

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 540

Department or Agency: Alabama Board of Medical Examiners

Rule No.: Chapter 540-X-27

Rule Title: BRIDGE YEAR GRADUATE PHYSICIAN

Intended Action New

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, March 15, 2024

REC'D & FILED
MAR 15, 2024
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: Chapter 540-X-27 BRIDGE YEAR GRADUATE PHYSICIAN

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

New Chapter of Rules pursuant to Alabama Act No. 2023-233 (Ala. Code § 34-24-75.2) to establish the Bridge Year Graduate Physician Permit

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 May 3, 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:

Friday, May 3, 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)

ALABAMA BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE CODE

CHAPTER 540-X-27
BRIDGE YEAR GRADUATE PHYSICIAN

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540-X-27-.01 Definitions.

(1) BOARD. The Board of Medical Examiners of the State of Alabama.

(2) BRIDGE YEAR GRADUATE PHYSICIAN. A person who meets the requirements for issuance of a Bridge Year Graduate Physician permit by the Board to practice medicine under the supervision of a physician approved by the Board.

(3) DIRECT MEDICAL INTERVENTION. Physical presence of a physician to attend the patient.

(4) FCVS. Federation Credentials Verification Service. A credentials verification service provided by the Federation of State Medical Boards that bridge year graduate physicians may use to verify core medical credentials in connection with applications for permits. The Board of Medical Examiners will accept those verified primary source records of credentials provided by FCVS in lieu of equivalent documentation required to be submitted with an application for a permit where designated in these rules. Applicants are responsible for payment of all fees charged by FCVS. Use of FCVS by an applicant is optional.

(5) LEGEND DRUG. Any drug, medicine, chemical or poison, bearing on the label the words, "Caution, Federal Law prohibits dispensing without prescription" or similar words indicating that the drug, medicine, chemical or poison may be sold or dispensed only upon the prescription of a licensed medical practitioner, except that the term legend drug shall not include any drug, substance or compound which is listed in Schedules I through V of the Alabama Uniform Controlled Substances Act and the State of Alabama Official Controlled Substances List adopted by the Alabama State Board of Health.

(6) LICENSED TO PRACTICE MEDICINE. Both the practice of medicine by a doctor of medicine and the practice of osteopathy by a doctor of osteopathy.

(7) DOCTOR. Referring to doctors of medicine and doctors of osteopathy.

(8) PHYSICIAN. A person who is fully licensed to practice medicine in this state and is approved by the Board to supervise bridge year graduate physicians.

(9) PHYSICIAN SUPERVISION. A formal relationship between a bridge year graduate physician and a licensed physician under which the bridge year graduate physician is authorized to practice as evidenced by a written job description approved by the Board. Physician supervision requires that there shall be at all times a direct, continuing and close supervisory relationship between the bridge year graduate physician and the physician by whom that bridge year graduate physician is supervised. The term supervision, at a minimum, shall include on-site supervision.

(10) PRESCRIBE OR PRESCRIBING. The act of issuing a prescription for a legend drug.

(11) PRESCRIPTION. An order for a legend drug which is issued and signed by a bridge year graduate physician authorized to prescribe and administer the drug and which is intended to be filled, compounded, or dispensed by a pharmacist. The term "prescription" does not include an order for medication which is dispensed for immediate administration to the ultimate user. (e.g., an order to dispense a drug to a bed patient for immediate administration in a hospital is not a prescription.)

(12) PRINCIPAL PRACTICE SITE. The main location at which the supervising physician is engaged in the practice of medicine.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: **New Rule:** Published _____; effective _____.

540-X-27-.02

Qualifications for a Bridge Year Graduate Physician Permit.

