

**SB155 ENROLLED**



1 P6OLEE-2  
2 By Senator Weaver  
3 RFD: Healthcare  
4 First Read: 04-Apr-23  
5  
6 2023 Regular Session



## SB155 Enrolled

1 Enrolled, An Act,

2

3

4 Relating to the Board of Medical Examiners; to amend  
5 Sections 34-24-50.1 and 34-24-70, Code of Alabama 1975, to  
6 provide further for qualifications for licensure as a  
7 physician; and to add Section 34-24-75.2 to the Code of  
8 Alabama 1975, to authorize the board to issue permits for  
9 certain medical school graduates to practice medicine in a  
10 limited capacity for a limited time as bridge year graduate  
11 physicians.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. This act shall be known and may be cited as  
14 the Physician Workforce Act.

15 Section 2. Sections 34-24-50.1 and 34-24-70, Code of  
16 Alabama 1975, are amended to read as follows:

17 "§34-24-50.1

18 Unless otherwise indicated from the context, the terms  
19 set out below as used in Articles 3, 8, 9, and 10 of this  
20 chapter ~~shall~~ have the following meanings:

21 (1) BOARD. The Board of Medical Examiners.

22 ~~(1)~~ (5) PHYSICIAN. Either a doctor of medicine or a  
23 doctor of osteopathy.

24 (3) LEGEND DRUG. Any drug, medicine, chemical, or  
25 poison, bearing on the label the words, "Caution: Federal Law  
26 prohibits dispensing without a prescription" or similar words  
27 indicating that the drug, medicine, chemical, or poison may be  
28 sold or dispensed only upon the prescription of a licensed



**SB155 Enrolled**

29 medical practitioner, except that the term legend drug shall  
30 not include any drug, substance, or compound that is listed in  
31 Schedules I through V of the Alabama Uniform Controlled  
32 Substances Act.

33 ~~(2)~~ (4) LICENSED TO PRACTICE MEDICINE. Both the practice  
34 of medicine by a doctor of medicine or the practice of  
35 osteopathy by a doctor of osteopathy.

36 ~~(3)~~ (2) DOCTOR. Both doctors of medicine and doctors of  
37 osteopathy."

38 "§34-24-70

39 (a) The following constitute the requirements for the  
40 issuance of a certificate of qualification for a license to  
41 practice medicine in this state:

42 (1) MEDICAL EDUCATION REQUIREMENT. All applicants for a  
43 certificate of qualification shall present a diploma or  
44 evidence of graduation from any of the following institutions:

45 a. A college of medicine or school of medicine  
46 accredited by the Liaison Committee on Medical Education.

47 b. A college of osteopathy accredited by the Commission  
48 on Osteopathic College Accreditation.

49 c. A college of medicine or school of medicine not  
50 accredited by the Liaison Committee on Medical Education which  
51 is approved by the ~~Board of Medical Examiners~~ board. The board,  
52 within its discretion, may withhold approval of any college of  
53 medicine not designated in either paragraph a. or b. which:

54 1. Has had its accreditation withdrawn by a national or  
55 regional accreditation organization; or

56 2. Has had its authorization, certification, or



## SB155 Enrolled

57 licensure revoked or withdrawn by a national or regional  
58 governmental supervisory agency; or

59 3. Has been denied approval or has had its approval  
60 withdrawn by any national, state, or territorial licensing  
61 jurisdiction based upon an evaluation of the college of  
62 medicine or upon a finding of misconduct by the college; or

63 4. Has engaged in fraudulent, criminal, or other  
64 practices which are inconsistent with quality medical  
65 education, as determined by the board.

66 (2) POSTGRADUATE EDUCATION REQUIREMENT.

67 a. Applicants for a certificate of qualification who  
68 graduated from a college of medicine accredited by the Liaison  
69 Committee on Medical Education or a college of osteopathy  
70 accredited by the Commission on Osteopathic College  
71 Accreditation shall present evidence satisfactory to the board  
72 that the applicant has completed one year of postgraduate or  
73 residency training in any of the following programs:

74 1. A program accredited by the Accreditation Council  
75 for Graduate Medical Education.

76 2. A program accredited by the American Osteopathic  
77 Association.

78 3. A program accredited by the Accreditation Committee  
79 of the Royal College of Physicians and Surgeons of Canada.

80 4. A program accredited by the College of Family  
81 Physicians of Canada.

