

1 HB133
2 164291-1
3 By Representative Weaver
4 RFD: Boards, Agencies and Commissions
5 First Read: 05-MAR-15

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8 SYNOPSIS: Currently, physicians providing pain
9 management services register annually with the
10 Alabama Board of Medical Examiners and pay a fee
11 for each practice location.

12 This bill would provide that a registered
13 physician pays a single initial fee and renewal
14 fee, with no additional fees for additional
15 practice locations.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
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21 To amend Section 34-24-604, Code of Alabama 1975,
22 relating to annual registrations and fees for physicians
23 providing pain management services for physician practice
24 locations; to provide that each such physician shall pay one
25 registration fee or annual renewal fee with no additional fee
26 for additional practice locations.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 34-24-604, Code of Alabama 1975,
2 is amended to read as follows:

3 "§34-24-604.

4 "(a) Beginning January 1, 2014, and continuing each
5 year thereafter:

6 "(1) All physicians providing pain management
7 services shall obtain a pain management registration from the
8 board.

9 "(2) All physicians who otherwise meet the criteria
10 established by the board shall obtain a pain management
11 registration from the board.

12 "(b) To register, a physician applicant shall submit
13 the following to the board:

14 "(1) A completed application on a form prescribed by
15 the board.

16 "(2) Proof of a current drug enforcement
17 administration registration.

18 "(3) Proof of an Alabama controlled substances
19 certificate.

20 "(4) Proof of a current registration with the
21 Alabama Prescription Drug Monitoring Program.

22 "(5) A list of all registrants who own, co-own,
23 operate, or provide pain management services in the practice
24 location.

25 "(6) The disclosure of any controlled substances
26 certificate or registration denial, restriction, or discipline

1 imposed on the registrant, or any disciplinary act against the
2 license of the registrant.

3 "(7) Payment of the initial registration fee as set
4 forth in this section and in the rules of the Alabama Board of
5 Medical Examiners.

6 "(8) A certification listing the current name of the
7 physician who will serve as the medical director.

8 "(9) Any other information requested by the board
9 related to the qualifications to, or the provision of,
10 providing pain management services.

11 "(c) The applicant shall provide the board with a
12 physical address for each location where he or she provides
13 pain management services and a list of all physicians who work
14 at the practice location, including the name of the physician
15 who will serve as the medical director. For purposes of this
16 subsection, if a practice location is a hospital, the
17 physician applicant is not required to provide the names of
18 physicians at the hospital other than the medical director.

19 "(d) Exemptions. The provisions of this article
20 shall not apply to any of the following:

21 "(1) A hospice program licensed by the Alabama
22 Department of Public Health, or any physicians while
23 performing work for that program.

24 "(2) A facility maintained or operated by the United
25 States or any of its departments, offices, or agencies, or any
26 physicians while performing work for that facility.

1 "(e) The board shall provide individual, entity, and
2 any categorical exemptions as, in its discretion, it deems
3 appropriate.

4 "(f) Any physician who is not included in
5 subdivisions (1) and (2) of subsection (d) may petition the
6 board for an exemption from the requirements of this section
7 for working at a particular entity. The board shall have the
8 sole discretion in determining whether the requested exemption
9 shall be granted or denied.

10 "(g) Fees.

11 "(1) An initial registration fee is provided in an
12 amount set by the board in its rules not to exceed three
13 hundred dollars (\$300).

14 "(2) Renewal fee. A renewal fee is provided in an
15 amount set by the board in its rules not to exceed three
16 hundred dollars (\$300).

17 "(3) There shall be no initial registration fee or
18 renewal fee for additional practice locations.

19 "(h) Miscellaneous.

20 "~~(1) An applicant practicing in more than one~~
21 ~~location shall submit a separate registration fee for each~~
22 ~~practice.~~

23 "~~(2)~~(1) If an applicant does not complete the
24 initial application process within 90 days of his or her first
25 submission to the board, then the application shall be closed,
26 the application fee shall not be refunded, and the applicant
27 shall be required to reapply for registration.

1 "~~(3)~~(2) An application which is submitted to the
2 board may be withdrawn at any time prior to the granting or
3 denial of registration; provided, however, that the
4 application fee shall not be refunded.

5 "(i) Renewal.

6 "(1) A registration by a physician under this
7 article shall expire on December 31 of each year.

8 "(2) A registrant may renew a current registration
9 prior to its expiration date by submitting the following to
10 the board:

11 "a. A renewal application form prescribed by the
12 board.

13 "b. The required renewal fee.

14 "c. A certification that each location at which the
15 applicant provides pain management service has a medical
16 director.

17 "d. If the practice location is not a hospital, an
18 attestation that the practice location is not owned wholly or
19 partly by a person who has been convicted of or pled nolo
20 contendere to any of the following:

21 "1. A felony.

22 "2. An offense that constitutes a misdemeanor, the
23 facts of which relate to the distribution or illegal
24 prescription of any controlled substance.

25 "e. Any applicant who has been convicted of a crime
26 described in paragraph d. may request an interview before the

1 board, after which the board may approve or deny the
2 registration.

3 "f. Any other information requested by the board."

4 Section 2. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.