

**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-.05

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **(6)**

**RULE TITLE:** Physician Eligibility For An 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 LRS 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.)

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.