

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 540

Department or Agency: Alabama Board of Medical Examiners

Rule No.: 540-X-7-.50

Rule Title: Qualifications Of The Supervising Anesthesiologist -
Anesthesiologist Assistants (A.A.)

Intended Action Amend

Would the absence of the proposed rule significantly harm or
endanger the public health, welfare, or safety? No

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? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm
that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the
purpose of, and so they have, as their primary effect, the
protection of the public? Yes

Does the proposed action relate to or affect in any manner any
litigation which the agency is a party to concerning the subject
matter of the proposed rule? No

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 Services Agency.

Signature of certifying officer

William M. Perkins
William M Perkins

Date

Friday, November 17, 2023

REC'D & FILED
NOV 17, 2023
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.50 Qualifications Of The Supervising
Anesthesiologist - Anesthesiologist Assistants (A.A.)

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Add a requirement for a supervising anesthesiologist to have obtained continuing medical education not more than 48 months prior to or within 12 months of registration to an anesthesiologist assistant. This amendment meets the "protection of public health" exemption from the moratorium on rule amendments contained in Governor Ivey's Executive Order No. 735, Reducing "Red Tape" on Citizens and Businesses.

TIME, PLACE AND 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: Carla Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (bme@albme.gov), until and including Jan. 4, 2024. Persons wishing to submit data, views, or comments in person should contact Carla Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Carla Kruger

William M. Perkins

William M Perkins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**Qualifications Of The Supervising
Anesthesiologist - Anesthesiologist Assistants
(A.A.).**

The anesthesiologist to whom an anesthesiologist assistant is registered shall:

(1) Possess a current, unrestricted license to practice medicine in the State of Alabama and practice in the medical specialty of anesthesiology;

(2) On the date of the application, have satisfied one of the following experience requirements:

(a) Practice medicine for at least three years, including any practice as a licensed physician while enrolled in an internship, residency, or fellowship;

(b) Practice medicine as a licensed physician for at least one year, including any practice while enrolled in an internship, residency, or fellowship, and certified by the American Board of Anesthesiology (ABA) or by the American Osteopathic Board of Anesthesiology; or

(c) Practice medicine as a licensed physician for at least one year, including any practice while enrolled in an internship, residency, or fellowship, and the registration's practice site is limited solely to a general acute care hospital, a critical access hospital, or a specialized hospital licensed as such by the Alabama Department of Public Health.

(3) Effective January 1, 2025, have obtained continuing medical education prescribed by the Board of Medical Examiners regarding the rules and statutes governing supervised practice in Alabama, not more than forty-eight (48) months prior to or within twelve (12) months of registration to an anesthesiologist assistant.

(4) The Board, in its discretion, may waive the practice requirements in (2).

Author: Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. **Repealed and Replaced:** Filed July 23, 1999; effective August 27, 1999. **Amended:** Filed November 22, 1999; effective December 27, 1999. **Repealed and New Rule:** Filed August 22, 2002; effective September 26, 2002. **Repealed and New Rule:** Filed September 19, 2002; effective October 24, 2002. **Amended (Rule Number Only):** Filed September 11, 2008;

effective October 16, 2008. **Amended:** Published January 31, 2022; effective March 17, 2022. **Amended:** Published January 31, 2023; effective March 17, 2023. [Amended/Approved Nov. 16, 2023.](#)

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