

The Alabama State Board of Respiratory Therapy is currently advertising proposed amendments to the Rules and Regulations.

Written comments, views, or arguments will be received by the Alabama State Board of Respiratory Therapy thru 4:30 p.m. on September 5, 2018. Comments should be directed to Paula McCaleb, Executive Director, at P.O. Box 241386, Montgomery, AL 36124-1565.

Chapter 798-X-5 - Licensure - proposed amendments include Renewal of Licensure to provide for the following: define the late renewal period as 60 days; provide the notice of license expiration to be mailed to the licensees address and employer of record; and provide that legal name changes are to be reported to the ASBRT within 30 days of the change.

Chapter 798-X-8 - Continuing Education for Licensure - proposed amendments provide for a 4 hour limit on ACLS and/or PALS CE's due to the basic nature of the course(s) and to be in line with other state licensure Boards who have reduced the number of hours awarded for this subject for the purpose of public protection; and to strike outdated language regarding Standards for Providers since the Board no longer approves directly/individually but rather accepts all providers listed under Chapter 798-X-8-.02(4)(5).

Chapter 798-X-Appendices I-Fee Schedule - provides amendments to the Fee Schedule due to additional costs now imposed on ASBRT by various State agencies over the last three years. A minimal fee increase is proposed to help offset these additional and mandatory fees. This is the first proposed fee increase in the thirteen year history of ASBRT.

Each of these Chapters with amendments are listed below in their entirety.

CHAPTER 798-X-5 Licensure

798-X-5 Licensure

798-X-5-.01 Qualifications of Applicants for Licensure

798-X-5-.02 Licensure by Credentials

798-X-5-.03 Licensure by Special Training

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798-X-5.14 Student Exemption from License

798-X-5.15 Fees

798-X-5.16 Exemptions from Licensure

798-X-5.01 Qualifications of Applicants for Licensure

(1) The applicant for licensure shall be at least 18 years old, be a high school graduate or have the equivalent of a high school diploma, and meet one of the following requirements:

(a) Hold credentials as a registered respiratory therapist (RRT) or a certified respiratory therapist (CRT), as granted by the NBRC or its successor organization;

b) Hold a temporary license and has passed the examination leading to the CRT or RRT credential within one year of application;

(c) Have a valid respiratory therapist license from another state, the District of Columbia, or a territory of the United States, whose requirements are considered by the Board as substantially similar to those of Alabama and who otherwise meets reciprocity requirements established by the Board;

(d) Has been approved by the Board as being qualified through special training that is equal to, or superior to, standards established for respiratory therapy education programs in Alabama and has passed an examination established by the board; or

(e) Was employed in the administration of respiratory therapy under the direction of a physician on the effective date of the adoption of the rules and regulations of the Board. The opportunity to apply for a respiratory therapy license issued under this rule shall expire 365 days after the implementation of the rules and regulations of the Board. Holders of these licenses shall be eligible to renew their licenses as are any other licensed respiratory therapists.

(2) The applicant shall submit a completed application form and pay all required fees.

(3) Implementation for licensure shall begin on the effective date of the adoption of the rules and regulations. The initial licensure period shall begin on November 1, 2005 with renewal on November 1, biannually thereafter.

(4) Any licenses issued during implementation shall be dated November 1, 2005, the initial date of the licensure period, and shall be subject to renewal on November 1, biannually thereafter. Licenses issued after the initial date of the licensure period shall be dated to begin at the date the license is issued, but set to expire at the next established renewal date.

(5) Persons working as a respiratory therapist, unless otherwise exempt, shall have a valid respiratory therapy license.

798-X-5-.02 Licensure By Credential

The applicant for licensure by credential shall be at least 18 years old, be a high school graduate or have the equivalent of a high school diploma, hold credentials as a Registered Respiratory Therapist (RRT) or a Certified Respiratory Therapist (CRT), as granted by NBRC or its successor organization and shall submit:

- (1) A completed application
- (2) Required Fees
- (3) And proof of 24 hours of continuing education credit, meeting Board requirements, earned over the previous two years.

798-X-5-.03 Licensure by Special Training

(1) The applicant for licensure by special training shall be at least 18 years old, be a high school graduate or have the equivalent of a high school diploma, and shall submit to the Board a completed application and the required fee(s).

(2) An official school transcript shall be submitted to the Board and shall indicate the date of completion of the program and/or date degree/certificate was conferred.

