

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and
41-22-6(c)(2)a. and b.

I certify that the attached emergency (amendment, new rule, new
chapter, repeal or adoption by reference) is a correct copy as
promulgated and adopted on the 17th day of July, 2020.

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. AND TITLE: 545-X-2-.08ER

EFFECTIVE DATE OF RULE: Upon filing with Legislative Services 7/20/2020

EXPIRATION DATE (If less than 120 days): 120 days 11/17/2020

NATURE OF EMERGENCY:

To allow for expedited licensure of physicians to practice medicine in Alabama
and to extend the expiration date for any current emergency licenses that have
been issued in response to the Coronavirus 2019 (COVID -19) Pandemic.

STATUTORY AUTHORITY: Sections 34-24-311, 333, 334 Ala. Code (1975)

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS _____ YES X NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY
OF RULE:

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George C. Smith Sr MD

George C. Smith, Sr., M.D.
Alabama Medical Licensure
Commission

REC'D & FILED

JUL 20 2020

LEGISLATIVE SVC AGENCY

FILING DATE
(For APA Use Only)

Karen Silas

Legislative Services Agency,

The Commission finds that the immediate danger to the public health, safety, or welfare requires adoption of this rule on less than 35 days' notice.

Thank you

Alabama Medical Licensure Commission

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545-X-2-.08-ER Emergency License.

(1) Preamble. On March 13, 2020, the Governor of the State of Alabama declared the existence of a state public health emergency based on the appearance of the 2019 novel coronavirus known as SARS Cov-2 which causes the disease known as COVID-19. On March 18, 2020, the Governor proclaimed the existence of conditions that warrant the implementation of extraordinary measures and relief during the existing state health emergency to guard public health and protect human life. The Governor of the State of Alabama has promulgated several supplemental proclamations culminating most recently with her proclamation of June 30, 2020, which extends the state of emergency originally declared on March 13, 2020. That June 30 proclamation specifically sets out the need for the extension of emergency rule making authority during the current state of emergency and declares that any state law contrary to the provisions of the said declaration are thereby suspended. The Medical Licensure Commission of Alabama promulgated an emergency rule, which was effective March 23, 2020, allowing for the temporary issuance of emergency licenses to qualified physicians. That rule and the licenses issued under its authority are due to expire on July 21, 2020. The Medical Licensure Commission of Alabama hereby finds that the need for qualified physicians to provide medical services in Alabama due to the COVID-19 pandemic has not abated

and warrants the emergency adoption of this rule to provide for the continued issuance of emergency licenses to physicians licensed in other states who may assist with this health emergency and for the continuation for an additional one hundred twenty (120) days of emergency licenses which have already been issued to physicians under the previous emergency rule. The Commission finds that the continued need for emergency licensure of physicians to meet the demands of the COVID-19 pandemic beyond the one hundred twenty (120) days originally provided for by the emergency rule which was effective March 23, 2020 was not reasonably foreseeable. The intent of this rule is to provide for the expedited issuance of medical licenses to qualified physicians who desire to provide health care to citizens of Alabama suffering from and affected by the 2019 novel coronavirus known as COVID-19 and the continuation of those emergency licenses which have heretofore been issued under the authority of the previous emergency rule. The Medical Licensure Commission hereby finds that physicians who obtain an emergency certificate of qualification by endorsement from the State Board of Medical Examiners are eligible for an emergency medical license.

(2) Upon the receipt of an emergency certificate of qualification and all applicable forms from the State Board of Medical Examiners, the Executive Secretary of the Medical

Licensure Commission, or his or her designee, shall issue an expedited emergency license to the applying physician.

(3) An emergency license issued under this rule shall expire one hundred twenty (120) days after the effective date of this rule. An emergency license shall not be renewed.

(4) Applicants for an emergency license shall not be required to pay a fee.

(5) All emergency licenses issued by the Medical Licensure Commission of Alabama pursuant to the authority of its emergency rule which became effective March 23, 2020 shall be and are hereby continued in effect for a period of one hundred twenty (120) days from the effective date hereof.

Author: Medical Licensure Commission of Alabama

Statutory Authority: Code of Alabama 1975, ' 34-24-311, § 34-24-333, § 34-24-334.

History: **Filed:** March 23, 2020. **Amended:** July 20, 2020.