APA-4
Revised 1/2018

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 12th day of December, 2020.

AGENCY NAME: Medical Licensure Commission of Alabama

RULE NO. AND TITLE: 545-X-2-.09ER Emergency License

EFFECTIVE DATE OF RULE: December 14, 2020

EXPIRATION DATE (If less than 120 days):

NATURE OF EMERGENCY:

To allow for the expedited licensure of physicians to practice medicine in Alabama within in-patient facilities to help with the recent surge of COVID-19 cases.

STATUTORY AUTHORITY: Ala. Code §§ 34-24-311, 333, 334 (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:

Karen Silas
848 Washington Avenue
Montgomery, AL 36104
(334) 833-0174

REC'D & FILED
DEC 14 2020
LEGISLATIVE SVC AGENCY

George C. Smith Jr MD

Signature of officer authorized to promulgate and adopt rules and regulations or his or her deputy

FILING DATE:

545-X-2-.09ER 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 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 has continued to extend the state public health emergency and on November 8, 2020, she extended the state of emergency through March 8, 2021. The Medical Licensure Commission hereby finds that the state public health emergency caused by SARS-CoV-2 has not abated, that the number of persons suffering from and affected by SARS-CoV-2 has been rapidly rising, and that the rapid increase in patients requiring hospital-based care has strained the state's healthcare system. The Medical Licensure Commission of Alabama hereby finds that the need for qualified physicians to provide medical services in Alabama warrants the emergency adoption of this rule to provide for the issuance of an emergency license to physicians licensed in other states who may assist with this health emergency. 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. 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 eighty (180) days after the effective date of this rule, when the Governor of Alabama proclaims the

termination of the state's public health emergency, or when the current state of emergency expires, whichever is sooner. An emergency license shall not be renewed.

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

(5) A physician who is issued an emergency license under this rule shall be restricted to providing medical care to inpatients at the general acute care hospital, critical access hospital, or specialized hospital identified in his or her application or as may be designated to the Board of Medical Examiners from time to time.

Author: Dr. Jorge Alsip, Medical Licensure Commission of Alabama

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

History: Filed December 14, 2020.

George C. Smith, Sr., M.D.
Chairman/Executive Officer

Karen H. Silas
Operations Director

STATE of ALABAMA
MEDICAL LICENSURE COMMISSION

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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 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 has continued to extend the state public health emergency and on November 8, 2020, she extended the state of emergency through March 8, 2021. The Medical Licensure Commission hereby finds that the state public health emergency caused by SARS-CoV-2 has not abated, that the number of persons suffering from and affected by SARS-CoV-2 has been rapidly rising, and that the rapid increase in patients requiring hospital-based care has strained the state's healthcare system. The Medical Licensure Commission of Alabama hereby finds that the need for qualified physicians to provide medical services in Alabama warrants the emergency adoption of this rule to provide for the issuance of an emergency license to physicians licensed in other states who may assist with this health emergency. The intent of this rule is to provide for the expedited issuance of medical licenses to qualified physicians who desire to provide in-patient health care to citizens of Alabama suffering from and affected by the 2019 novel coronavirus known as COVID-19. 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. The Commission has determined that the recent surge in COVID-19 cases and hospitalizations has strained the in-patient resources of hospitals in this state, and that such emergency presents an immediate danger to the public health, safety, or welfare and requires the adoption of this rule upon less than 35 days notice.