82 b. All other applicants for a certificate of  
83 qualification who graduated from a college of medicine not  
84 accredited by the Liaison Committee on Medical Education or a



## SB155 Enrolled

85 college of osteopathy not accredited by the Commission on  
86 Osteopathic College Accreditation shall present evidence  
87 satisfactory to the board that the applicant has completed  
88 ~~three~~two years of postgraduate or residency training in any  
89 of the following programs:

90 1. A program accredited by the Accreditation Council  
91 for Graduate Medical Education.

92 2. A program accredited by the Commission on  
93 Osteopathic College Accreditation.

94 3. A program accredited by the Accreditation Committee  
95 of the Royal College of Physicians and Surgeons of Canada.

96 4. A program accredited by the College of Family  
97 Physicians of Canada.

98 (3) EXAMINATION REQUIREMENTS. Applicants for a  
99 certificate of qualification shall achieve a passing score on  
100 one of the licensure examinations listed below. The minimum  
101 passing score, maximum number of attempts, and period of time  
102 within which all portions of the examination must be completed  
103 may be determined by rule of the ~~Board of Medical~~  
104 ~~Examiners~~board. The following examinations shall satisfy this  
105 requirement:

106 a. The United States Medical Licensing Examination.

107 b. The Comprehensive Osteopathic Medical Licensing  
108 Examination or its predecessor examination administered by the  
109 National Board of Osteopathic Medical Examiners.

110 c. The Licentiate of the Medical Council of Canada  
111 Examination.

112 d. If the examination was completed before January 1,



## SB155 Enrolled

113 2000, applicants by endorsement who are licensed in another  
114 state, the District of Columbia, a territory of the United  
115 States, or a province of Canada are eligible for licensure  
116 upon proof of a passing score on one of the following  
117 examinations:

- 118 1. The Federation Licensing Examination.
- 119 2. The National Board of Medical Examiners Examination.
- 120 e. The board may establish by rule acceptable  
121 combinations of the Federation Licensing Examination, National  
122 Board of Medical Examiners Examination, and/or United States  
123 Medical Licensing Examination through January 1, 2000, in  
124 satisfaction of the examination requirement for a certificate  
125 of qualification.

126 (4) APPLICATION FEE REQUIREMENT. ~~Payment~~All applicants  
127 shall pay in advance to the board ~~of~~ the required application  
128 fee in an amount established in the rules of the board. This  
129 fee is not refundable once payment is received by the board.

130 (5) CRIMINAL HISTORY BACKGROUND CHECK. In addition to  
131 other requirements established by law and for the purpose of  
132 determining an applicant's suitability for a certificate of  
133 qualification for a license to practice medicine or for the  
134 purpose of determining an applicant's suitability for the  
135 issuance of, or certification of eligibility for, any  
136 expedited license, each applicant shall submit to a criminal  
137 history background check. Each applicant shall submit a  
138 complete set of fingerprints, either inked cards or  
139 electronically, properly executed by a law enforcement agency  
140 or an individual properly trained in fingerprinting techniques



## SB155 Enrolled

141 to the State Board of Medical Examiners, ~~or any channeler~~  
142 ~~approved by the board~~. The board, ~~or its channeler~~, shall  
143 submit the fingerprints ~~provided by each applicant for a~~  
144 ~~certificate of qualification for a license to practice~~  
145 ~~medicine~~ to the Alabama State Bureau of Investigation (SBI).  
146 The fingerprints shall be forwarded by the SBI to the Federal  
147 Bureau of Investigation (FBI) for a national criminal history  
148 record check. ~~Costs associated with conducting a criminal~~  
149 ~~history background check shall be borne by the applicant and~~  
150 ~~are payable directly to the board, or its designee. The~~  
151 applicant shall pay directly to the board, or its designee,  
152 all costs associated with the background check required by  
153 this section. The State Board of Medical Examiners shall keep  
154 information received pursuant to this section confidential,  
155 except that such information received and relied upon in  
156 denying the issuance of a certificate of qualification for a  
157 license to practice medicine in this state, or relied upon in  
158 denying the issuance of, or certification of eligibility for,  
159 any expedited license may be disclosed as may be necessary to  
160 support the denial.

161 (6) ADDITIONAL REQUIREMENTS FOR EXAMINATION FOR CERTAIN  
162 APPLICANTS.