(3) The applicant for licensure by special training shall show proof of special training that is equal to, or superior to, standards established for respiratory therapy educational programs in Alabama.

(4) The applicant shall correct any educational deficiencies by taking additional courses, as directed by the Board.

(5) If the Board determines that the applicant is eligible to take a licensing exam, the applicant shall be required to take and pass the licensing exam.

(6) Fees for licensure by special training shall include all fees established for application for an initial license, plus a \$100 examination fee, plus the cost of the examination imposed by the NBRC or other examination agency selected for the administration of the licensure examination.

(7) Licenses which are issued by special training shall be dated to begin at the date the license is issued, but set to expire at the next established renewal date.

798-X-5-.04 Graduates of Foreign Schools

The applicant educated in a foreign country shall:

- (1) Be required to pass the same licensure examination as applicants in Alabama.
- (2) Be a graduate of an education program approved by the proper authorities in the country where the program is located.
- (3) Meet the requirements for respiratory therapist program content as criteria for approval in Alabama at the time of the applicant's graduation.
- (4) Correct any educational deficiencies by taking additional courses, as directed by the Board.
- (5) If duly licensed in a foreign country, provide official verification, translated into English, from the authorities in that country.
- (6) Submit a completed application and required fee(s).

798-X-5-.05 Licensure by Reciprocity

- (1) The applicant for licensure by reciprocity shall be at least 18 years old, be a high school graduate or have the equivalent of a high school diploma;
- (2) Be duly licensed as a respiratory therapist under the laws of another state or territory and meet reciprocity requirements set by the Board;
- (3) Provide for official written verification of a current license from another state or territory; and
- (4) Submit a completed application and required fees.

798-X-5-.06 Licensure by Employment or Work Experience

Respiratory therapists who were issued licenses during implementation based on employment or work experience shall be eligible to renew their licenses as are any other licensed respiratory therapist.

798-X-5-.07 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;

(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.

798-X-5-.08 Renewal of License

(1) Licensure periods:

(a) The respiratory therapist license shall normally be valid for two years, expiring on

November 1 of odd-numbered years; or

(b) The initial licensure period may be abbreviated in order to have the expiration at the established renewal date.

(2) The continuing education earning period is normally a two-year period of time during which at least 24 contact hours shall be accrued. This period is the time period of the current license. In the cases of an abbreviated license period, the applicant for renewal shall validate continuing education prorated to the equivalence of one (1) contact hour for each month of the current licensure period.

(3) The renewal of license shall be accomplished prior to expiration of the current license.

(4) Failure to renew prior to the expiration date of the current license will result in an additional late fee. Licenses may be renewed up to 960 days after expiration date. Respiratory therapists will not be permitted to work as respiratory therapists if their license has expired. Notice of license expiration will be mailed to the licensees address and employer of record.

(5) Renewal notices may be mailed or transmitted electronically. Notice shall be sent to the applicant's address of record between 60 and 90 days prior to the renewal date.

(6) To be eligible for renewal, the applicant shall:

(a) Hold a valid, active Alabama license;

(b) Submit a completed and signed renewal application and required fee(s); and

(c) Meet continuing education requirements.

(7) 365 days after the effective date of the rules and regulations, a current license is required to practice respiratory therapy.

(8) The applicant and licensee is responsible to supply current mailing address records and notification of legal name change to the Board within 30 days of change.

(9) Failure to receive the renewal application or notice shall not relieve the licensee of the responsibility of renewing the license by the expiration date.

(10) Any license not renewed within 90 days following the expiration date shall lapse. Any individual who practices with a lapsed license shall be subject to penalties established under Chapter 798-X-7.

798-X-5-.09 Special Renewal Provisions for Actively Deployed Respiratory Therapists

(1) If a respiratory therapist's license lapses while on active duty for greater than 14 days, the license may be reinstated or renewed without penalty or payment of the reinstatement or late renewal fee(s) under the following conditions:

- (a) The license was active at the time of deployment;
- (b) The application for reinstatement or renewal is made while still in the armed services or no later than six months after discharge from active service or return to inactive military status;
- (c) A copy of the military activation orders or other proof of active military service accompanies the application;
- (d) The renewal fee is paid; and
- (e) If the required continuing education contact hours were not earned for renewal during the earning period, the respiratory therapist shall be required to complete the required continuing education hours needed for renewal no later than six months after discharge from active service, return to inactive military status, or return to the United States from an active war zone
- (f) Continuing education shall not be required for the period of time the respiratory therapist is on active duty. Proration of required continuing education shall be the equivalent of one (1) contact hour for each month of the licensure period in which the licensee was not on active duty.