(1) To qualify for a permit to practice as a bridge year graduate physician, an individual must meet the following requirements:

(a) Medical Education Requirement: Provide evidence, satisfactory to the Board, of graduation from any of the following institutions:

1. A college of medicine or school of medicine accredited by the Liaison Committee on Medical Education.

2. A college of osteopathy accredited by the Commission on Osteopathic College Accreditation.

3. A college of medicine or school of medicine not accredited by the Liaison Committee on Medical Education which is approved by the Board. The Board, within its discretion, may withhold approval of any college of medicine not designated in either 1. or 2. which:

i. Has had its accreditation withdrawn by a national or regional accreditation organization; or

ii. Has had its authorization, certification, or licensure revoked or withdrawn by a national or regional governmental supervisory agency; or

iii. Has been denied approval or has had its approval withdrawn by any national, state, or territorial licensing jurisdiction based upon any evaluation of the college of medicine or upon a finding of misconduct by the college; or

iv. Has engaged in fraudulent, criminal, or other practices which are inconsistent with quality medical education, as determined by the Board.

(b) Examination Requirement: Applicants shall achieve a passing score on one of the licensure examinations listed below:

1. Steps 1 and 2 of the United States Medical Licensing Examination (USMLE).

2. The Comprehensive Osteopathic Medical Licensing Examination (COMLEX) or its predecessor examination administered by the National Board of Osteopathic Medical Examiners.

3. The Licentiate of the Medical Council of Canada Examination.

4. Documentation submitted through the Federation Credentials Verification Service (FCVS) may be accepted to demonstrate compliance with the requirements of this rule.

(c) Application for Postgraduate Education Requirement: Has applied for, but was not accepted into, any of the following postgraduate or residency training programs for the first year following medical school graduation:

1. A program accredited by the Accreditation Council for Graduate Medical Education.

2. A program accredited by the American Osteopathic Association.

3. A program accredited by the Accreditation Committee of the Royal College of Physicians and Surgeons of Canada.

3. A program accredited by the College of Family Physicians of Canada.

(2) Waiver of Postgraduate Education Application Requirement: The Board, in its discretion, may waive the one-year requirement listed in Paragraph (1)(c) above to those applicants who are otherwise eligible, meet all other requirements for issuance of a permit, and are no more than two (2) years post medical school graduation. The waiver request must be submitted with the application.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.03 Qualifications of the Supervising Physician.

(1) The physician to whom a bridge year graduate physician is registered shall:

(a) Possess a current, unrestricted license to practice medicine in the State of Alabama;

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

1. Practiced medicine for at least three years, excluding any practice in an internship, residency, fellowship, or other supervised training program; or

2. Practiced medicine for at least one year and is certified by one or more of the specialty boards recognized by the American Board of Medical Specialties or the American Osteopathic Association; or

3. Practiced medicine for at least one year and the bridge year graduate physician's practice site(s) 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.

(2) The Board, in its discretion, may waive the practice requirements in (1)(b).

(3) The Board of Medical Examiners may decline to consider an application where the physician is under investigation for a potential violation of the Code of Alabama, Section 34-24-360 or any rule of the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.04

Application for a Bridge Year Graduate Physician Permit.

(1) To apply for a permit to practice as a bridge year graduate physician, an individual must complete the following:

(a) Submit an application on form(s) approved by the Board; and

(b) Pay to the Board in advance the required application fee of \$200.00. This fee is nonrefundable once payment is received by the Board.

(c) For the purposes of determining an applicant's suitability to obtain a permit to practice as a bridge year graduate physician, each applicant shall submit to a criminal history background check.

1. Each applicant shall submit to the Board a complete set of fingerprints, either inked cards or electronically, properly executed by a law enforcement agency or an individual properly trained in fingerprinting techniques.

2. The Board shall submit the fingerprints provided to the State Bureau of Investigation (SBI). The fingerprints shall be forwarded by the SBI to the Federal Bureau of Investigation (FBI) for a national criminal history record check.

3. The applicant shall pay directly to the Board, or its designee, a criminal background check fee of sixty-five dollars (\$65.00).

4. The Board shall keep information received pursuant to this subsection confidential, except that such information received and relied upon in denying the issuance of a permit to practice as a bridge year graduate physician in this state may be disclosed as may be necessary to support the denial.

