

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control No.: 610

Department or Agency: Alabama Board of Nursing

Rule No.: 610-X-5-.05

Rule Title: Limitations Upon Utilization Of Certified Registered Nurse Practitioners

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

Honar Ingels
Honora L Ingels

Date

Tuesday, September 15, 2024

REC'D & FILED
SEP 15, 2026
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

RULE NO. & TITLE: 610-X-5-.05 Limitations Upon Utilization Of Certified
Registered Nurse Practitioners

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes amending the subject rule to remove a requirement for monthly quality assurance review for new CRNPs. The rule has been identified as unduly onerous by physicians and advanced practice nurses.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or verbal comments will be accepted through 4:30 pm, on Wednesday, November 4, 2026, and may be directed to PO Box 303900, Montgomery, AL 36130, (334) 293-5200, or Honor.Ingels@abn.alabama.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, November 4, 2026

CONTACT PERSON AT AGENCY:

Honor Ingels

Honor Ingels

Honor L Ingels

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

**Limitations Upon Utilization Of Certified
Registered Nurse Practitioners.**

(1) A physician may enter into collaborative agreements with certified registered nurse practitioners not exceeding a cumulative three hundred and sixty (360) hours (nine FTEs) per week. The physician shall not collaborate with or supervise any combination of certified registered nurse practitioners, certified nurse midwives and/or Physician Assistants exceeding three hundred and sixty (360) hours per week (nine full-time equivalent positions). "One full-time equivalent" (FTE) is herein described as a person/persons collectively working forty hours a week, excluding time on call.

~~(a) A physician collaborating with more than four FTEs per week shall engage in documented quality assurance review with each CRNP every month for six (6) months following the commencement of a collaborative practice with a new CRNP.~~

~~(b)~~ A physician shall disclose to the Board of Medical Examiners the existence of all collaborative and supervisory agreements to which the physician is a party, including collaborative and supervisory agreements in other states, and shall not be eligible to collaborate with or supervise any combination of certified registered nurse practitioners, certified nurse midwives and/or Physician Assistants exceeding three hundred and sixty (360) hours per week (nine full-time equivalent positions), inclusive of collaborative and supervisory agreements existing in other states. Agreements with an individual certified registered nurse practitioner, certified nurse midwife, and/or Physician Assistants in multiple states shall only be counted once for purposes of calculating the total number of full-time equivalent positions.

(2) Employees of the Alabama Department of Public Health and county health departments are specifically exempt from the requirements of paragraph (1) of this rule.

(3) Effective October 5, 2018, CRNPs practicing under approved limited protocols, specified and approved by the Board of Nursing and the Board of Medical Examiners, may be specifically exempt from the FTE requirements of paragraph (1) of this rule, or as specified in the limited protocol, as determined by the Board of Nursing and the Board of Medical Examiners.

(4) A physician in collaborative practice may request approval from the Joint Committee for additional full-time certified registered nurse practitioner positions, with consideration given

to the following factors, to ensure that an acceptable standard of care is rendered:

- (a) Availability of the physician.
- (b) Practice settings and staffing needs for extended hours of service.
- (c) Risk to patients.
- (d) Educational preparation, specialty and experience of the parties in the collaborative practice.
- (e) Complexity and risk of procedures to be performed.

(5) Any certified registered nurse practitioner engaged in practice with a collaborating physician prior to the effective date of this rule may not be denied approval for continued collaborative practice with that physician based on the ratio established in this rule.

(6) A physician in collaboration with CRNP, CNM or supervising Physician Assistant personnel totaling 360 hours per week (nine (9) FTEs) may request a transitional allowance increasing the total weekly hours for the purpose of orientation of the incoming CRNP. The transitional allowance shall not exceed 45 days. The physician shall request the transitional allowance in writing and specify the starting date for this FTE allowance.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §34-21-80 et seq.

History: New Rule: Filed August 25, 2003; effective September 29, 2003. **Amended:** Filed July 22, 2005; effective August 26, 2005. **Amended:** Filed July 2, 2015; effective August 6, 2015.

Amended: Filed July 20, 2018; effective September 3, 2018; operative October 5, 2018. **Amended:** Filed July 26, 2019; effective September 9, 2019; operative January 1, 2020. **Amended:** Published April 30, 2021; effective June 14, 2021. **Amended:**
Published ; effective .