

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, March 22, 2024, and filed with the agency secretary on Monday, April 8, 2024.

AGENCY NAME: Alabama Board of Medical Examiners

INTENDED ACTION: Amend

RULE NO.: 540-X-25-.04

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **(1) (f), (5)**

RULE TITLE: Requirements For Initial Application For Alabama Medical Cannabis Certification Permit

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes. No comments received

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLII, ISSUE NO. 4, AAM, DATED WEDNESDAY, JANUARY 31, 2024.

STATUTORY RULEMAKING AUTHORITY: Ala. Code §§ 20-2A-1 et seq; 34-24-53; 34-24-53.1

(Date Filed)
(For IRS Use Only)
REC'D & FILED
APR 9, 2024
LEGISLATIVE SVC AGENCY

William M. Perkins

William M Perkins

Certifying Officer or his or her Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

**Requirements For Initial Application For
Alabama Medical Cannabis Certification Permit.**

(1) To obtain an Alabama Medical Cannabis Certification Permit, a physician applicant shall submit the following to the Board:

(a) A completed application on a form prescribed by the Board.

(b) Proof of an active, unrestricted license to practice medicine or osteopathy in Alabama.

(c) Proof of an active, unrestricted Alabama Controlled Substances Certificate (ACSC).

(d) Proof of an active, unrestricted, Alabama-specific DEA registration.

(e) Proof of a current registration to query the Alabama Prescription Drug Monitoring Program (PDMP) that is established and maintained by the Alabama Department of Public Health.

(f) Proof of a current registration, or immediate intent to register, with the Alabama Medical Cannabis Patient Registry System that is established and maintained by the AMCC.

(g) Proof of completion of a four (4) hour course related to medical cannabis, and a passing grade on a subsequent examination, which has been approved by the Board and offered by a multi-specialty statewide professional organization of physicians in this state that is recognized to accredit intrastate organizations to provide AMA PRA Category 1 Credit™.

(h) The disclosure of any controlled substances certificate or registration denial, restriction, or discipline imposed on the physician applicant, or any disciplinary act against any medical or other professional license of the physician applicant.

(i) A list of all practice locations and/or addresses from which the physician applicant may certify or recommend a patient for the use of medical cannabis.

(j) An initial/reinstatement application fee of three hundred dollars (\$300), which shall be payable to the Board and non-refundable upon submission. An initial/reinstatement application fee is non-transferable.

(2) If a physician applicant does not complete the initial application process within ninety (90) days of his or her first submission to the Board, the application shall be closed, the application fees shall not be refunded or transferred, and the applicant shall be required to reapply for a permit.

(3) An application which is submitted to the Board may be withdrawn at any time prior to the granting or denial of registration; however, the application fees shall not be refunded or transferred.

(4) All initial applications for an Alabama Medical Cannabis Certification Permit are subject to approval by the voting

members of the Board and may not be issued on a temporary or preliminary basis.

(5) No Alabama Medical Cannabis Certification Permit shall be issued until the AMCC has issued at least one license each for a cultivator, a processor, a secure transporter, and a dispensary or has issued at least one license for an integrated facility.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-53, 34-24-53.1; Act 2021-450 (Code of Ala. 1975, §§20-2A-1, et. seq.)

History: New Rule: Published March 31, 2022; effective May 15, 2022. **Amended:** Published April 30, 2024; effective June 14, 2024.