(d) An applicant for a bridge year graduate physician permit shall disclose whether:

1. Applicant has ever been arrested for, cited for, charged with, or convicted of any crime, offense, or violation of any law, felony, or misdemeanor, including, but not limited to, offenses related to the

practice of medicine or state or federal controlled substances laws.

NOTE: This question excludes minor traffic violations such as speeding and parking tickets but includes felony and misdemeanor criminal matters that have been dismissed, expunged, sealed, subject to a diversion or deferred prosecution program, or otherwise set aside.

2. Applicant has ever been arrested for, cited for, charged with, or convicted of any sex offender laws or required to register as a sex offender for any reason.

3. A judgment has ever been rendered against the applicant or action settled relating to an action for injury, damages, or wrongful death for breach of the standard of care in the performance of the applicant's professional service ("malpractice").

4. As of the date of the application, applicant is the subject of an investigation or proposed action by any law enforcement agency.

5. Applicant has ever had any Drug Enforcement Administration registration and/or state-controlled substances registration denied, voluntarily surrendered while under investigation, or subject to any discipline, including, but not limited to revocation, suspension, probation, restriction, conditions, reprimand, or fine.

6. Applicant's medical education, training, or medical practice been interrupted or suspended, or applicant ceased to engage in direct patient care, for a period longer than 60 days for any reason other than a vacation or for the birth or adoption of a child.

7. Applicant was ever placed on academic or disciplinary probation by, or been required to remediate any portion of, a medical school or postgraduate program.

8. Applicant had limitations or special requirements imposed because of questions of academic, clinical, or disciplinary problems, or any other reason during his or her medical education or postgraduate training, such as repeating a class or classes or taking time off from school to study for an examination.

9. Applicant has ever been disciplined for unprofessional conduct/behavior reasons by a medical school or postgraduate program.

10. Applicant has ever been denied prescription privileges for non-controlled or legend drugs by any state or federal authority.

11. Applicant has ever been denied a permit to practice as a bridge year graduate physician, or the equivalent, in any state or jurisdiction, or has had an application for a permit to practice as a bridge year graduate physician, or the equivalent of, withdrawn under threat of denial.

12. Applicant's certification or permit to practice as a bridge year graduate physician, or the equivalent, in any state or jurisdiction has ever been subject to any discipline, including but not limited to revocation, suspension, probation, restrictions, conditions, reprimand, or fine.

13. Applicant's privileges at any hospital or health care facility have ever been revoked, suspended, curtailed, limited, or placed under conditions restricting applicant's practice, if applicable.

14. As of the date of the application, applicant is the subject of an investigation or proposed action by any federal agency, any licensing board/agency, or any hospital or health care facility.

15. Applicant has ever been diagnosed as having or has ever been treated for pedophilia, exhibitionism, or voyeurism.

16. Applicant, within the past five years, has raised the issue of consumption of drugs or alcohol or the issue of a mental, emotional, nervous, or behavioral disorder or condition as a defense, mitigation, or explanation for applicant's actions during any administrative or judicial proceeding or investigation; any inquiry or other proceeding; or any proposed termination by an educational institution; employer; government agency; professional organization; or licensing authority.

17. Applicant, within the past five years, has been convicted of driving under the influence (DUI), or has

been charged with DUI and been convicted of a lesser offense such as reckless driving.

18. Applicant is currently engaged in the excessive use of alcohol or controlled substances or in the use of illegal drugs or receiving any therapy or treatment for alcohol or drug use, sexual boundary issues, or mental health issues.

(i) If applicant is an anonymous participant in the Alabama Professionals Health Program and is in compliance with their assistance agreement, they may answer "No" to this question. Such answer for this purpose will not be deemed upon certification as providing false information to the Alabama Board of Medical Examiners.

(ii) The term "currently" as it is used in the paragraph above does not mean on the day of, or even in the weeks or months preceding the completion of the application. Rather, it means recently enough so that the condition referred to may have an ongoing impact on one's functioning as a bridge year graduate physician within the last two years.

