

APA-1  
6/93

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners  
Rule No. 540-X-8-.02  
Rule Title: Terms and Functions of the Joint Committee  
 New  Amend  Repeal  Adopt by Reference

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 and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

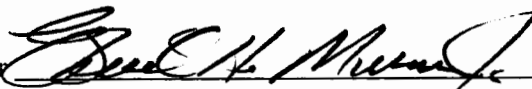
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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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 Reference Service.

Signature of certifying officer  NOV 17 2017

Date: November 17, 2017

APA-2  
6/93

**ALABAMA STATE BOARD  
OF MEDICAL EXAMINERS**

**NOTICE OF INTENDED ACTION**

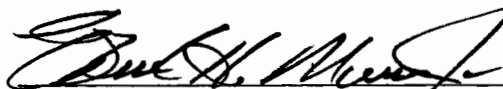
AGENCY NAME: Alabama State Board of Medical Examiners  
RULE NO. & TITLE: 540-X-8-.02, Terms and Functions of the Joint Committee  
INTENDED ACTION: To amend the rule

SUBSTANCE OF PROPOSED ACTION: To amend the rule to provide for designation of substitute representatives in the event that a quorum for voting will not be met

TIME, PLACE, 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: Patricia E. Shaner, General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including January 4, 2017. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Patricia E. Shaner, by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments. Copies can also be obtained at the Board's web site, [www.albme.org](http://www.albme.org).

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: January 4, 2017

CONTACT PERSON AT AGENCY: Patricia E. Shaner, Esq.



Edward H. Munson, Jr., Acting Executive Director

540-X-8-.02 Terms and Functions of the Joint Committee.

(1) The registered nurse members of the Joint Committee shall be appointed to three year terms by the Board of Nursing in accordance with Code of Alabama 1975, as amended, § 34-21-80, et. seq.

(2) The physician members of the Joint committee shall be appointed to three year terms by the Board of Medical Examiners in accordance with Code of Alabama 1975, as amended, §§ 34-21-80, et. seq.

(3) Terms of Joint Committee members shall begin October 1.

(4) Joint Committee members may be re-appointed to one additional term of three years by the respective board.

(5) There shall be a minimum of four Joint Committee members with two representatives from each appointing board present at a meeting to constitute a quorum for voting.

(6) In the event that a quorum for voting will not be met due to the absence of the required number of appointed Joint Committee members at a scheduled meeting, the Board of Nursing or the Board of Medical Examiners may designate substitute representatives to attend the meeting and vote on behalf of the respective board. The designations shall be made by the respective boards in accordance with the requirements of Ala. Code § 34-21-81(7).

~~(6)~~ The Joint Committee shall have the authority to perform the following functions:

(a) Recommend to the Board of Nursing and Board of Medical Examiners rules and regulations governing the collaborative relationship between physicians and

certified registered nurse practitioners and certified nurse midwives engaging in advanced practice nursing.

(b) Recommend to the Board of Nursing and Board of Medical Examiners model practice protocols to be used by the certified registered nurse practitioner and certified nurse midwife.

(c) Recommend to the Board of Nursing and Board of Medical Examiners a formulary of legend drugs that may be prescribed by a certified registered nurse practitioner and certified nurse midwife.

(d) Perform other duties as directed by the Board of Nursing and Board of Medical Examiners.

**Author:** Alabama Board of Medical Examiners.

**Statutory Authority:** Code of Alabama 1975, as amended, §§ 34-24-53, 34-21-82, 34-21-85, and 34-21-87.

**History:** This new Chapter 8 - Advanced Practice Nurses: Collaborative Practice replaces Chapter 8 - Nurse Midwives. This chapter is being filed as a joint effort by the Alabama Board of Nursing and the Alabama Board of Medical Examiners. Amended/Approved for Publication: March 20, 1996.

Approved/Adopted: June 19, 1996. Effective Date: July 25, 1996.

Amended/Approved for Publication: May 21, 2003. Approved/Adopted:

August 20, 2003. Effective Date: September 30, 2003. Amended/Approved: November 16, 2017.