

APA-3
10/91

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE REFERENCE SERVICE
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 18th day of October, 2017, and filed with the agency secretary on the 18th day of October, 2017.

AGENCY NAME: Alabama State Board of Medical Examiners

 X Amendment New Repeal

Rule No. 540-X-9-.11

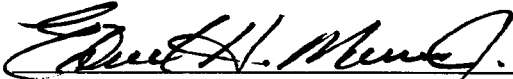
Rule Title: Contact with Patients before Prescribing

ACTION TAKEN: The rule was adopted without changes due to comment received.
Comment was favorable and did not urge any considerations against the rule's adoption.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXV, ISSUE NO. 11, AAM,
DATED AUGUST 31, 2017.

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

(Date Filed)
(For LRS Use Only)



Certifying Officer or his or her Deputy

REC'D & FILED

OCT 19 2017

LEGISLATIVE REF SERVICE

540-X-9-.11 Contact with Patients before Prescribing.

(1) It is the position of the Board that, when prescribing medications to an individual, the prescriber, when possible, should personally examine the patient. Before prescribing a medication, a physician should make an informed medical judgment based on appropriate medical history, the circumstances of the situation and on his or her training and experience. This process must be documented appropriately.

(2) Prescribing medications for a patient whom the physician has not personally examined may be suitable under certain circumstances. These circumstances may include but not be limited to electronic encounters such as those in telemedicine; admission orders for a patient newly admitted to a health care facility; prescribing for a patient of another physician for whom the prescribing physician is taking call; or continuing medication on a short-term basis for a new patient prior to the patient's first appointment.

(3) Licensees are expected to adhere to all federal and state statutes regarding the prescribing of controlled substances and all Alabama Board of Medical Examiners' Rules regarding the prescribing of controlled substances.

Author: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 34-24-53.

History: Approved for Publication January 19, 2000.

Approved/Adopted: March 15, 2000. Effective Date: April 21, 2000.

Amended/Approved: August 16, 2017. Effective Date: November 27, 2017.