(iii) Applicant shall initial certifying an understanding of a statement of the duty as a permittee to address any such condition, which states as follows:

IMPORTANT: The Board recognizes that applicants encounter health conditions, including those involving mental health and substance use disorders, just as their patients and other health care providers do. The Board expects its applicants to address their health concerns and ensure patient safety. Options include anonymously self-referring to the Alabama Professionals Health Program (334-954-2596), a physician advocacy organization dedicated to improving the health and wellness of medical professionals in a confidential manner. The failure to adequately address a health condition, where the applicant is unable to practice medicine with reasonable skill and safety to patients, can result in the Board taking action against the permit.

(e) The application form for a bridge year graduate physician permit will request the following of the bridge year graduate physician:

1. Name, home address, email address, place and date of birth, social security number, gender, telephone number(s), education and training experience, specialty, if applicable, examination history, a color photograph taken within sixty days prior to the date of the application, medical school certification, and any additional information the Board deems relevant to the application process.

(f) The application form for a bridge year graduate physician permit and/or a corresponding form for a supervising physician will request the following of the supervising physician:

1. Name, Alabama medical license number, medical specialty, board certification, residency completion date, name of program and completion date of any fellowship, or other supervised training program, principal practice site, telephone number, name and address of the bridge year graduate physician's practice location(s), the number of hours the bridge year graduate physician will practice per week, job description and approved formulary of the bridge year graduate physician, covering physician agreements, if applicable, a certification of the understanding of the responsibilities of a supervising physician, and any additional information the Board deems relevant to the application process.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published ____; effective ____.

540-X-27-.05 Issuance of a Bridge Year Graduate Physician Permit.

(1) Upon the filing of an application in the proper form, if the Board is satisfied that all requirements of the law and these rules have been met and that the application should be approved in the interest of public welfare, the Board shall issue a permit to practice as a bridge year graduate physician.

(2) Every permit issued by the board shall be dated, shall be numbered in the order of issuance, and shall be signed by the chair of the Board or the chair's designee.

(3) The size and design of the permit shall be determined by the Board.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.06 Permit Renewal.

(1) A permit to practice as a bridge year graduate physician shall be valid for one (1) year and may be renewed for no more than one (1) additional one (1) year period.

(2) An application for renewal shall be received by the Board before the expiration date of the permit and shall be accompanied by a renewal fee in the amount of \$100.00.

(3) The application for renewal shall be accompanied by the supervising physician's report as required by Rule 540-X-27-.18 and the supervising physician's certification to the Board of Medical Examiners that any approved covering physician continues to agree to serve in that capacity.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.07 Voluntary Termination of Supervisory Relationship.

(1) A bridge year graduate physician or supervising physician may terminate the supervisory relationship between the parties at any time, for any reason.

(2) The bridge year graduate physician or the supervising physician shall inform the Board in writing of the effective date of the termination and the reasons for such termination. Failure to notify the Board of termination may be considered by the Board as a violation of these rules for the purpose of approving a new supervising physician or renewal permit.

(3) If, at the time of termination, the bridge year graduate physician has any time left remaining in the initial or renewal permit year, a new supervising physician may be submitted for the Board's approval to supervise the bridge year graduate physician for the remainder of the permit.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.08 Grounds for Denial of Permit.

The commission by a bridge year graduate physician of any act, offense or condition set forth in Rule 540-X-27-.11 shall be grounds, within the discretion of the Board, to deny an application for a permit to practice as a bridge year graduate physician.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.09 Denial of Permit - Hearing.

(1) If, after examination of the application for a permit to practice as a bridge year graduate physician and after consideration of any information developed by the Board pursuant to an investigation into the qualifications of the bridge year graduate physician's permit to practice, the Board determines that there is probable cause to believe there exist grounds upon which the application for a permit to practice may be denied, the Board shall take the following actions:

(a) Defer final decision on the application for a permit to practice; and

(b) Notify the bridge year graduate physician permit applicant of the grounds for possible denial of the application for a permit to practice and the procedure for obtaining a hearing before the Board.

(2) The failure to request a hearing within the time specified in the notice shall be deemed a waiver of such hearing.

