

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 540

Department or Agency: Alabama Board of Medical Examiners

Rule No.: 540-X-3-.24

Rule Title: Certificate And Limited License Under Retired Senior Volunteer Program

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

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? No

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

Thursday, July 17, 2025

REC'D & FILED
JUL 18, 2025
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-3-.24 Certificate And Limited License Under
Retired Senior Volunteer Program

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend the rule pursuant to Act 2025-332 to remove requirement for volunteering at least 100 hours annually to qualify under the RSVP program.

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 Sept. 4, 2025. 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:

Thursday, September 4, 2025

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)

Certificate And Limited License Under Retired Senior Volunteer Program.

(1) ~~(a)~~ The State Board of Medical Examiners ~~may~~, at its discretion and subject to these rules, may issue a certificate of qualification ~~in~~on behalf of physicians meeting the requirements for participation in the Retired Senior Volunteer Program. The Retired Senior Volunteer Program (RSVP) is created for the purpose of permitting doctors of medicine and doctors of osteopathy who are fully retired from the active practice of medicine to obtain a limited license without cost which would permit the provision of outpatient health care services at established free clinics operated pursuant to the Volunteer Medical Professional Act, §~~6-5-660~~6-5-660, et seq.

~~(b)~~ (2) Physicians having certificates issued under this section ~~shall comply with the following requirements which are deemed to meet the requirements of Code of Ala. 1975, §6-5-660, et seq~~must limit their practice to the confines of an established free medical clinic, as that term is defined in Ala. Code § 6-5-662, or other non profit organizations or facilities located in Alabama which are approved by the board and which provide outpatient medical care for individuals unable to pay for the care.

~~1. Physicians receiving a certificate of qualification and license during the time period of January 1 through March 30 of any calendar year shall perform no fewer than 100 hours of voluntary service on or before December 31 of that calendar year;~~

~~2. Physicians receiving a certificate of qualification and license during the time period of April 1 through June 30 of any calendar year shall perform no fewer than 75 hours of voluntary service on or before December 31 of that calendar year;~~

~~3. Physicians receiving a certificate of qualification and license during the time period of July 1 through September 30 of any calendar year shall perform no fewer than 50 hours of voluntary service on or before December 31 of that calendar year;~~

~~4. Physicians receiving a certificate of qualification and license on or after October 1 of any calendar year shall perform no fewer than 25 hours of voluntary service on or before December 31 of that calendar year.~~

~~(e)~~ (3) Certificates issued under this section and licenses based thereon shall state on their faces that ~~they~~the

certificates are issued under the RSVP and are subject to restrictions.

~~(d)~~ (4) Any physician ~~in~~on whose behalf a certificate of qualification is issued under this section shall be subject to having his or her license suspended or revoked by the Medical Licensure Commission for the same causes or reasons and in the same manner as provided by law in the case of other physicians.

~~(e)~~ (5) Certificates of qualification issued under this section shall expire annually ~~and physicians~~. Physicians may apply to the board for renewal of their certificate, but the board shall have full discretion to accept or reject the application for renewal.

~~(2)(a)~~ (6) A physician is eligible to receive a certificate of qualification issued under ~~subsection (a)~~ this rule if ~~he meets~~ the following qualifications are met:

~~1.~~ (a) The applicant currently has or has had a full and unrestricted license to practice medicine in the State of Alabama or in any other state of the United States or the District of Columbia, which license is or was at the time of expiration unrestricted and in good standing with no pending disciplinary actions or investigations at the time of expiration.

~~2.~~ (b) The applicant certifies, on a form prescribed by the board, that he or she is fully retired from the active practice of medicine.

~~3.~~ (c) The applicant is in good health and is not currently undergoing treatment for a physical or mental condition which would impair the individual's ability to practice medicine with reasonable skill and safety to patients.

~~4.~~ (d) The applicant certifies, on a form prescribed by the board, that he or she intends to limit his or her medical practice to the provision of outpatient services at an established free medical clinic as that term is defined in Ala. Code § 6-5-662 or ~~such~~ other nonprofit organization or facility that has been approved by the board and that furnishes outpatient medical care to patients unable to pay for ~~it~~ the care.

~~5.~~ (e) The applicant certifies, on a form prescribed by the board, that his or her license to practice medicine in any state or the District of Columbia has never been revoked, suspended, placed on probation, or otherwise subject to disciplinary action and that the applicant has not had his or her hospital medical staff privileges revoked, suspended, curtailed, limited, or surrendered while under investigation.

~~6.~~(f) The applicant acknowledges, on a form prescribed by the board, that he or she is subject to the continuing medical education requirements for physicians as specified in ~~Chapter 14~~ ~~of the rules and regulations~~ of the State Board of Medical Examiners.

~~7.~~(g) The applicant furnishes a certification of the employment arrangements or agreement with the qualified clinic or nonprofit organization.

~~(b)~~(h) A certificate of qualification issued under ~~subsection~~ ~~(a)~~this rule shall be issued at no cost to the applicant.

Author: ~~Patricia E. Shaner,~~ Alabama State Board of Medical Examiners

Statutory Authority: §§34-24-75.1; 34-24-53; 6-5-660 et seq

History: New Rule: Filed January 21, 2005; effective February 25, 2005. **Amended (Rule Number Only):** Filed October 15, 2008; effective November 19, 2008. **Amended:** Filed October 20, 2016; effective December 4, 2016. Amended: Published ; effective
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