

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

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8 SYNOPSIS: Under existing law, the Board of Home
9 Medical Equipment Services Providers licenses home
10 medical equipment providers.

11 This bill would specify that a provider of
12 home medical equipment or services that
13 manufactures or distributes its own company-branded
14 insulin infusion pumps or continuous glucose
15 monitors and related supplies would be exempt from
16 licensure.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
21

22 To amend Section 34-14C-5, as amended by Act
23 2014-172, 2014 Regular Session, Code of Alabama 1975, relating
24 to the licensure of home medical equipment services providers;
25 to exempt certain providers of insulin infusion pumps or
26 continuous glucose monitors and related supplies.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 34-14C-5, as amended by Act
2 2014-172, 2014 Regular Session, Code of Alabama 1975, is
3 amended to read as follows:

4 "§34-14C-5.

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

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

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

12 "(3) Health care practitioners legally eligible to
13 order or prescribe home medical equipment, or who use home
14 medical equipment to treat patients in locations other than
15 the patient's residence, including, but not limited to,
16 physicians, nurses, physical therapists, respiratory
17 therapists, speech therapists, occupational therapists,
18 optometrists, chiropractors, and podiatrists, except for those
19 practitioners, other than a licensed physician practicing
20 medicine, who provide home medical equipment services in a
21 patient's residence.

22 "Nothing in this chapter shall be construed as
23 prohibiting or restricting a licensed physician who is
24 practicing medicine, nor shall anything in this chapter be
25 construed as requiring a physician practicing medicine, to be
26 licensed as a home medical equipment services provider.

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

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

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

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

11 "(8) Governmental agencies, including fire districts
12 which provide emergency medical services, and contractors to
13 governmental agencies whose business deals only with the
14 contracted agency.

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

17 "(10) A provider of home medical equipment or
18 services that manufactures or distributes or manufactures and
19 distributes its own company-branded insulin infusion pumps or
20 continuous glucose monitors and related supplies."

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