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CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE REFERENCE SERVICE
JERRY L. BASSETT, 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 15th day of February, 2017, and filed with the agency secretary on the 15th day of February, 2017.

AGENCY NAME: Alabama State Board of Medical Examiners

 X Amendment New Repeal

Rule No. 540-X-8-.18(1)(c)

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Qualifications for Physicians in Collaborative Practice with Certified Nurse Midwives

ACTION TAKEN: No comments received. The rule was adopted without changes from the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXV, ISSUE NO. 2, AAM, DATED NOVEMBER 30, 2016.


Statutory Rulemaking Authority: *Code of Alabama* 1975, §34-24-53(a) and §34-24-293(a).

(Date Filed)
(For LRS Use Only)

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Certifying Officer or his or her Deputy

540-X-8-.18 Qualifications for Physicians in Collaborative Practice with Certified Nurse Midwives.

(1) The physician in collaborative practice with a certified nurse midwife shall have:

(a) A current, unrestricted license to practice medicine in the State of Alabama; and

(b) Practiced medicine, including the active practice of obstetrics and/or gynecology, for at least one year, if the physician is certified by or eligible for board certification by a specialty board approved by the American Medical Association or by the American Osteopathic Association; or have practiced medicine, including the active practice of obstetrics and/or gynecology, for at least three years.

(c) Paid all collaborative practice fees due to the Board of Medical Examiners and submitted to the Board of Medical Examiners a Commencement of Collaborative Practice form. In the event no application is received from the Alabama Board of Nursing within six (6) months of submission, the submitted form will be withdrawn by the Board. The fee submitted with the Commencement of Collaborative Practice form is non-refundable and non-transferable.

(2) The Board of Medical Examiners, in its discretion, may waive the practice requirements in 1(b).

(3) The physician may not collaborate with nor supervise any combination of certified nurse midwives, certified registered nurse practitioners and/or assistants to physicians exceeding one hundred and sixty (160) hours per week (four full-time equivalent positions) unless an exemption is granted under Rule 540-X-8-.12. "One

full-time equivalent" (FTE) is herein described as a person/persons collectively working forty hours a week, excluding time on call.

(4) A physician entering into a collaborative practice arrangement with a certified nurse midwife, including those who have been granted temporary approval to practice as a certified nurse midwife under the provisions of Rule 540-X-8-.21, shall notify the State Board of Medical Examiners in writing of the following:

(a) The date for commencement of the collaborative practice agreement using the "Commencement of Collaborative Practice" form. The Collaborative Practice fee must accompany the "Commencement of Collaborative Practice" form.

(b) The date on which the collaborative practice agreement between the collaborating physician and the nurse midwife is being terminated. The "Notice of Termination" should be submitted within fourteen (14) days of the date of termination. The "Notice of Termination" shall be authorized by the collaborating physician and should include the name and license number of the collaborating physician, and the name and license number of the nurse midwife.

Author: Alabama Board of Medical Examiners.

Statutory Authority: Code of Alabama 1975, as amended, §§ 34-24-53 and 34-21-83.

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: April 20, 2005. Effective Date: August 26, 2005. Amended/Approved: August 15, 2007. Emergency Rule Effective: September 4, 2007. Effective Date: December 14, 2007. Amended/Approved for Publication: February 18, 2015. Effective Date: August 6, 2015. Amended/Approved for Publication: September 21, 2016. Amended/Approved: Sept. 21, 2016. Effective Date: April 2, 2017.