20-2-210 through 20-2-220, Code of Ala. 1975, as amended, where applicable.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.; Act 2013-223.
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013.

540-X-18-.15 Risk And Abuse Mitigation Strategies.

(1) The Board recognizes that all controlled substances, including but not limited to, opiates, benzodiazepines, stimulants, anticonvulsants, and sedative hypnotics, have a risk of addiction, misuse, and diversion. It is the opinion of the Board that the best practice when prescribing controlled substances shall include medically appropriate risk and abuse mitigation strategies, which will vary from patient to patient. Additional care should be used by practitioners when prescribing medication to a patient from multiple controlled substance drug classes.

(2) Every practitioner shall provide his or her patient with risk education prior to initiating controlled substances therapy and prior to continuing the controlled substances therapy initiated by another practitioner.

(3) Every practitioner shall utilize medically appropriate risk and abuse mitigation strategies when prescribing controlled substances. Examples of risk and abuse mitigation strategies include, but are not limited to:

(a) Pill counts;

(b) Urine drug screening;

(c) PDMP checks;

(d) Consideration of abuse-deterrent medications;

(e) Monitoring the patient for aberrant behavior;

(f) Using validated risk-assessment tools, examples of which shall be maintained by the Board; and

(g) Co-prescribing naloxone to patients receiving opioid prescriptions when determined to be appropriate in the clinical judgment of the treating practitioner.

(4) The Board recognizes that the best available research demonstrates that the risk of adverse events occurring in patients who use controlled substances to treat pain increases as dosage increases. The Board adopts the "Morphine Milligram Equivalency" ("MME") daily standard as set out by the Centers for Disease Control and Prevention ("CDC") for calculating the morphine equivalence of opioid dosages. The Board further adopts the “Lorazepam Milligram Equivalency” (“LME”) daily standard for calculating sedative dosing when using the Alabama Prescription Drug Monitoring Program.

(5) For the purpose of preventing controlled substance diversion, abuse, misuse, addiction, and doctor-shopping, the Board sets forth the following requirements for the use of Alabama's Prescription Drug Monitoring Program (PDMP):

(a) For controlled substance prescriptions totaling less than 30 MME or 3 LME per day, practitioners are expected to use the PDMP in a manner consistent with good clinical practice.

(b) When prescribing to a patient controlled substances of more than 30 MME or 3 LME per day, practitioners shall review that patient's prescribing history through the PDMP at least two (2) times per year, and each practitioner is responsible for documenting the use of risk and abuse mitigation strategies in the patient’s medical record.

(c) Practitioners shall query the PDMP to review a patient's prescribing history every time a prescription for more than 90 MME or 5 LME per day is written, on the same day the prescription is written.

(6) Exemptions: The Board's PDMP requirements do not apply to practitioners writing controlled substance prescriptions for:

(a) Nursing home patients;

(b) Hospice patients, where the prescription indicates hospice on the physical prescription;

(c) When treating a patient for active, malignant pain; or

(d) Intra-operative patient care.

(7) Due to the heightened risk of adverse events associated with the concurrent use of opioids and benzodiazepines, practitioners should reconsider a patient's existing benzodiazepine prescriptions or decline to add one when prescribing an opioid and consider alternative forms of treatment.

(8) A violation of this rule is grounds for the assessment of a fine and for the suspension, restriction, or revocation of a practitioner's Alabama Controlled Substances Certificate or license to practice medicine.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-250, et. seq.
History: New Rule: Filed June 24, 2019; Effective August 8, 2019. **Amended:** Published September 30, 2020; effective November 14, 2020. **Amended:** Published February 26, 2021; effective April 12, 2021.

540-X-18-AA **Appendix A Application For Qualified Controlled Substances Registration Certificate For Certified Registered Nurse Practitioners And Certified Nurse Midwives (Repealed 2/13/23).**

ALABAMA BOARD OF MEDICAL EXAMINERS
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APPENDIX A

APPLICATION FOR QUALIFIED CONTROLLED SUBSTANCES REGISTRATION CERTIFICATE FOR CERTIFIED REGISTERED NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES
(REPEALED 2/13/23)

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-50, 20-2-259.
History: **New Rule:** Filed August 27, 2013; effective October 1, 2013. **Repealed and New Rule:** Filed February 27, 2018; effective April 14, 2018. **Amended:** Filed August 23, 2018; effective October 7, 2018. **Repealed:** Filed December 30, 2022; effective February 13, 2023.

540-X-18-AB **Appendix B Qualified Controlled Substances Registration Certificate For Certified Registered Nurse Practitioners and Nurse Midwives Renewal (Repealed 2/13/23).**

ALABAMA BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE CODE

APPENDIX B

QUALIFIED CONTROLLED SUBSTANCES REGISTRATION CERTIFICATE FOR CERTIFIED REGISTERED NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES RENEWAL
(REPEALED 2/13/23)

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§20-2-50, 20-2-259.
History: New Rule: Filed August 27, 2013; effective October 1, 2013. **Amended:** Filed December 12, 2013; effective January 21, 2014. **Amended:** Filed September 17, 2015; effective October 22, 2015. **Repealed and New Rule:** Filed July 20, 2017; effective September 3, 2017. **Repealed and New Rule:** Filed February 27, 2018; effective April 14, 2018. **Repealed:** Filed December 30, 2022; effective February 13, 2023.

540-X-18-AC **Appendix C Application For Additional Qualified Substances Registration Certificate For Certified Registered Nurse Practitioners and Nurse Midwives (Repealed 2/13/23).**

ALABAMA BOARD OF MEDICAL EXAMINERS
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APPENDIX C

APPLICATION FOR ADDITIONAL QUALIFIED CONTROLLED SUBSTANCES REGISTRATION CERTIFICATE FOR CERTIFIED REGISTERED NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES (REPEALED 2/13/23)

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §20-2-259.
History: New Rule: Filed February 27, 2018; effective April 14, 2018. **New Rule:** Filed August 23, 2018; effective October 7, 2018. **Repealed:** Filed December 30, 2022; effective February 13, 2023.