(2) The continuing education contact hours used for renewal under this provision may not be used for the next license renewal.

(3) A respiratory therapist returning from active deployment shall accrue for renewal one (1) contact hour for each calendar month remaining in the licensure period. The licensure period may be less than two years, in order to have the expiration date fall on the established date of renewal.

798-X-5-.10 Reinstatement of Lapsed License

A lapsed license may be reinstated upon submission of a completed application and compliance with the following:

- (1) Payment of current renewal and reinstatement fees and any applicable fine(s); and

(2) Evidence of completion of twenty-four (24) contact hours of approved continuing education within the twenty-four months preceding application. A maximum of twelve (12) contact hours earned through independent study may be used for reinstatement of a lapsed license.

(a) Contact hours earned for reinstatement of a lapsed license may not be used toward the continuing education requirement for the next license renewal.

(b) A respiratory therapist whose license is reinstated shall accrue for license renewal one (1) contact hour for each calendar month remaining in the period. The licensing period may be less than two years, in order to have the expiration date fall on the established date of renewal.

798-X-5-11 Change of Name or Address

(1) The applicant or licensee shall notify the Board of any requested name change. Appropriate legal documents and fees shall be submitted prior to changing the name of the licensee on the license card.

(2) The licensee shall notify the Board office of any change in the licensee's address. The address of record is the address provided by the applicant or licensee.

798-X-5-12 Lost License

The licensee shall promptly report, in writing, the loss of a license card to the Board. A duplicate license card requires a completed form and appropriate fee(s).

798-X-5-13 Verification of Alabama License

(1) Verification of licensure will be available by telephone and on a Board maintained web site.

(2) Upon receipt of a written request and payment of the required fee, the Board's designee shall provide written verification of Alabama license.

798-X-5-14 Student Exemption from Licensure While Employed

(1) Pursuant to Section 34-27B-11, Code of Alabama (1975), respiratory therapy students may perform limited respiratory therapy procedures as an employee of any healthcare facility while enrolled in a respiratory therapy program accredited by CoARC under CAAHEP or successor organization. The student employee shall be designated by title as a student or trainee and shall work under direct clinical supervision.

(2) Student status shall be limited to four years.

(3) To verify student status for employment in respiratory therapy, Directors of accredited respiratory therapy programs shall provide current lists of students enrolled in their programs, or complete "Student Verification Forms" or submit a letter certifying a student's eligibility for employment based on enrollment in a respiratory therapy program.

(4) Directors of respiratory therapy educational programs shall provide notice to the Board when a student's enrollment is terminated within 60 days of such termination.

798-X-5-.15 Fees

(1) Fees and fines are not refundable.

(2) Fees are payable by certified check, cashier's check, corporate or business check, money order or personal check.

(a) Counter checks are not an acceptable method of payment. Personal checks shall be imprinted with the name, address, and account number of the applicant or licensee.

(b) Personal checks by third parties are not acceptable.

(c) License verification fee(s) are not payable by personal check.

(d) Applicants or licensees who submit personal checks returned due to insufficient funds may be prohibited from paying any future fees or fines by personal check.

(e) Statutory charges for returned checks shall be paid by the applicant or licensee within ten business days from receipt of notice to remit full payment pursuant to Ala. Code § 13A-9-13.1 (b) (2) and pay the maximum fee allowed by Ala. Code § 8-8-15.

(3) Fines are payable by certified check, cashier's check, corporate or business check, or money order.

(4) The Board may allow payment of fees by electronic means.

(5) Payment, regardless of the method, that is not honored by the financial institution may result in disciplinary action and/or reporting to the appropriate legal authorities for possible prosecution.

(6) A license may not be issued until funds are received by the Board.

(7) The Board shall set fees and charges annually. At the first meeting of the Board each calendar year, the previous schedule of fees and charges shall be automatically readopted unless the Board proposes a revised schedule.

(8) The current schedule of fees and charges are included in the appendix.