(3) If requested by the bridge year graduate physician, a hearing shall be set before the Board of Medical Examiners on the application for a permit to practice.

(4) In the event that a hearing is not requested, the Board shall take action to approve or deny the application.

(5) All hearings under this rule shall be conducted in accordance with the Alabama Administrative Procedure Act, §§41-22-1 et seq., Code of Ala. 1975 and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners. A decision rendered by the Board

at the conclusion of the hearing shall constitute final administrative action of the Board of Medical Examiners for the purposes of judicial review under §§41-22-20. The bridge year graduate physician applicant shall have the burden of demonstrating to the reasonable satisfaction of the Board that he or she meets all qualifications and requirements for a permit to practice as a bridge year graduate physician.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.10 Discipline of Permit - Hearing.

Before revoking, suspending, restricting, placing on probation, assessing administrative fines against, or otherwise disciplining the bridge year graduate physician on any of the grounds specified in Rule 540-X-27-.11, the Board shall conduct a hearing pursuant to the provisions of the Alabama Administrative Procedure Act, §§41-22-1 et seq. Code of Ala. 1975, and Chapter 6 of the Rules of the Board.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.11 Discipline of Permit - Grounds.

After notice and hearing, the Board, within its discretion, shall deny, suspend, terminate, or revoke a bridge year graduate physician's permit to practice who is found guilty on the basis of substantial evidence of any of the following acts or offenses:

(1) Conviction of a felony;

(2) Conviction of any crime or other offense, felony or misdemeanor, reflecting on the ability of the individual to render patient care in a safe manner;

(3) Conviction of any violation of state or federal laws relating to controlled substances;

(4) Termination, restriction, suspension, revocation, or curtailment of licensure, registration or certification by another state or other licensing jurisdiction on grounds similar to those stated in these rules;

(5) The denial of a registration, a certification, or a license to practice by another state or other licensing jurisdiction;

(6) Being unable to render patient care with reasonable skill and safety by reason of illness, inebriation, addiction to or excessive use of alcohol, narcotics, chemicals, drugs or any other substance or by reason of a mental or physical condition or disability;

(7) Revocation, termination, suspension or restriction of hospital privileges;

(8) Knowingly submitting or causing to be submitted any false, fraudulent, deceptive, or misleading information to the Board of Medical Examiners in connection with an application for a permit to practice as a bridge year graduate physician;

(9) The supervising physician's license to practice medicine has been revoked, suspended, restricted, or disciplined in any manner;

(10) Refusal by the bridge year graduate physician or supervising physician to appear before the Board after having been formally requested to do so in writing by the Executive Director of the Board;

(11) That the bridge year graduate physician has represented himself or herself or permitted another to represent him or her as a fully licensed physician;

(12) The supervising physician of the bridge year graduate physician has permitted or required the bridge year graduate physician to perform or to attempt to perform tasks which are beyond the bridge year graduate physician's competence or which are not authorized in the job description approved by the Board;

(13) That the bridge year graduate physician has performed or attempted to perform tasks and functions beyond his or her competence or authorized in the approved job description;

(14) Practicing or permitting another to practice as a bridge year graduate physician without the required permit to practice from the Board of Medical Examiners;

(15) Prescribing in violation of statutory authority and/or Board rules and/or Board guidelines;

(16) The signing by a bridge year graduate physician of any form which is to be authenticated by the supervising physician's

signature if the supervising physician has not authorized signing by the bridge year graduate physician or if signing by the bridge year graduate physician is prohibited by Federal or state statutes or regulations or if signing by the bridge year graduate physician is prohibited by the agency governing the form;

(17) Failure of a supervising physician to comply with any statute or rule governing supervised practice;

(18) The commission of any act by the bridge year graduate physician which would constitute a violation of Ala. Code § 34-24-360 or any rule of the Alabama Board of Medical Examiners or Medical Licensure Commission of Alabama, including this Chapter; and

(19) Failure of a supervising physician to maintain or produce for inspection upon request by the Board any documentation required to be maintained by the supervising physician.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.12 Administrative Fines.

