

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 17th day of February, 2021, and filed with the agency secretary on the 17th day of February, 2020.

AGENCY NAME: Alabama State Board of Medical Examiners

_____Amendment New _____Repeal (Mark appropriate space)

Rule No. 540-X-10-.12(1)

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Registration of Office-Based Surgery/Procedures Physician

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

Adopted without changes from the proposal. No comments received.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXIX, ISSUE NO. 3
AAM, DATED DECEMBER 31, 2020.

Statutory Rulemaking Authority: Ala. Code §§ 34-24-53 and 34-24-53.1

(Date Filed)
(For LRS Use Only)

REC'D & FILED

FEB 18 2021

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-10-.12 Registration of Office-Based Surgery/Procedures Physician.

(1) Prior to performing any office-based surgery/procedures as defined in this rule, registration is required of any physician who is licensed to practice medicine in Alabama, who maintains a practice location in Alabama, and who performs or offers to perform the following:

(a) Any office-based surgery/procedure which requires moderate sedation, deep sedation or general anesthesia, as defined in these rules, or

(b) Liposuction when infiltration methods such as the tumescent technique are used, or

(c) Any procedure in which propofol is administered, given or used.

(2) Registration shall be accomplished on a form provided by the Board. After initially registering as an office-based surgery/procedures physician, it shall be the obligation of the registrant to advise the Board of any change in the practice location within the State of Alabama of that office-based surgery/procedures physician.

(3) The form for registration of an office-based surgery/procedures physician is incorporated as Appendix D to these rules.

(4) For the purposes of these rules an "office-based surgery/procedures physician" shall mean any physician licensed to practice medicine in Alabama who performs or offers to perform in an office setting within the state of Alabama, any procedure that requires moderate sedation, deep sedation or general anesthesia, as defined in these rules, or who performs or offers to perform liposuction when infiltration methods such as the tumescent technique are used, or who performs or offers to perform any procedure in which propofol is administered, given, or used.

(5) In January 2012, the Board of Medical Examiners shall cause a notice to be mailed to every physician who is licensed in the State of Alabama notifying them of the requirements contained in this Chapter.

(6) Beginning January 2012, annual registration as an office-based surgery/procedures physician shall be required, and registration shall be by electronic means.

(7) Annual registration as an office-based surgery/procedures physician shall be due by January 31 of each year.

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Statutory Authority: Code of Alabama §§ 34-24-53, 34-24-53.1

History: Approved/Adopted: Approved for Publication January 15, 2003. Published in 1/31/03 *Alabama Administrative Monthly*. Amended/Approved for Publication: May 21, 2003. Published in 5/30/03 *Alabama Administrative Monthly*. Amended/Approved for Publication: August 20, 2003. Published in 8/29/03 *Alabama Administrative Monthly*. Approved/Adopted: October 15, 2003. Effective Date: November 21, 2003. Amended/Approved: July 20, 2011. Approved/Adopted: September 21, 2011. Effective Date: October 25, 2011. Amended/Approved: June 20, 2018. Effective Date: October 1, 2018. Amended/Approved: November 19, 2020. Certified Rule Filed: February 18, 2021. Effective Date: April 12, 2021.