

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 540

Department or Agency: Alabama Board of Medical Examiners

Rule No.: 540-X-7-.08

Rule Title: Grandfather Clause - Physician Assistant (P.A.)

Intended Action Amend

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

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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.

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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 Monday, August 19, 2024

REC'D & FILED
AUG 19, 2024
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.08 Grandfather Clause - Physician Assistant
(P.A.)

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amendment to provide that a person who holds a medical degree but is not licensed to practice medicine in Alabama may be eligible for an Physician Assistant license if all statutory requirements for a license to practice as a physician assistant are met.

This amendment meets the "protection of public health" exemption from the moratorium on rule amendments contained in Governor Ivey's Executive Order No. 735, Reducing "Red Tape" on Citizens and Businesses.

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 Oct 4, 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, October 4, 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)

540-X-7-.08

**Grandfather Clause - Physician Assistant
(P.A.)**

(1) Any person who was certified by the board as a physician assistant or surgeon assistant to a licensed physician on December 21, 1994, shall be eligible for the issuance of a license and a registration to practice as a physician assistant.

(2) To qualify for a license under this section, an applicant must submit an application for licensure and the required fee on or before May 7, 1999. After May 7, 1999, an applicant must meet all of the requirements of Rule 540-X-7-.04 concerning licensure.

(3) A person who holds a degree of doctor of medicine but who is not licensed to practice medicine in the State of Alabama shall not be eligible for a license and a registration as a physician assistant ~~except as provided in~~unless paragraph (1) of this Rule applies or unless the applicant meets all statutory requirements for a license to practice as a physician assistant in Alabama.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-290, et. seq.

History: Repealed and Replaced: Filed September 21, 1998; effective October 26, 1998. **Repealed and New Rule:** Filed

August 22, 2002; effective September 26, 2002. **Repealed and New Rule:** Filed September 19, 2002; effective October 24, 2002.

Amended: Published October 29, 2021; effective December 13, 2021. **Amended:** Published ; effective .