In addition to any other penalty authorized by Code of Ala. 1975, §34-24-75.2, the Board may in its discretion assess administrative fines not to exceed ten thousand dollars (\$10,000.00) for each violation of the provisions of §34-24-75.2 and this chapter.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.13 Functions and Activities of Bridge Year Graduate Physicians.

(1) There shall be at all times a direct continuing and close supervisory relationship between the bridge year graduate physician and the supervising physician. The supervising physician shall at all times be responsible for the activities of the bridge year graduate physician.

(2) The bridge year graduate physician shall provide medical services within the education, training, and experience of the

bridge year graduate physician that are delegated by the supervising physician. These services include, but are not limited to:

- (a) Obtaining patient histories and performing physical examinations;
- (b) Ordering and/or performing diagnostic and therapeutic procedures;
- (c) Formulating a working diagnosis;
- (d) Developing and implementing a treatment plan;
- (e) Monitoring the effectiveness of therapeutic interventions;
- (f) Assisting at surgery;
- (g) Offering counseling and education to meet patient needs;
- (h) Making appropriate referrals; and
- (i) Administering any legend drug which they are authorized to prescribe under this Chapter.

(3) The job description approved by the Board as a model job description shall be acceptable to the Board if submitted by a qualified applicant for a bridge year graduate physician permit in compliance with these Rules.

(4) A bridge year graduate physician may write admission orders for inpatients and nursing home patients as directed by the supervising physician and subsequent orders in accordance with established guidelines and institutional policies.

(5) A bridge year graduate physician may not provide any pain management services, practice within any physician practice which advertises or holds itself out to the public as a provider of pain management services as defined in Board Rules, Chapter 540-X-19, or practice under the supervision of a physician who solely provides pain management services.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.14 Requirements for Supervised Practice.

(1) Physician supervision requires, at all times, a direct, continuing and close supervisory relationship between a bridge year graduate physician and the supervising physician.

(2) There shall be no independent, unsupervised practice by bridge year graduate physicians.

(3) The supervising physician shall, at a minimum, provide on-site supervision.

(4) Supervision does not necessarily require the constant physical presence of the supervising physician or a physician who is acting in a Board-approved supervisory role to the bridge year graduate physician; however, the physician must remain readily available in the facility to provide direct medical intervention.

(5) The supervising physician shall be available for consultation or referrals of patients from the bridge year graduate physician.

(6) In the event the supervising physician is not readily available, provisions must be made for professional medical oversight and direction by a covering physician who is readily available in the facility to provide direct medical intervention, who is preapproved by the Board of Medical Examiners, and who is familiar with these rules.

(7) In the event of an unanticipated, permanent absence of a supervising physician, a previously approved covering physician may be designated as a temporary supervising physician for a period of up to sixty (60) days. During the sixty (60) day time period, a new supervising physician should be submitted for approval.

(8) The supervising physician and the bridge year graduate physician shall adhere to any written guidelines established by the Board to govern the prescription practices of bridge year graduate physicians.

(9) Irrespective of the location of the principal practice site and any other approved site(s) of the supervised practice, all services provided to patients and actions incident to services provided to patients of the supervised practice shall be deemed to have occurred in the state where the patient is located at the time of service or action incident to the service. The supervising physician, covering physician, and bridge year

graduate physician shall comply with all applicable Alabama laws, rules, and regulations pertaining to services and actions incident to services provided to Alabama patients of the supervised practice. Actions incident to services include, but are not limited to, professional medical oversight and direction to the bridge year graduate physician regarding Alabama patients, consultation, or referral of Alabama patients from the bridge year graduate physician, quality assurance review of the medical records of Alabama patients, and maintenance of documentation pursuant to this chapter. The supervising physician shall maintain all documentation required pursuant to this chapter for the duration of the supervised practice and for three years following the termination of any supervisory relationship with a bridge year graduate physician.

