

**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 Thursday, September 19, 2024, and filed with the agency secretary on Thursday, September 19, 2024.

**AGENCY NAME:** Alabama Board of Medical Examiners

**INTENDED ACTION:** Amend

**RULE NO.:** 540-X-26-.05

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **(3) and (4)**

**RULE TITLE:** Limitations

**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. 10, AAM,  
DATED WEDNESDAY, JULY 31, 2024.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 34-24-53 and 53.1 and  
Ala. Code § 34-23-77

(Date Filed)  
(For LRS Use Only)

**REC'D & FILED**

**SEP 19, 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-26-.05**      **Limitations.**

- (1) The scope of an Agreement shall NOT include:
  - (a) Any person or patient of a Collaborating Physician for whom such Collaborating Physician has not prepared a patient-specific, drug- or drug class-specific, disease-specific, or condition-specific plan of care based on a physical examination of the patient by the Collaborating Physician within the past twelve (12) months, with the exception of immunizations and acute, uncomplicated illness or injury as well as the dispensing of opioid antagonists as defined in Ala. Code §20-2-280; or
  - (b) The prescribing of controlled substances listed or to be listed in the schedules under federal law and in Ala. Code §§20-2-23, 20-2-25, 20-2-27, 20-2-29, and 20-2-31 and/or Ala. Admin. Code r. 420-7-2 and its Appendix.
- (2) No retail pharmacy may employ a physician for the purpose of maintaining, establishing, or entering into a collaborative practice agreement. Nothing shall prohibit a retail pharmacy from hiring a physician or licensed medical practitioner for the purpose of conducting quality assurance reviews of its pharmacists that are engaged in the practice of collaborative drug therapy.
- (3) A Collaborating Physician may collaborate with a maximum of three Collaborating Pharmacists for testing or screening for and treatment of acute, uncomplicated illness or injury.
- (4) A Collaborating Pharmacist may collaborate with a maximum of three Collaborating Physicians for testing or screening for and treatment of acute, uncomplicated illness or injury.

**Author:** Alabama Board of Medical Examiners

**Statutory Authority:** Code of Ala. 1975, §34-24-53; Act 2019-368 (Code of Ala. 1975, §34-23-77).

**History: New Rule:** Published August 31, 2021; effective October 15, 2021. **Amended:** Published November 30, 2023; effective January 14, 2024. **Amended:** Published September 30, 2024; effective November 14, 2024.