

1 SB167
2 164291-3
3 By Senators Beasley, Melson, Stutts and Bussman
4 RFD: Health and Human Services
5 First Read: 05-MAR-15

1 SB167

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4 ENROLLED, An Act,

5 To amend Section 34-24-604, Code of Alabama 1975,
6 relating to annual registrations and fees for physicians
7 providing pain management services for physician practice
8 locations; to provide that each such physician shall pay one
9 registration fee or annual renewal fee with no additional fee
10 for additional practice locations.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

14 "§34-24-604.

15 "(a) Beginning January 1, 2014, and continuing each
16 year thereafter:

17 "(1) All physicians providing pain management
18 services shall obtain a pain management registration from the
19 board.

20 "(2) All physicians who otherwise meet the criteria
21 established by the board shall obtain a pain management
22 registration from the board.

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

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

3 "(2) Proof of a current drug enforcement
4 administration registration.

5 "(3) Proof of an Alabama controlled substances
6 certificate.

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

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

12 "(6) The disclosure of any controlled substances
13 certificate or registration denial, restriction, or discipline
14 imposed on the registrant, or any disciplinary act against the
15 license of the registrant.

16 "(7) Payment of the initial registration fee as set
17 forth in this section and in the rules of the Alabama Board of
18 Medical Examiners.

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

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

24 "(c) The applicant shall provide the board with a
25 physical address for each location where he or she provides

1 pain management services and a list of all physicians who work
2 at the practice location, including the name of the physician
3 who will serve as the medical director. For purposes of this
4 subsection, if a practice location is a hospital, the
5 physician applicant is not required to provide the names of
6 physicians at the hospital other than the medical director.

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

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

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

15 "(e) The board shall provide individual, entity, and
16 any categorical exemptions as, in its discretion, it deems
17 appropriate.

18 "(f) Any physician who is not included in
19 subdivisions (1) and (2) of subsection (d) may petition the
20 board for an exemption from the requirements of this section
21 for working at a particular entity. The board shall have the
22 sole discretion in determining whether the requested exemption
23 shall be granted or denied.

24 "(g) Fees.

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

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

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

9 "(h) Miscellaneous.

10 "~~(1) An applicant practicing in more than one~~
11 ~~location shall submit a separate registration fee for each~~
12 ~~practice.~~

13 "~~(2)~~ (1) If an applicant does not complete the
14 initial application process within 90 days of his or her first
15 submission to the board, then the application shall be closed,
16 the application fee shall not be refunded, and the applicant
17 shall be required to reapply for registration.

18 "~~(3)~~ (2) An application which is submitted to the
19 board may be withdrawn at any time prior to the granting or
20 denial of registration; provided, however, that the
21 application fee shall not be refunded.

22 "(i) Renewal.

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

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

4 "a. A renewal application form prescribed by the
5 board.

6 "b. The required renewal fee.

7 "c. A certification that each location at which the
8 applicant provides pain management service has a medical
9 director.

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

14 "1. A felony.

15 "2. An offense that constitutes a misdemeanor, the
16 facts of which relate to the distribution or illegal
17 prescription of any controlled substance.

18 "e. Any applicant who has been convicted of a crime
19 described in paragraph d. may request an interview before the
20 board, after which the board may approve or deny the
21 registration.

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

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

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President and Presiding Officer of
the Senate

Speaker of the House of Representa-
tives

SB167

Senate 19-MAR-15

I hereby certify that the within Act originated in
and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 12-MAY-15

By: Senator Beasley