(10) The supervising physician or a physician delegated by the supervising physician must be present in the operating room or be immediately available to that operating room whenever a bridge year graduate physician is involved in the care of a patient in the operating room. Whenever a bridge year graduate physician performs or assists in performing invasive procedures with involvement deeper than the complete dermis, the supervising physician or the delegate must be present in the operating room, unless otherwise specifically approved by the Board. The supervising physician must ensure the delegated physician is aware of his or her responsibility prior to the bridge year graduate physician's involvement in the care of a patient in the operating room.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: **New Rule:** Published ____; effective ____.

540-X-27-.15 Limitations Upon Utilization of Bridge Year Graduate Physicians.

(1) A supervising physician may supervise no more than two (2) bridge year graduate physicians at any given time.

(2) A bridge year graduate physician cannot be supervised by more than one (1) Board-approved supervising physician, not including any covering physicians, at any given time.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: **New Rule:** Published ____; effective ____.

540-X-27-.16 Prescriptions and Medication Orders.

(1) A bridge year graduate physician may prescribe a legend drug to a patient subject to both of the following conditions being met:

(a) The drug type, dosage, quantity prescribed, and number of refills are authorized in the job description which is signed by the supervising physician by whom the bridge year graduate physician is currently being supervised based upon approval by the board.

(b) The drug is included in the formulary approved by the Board for governing the prescription practices of bridge year graduate physicians.

(2) The supervising physician and the bridge year graduate physician shall adhere to and follow all requirements and procedures stated in written guidelines established by the Board to govern the prescribing practices of bridge year graduate physicians.

(3) A bridge year graduate physician who is issued a permit to practice with prescriptive privileges shall not engage in prescribing for:

(a) Self.

(b) Immediate family members.

(c) Any of his or her supervising or covering physician(s).

(4) A bridge year graduate physician may not initiate a call-in prescription in the name of the supervising physician for any drug, whether legend or controlled substance, which the bridge year graduate physician is not authorized to prescribe under the job description signed by his or her supervising physician and approved under this Chapter, unless the drug is specifically ordered for the patient by the supervising physician, either in writing or by a verbal order which has been reduced to writing and signed by the supervising physician within seven (7) working days of the date of the prescription.

(5) For any drug which the bridge year graduate physician is authorized to prescribe, a written prescription signed by the bridge year graduate physician and entered into the patient's chart may be called into a pharmacy.

(6) Whenever a bridge year graduate physician calls in a prescription to a pharmacy, the bridge year graduate physician shall identify his or her supervising physician.

(7) A bridge year graduate physician may administer any legend drug which the bridge year graduate physician is authorized to prescribe.

(8) When prescribing legend drugs, a bridge year graduate physician shall use a prescription form which includes all of the following:

(a) The name, medical practice site address and telephone number of the physician supervising the bridge year graduate physician;

(b) The medical practice site address and telephone number of the bridge year graduate physician, if different from the address of the supervising physician;

(c) The bridge year graduate physician's permit number assigned by the Board;

(d) The words "Product Selection Permitted" printed on one side of the prescription form directly underneath a signature line; and

(e) The words "Dispense as Written" printed on one side of the prescription form directly underneath a signature line.

(9) For inpatients and nursing home patients, a bridge year graduate physician may enter a verbal order from the supervising physician for controlled substances or other medications which the bridge year graduate physician is not authorized to prescribe, provided that the order is co-signed by the supervising physician in accordance with established guidelines and institutional policies.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: **New Rule:** Published _____; effective _____.

540-X-27-.17 **Covering Physicians for Bridge Year Graduate Physicians.**

(1) When the supervising physician is not readily available to respond to patients' medical needs, the bridge year graduate physician is not authorized to perform any act or render any treatments unless another qualified physician in the same medical

practice, practice group, or multidisciplinary medical team, or of the same or similar specialty as the supervising physician is immediately available on site to supervise the bridge year graduate physician. The covering physician providing supervision must have previously attested in writing to the Board that he or she assumes all responsibility for the actions of the bridge year graduate physician during the temporary absence of the primary supervising physician.

