

**ALABAMA BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE CODE**

**CHAPTER 540-X-24
PHYSICIAN ASSISTANT REENTRY INTO PRACTICE**

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540-X-24-.01 Definitions.

(1) **Active Practice:** A physician assistant may be said to be in active clinical practice when any amount of direct patient care has been provided during the preceding two years.

(2) **Direct Patient Care:** Direct patient care has been provided when a physician assistant treats, or professes to diagnose, treat, 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 assistant last provided direct patient care and will be tolled by the filing of an initial or reinstatement application for a license to practice as a physician assistant.

(5) **Board:** Alabama Board of Medical Examiners.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-53, 34-24-53.1, 34-24-293, 34-24-298, 34-24-302, 34-24-303, 34-24-306.

History: New Rule: Filed June 19, 2019; effective August 3, 2019.

540-X-24-.02 Application.

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

(a) Physician assistant applicants seeking a license to practice, who otherwise qualify for a license, but who have

been absent from clinical practice for two years or more may obtain a license by entering into a reentry agreement with the Board.

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

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-53, 34-24-53.1, 34-24-293, 34-24-298, 34-24-302, 34-24-303, 34-24-306.

History: New Rule: Filed June 19, 2019; effective August 3, 2019.

540-X-24-.03 Reentry To Practice Rule.

(1) A physician assistant's absence from clinical practice for more than two years creates a rebuttable presumption of clinical incompetence. A physician assistant, 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 or reinstatement.

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

(a) An assessment of the physician assistant'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.

(b) The physician assistant 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 assistant may be required to complete one or more of the following:

1. Receive a passing score on the Physician Assistant National Certifying Exam ("PANCE") or the Physician Assistant National Recertifying Exam ("PANRE") examination or any other competency exam endorsed by the National Commission on Certification of Physician Assistants;

2. Participate in a national assessment readiness program;
3. Undergo a competency assessment by the Board;
4. Practice for a specified period of time under a restricted registration agreement, skills protocol, and job description approved by the Board;
5. 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 assistant's length of time out of practice;
- (b) The physician assistant's prior intensity of practice;
- (c) The reason for the interruption in practice;
- (d) The physician assistant's activities during the interruption in practice, including the amount of practice-relevant continuing medical education;
- (e) The physician assistant'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 assistant has been out of continuous practice; and
- (h) The length of time since the physician assistant has completed his or her medical education and/or training.

(4) If the Board approves a physician assistant'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.

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

(6) 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 a violation of Code of Ala. 1975, §34-24-302(13).

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

(8) 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, §34-24-302, or both.

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