## 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

Amend INTENDED ACTION:

540-X-25-.05 RULE NO.:

(If amended rule, give specific paragraph, subparagraphs, etc., being

amended) (6)

Physician Eligibility For An Alabama Medical RULE TITLE:

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.

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

(Date Filed) APR 9, 2024 LEGISLATIVE SVC AGENCY

Certifying Officer or his or her Deputy

William M. Perkins

(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.)

## 540-X-25-.05 Physician Eligibility For An Alabama Medical Cannabis Certification Permit.

No physician shall obtain an Alabama Medical Cannabis Certification Permit unless he or she:

- (1) Possesses an active, unrestricted license to practice medicine or osteopathy in Alabama;
- (2) Possesses an active, unrestricted ACSC registration;
- (3) Possesses an active, unrestricted, Alabama-specific DEA registration;
- (4) Has satisfied one of the following experience requirements:
  - (a) Has been engaged in the active practice of medicine or osteopathy for at least three (3) years, excluding any practice in an internship, residency, fellowship, or other supervised training program; or
  - (b) Has actively practiced medicine or osteopathy for at least one (1) year, excluding any practice in an internship, residency, fellowship, or other supervised training program, and is certified by a specialty board approved by the American Board of Medical Specialties (ABMS) or the American Osteopathic Association Bureau of Osteopathic Specialists (AOABOS);
- (5) Is registered to query the PDMP and has access to the PDMP in all locations where he or she certifies or recommends a patient for the use of medical cannabis;
- (6) Is a registered user, or will become a registered user as soon as permitted, of the Alabama Medical Cannabis Patient Registry and has access to the registry in all locations where he or she certifies or recommends a patient for the use of medical cannabis;
- (7) Has completed a four (4) hour course related to medical cannabis and has received 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™; and
- (8) Has paid all fees required by this Chapter.

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.