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 is a correct copy as promulgated and adopted on the 20th day of March, 2020.

AGENCY NAME: Alabama State Board of Respiratory Therapy

RULE NO. AND TITLE: 798-X-5-.07(4)(a) ER Temporary License

EFFECTIVE DATE OF RULE: March 20, 2020

EXPIRATION DATE (If less than 120 days): _____

NATURE OF EMERGENCY: Due to the COVID-19 pandemic, the NBRC has suspended all examinations until at least May 20, 2020 and respiratory therapists licensed under temporary license provisions have no way to continue their license. Because COVID-19 is a respiratory illness of pandemic proportions the ASBRT has a responsibility to meet the public need for respiratory therapists in health care facilities.

STATUTORY AUTHORITY: Code of Ala. 1975, §§34-27B-1 thru 34-27B-17

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:

Cindy Edgar,
ASBRT, P.O. Box 241386, Montgomery, AL 36124-1386
or board@asbrt.alabama.gov
334-396-2332

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

FILING DATE (For APA Use Only)

REC'D & FILED
MAR 20 2020
LEGISLATIVE SVC AGENCY

798-X-5-.07(4)(a) ER Temporary Licenses.

(1) Recent graduates of a respiratory therapy education program accredited by CoARC under CAAHEP or successor organizations may be issued a temporary license to practice until such time as they achieve the CRT or RRT credential. The temporary license for a recent respiratory therapist graduate is valid for six months. The respiratory therapist graduate shall have completed an application and paid all necessary fees. Application for a temporary license shall be made within 30 days of graduation, except for extenuating circumstances which shall be approved by the Board.

(2) The temporary license shall be renewable only once for an additional six-month period if the applicant fails the NBRC CRT examination. Exceptions may be made at the discretion of the Board based upon an appeal identifying extenuating circumstances.

(3) The temporary license allows the applicant to practice as a respiratory therapist, subject to the following stipulations:

(a) The respiratory therapist with a temporary license shall function under direct clinical supervision of a currently licensed respiratory therapist or physician; and

(b) The respiratory therapist with a temporary license shall not assume nor be assigned charge or supervisory responsibilities.

(4) A temporary license shall expire:

(a) On the date specified on the temporary license; or if the expiration date is between March 20, 2020 and May 20, 2020, then the license shall expire six (6) months beyond the date specified on the temporary license.

(b) Once a permanent license is issued; or

(c) If the applicant is denied licensure.

(5) The applicant for licensure shall:

(a) Provide every employer the temporary license for visual inspection;

(b) Provide to an employer validation of a current license upon receipt of the official license card; or

(c) Inform the employer of denial of licensure. The Board shall issue notice of denial of licensure. Receipt of notice is presumed within five calendar days of mailing.

Author: The Alabama State Board of Respiratory Therapy
Statutory Authority: Code of Ala. 1975, §§34-27B-1 thru 34-27B-17. History: New Rule: Filed May 16, 2005; refilled August 10, 2005; effective September 14, 2005. **Emergency Adoption**: March 20, 2020; effective March 20, 2020.