

1 HB465
2 166960-5
3 By Representative Hill (M)
4 RFD: Health
5 First Read: 09-APR-15

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 To amend Section 34-14C-5, as amended by Act
9 2014-172, 2014 Regular Session, Code of Alabama 1975, relating
10 to the licensure of home medical equipment services providers;
11 to exempt certain providers of insulin infusion pumps or
12 continuous glucose monitors and related supplies.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 34-14C-5, as amended by Act
15 2014-172, 2014 Regular Session, Code of Alabama 1975, is
16 amended to read as follows:

17 "§34-14C-5.

18 "The licensure requirements of this chapter do not
19 apply to the following entities or practitioners:

20 "(1) Home health agencies certified by the State of
21 Alabama to participate in the Medicare and Medicaid programs.

22 "(2) Hospital based home medical equipment services,
23 whether or not the services are provided through a separate
24 corporation or other business entity.

25 "(3) Health care practitioners legally eligible to
26 order or prescribe home medical equipment, or who use home
27 medical equipment to treat patients in locations other than

1 the patient's residence, including, but not limited to,
2 physicians, nurses, physical therapists, respiratory
3 therapists, speech therapists, occupational therapists,
4 optometrists, chiropractors, and podiatrists, except for those
5 practitioners, other than a licensed physician practicing
6 medicine, who provide home medical equipment services in a
7 patient's residence.

8 "Nothing in this chapter shall be construed as
9 prohibiting or restricting a licensed physician who is
10 practicing medicine, nor shall anything in this chapter be
11 construed as requiring a physician practicing medicine, to be
12 licensed as a home medical equipment services provider.

13 "(4) Manufacturers and wholesale distributors, when
14 not selling directly to a patient.

15 "(5) Retail community pharmacies, including
16 providers of home infusion therapy services.

17 "(6) Hospice programs, except programs which provide
18 home medical equipment services, including delivery to a
19 patient's residence.

20 "(7) Skilled nursing facilities, except facilities
21 which provide home medical equipment services, including
22 delivery to a patient's residence.

23 "(8) Governmental agencies, including fire districts
24 which provide emergency medical services, and contractors to
25 governmental agencies whose business deals only with the
26 contracted agency.

1 "(9) Mail order companies, as defined by rule of the
2 board.

3 "(10) A provider of home medical equipment or
4 services that manufactures or distributes or manufactures and
5 distributes its own company-branded power operated or durable
6 insulin infusion pumps or continuous glucose monitors and
7 related supplies."

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Health 09-APR-15

Read for the second time and placed
on the calendar 1 amendment 30-APR-15

Read for the third time and passed
as amended..... 14-MAY-15

Yeas 99, Nays 0, Abstains 0

Jeff Woodard
Clerk