163 ~~a. All applicants who have not passed the United States~~  
164 ~~Medical Licensing Examination, the Comprehensive Osteopathic~~  
165 ~~Medical Licensing Examination, the Licentiate of the Medical~~  
166 ~~Council of Canada Examination, or the Special Purpose~~  
167 ~~Examination within 10 years immediately preceding the date of~~  
168 ~~the application shall either:~~



## SB155 Enrolled

169 ~~1. Achieve a passing score on the Special Purpose~~  
170 ~~Examination.~~

171 ~~2. Be certified by or achieve a passing score on a~~  
172 ~~recertification examination given by one of the specialty~~  
173 ~~boards approved by the American Board of Medical Specialties~~  
174 ~~or one of the specialty boards approved by the American~~  
175 ~~Osteopathic Association within 10 years immediately preceding~~  
176 ~~the date of the application. This requirement may be satisfied~~  
177 ~~by active participation by the applicant in a maintenance of~~  
178 ~~certification program, established by one of the specialty~~  
179 ~~boards approved pursuant to this subparagraph, for a period of~~  
180 ~~at least one year before submission of the application.~~

181 ~~b.~~ All applicants who graduated from a college of  
182 medicine not accredited by the Liaison Committee of Medical  
183 Education or the Commission on Osteopathic College  
184 Accreditation shall achieve a certification given by the  
185 Education Council for Foreign Medical Graduates.

186 (b) Administration of examinations by the board.

187 (1) Applicants for a certificate of qualification who  
188 are applying for initial licensure in the State of Alabama,  
189 and who meet all qualifications for administration of Step 3  
190 of the United States Medical Licensing Examination are  
191 eligible to take the United States Medical Licensing  
192 Examination.

193 (2) The following individuals are eligible to take the  
194 Special Purpose Examination:

195 a. Applicants who are applying for licensure in Alabama  
196 who are required to take the examination under another





**SB155 Enrolled**

197 provision of this section.

198           b. Individuals required to take the examination  
199 pursuant to an order or directive of the ~~State Board of~~  
200 ~~Medical Examiners~~ board or the Medical Licensure Commission.

201           (3) Any individual eligible to take the Special Purpose  
202 Examination pursuant to paragraph (2)a. or (2)b. ~~of~~  
203 ~~subdivision (2)~~ who has not achieved a passing score within  
204 three administrations shall no longer be eligible to take the  
205 Special Purpose Examination.

206           (c) Grounds for denial of a certificate of  
207 qualification. The board may deny an application for a  
208 certificate of qualification on any of the following grounds:

209           (1) Failure of the applicant to achieve a passing score  
210 on any examination required under this section.

211           (2) Failure of the applicant to complete the  
212 application form as specified by the board or to provide  
213 additional information requested by the board in connection  
214 with the application, including failure to provide information  
215 to or submit to an evaluation recommended by the Alabama  
216 Physician Wellness Committee, or its designee.

217           (3) A finding that the applicant has submitted or  
218 caused to be submitted false, misleading, or untruthful  
219 information to the board in connection with an application for  
220 a certificate of qualification.

221           (4) Failure to appear before the board or a committee  
222 of the board if formally requested to appear in connection  
223 with an application for a certificate of qualification.

224           (5) A finding by the board that the applicant has



## SB155 Enrolled

225 committed any of the acts or offenses constituting grounds to  
226 discipline the licensee to practice medicine in this state  
227 pursuant to, but not limited to, Sections 16-47-128,  
228 34-24-360, and 34-24-57.

229 (6) Failure of the applicant to comply with any of the  
230 requirements or rules for the issuance of a certificate of  
231 qualification for a license to practice medicine in this  
232 state.

233 (d) Non-disciplinary citation with administrative  
234 charge.

235 (1) When a ground for denial of a certificate of  
236 qualification exists, an applicant for a certificate of  
237 qualification may request in writing to the Board of Medical  
238 Examiners that a non-disciplinary citation with administrative  
239 charge be assessed against the applicant in lieu of a decision  
240 by the board to deny the application for a certificate of  
241 qualification. The board may grant, if it deems appropriate, a  
242 request for an assessment of a non-disciplinary citation with  
243 administrative charge and issue a certificate of qualification  
244 to the applicant.

245 (2) The administrative charge shall be in amounts  
246 established by the board in its rules, not to exceed ten  
247 thousand dollars (\$10,000). ~~Payment of an~~ The applicant shall  
248 pay the administrative charge assessed in a non-disciplinary  
249 citation ~~shall be made~~ to the board prior to the issuance of a  
250 certificate of qualification.