(2) The covering physician providing the supervision shall also affirm in writing that he or she is familiar with the current rules regarding bridge year graduate physicians and the job description filed by the supervising physician and the bridge year graduate physician, that he or she is accountable for adequately supervising the medical care rendered pursuant to the job description, and that he or she approves the drug type, dosage, quantity and number of refills of legend drugs which the bridge year graduate physician is authorized to prescribe in the job description. The covering physician must meet the same qualifications as the supervising physician as established in Rule 540-X-27-.03 above.

(3) The supervising physician shall inform the Board of Medical Examiners of the termination of a covering physician within ten (10) days of the termination.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.18 Report by Supervising Physician.

(1) At the end of the initial bridge year, the supervising physician shall submit a report directly to the Board which includes the following:

(a) The scope and breadth of the practice of the participating bridge year graduate physician, including the ability of the bridge year graduate physician to complete the following, if applicable:

1. Gather a history and perform a physical examination,
2. Prioritize a differential diagnosis following a clinical encounter,
3. Recommend and interpret common diagnostic and screening tests,
4. Enter and discuss orders and prescriptions,

5. Document a clinical encounter in the patient record,
6. Provide an oral presentation of a clinical encounter,
7. Form clinical questions and retrieve evidence to advance patient care,
8. Collaborate as a member of an interprofessional team,
9. Recognize a patient requiring urgent or emergent care and initiate evaluation and management,
10. Obtain informed consent for tests and/or procedures,
11. Perform general procedures of a physician,
12. Identify system failures and contribute to a culture of safety and improvement.

(b) The instruction and training provided to the bridge year graduate physician by the supervising and any covering physician, if applicable,

(c) A statement as to whether the bridge year graduate physician would be recommended for a residency position upon reapplication.

(2) This section shall also apply to a bridge year graduate physician's renewal bridge year if the bridge year graduate physician applied for a renewal of the initial permit.

(3) If the supervising physician has changed prior to the end of the initial bridge year or renewal bridge year, the supervising physician supervising the bridge year graduate physician at the end of the bridge year or renewal bridge year shall be responsible for submitting the report to the Board.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.19

Forms Requiring a Supervising Physician's Signature.

Unless prohibited by Federal or state statutes or regulations or by the agency governing a specific form, a bridge year graduate physician may sign any form which can be authenticated by the

supervising physician's signature, if signing by the bridge year graduate physician is authorized by the supervising physician.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.

540-X-27-.20 Bridge Year Graduate Physician Standing Work Group.

(1) The Bridge Year Graduate Physician Standing Work Group is established to consult and assist in the drafting of rules related to the practice of bridge year graduate physicians, consisting of the following:

- (a) Two members appointed by the Medical Association of the State of Alabama.
- (b) One member appointed by the Alabama Academy of Family Physicians.
- (c) One member appointed by the Alabama Chapter of the American Academy of Pediatrics.
- (d) One member appointed by the Alabama Chapter of the American College of Physicians.
- (e) One member appointed by the Alabama Primary Health Care Association.
- (f) One member appointed by the Board of Medical Examiners.
- (g) The director of a residency program appointed by the Dean of The University of Alabama at Birmingham School of Medicine
- (h) The director of a residency program appointed by the Dean of the University of South Alabama College of Medicine.
- (i) The director of the Cahaba Family Medicine Residency Program

(2) The standing work group may appoint a chair and vice-chair from among its members. The chair will be responsible for calling the meeting to order and presiding over any items that require a majority vote. The vice-chair should assume the chair's duties upon the chair's absence.

(3) Following the initial drafting of rules, the standing work group shall meet only at the direction of the Board. The standing work group may conduct all such continuing or new business as may be assigned to it by the Board.

(4) The standing work group shall serve in an advisory capacity only and any recommendations made by the standing work group shall be subject to approval by the Board.

(5) Members of the standing work group shall receive, out of the funds of the board, reimbursement for subsistence and travel in accordance with state law for each day actively engaged in official business of the standing working group.

(6) The standing working group may conduct its business in person or by electronic means.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, § 34-24-75.2 and Act No. 23-233

History: New Rule: Published _____; effective _____.