

1 SB49
2 203674-1
3 By Senator Coleman-Madison
4 RFD: Healthcare
5 First Read: 04-FEB-20
6 PFD: 01/22/2020

SYNOPSIS: Under existing law, the Alabama State Board of Respiratory Therapy consists of five members appointed by the Governor including three respiratory therapists, the chief executive officer of a hospital, and a physician.

This bill would add a consumer member appointed by the Governor to the membership of the board.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 34-27B-5, Code of Alabama 1975, relating to the Alabama State Board of Respiratory Therapy, to add a consumer member appointed by the Governor to the membership of the board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 34-27B-5 of the Code of Alabama 1975, is amended to read as follows:

1 "§34-27B-5.

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

9 "(2) The respiratory therapist members of the board
10 appointed by the Governor shall be selected from a list of
11 names submitted by the Alabama Society for Respiratory Care.
12 The list shall include two names for each appointed position
13 to be filled. The respiratory therapist members appointed to
14 the board shall be registered or certified by the National
15 Board for Respiratory Care or its successor organization.
16 Respiratory therapists appointed to the initial board must be
17 eligible to obtain a license under this chapter. Respiratory
18 therapists selected for subsequent appointments must be
19 licensed by the state.

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

23 "(4) The physician member appointed shall be duly
24 licensed to practice medicine in Alabama and shall be a member
25 of at least one of the following: The American Thoracic
26 Society, the American College of Chest Physicians, the
27 American Society of Anesthesiologists, or the American Academy

1 of Pediatrics. The physician member of the board appointed by
2 the Governor shall be selected from a list of two names
3 submitted by the Medical Association of the State of Alabama.
4 ~~Such lists shall include two names for the position.~~

5 "(5) The consumer member appointed by the Governor
6 shall be selected from one of the names submitted by the
7 Alabama Cystic Fibrosis Association, the Alabama Lung
8 Association, and the Alabama Asthma Coalition. Each entity
9 shall submit one name for consideration.

10 "(b) All board members shall be residents of Alabama
11 and the composition of the board shall reflect the racial,
12 gender, geographic, urban/rural, and economic diversity of the
13 all appointing authorities shall coordinate their appointments
14 so that diversity of gender, race, and geographical areas is
15 reflective of the makeup of this state.

16 "(c) The Governor shall make the appointments for
17 all positions for members of the board within 90 days of the
18 date the position becomes available, including initial
19 appointments, vacancies, and replacements at the end of the
20 term of service.

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

24 "(e) The term of office of those members first
25 appointed shall be as follows: Two respiratory therapists and
26 the hospital member, as determined by the Governor, shall
27 serve for terms of two years, and one respiratory therapist

1 and the physician member shall serve for terms of four years.
2 Thereafter, the term of all members, including the consumer
3 member, shall be for four years. No member shall be appointed
4 for more than three consecutive full terms. A vacancy in an
5 unexpired term shall be filled in the manner of the original
6 appointment. The board shall elect a chair and vice chair
7 annually.

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

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

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