MEDICAL LICENSURE COMMISSION OF ALABAMA ADMINISTRATIVE CODE

CHAPTER 545-X-7 JOINT RULES OF THE ALABAMA BOARD OF MEDICAL EXAMINERS AND THE MEDICAL LICENSURE COMMISSION OF ALABAMA CONCERNING THE INTERSTATE MEDICAL LICENSURE COMPACT

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545-X-7-.01 Member State.

The State of Alabama has passed legislation to become a member state of the Interstate Medical Licensure Compact. The Alabama Board of Medical Examiners and the Medical Licensure Commission of Alabama are member boards of the Interstate Medical Licensure Compact Commission.
Author: Wallace D. Mills, Attorney for the Medical Licensure Commission
Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: **New Rule:** Filed September 12, 2017; effective October 27, 2017.

545-X-7-.02 Definitions.

For the purposes of this rule, the following terms shall have the meanings ascribed to them:

(1) BYLAWS. Those bylaws established by the Interstate Commission pursuant to Section 34-24-530 for its governance, or for directing and controlling its actions and conduct.

(2) COMMISSIONER. The voting representative appointed by each member board pursuant to Section 34-24-530.

(3) CONVICTION. A finding by a court that an individual is guilty of a criminal offense through adjudication, or entry of a plea of guilty or no contest to the charge by the offender. Evidence of an entry of a conviction of a criminal offense by the court shall be considered final for purposes of disciplinary action by a member board.

(4) EXPEDITED LICENSE. A full and unrestricted medical license granted by a member state to an eligible physician through the process set forth in the compact.

(5) INTERSTATE COMMISSION. The Interstate Medical Licensure Compact Commission created pursuant to Section 34-24-530.

(6) LICENSE. Authorization by a state for a physician to engage in the practice of medicine, which would be unlawful without the authorization.

(7) MEDICAL PRACTICE ACT. Laws and regulations governing the practice of allopathic and osteopathic medicine within a member state.

(8) MEMBER BOARD. A state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation, and education of physicians as directed by the state government.

(9) MEMBER STATE. A state that has enacted the compact.

(10) PRACTICE OF MEDICINE. The clinical prevention, diagnosis, or treatment of human disease, injury, or condition requiring a physician to obtain and maintain a license in compliance with the medical practice act of a member state.

(11) PHYSICIAN. Any person who:

(a) Is a graduate of a medical school accredited by the Liaison Committee on Medical Education, the Commission on Osteopathic College Accreditation, or a medical school listed in the International Medical Education Directory or its equivalent;

(b) Passed each component of the United States Medical Licensing Examination (USMLE) or the Comprehensive Osteopathic Medical Licensing Examination (COMLEX-USA) within three attempts, or any of its predecessor examinations accepted by a state medical board as an equivalent examination for licensure purposes;

(c) Successfully completed graduate medical education approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;

(d) Holds specialty certification or a time-unlimited specialty certificate recognized by the American Board of Medical Specialties or the American Osteopathic Association's Bureau of Osteopathic Specialists;

(e) Possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;

(f) Has never been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;

(g) Has never held a license authorizing the practice of medicine subjected to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to nonpayment of fees related to a license;

(h) Has never had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Administration; and

(i) Is not under active investigation by a licensing agency or law enforcement authority in any state, federal, or foreign jurisdiction.

(12) OFFENSE. A felony, gross misdemeanor, or crime of moral turpitude.

(13) RULE. A written statement by the Interstate Commission promulgated pursuant to Section 34-24-531 of the compact that is of general applicability, implements, interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

(14) STATE. Any state, commonwealth, district, or territory of the United States.

(15) STATE OF PRINCIPAL LICENSE. A member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the compact.

Author: Wallace D. Mills, Attorney for the Medical Licensure Commission

Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: New Rule: Filed September 12, 2017; effective October 27, 2017.

545-X-7-.03 Interstate Compact Expedited License.

A physician who applies for an expedited license through the Interstate Commission shall be granted an expedited license to practice medicine in the state of Alabama under the provisions of the Interstate Medical Licensure Compact set out in §34-24-520 et seq. of the Code of Ala. 1975.
Author: Wallace D. Mills, Attorney for the Medical Licensure Commission
Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: New Rule: Filed September 12, 2017; effective October 27, 2017. **Amended:** Filed December 10, 2018; effective January 24, 2019.

545-X-7-.04 Letter Of Qualification, Alabama Principal State Of License.

Upon receipt of an application for an expedited license by a physician who has selected Alabama as the state of principal licensure, the Alabama Board of Medical Examiners shall conduct a primary source verification of the qualifications set out in subsection 11 of rule 545-X-7-.02 above, including a criminal background check in accordance with §34-24-524(b)(2), as well as any other qualifications which may be required by the Interstate Commission from time to time. Upon the completion of the verification process, the Alabama Board of Medical Examiners shall issue a letter of qualification verifying or denying the physician's eligibility to the Interstate Commission.
Author: Wallace D. Mills, Attorney for the Medical Licensure Commission
Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: New Rule: Filed September 12, 2017; effective October 27, 2017.

