SB148

IB3DZZZ-1

By Senator Coleman-Madison

RFD: Fiscal Responsibility and Economic Development

First Read: 20-Feb-24

SYNOPSIS:

Under existing law, termination dates are established for enumerated state agencies. The agencies are periodically reviewed by the Alabama Sunset Committee. After the review process is completed, the committee prepares its recommendations for the agencies to the Legislature in the form of sunset bills which either continue, terminate, or continue with modification each agency reviewed.

This bill would provide for the continuance of the Alabama State Board of Respiratory Therapy until October 1, 2028, with the following change: To replace nonexistent nominating agencies.

A BILL

TO BE ENTITLED

AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama State Board of Respiratory Therapy until October 1, 2028, with certain modifications; to amend Section 34-27B-5, Code of Alabama 1975, to replace references to nonexistent nominating agencies.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the sunset committee recommends the continuance of the Alabama State Board of Respiratory Therapy until October 1, 2028, with the additional recommendation for statutory change as set out in Section 3.

Section 2. The existence and functioning of the Alabama State Board of Respiratory Therapy, created and functioning pursuant to Chapter 27B of Title 34, Code of Alabama 1975, is continued until October 1, 2028, and those code sections are expressly preserved.

Section 3. Section 34-27B-5 of the Code of Alabama 1975, is amended to read as follows:

"§34-27B-5

(a)(1) The Alabama State Board of Respiratory Therapy is created to implement and administer this chapter and shall be composed of six members appointed by the Governor. Three of the members shall be respiratory therapists, one member shall be the chief executive officer of a hospital, one member shall be a physician, and one member shall be a consumer.

(2) The respiratory therapist members of the board appointed by the Governor shall be selected from a list of names submitted by the Alabama Society for Respiratory Care. The list shall include two names for each appointed position to be filled. The respiratory therapist members appointed to the board shall be registered or certified by the National Board for Respiratory Care or its successor organization. Respiratory therapists appointed to the initial board must be

eligible to obtain a license under this chapter. Respiratory therapists selected for subsequent appointments must be licensed by the state.

(3) The hospital member shall be selected from a list of two names submitted by the Alabama Hospital Association.

(4) The physician member appointed shall be duly licensed to practice medicine in Alabama and shall be a member of at least one of the following: The American Thoracic Society, the American College of Chest Physicians, the American Society of Anesthesiologists, or the American Academy of Pediatrics. The physician member of the board appointed by the Governor shall be selected from a list of two names submitted by the Medical Association of the State of Alabama.

(5) The consumer member appointed by the Governor shall be selected from one of the names submitted by the ~~Alabama Cystic Fibrosis Association, the Alabama Lung Association~~ American Lung Association in Alabama, the Alabama Chapter of the Cystic Fibrosis Foundation, and the Alabama Asthma Coalition. Each entity shall submit one name for consideration.

(b) All board members shall be residents of Alabama and all appointing authorities shall coordinate their appointments so that diversity of gender, race, and geographical areas is reflective of the makeup of this state.

(c) The Governor shall make the appointments for all positions for members of the board within 90 days of the date the position becomes available, including initial appointments, vacancies, and replacements at the end of the

term of service.

(d) Members of the board shall have the same immunities from personal liability as state employees for actions taken in the performance of their official duties.

(e) The term of office of those members first appointed shall be as follows: Two respiratory therapists and the hospital member, as determined by the Governor, shall serve for terms of two years, and one respiratory therapist and the physician member shall serve for terms of four years. Thereafter, the term of all members, including the consumer member, shall be for four years. No member shall be appointed for more than three consecutive full terms. A vacancy in an unexpired term shall be filled in the manner of the original appointment. The board shall elect a chair and vice chair annually.

(f) The board shall meet at least twice each year at a time and place determined by the chair. A majority of the members of the board shall constitute a quorum for the transaction of business.

(g) Each member shall serve without compensation, but shall be reimbursed for travel expenses incurred in attendance at meetings of the board and any other expenses incurred on business of the board at its discretion. Board members shall also receive a per diem allowance following the guidelines for state employees. The reimbursement for expenses and per diem shall be paid from funds derived from the Alabama State Board of Respiratory Therapy Fund."

Section 4. The Legislature concurs in the

recommendations of the Sunset Committee as provided in Sections 1, 2, and 3.

Section 5. This act shall become effective June 1, 2024.