

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 540
Department or Agency: Alabama Board of Medical Examiners
Rule No.: 540-X-11-.07
Rule Title: Procedure And Device Requirements For Physicians And Delegates
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? 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, November 14, 2025

REC'D & FILED

NOV 17, 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-11-.07 Procedure And Device Requirements
For Physicians And Delegates

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend rule to provide clarification on delegation allowed for remote site practice within the Board's laser guidelines.

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: Effie Hawthorne, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (publiccomment@albme.gov), until and including January 2, 2026. Persons wishing to submit data, views, or comments in person should contact Effie Hawthorne 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, January 2, 2026

CONTACT PERSON AT AGENCY:

Effie Hawthorne
(334) 242-4116
publiccomment@albme.gov

William M. Perkins

William M Perkins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**Procedure And Device Requirements For
Physicians And Delegates.**

Physicians and delegates involved in the use of LLBDs must complete a minimum number of procedure/device-specific training hours, a minimum number of observed procedures, a minimum number of supervised procedures, and a minimum number of cases under supervision as set forth below.

(1) Ablative Laser Skin Resurfacing:

(a) Prior to performing procedures with any category of LLBD, physicians must complete eight (8) hours of training in the device or device category, unless the physician received training on the device in residency, in which case only four (4) hours of training are required.

(b) Level 1 and 2 Delegates shall not perform these procedures.

(2) Non-Ablative Laser Photorejuvenation:

(a) Physicians must complete eight (8) hours of training on each device unless he or she received training on the device in residency, in which case only four (4) hours of training are required.

(b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After twenty (20) cases have been performed with a physician seeing a patient prior to the procedure, a Level 1 Delegate may treat a patient without a physician seeing the patient at the initial and each subsequent visit.

(c) A Level 2 Delegate must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician or Level 1 Delegate, and performing fifteen (15) cases under the direct supervision of a trained physician. After twenty (20) cases have been performed with a physician seeing a patient prior to the procedure, a Level 2 Delegate may treat a patient without a physician seeing the patient at the initial and each subsequent visit.

(3) Intense Pulsed Light (IPL) and Broad Band Light (BBL):

(a) Physicians must complete eight (8) hours of training on each device, unless he or she received training in residency, in which case only four (4) hours of training are required.

(b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 1 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the physician sees the patient in consult. After performing fifty (50) cases, a Level 1 Delegate may treat patients without direct supervision by the physician for the initial consult and patient consent.

(c) Level 2 Delegates must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician and performing fifteen (15) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 2 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the initial patient consult and consent, provided that the physician shall review the device settings for cases 26 through 50 prior to treatment. After performing fifty (50) cases, a Level 2 Delegate may treat patients for the initial treatment visit and subsequent visits without direct supervision by the physician after the physician has seen the patient in consult and consent.

(4) Photoepilation/Laser Hair Removal, Vascular Conditions and Lesions, and Pigmentary Conditions:

(a) Physicians must complete eight (8) hours of training on each device, unless he or she received training in residency, in which case only four (4) hours of training are required.

(b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 1 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the physician sees the patient in

consult. After performing fifty (50) cases, a Level 1 Delegate may treat patients without direct supervision by the physician for the initial consult and patient consent.

(c) Level 2 Delegates must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician and performing fifteen (15) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 2 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the initial patient consult and consent, provided that the physician shall review the device settings for cases 26 through 50 prior to treatment. After performing fifty (50) cases, a Level 2 Delegate may treat patients for the initial treatment visit and subsequent visits without direct supervision by the physician after the physician has seen the patient in consult and consent.

(d) A solitary pigmented lesion shall be evaluated by a physician prior to any treatment with an LLBD device.

(5) Tattoo Removal.

(a) Physicians must complete eight (8) hours of training on each device, unless he or she received training in residency, in which case only four (4) hours of training are required.

(b) Level 1 Delegates must complete twelve (12) hours of training on each device, which includes observing the procedure performed by a trained physician and performing ten (10) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 1 Delegate may treat patients for subsequent patient visits without direct supervision by the physician after the physician sees the patient in consult. After performing fifty (50) cases, a Level 1 Delegate may treat patients without direct supervision by the physician for the initial consult and patient consent.

(c) Level 2 Delegates must complete twenty (20) hours of training on each device, which includes observing the procedure performed by a trained physician and performing fifteen (15) cases under the direct supervision of a trained physician. After performing twenty-five (25) supervised cases, a Level 2 Delegate may treat patients

for subsequent patient visits without direct supervision by the physician after the initial patient consult and consent, provided that the physician shall review the device settings for cases 26 through 50 prior to treatment. After performing fifty (50) cases, a Level 2 Delegate may treat patients for the initial treatment visit and subsequent visits without direct supervision by the physician after the physician has seen the patient in consult and consent.

(6) Non-Laser Skin Rejuvenation:

(a) Physicians and Level 1 and 2 Delegates must complete official certifying training by the device manufacturer or be trained by a physician certified by the manufacturer to use the device.

(b) Level 1 and 2 Delegates must complete eight (8) hours of training on each device, which includes observation of five (5) area-specific treatments by a trained physician and performing ten (10) treatments under the direct supervision of a trained physician. After completing ten (10) treatments under direct supervision, a Level 1 or 2 Delegate may complete ten (10) additional treatments without ~~direction~~direct supervision by the physician, provided that the physician reviews the treatment plan and device settings prior to the treatment. After performing twenty-five (25) supervised cases, a Level 1 or 2 Delegate may consult, consent, and treat patients without direct supervision by the physician. Thereafter, treatments may be performed under locally remote supervision by Level 1 Delegates only.

(7) Endovascular Radiofrequency and Laser Ablation (EVLA):

(a) Physicians must complete eight (8) hours of training on each device within a residency or fellowship program.

(b) Level 2 and 3 Delegates shall not perform these procedures.

(8) Laser-Assisted Liposuction (LAL) and Power-Assisted Liposuction:

(a) Physicians must complete eight (8) hours of training on each device within a residency or fellowship program.

(b) Level 2 and 3 Delegates shall not perform these procedures.

(9) Laser-Assisted Surgery

(a) Physicians must complete sixteen (16) hours of training on each device within a residency or fellowship program.

(b) Level 1 and 2 Delegates shall not perform these procedures.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-50, 34-24-51, 34-24-53.

History: New Rule: Filed August 16, 2007; effective September 20, 2007. **Repealed and New Rule:** Published May 31, 2023; effective July 15, 2023. **Amended:** Published _____ ; effective _____ .