798-X-5-.16 Exemptions from Licensure

Nothing in these rules shall be construed as preventing or restricting the practice, services, or activities of the following:

(1) Any person who is licensed in Alabama or certified by the organization accredited by the National Commission for Certifying Agencies and acceptable to the state from engaging in the profession or occupation for which the person is licensed or certified.

(2) Any person employed by the United State government who provides respiratory therapy solely under the direction or control of the United States government agency or organization.

(3) Any person receiving clinical training while pursuing a course of study leading to registry or certification in a respiratory therapy educational program accredited by the CAAHEP in collaboration with the CoARC or their successor organizations. This person will be under direct supervision and be designated by a title clearly indicating his or her status as a student or trainee.

(4) Any emergency medical technician licensed by the Alabama State Board of Health who is providing care to a patient at the scene of an emergency, or during transport of the patient in a licensed ground ambulance, provided that such care may not exceed the scope of care permissible under the rules of the Alabama State Board of Health.

(5) The delivery of respiratory therapy of sick or disabled persons by family members or domestic servants, or the care of non-institutionalized persons by a surrogate family member, as long as the persons do not represent themselves as, or hold themselves out to be, respiratory therapists.

(6) Any individual who has demonstrated competency in one or more areas covered by these rules as long as the individual performs only those functions that he or she is qualified by examination to perform. The standards of the National Commission for Certifying Agencies, or its equivalent, shall serve as a standard with which to evaluate those examinations and examining organizations.

(7) Any person performing respiratory services or care not licensed as a respiratory therapist in accordance with these rules who is employed in a diagnostic laboratory, physician's office, clinic, or outpatient treatment facility and whose function is to administer treatment or perform diagnostic procedures confined to that laboratory, office clinic, or outpatient facility under the direction of a licensed physician.

(8) Any respiratory therapy student who performs limited respiratory therapy procedures as an employee of any health care provider organization while enrolled in a respiratory therapy educational program accredited by the CAAHEP in collaboration with the CoARC or their successor organizations. The employee will be designated by title as a student or trainee and work under direct supervision.

(9) Any individual employed by a durable medical equipment or home medical equipment company who delivers, sets up, or maintains respiratory equipment but not including assessment or evaluation of the patient.

(10) Any individual employed as a polysomnographic technologist working in a sleep center or diagnostic sleep clinic.

(11) Any licensed respiratory therapist performing advances in the art and techniques of respiratory therapy learned through special training acceptable to the board.

Author: The Alabama State Board of Respiratory Therapy

Statutory Authority: Code of Alabama (1975) §§ 34-27B-1 thru 34-27B-17.

History: New Rule: Filed May 16, 2005; refilled August 10, 2005; effective September 14, 2005. **Amended:** Filed June 10, 2011; effective July 15, 2011. Filed: July 5, 2018;

CHAPTER 798-X-8 Continuing Education for Licensure

798-X-8 Continuing Education for Licensure

798-X-8-.01 Continuing Education

798-X-8-.02 Standards for Continuing Education

798-X-8-.03 Standards for Providers

~~798-X-8-.04~~ Reporting Requirements and Audit

798-X-8-.01 Continuing Education

(1) A respiratory therapist shall be individually accountable for continued competence to practice respiratory therapy and shall maintain documentation to support all continuing education necessary for renewal.

(2) The Board may prescribe a continuing education program for reentry into practice.

(3) Individual requests to verify approval for a specific course or activity may be submitted to a Board-approved provider.

(4) Units of measure for continuing education shall be:

(a) 1 contact hour = 50 minutes

(b) 0.5 contact hour = 25 minutes

(c) 15 contact hours = 1 academic semester credit hour

(d) 10 contact hours = 1 academic quarter credit hour

(5) Hours required.

(a) Each respiratory therapist licensed by the Board shall complete twenty-four (24) contact hours of continuing education over the two-year licensure period. Initial licensure periods which have been prorated to have the renewal date fall on the established renewal date will be prorated for 1 contact hour for each month of the initial licensure periods. Any course accepted for credit shall be at least 25 minutes in length.

(b) For new graduates of respiratory therapy programs, submitting proof of successful completion of a respiratory therapy program accredited by CoARC shall be proof of sufficient preparatory education to receive an initial license up to one year following graduation.

(6) Waiver or extension of continuing education

(a) The Board may grant a waiver of the need to attend and complete the required hours of continuing education or the Board may grant an extension of the deadline to complete the required hours of continuing education if it can be shown that compliance was beyond the control of the person seeking the waiver.

