

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is a correct copy of rules as promulgated and adopted on the 21st day of February, 2018, and filed with the agency secretary on the 21st day of February, 2018.

AGENCY NAME: Alabama State Board of Medical Examiners

 X Amendment _____ New _____ Repeal _____

Rule No. 540-X-1-.07

Rule Title: Powers and Duties of the Board

ACTION TAKEN: Rule was adopted with no changes from the proposal. There were no written or oral comments received.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXVI, ISSUE NO. 3, AAM, DATED DECEMBER 29, 2017.

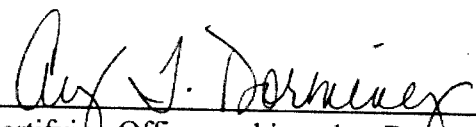
Statutory Rulemaking Authority: Ala. Code §§ 20-2-50, 20-2-110, 34-21-80, et. seq., 34-24-53, 34-24-53.1, 34-24-52, 34-24-53, 34-24-56, 34-24-37, 34-24-70, 34-24-90, et. seq., 34-24-312, 34-24-313, 34-24-331, 34-24-336, 34-24-361

(Date Filed)
(For LRS Use Only)

REC'D & FILED

FEB 27 2018

LEGISLATIVE SVC AGENCY



Certifying Officer or his or her Deputy

540-X-1-.07 Powers And Duties Of The Board.

- (1) The Board is authorized to:
 - (a) Adopt and promulgate rules and regulations and to do such other acts as may be necessary to carry into effect the duties and powers which accrue to the Board under laws now in force or which may hereafter be in force.
 - (b) Issue certificates of qualification to the Medical Licensure Commission for applicants meeting the statutory qualifications for licensure.
 - (c) Commence and maintain proceedings to restrain the unlawful practice of medicine.
 - (d) Serve as the certifying board for physicians applying for an Alabama Controlled Substances Certificate.
 - (e) Carry out the provisions of law relating to assistants to physicians.
 - (f) Administer and/or approve an examination in certain specified branches of medical learning.
 - (g) Keep complete records of all examinations held by the Board.
 - (h) Keep complete minutes of all the Board's proceedings.
 - (i) Keep records of all reports of claims or actions for negligence in the performance of a licensee's professional services and review the reports annually.
 - (j) Approve, jointly, with the Alabama Board of Nursing, qualified applicants for collaborative practice as Certified Registered Nurse Practitioners and Certified Nurse Midwives.
 - (k) Record and maintain a permanent file on all professional corporations incorporated by physicians and osteopaths.

- (l) Administer and enforce the provisions of the Controlled Substances Therapeutic Research Program.
- (m) Furnish all personnel and facilities necessary to administer and enforce the provisions of law relating to the Medical Licensure Commission.
- (n) Employ investigators, attorneys, agents and other employees necessary to aid the Medical Licensure Commission in the administration and enforcement of the sections of law applicable to said commission.
- (o) Certify applications of Alabama licenses for reciprocity in other states.
- (p) Promote continuing medical education of all physicians and osteopaths licensed by the commission.
- (q) The Board on its own motion may investigate any evidence which appears to show that a physician or osteopath holding a certificate of qualification to practice medicine or osteopathy in Alabama is or may be guilty of any of the acts, offenses, or conditions set out in Code of Ala. 1975, § 34-24-360.
- (r) Request that the Medical Licensure Commission temporarily suspend a license to practice medicine when the statutory grounds for temporary suspension are present.
- (s) Accept surrender of, or grant the request for restrictions on, a certificate of qualification.
- (t) Submit recommendations to the Medical Licensure Commission for disposition of complaints against physicians found to be in violation of any of the specified grounds for suspension or revocation of a license to practice medicine.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama 1975, §§ 20-2-50, 20-2-110, 34-

et. seq., 34-24-53, 34-24-53.1, 34-24-52, 34-24-53, 34-24-56, 34-24-37,
34-24-70, 34-24-90, et. seq., 34-24-312, 34-24-313, 34-24-331, 34-24-336,
34-24-361.

History: Filed November 9, 1982. Re-adopted: Filed February 8, 1983.

Amended/approved: December 20, 2000. Effective date: April 19, 2001.

Amended/approved: June 6, 2002. Effective Date: September 26, 2002.

Amended/approved: December 13, 2017. Amended filed: February 27, 2018.

Effective Date: April 13, 2018.