ALABAMA BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE CODE

CHAPTER 540-X-23
PHYSICIAN REENTRY INTO PRACTICE

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540-X-23-.01 Definitions.

(1) Active Practice: A physician may be said to be in active clinical practice when any amount of direct patient care has been provided during the preceding two years in any jurisdiction of the United States or Canada, including territories.

(2) Direct Patient Care: Direct patient care has been provided when a physician treats, or professes to diagnose, treat, perform surgery on, or prescribe medication to a patient for any physical ailment or injury in a clinical or professional setting.

(3) Burden of Proof: The reentry candidate shall have the burden of providing appropriate proof of direct patient care. Ideally, such proof will include a patient chart but may include other documentation as deemed appropriate by the Board.

(4) Two-Year Period: The beginning of the two-year period will begin from the date the physician last provided direct patient care and will be tolled by the filing of an initial or reinstatement application for a certificate of qualification to practice medicine or a medical license reinstatement application.

(5) Board: Alabama Board of Medical Examiners

(6) Commission: Medical Licensure Commission of Alabama

Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§34-24-53, 34-24-53.1, 34-24-70, 34-24-337, 34-24-360, 34-24-360.1, 34-24-361.
History: **New Rule**: Filed April 16, 2019; effective May 31, 2019.
Amended: Published November 26, 2025; effective January 10, 2026.

540-X-23-.02 Application.

(1) This rule shall apply in the following instances:

(a) Physician applicants seeking a certificate of qualification, who otherwise qualify for a certificate of qualification, but who have been absent from clinical practice for two years or more may obtain a certificate of qualification by entering into a reentry agreement with the Board.

(b) Licensees seeking reinstatement of a certificate of qualification may be ordered to complete a reentry plan as a condition of reinstatement. Licensees whose reinstatement is contested and whose certificate of qualification is reinstated shall be required to complete a reentry plan as part of the reinstatement order.

(c) When a licensee who has been absent from clinical practice for two years or more is seeking reinstatement of a medical license by the Commission pursuant to Code of Ala. 1975, §34-24-337, the Board shall file a notice to contest such reinstatement. In such cases, the Board shall recommend that the Commission order the licensee to complete a reentry plan as a condition of reinstatement.

(d) The Board shall recommend implementation of a reentry plan to the Commission as a condition of probation, as a restriction, or as a condition of reinstatement in any case where a licensee has violated Code of Ala. 1975, §34-24-360(20).

(2) This rule shall apply to physicians.
Author: Alabama Board of Medical Examiners
Statutory Authority: Code of Ala. 1975, §§34-24-53, 34-24-53.1, 34-24-70, 34-24-337, 34-24-360, 34-24-360.1, 34-24-361.
History: **New Rule:** Filed April 16, 2019; effective May 31, 2019.

540-X-23-.03 Reentry To Practice Rule.

(1) A physician's absence from clinical practice for more than two years creates a rebuttable presumption of clinical incompetence. A physician, whether he or she is an applicant or licensee, who has not actively practiced or who has not maintained continued competency, as determined by the Board, during the two-year period immediately preceding the filing of an application for licensure or reinstatement or during any consecutive two-year period may be required to complete a reentry plan as a condition of licensure/ reinstatement.

(2) The reentry plan may contain any or all of the following:

(a) An assessment of the physician's current strengths and weaknesses in his or her intended area(s) of practice. The process may include testing and evaluation by colleagues,

educators, or any other person or entity approved by the Board or Commission.

(b) The physician must also obtain education. Education shall address the applicant's area(s) of needed improvement and consist of a reentry period of retraining and education upon terms based on the factors set forth in Paragraph (3) of this rule.

(c) Depending upon the amount of time out-of-practice, the physician may be required to complete one or more of the following:

1. Receive a passing score on the Special Purpose Examination ("SPEX") or the Comprehensive Osteopathic Medical Variable-Purpose Examination ("COMVEX") examination;

2. Participate in a national assessment readiness program;

3. Undergo a competency assessment by the Board and/or the Commission;

4. Practice for a specified period of time under a mentor/supervising physician who will provide periodic reports to the Board;

5. Obtain certification or recertification by a specialty board recognized by the American Board of Medical Specialties ("ABMS") or the American Osteopathic Association's ("AOA") Bureau of Osteopathic Specialists;

6. Complete one year of accredited postgraduate or clinical fellowship training, which must be preapproved by the Board;

7. Complete up to 50 hours of Board-approved continuing medical education each year that the agreement is in place.

(3) Factors that may affect the Board's determination regarding competency and the length and scope of the reentry plan include:

(a) The physician's length of time out of practice;

(b) The physician's prior intensity of practice;

(c) The reason for the interruption in practice;

(d) The physician's activities during the interruption in practice, including the amount of practice-relevant continuing medical education;

(e) The physician's previous and intended area(s) of practice;

(f) The skills required of the intended area(s) of practice;

(g) The developments in the intended area(s) of practice over the time the physician has been out of continuous practice;

(h) The length of time since the physician has completed his or her medical education and/or training;

(i) As applicable, the date of the most recent ABMS, AOA, or equivalent specialty board certification.

(4) A physician who fails to receive a passing score on the SPEX or COMVEX examination three times, whether in Alabama or other states, must successfully complete one year of an accredited residency or an accredited or Board-approved clinical fellowship before retaking the SPEX or COMVEX.

(5) If the Board approves a physician's reentry plan, it shall be incorporated by reference into a reentry agreement and executed by the applicant, the Board, and any applicable Board agents assisting with the reentry agreement.

(6) After the reentry agreement has been executed and the applicant has completed all other requirements for licensure, the Board shall issue a restricted certificate of qualification. The licensee may not practice outside the scope of the reentry agreement and its referenced reentry plan during the reentry period.

(7) While the reentry agreement is in effect, the licensee shall meet with members of the Board at such dates, times, and places as directed by the Board to discuss the licensee's transition back into practice and any other practice related matters. Practicing outside the scope of the reentry agreement, as determined by the Board, is unprofessional conduct, a violation of Code of Ala. 1975, §34-24-360(2).

(8) Upon successful completion of the reentry agreement, the licensee must petition the Board to lift the restrictions from his or her certificate of qualification. Once the petition is received, the Board may terminate the reentry agreement and remove the restrictions from the certificate of qualification.

(9) Unsatisfactory completion of the reentry agreement, as determined by the Board, may result in an extension of the agreement, the initiation of proceedings under Code of Ala. 1975, §34-24-361, or both.

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