(b) Waivers or extension of the deadline will be considered only on an individual basis and may be requested by submitting the following items to the Board office:

(i) A written request for a waiver or deadline extension which specifies which requirements are sought to be waived or which deadline is sought to be extended and a written and signed explanation of the reason for the request; and

(ii) Any documentation which supports the reason(s) for the waiver or deadline extension requested or which is subsequently requested by the Board.

(c) A waiver or deadline extension approved by the Board is effective only for the renewal period for which the waiver is sought.

798-X-8-.02 Standards for Continuing Education

(1) Any educational program approved for CRCE units by the AARC shall be acceptable with one contact hour assigned for each CRCE unit awarded.

(2) The Board or another organization recognized by the Board may approve providers of continuing education based on criteria established in Chapter 798-X-8-.03.

(3) The AARC or ASRC continuing education activities, which pertain to the practice of respiratory care, shall be considered prior approved, providing they meet all other requirements for contact hours.

(4) The following additional methods may be utilized for obtaining continuing education hours:

(a) By taking and passing (with a grade of C or better) a college or university course which comprises part of the professional requirements for a formal respiratory therapy education

program beyond those that were completed for the issuance of the original license, or any course that shall enhance a respiratory therapist's professional growth and development.

(b) By taking and passing training courses (either initial, renewal, or instructor courses) on advanced cardiac life support (ACLS), pediatric advanced life support (PALS), or neonatal resuscitation programs (NRP). No more than ~~424~~ contact hours of continuing education units of advanced life support training may be applied for renewal of license.

(c) By completing a self study course, such as a course offered on the internet, which has been approved by the AARC or the Board for a specific number of continuing education hours. No more than 12 contact hours of continuing education units of self study may be applied for renewal of license.

(d) Appropriate subject matter for continuing education shall include:

- (i) Respiratory therapy science and practice;
- (ii) Respiratory therapy education;
- (iii) Research in respiratory therapy and healthcare;
- (iv) Management, administration, and supervision in health care delivery;
- (v) Social, economic, political, and/or legal aspects of health care;
- (vi) Healthcare and consumer education;
- (vii) Courses which a respiratory therapist documents as improving job competence that are not specified on the above listed and are determined to be appropriate by the Board.

(5) Respiratory therapy related educational offerings as described in 798-X-8-.02(4) approved by the following organizations and their affiliates listed below will be acceptable for continuing education credit provided the courses meet minimum time requirements for contact hours as stated in 798-X-8.01(4) and provided these organizations and their affiliates maintain records documenting educational programs and rosters of licensed respiratory therapists who attended their programs. Such documentation shall be retained for three (3) years and made available to the Board upon request.

- (a) American Medical Association under Physician Category I
- (b) American Thoracic Society
- (c) American Association of Cardiovascular and Pulmonary Rehabilitation
- (d) American Heart Association
- (e) American Lung Association
- (f) American Hospital Association
- (g) American Nurses Association
- (h) American College of Chest Physicians
- (i) American Society of Anesthesiologists
- (j) American Academy of Pediatrics
- (l) American College of Emergency Physicians
- (m) American College of Physicians
- (n) Other professional or educational organizations approved by the Board

- (o) Alabama hospitals
- (p) Respiratory therapy programs accredited by CoARC.

(6) Successful completion of a recertification examination administered by the NBRC for either CRT or RRT (based on the highest credential held by the licensed respiratory therapist) shall be awarded five (5) contact hours.

(7) Successful completion of an advanced specialty examination administered by the NBRC shall be awarded five (5) contact hours for each examination.

(8) Preparation and presentation of a lecture approved for continuing education hours under these rules shall be eligible for four (4) contact hours for each contact hour of presentation for the first presentation. Subsequent presentations of the same lecture will not be awarded additional contact hours.

(9) Respiratory therapy programs in Alabama, accredited by CoARC or successor organization, may establish standards for clinical preceptors and award up to 4 hours of continuing education credit per renewal cycle to a licensed respiratory therapist serving as a preceptor. A minimum requirement shall be that each hour of credit shall equal 24 hours of clinical instruction/supervision of students enrolled in a respiratory therapy program. No more than 4 hours of continuing education units for preceptorship may be applied for renewal of license.