251 (3) The administrative charge is not refundable once  
252 payment is received by the board. The imposition of a



## SB155 Enrolled

253 non-disciplinary citation with administrative charge is  
254 considered public information and is not considered a  
255 disciplinary action against the applicant.

256 (e) Withdrawal of application for certificate of  
257 qualification and certificate of qualification.

258 (1) An applicant for a certificate of qualification  
259 shall have six months from the date the initial signed  
260 application form is received by the board to complete the  
261 application, except that an applicant for a certificate of  
262 qualification who is required to pass an examination as part  
263 of the application process shall have 12 months from the date  
264 the initial signed application form is received to complete  
265 the application. After the expiration of the deadline for  
266 completing an application established in the preceding  
267 sentence, an incomplete application shall be withdrawn by the  
268 board.

269 (2) A certificate of qualification issued by the board  
270 shall be withdrawn by the board after a period of six months  
271 from the date of issuance unless the applicant has filed an  
272 application for a license to practice medicine with the  
273 Medical Licensure Commission of Alabama and paid the required  
274 fee.

275 (3) If either an application for a certificate of  
276 qualification or a certificate of qualification is withdrawn  
277 by the board, the applicant, to reapply, shall submit a new  
278 application form including a new application fee.

279 (f) Each applicant for a certificate of qualification  
280 shall be a citizen of the United States or, if not a citizen



## SB155 Enrolled

281 of the United States, a person who is lawfully present in the  
282 United States with appropriate documentation from the federal  
283 government."

284 Section 3. Section 34-24-75.2 is added to the Code of  
285 Alabama 1975, to read as follows:

286 §34-24-75.2

287 (a) The board may develop, implement, and maintain a  
288 permit that allows an individual who meets certain criteria  
289 and qualifications, as further provided in subsection (c), to  
290 practice medicine as a bridge year graduate physician. A  
291 permitted bridge year graduate physician shall practice only  
292 under the supervision of a licensed physician approved by the  
293 board.

294 (b) (1) The board shall convene a standing working group  
295 to consult and assist in the drafting of rules related to the  
296 practice of bridge year graduate physicians, consisting of the  
297 following:

298 a. Two members appointed by the Medical Association of  
299 the State of Alabama.

300 b. One member appointed by the Alabama Academy of  
301 Family Physicians.

302 c. One member appointed by the Alabama Chapter of the  
303 American Academy of Pediatrics.

304 d. One member appointed by the Alabama Chapter of the  
305 American College of Physicians.

306 e. One member appointed by the Alabama Primary Health  
307 Care Association.

308 f. One member appointed by the Board of Medical



## SB155 Enrolled

309 Examiners.

310 g. The director of a residency program appointed by the  
311 Dean of The University of Alabama at Birmingham School of  
312 Medicine.

313 h. The director of a residency program appointed by the  
314 Dean of the University of South Alabama College of Medicine.

315 i. The Director of the Cahaba Medicine Family Residency  
316 Program.

317 (2) Members of the standing working group shall  
318 receive, out of the funds of the board, reimbursement for  
319 subsistence and travel in accordance with state law for each  
320 day actively engaged in official business of the standing  
321 working group.

322 (3) The standing working group may conduct its business  
323 in person or by electronic means.

324 (c) The board shall provide by rule for the criteria  
325 for participation in the bridge year graduate physician  
326 program which, at a minimum, shall require the individual  
327 seeking a permit to meet the following qualifications:

328 (1) Is a graduate of a medical educational institution  
329 as set forth in Section 34-24-70(a)(1).

330 (2) Has applied, but was not accepted into, a  
331 postgraduate or residency training program, as set forth in  
332 Section 34-24-70(a)(2), for the first year following medical  
333 school graduation. The board may establish a process for  
334 otherwise qualified applicants to petition the board to waive  
335 this requirement.

336 (3) Has submitted to the board an application on a form



## SB155 Enrolled

337 approved by the board.

338 (4) Has paid to the board in advance the required  
339 application fee in an amount established by board rule. This  
340 fee is nonrefundable once payment is received by the board.