545-X-7-.05 Appeal Of Letter Of Qualification.

A physician which receives a Letter of Qualification from the Alabama Board of Medical Examiners denying eligibility to obtain an expedited license through the Interstate Medical Licensure Compact shall have the right to appeal such decision in accordance

with the procedures for a denial of a Certificate of Qualification set out in Board of Medical Examiners Rule 540-X-5-.08 and Medical Licensure Commission Rule 545-X-4-.01.
Author: Wallace D. Mills, Attorney for the Medical Licensure Commission
Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: New Rule: Filed September 12, 2017; effective October 27, 2017.

545-X-7-.06 Issuance Of Expedited License.

Upon the receipt of all applicable fees and a letter of qualification from the Interstate Commission stating that the applicant meets qualifications set out in subsection 11 of rule 545-X-7-.02 above, including a criminal background check in accordance with §34-24-524(b)(2), as well as any other qualifications which may be required by the Interstate Commission from time to time, the Medical Licensure Commission of Alabama shall issue an expedited license to the applying physician. The expedited license shall be valid for not more than one year and shall be renewed annually in accordance with §34-24-337, Code of Ala. 1975.
Author: Wallace D. Mills, Attorney for the Medical Licensure Commission
Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: New Rule: Filed September 12, 2017; effective October 27, 2017.

545-X-7-.07 Renewal.

(1) Upon the receipt of the applicable renewal fees and letter of qualification or other correspondence from the Interstate Commission indicating that the applicant meets the qualifications set out below, the Medical Licensure Commission of Alabama shall renew the expedited license:

(a) that the licensee continues to maintain a full and unrestricted license in a state of principal license;

(b) that the licensee has not been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;

(c) that the licensee has not had a license authorizing the practice of medicine subject to discipline by a licensing agency in any state, federal or foreign jurisdiction,

excluding any action related to nonpayment of fees related to a license; and

(d) that the licensee has not had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Agency, the Medical Licensure Commission of Alabama shall renew an applicant's certificate of registration of expedited license.

Author: Wallace D. Mills, Attorney for the Medical Licensure Commission
Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: New Rule: Filed September 12, 2017; effective October 27, 2017.

545-X-7-.08 Fees.

(1) The Interstate Commission shall collect and remit to the Alabama Board of Medical Examiners a fee in the amount of $300 in connection with the issuance of a letter of qualification when an expedited license to practice medicine in another state is issued by a member state and the state of Alabama is designated as the state of principal licensure.

(2) The Interstate Commission shall collect and remit to the Alabama Board of Medical Examiners a license fee in the amount of $75 when an expedited license to practice medicine in the State of Alabama is issued through the Interstate Commission. Such fee shall be distributed by the Alabama Board of Medical Examiners as set out in Code of Ala. 1975, §34-24-340.

(3) The Interstate Commission shall collect and remit to the Alabama Board of Medical Examiners a fee in the amount of $300 when an expedited license to practice medicine in the state of Alabama is renewed through the Interstate Medical Licensure Compact. Such fee shall be distributed as set out in Code of Ala. 1975, §34-24-340.
Author: Wallace D. Mills, Attorney for the Medical Licensure Commission
Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.
History: New Rule: Filed September 12, 2017; effective October 27, 2017.

545-X-7-.09 Discipline And Reinstatement.

(1) If a license granted to a physician by the member board in the state of principal license is revoked, surrendered, or relinquished in lieu of discipline, or suspended, then all

licenses issued to the physician by member boards shall automatically be placed, without further action necessary by any member board, on the same status.

(2) If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board shall remain encumbered until that respective member board takes action to reinstate the license in a manner consistent with the medical practice act of that state. Where the State of Alabama is the state of principal license, the procedure set out in Medical Licensure Commission Rule 545-X-3-.15 shall apply when a physician seeks reinstatement of his medical license.

Author: Wallace D. Mills, Attorney for the Medical Licensure Commission

Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.

History: New Rule: Filed September 12, 2017; effective October 27, 2017.

545-X-7-.10 Interstate Medical Licensure Compact Commission Rules.

The Interstate Commission rules are hereby incorporated by reference and shall be followed with regard to the Interstate Medical Licensure Compact in the State of Alabama and the processes concerning obtaining an expedited license through the Interstate Medical Licensure Compact.

Author: Wallace D. Mills, Attorney for the Medical Licensure Commission

Statutory Authority: Code of Ala. 1975, §§34-24-311, 34-24-520 et. seq.

History: New Rule: Filed September 12, 2017; effective October 27, 2017.