

APA-3
Revised 1/2018

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on the 19th day of August, 2020, and filed with the agency secretary on the 19th day of August, 2020.

AGENCY NAME: Alabama State Board of Medical Examiners

Amendment New Repeal (Mark appropriate space)

Rule No. 540-X-17-.05(6)(a), (b), and (c)
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Continued Use of a Controlled Substance for the Purpose of Weight Reduction or Treatment of Obesity

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

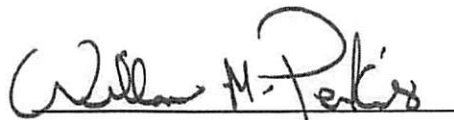
No comments received. Rule adopted without changes from the proposal.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXVIII, ISSUE NO. 9, AAM, DATED JUNE 30, 2020.

Statutory Rulemaking Authority: Ala. Code §§ 34-24-53, 34-24-53.1, 34-24-360.1, and 20-2-54.1

(Date Filed)
(For LRS Use Only)

REC'D & FILED
AUG 20 2020
LEGISLATIVE SVC AGENCY


Certifying Officer or his or her
Deputy

NOTE: In accordance with §41 22 6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.

540-X-17-.05 Continued Use of a Controlled Substance for the Purpose of Weight Reduction or Treatment of Obesity.

(1) A physician should not prescribe, order or dispense a controlled substance for the purpose of weight reduction or treatment of obesity in an amount greater than a thirty-five (35) day supply.

(2) Within the first thirty-five (35) days following initiation of a controlled substance for the purpose of weight reduction or treatment of obesity, the patient should be seen by the prescribing physician, a physician assistant supervised by the prescribing physician, or a certified registered nurse practitioner collaborating with the prescribing physician, and a recording should be made of weight, blood pressure, pulse, and any other tests which may be necessary for monitoring potential adverse effects of drug therapy.

(3) Continuation of the prescribing, ordering, dispensing or administering of a controlled substance to a patient for the purpose of weight reduction or treatment of obesity should occur only if the patient has continued progress toward achieving or maintaining medically established goals and has no significant adverse effects from the medication.

(4) A patient continued on a controlled substance for the purpose of weight reduction or treatment of obesity should undergo an in-person re-evaluation at least once every thirty-five (35) days. Once medically established goals have been met for an individual patient, it is strongly recommended that reduced dosing and drug holidays be implemented for those patients who need maintenance medication.

(5) If the re-evaluation is delegated to a physician assistant or certified registered nurse practitioner, then the prescribing physician should personally review the resulting medical records prior to the continuance of the patient on a controlled substance for the purpose of weight reduction or treatment of obesity.

(6) For the prescribing of only non-controlled drugs for weight reduction or the treatment of obesity, the following applies:

(a) Five (5) refills of non-controlled drugs for weight reduction or the treatment of obesity are allowed after an initial prescription and one follow up visit for an in-person re-evaluation. The five (5) refills shall not extend past a period of six (6) months from the date of issue of the original prescription.

(b) Continued prescribing/refills of non-controlled drugs for weight reduction or the treatment of obesity must occur in accordance with any Risk Evaluation and Mitigation Strategy (REMS) required by the Federal Food and Drug Administration (FDA).

(c) Refills allowed pursuant to this rule are specific for non-controlled drugs for weight reduction or the treatment of obesity. This rule in no way amends, alters, or applies to the refilling of individual prescriptions for controlled substances.

Authors: Alabama Board of Medical Examiners

Statutory Authority: Code of Alabama § 34-24-53

History: Approved for publication: October 19, 2011. Effective Date:

January 20, 2012. Amended/approved for publication: January 16, 2013.

Certified Rule filed March 21, 2013; effective April 25, 2013. Amended:

Certified Rule filed August 21, 2014; effective September 25, 2014.

Amended: Filed April 15, 2016; effective May 30, 2016. Amended: filed

August 20, 2020; effective October 15, 2020.