341 (d) In addition to the qualifications described in  
342 subsection (c), and for the purposes of determining an  
343 applicant's suitability to obtain a permit to practice as a  
344 bridge year graduate physician in this state, each applicant  
345 shall submit to a criminal history background check. Each  
346 applicant shall submit a complete set of fingerprints, either  
347 inked cards or electronically, properly executed by a law  
348 enforcement agency or an individual properly trained in  
349 fingerprinting techniques to the board. The board shall submit  
350 the fingerprints provided to the State Bureau of Investigation  
351 (SBI). The fingerprints shall be forwarded by the SBI to the  
352 Federal Bureau of Investigation (FBI) for a national criminal  
353 history record check. The applicant shall pay directly to the  
354 board, or its designee, all costs associated with the  
355 background checks required by this section. The board shall  
356 keep information received pursuant to this subsection  
357 confidential, except that such information received and relied  
358 upon in denying the issuance of a permit to practice as a  
359 bridge year graduate physician in this state may be disclosed  
360 as may be necessary to support the denial.

361 (e) Upon the filing of an application in the proper  
362 form, if the board is satisfied that all requirements of the  
363 law have been met and that the application should be approved  
364 in the interest of public welfare, the board shall issue to



## SB155 Enrolled

365 the applicant a permit to practice as a bridge year graduate  
366 physician. The permit shall be of a size and design to be  
367 determined by the board. Every permit issued by the board  
368 shall be dated, shall be numbered in the order of issuance,  
369 and shall be signed by the chair of the board or the chair's  
370 designee.

371 (f) A permit issued pursuant to this section shall be  
372 valid for one year and may be renewed, upon application and  
373 payment of a renewal fee, as determined by the board, by rule,  
374 for no more than one additional one-year period.

375 (g) The board may adopt rules further setting forth the  
376 qualifications of a physician eligible to supervise a bridge  
377 year graduate physician and for the level of supervisory  
378 oversight required, which, at a minimum, shall include on-site  
379 physician supervision.

380 (h) (1) An individual holding a permit to practice as a  
381 bridge year graduate physician may prescribe, dispense, or  
382 administer legend drugs to patients, subject to both of the  
383 following conditions:

384 a. The drug shall be on the formulary approved under  
385 the guidelines of the board.

386 b. The drug is administered or issued pursuant to a job  
387 description approved by the board and signed by the bridge  
388 year graduate physician's supervising physician.

389 (2) Permitted bridge year graduate physicians may  
390 administer any legend drug which they are authorized to  
391 prescribe under this subsection. A bridge year graduate  
392 physician may not initiate a call-in prescription in the name



## SB155 Enrolled

393 of his or her supervising physician for any drug, whether  
394 legend drug or controlled substance, which the bridge year  
395 graduate physician is not authorized to prescribe under the  
396 job description signed by his or her supervising physician and  
397 approved under this subsection, unless the drug is  
398 specifically ordered for the patient by the supervising  
399 physician, either in writing or by a verbal order which has  
400 been reduced to writing and which has been signed by the  
401 supervising physician within a time specified in the  
402 guidelines of the board.

403 (i) The board may deny, suspend, terminate, or revoke a  
404 bridge year graduate physician permit for any reason provided  
405 by law or board rule for the termination of licenses, permits,  
406 registrations, or certificates issued by the board or the  
407 Medical Licensure Commission, including, but not limited to, a  
408 violation of any provision of this section or the rules  
409 adopted by the board pursuant to this section.

410 (j) At the end of the bridge year, the physician  
411 supervising a bridge year graduate physician, in a manner  
412 prescribed by the board, shall submit a report to the board  
413 indicating the scope and breadth of the practice of the  
414 participating bridge year graduate physician and the  
415 instruction and training given to the bridge year graduate  
416 physician. The training physician's report shall contain a  
417 statement as to whether or not the bridge year graduate  
418 physician would be recommended for a residency position upon  
419 reapplication.

420 (k) A permit issued in accordance with this section





## SB155 Enrolled

421 shall not confer any future right to licensure to practice  
422 medicine in this state.

423 (1) The board may adopt rules regulating the permitting  
424 and practice of bridge year graduate physicians in this state,  
425 even if the rules displace competition.

426 Section 4. This act shall become effective on the first  
427 day of the third month following its passage and approval by  
428 the Governor, or its otherwise becoming law.



**SB155 Enrolled**

429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462

---

President and Presiding Officer of the Senate

---

Speaker of the House of Representatives

SB155  
Senate 27-Apr-23  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

---

House of Representatives  
Amended and passed: 09-May-23

---

Senate concurred in House amendment 11-May-23

---

By: Senator Weaver