(10) Continuing education credit will not be allowed for the following:

- (a) Regular work activities, administrative staff meetings, case staffing, reporting, or similar activities.

- (b) Membership in, holding office in, or participating on Boards or committees, business meetings of professional organizations, or banquet speeches.

- (c) Independent unstructured or self-structured learning such as home study programs, except as authorized pursuant to Chapter 798-X-8-.02 (4) (c).

- (d) Training specifically related to policies and procedures of an agency, such as universal precautions, infection control, employee orientation, or employee relations.

- (e) Basic CPR courses.

798-X-8-.03 Standards for Providers

~~(1) Hospitals, other healthcare facilities, professional organizations or respiratory therapy educational programs accredited by CoARC, who choose to apply, may be granted provider status by the Board or Board designee. Provider status may be active for the initial licensure period as designated in other sections of these rules with April 30, 2008 as the initial expiration date and may be renewed upon expiration. Failure to~~

~~provide respiratory therapy educational programs as specified by the Board or described in these rules and regulations may be a basis for withdrawal of provider status at any time.~~

~~(2) The Board approved provider is accountable for:~~

~~_____~~
~~_____ (a) Demonstrating capability to meet and adhere to Board established standards to assure the provision of quality continuing education activities for respiratory therapists, and~~

~~_____ (b) The veracity and accuracy of continuing education provided, and~~

~~_____ (c) Compliance with the standards set forth in this chapter.~~

~~(3) Approved providers shall send notice of continuing education offerings to the Board at least 7 days in advance of the offering to include: topic, instructor, instructor credentials, date, time, and location of activity.~~

~~(4) Approved providers shall submit records of contact hours awarded to respiratory therapists to the Board in a format and method specified by the Board or Board designee within 30 days of completion of program.~~

~~(5) The provider shall have a designated education coordinator or program director.~~

~~(6) The provider shall have accessible and available educational facilities, human resources, instructional aids, and equipment for the planners, instructor(s) and learners consistent with the educational content, format, teaching methodology, and behavioral objectives of each course.~~

~~(7) The instructor(s) shall possess qualifications appropriate to the content of the activity.~~

~~(8) To obtain initial Board approval as a continuing education provider, the prospective provider shall submit a completed application provided by the Board or Board designee.~~

~~_____ (a) Upon approval the Board or Board designee shall assign a permanent, nontransferable provider number.~~

~~_____ (b) The provider number shall be used to identify all communications, course announcements, records, and reports.~~

~~_____ (c) Initial approval shall be valid as described in Chapter 798-X-8.03 (1), provided standards for approval are met and maintained.~~

~~(9) Continuing education offered by providers shall be open to other respiratory therapists licensed in Alabama on a space available basis. Attendees may be charged a fee.~~

~~(10) All educational offerings designated for continuing education credit by providers under these regulations shall be subject to monitoring by the Board. Refusal to grant access to a designated monitor from the Board shall be grounds for withdrawal of provider status.~~

~~(11) Renewal of a provider:~~

~~—— (a) Requires an application for renewal shall be submitted in accordance with a schedule established by the Board or Board designee.~~

~~—— (b) Shall extend for a maximum of four years, provided standards for approval are maintained.~~

~~(12) A provider number shall be retired:~~

~~—— (a) Upon request of an authorized entity, or~~

~~—— (b) Upon failure of an authorized entity to request continued approval, or~~

~~—— (c) When the Board or Board designee denies or withdraws approval, or~~

~~—— (d) When there is a change in ownership.~~

~~(13) A previously approved provider who has requested retirement of a provider number, or has had a number retired for any reason, may request reinstatement of the provider number. Reinstatement may be denied for failure of the applicant to satisfactorily demonstrate capability of meeting continuing education standards and criteria for providers.~~

~~(14) The Board or Board designee may deny or withdraw approval of any provider of continuing education activity.~~

~~798-X-8-.04 Reporting Requirements and Audit~~

(1) A respiratory therapist shall:

(a) Provide a signed statement of affirmation, under penalty, of the degree of compliance with continuing education requirements for license renewal including but not limited to compliance with:

(i) Earning the required number of contact hours of Board-approved or Board-recognized continuing education activities;

(ii) The designated earning period;

(iii) Content and acceptable activities, and

(iv) Any other requirements in these rules.

(b) Maintain individual continuing education records for two years following the renewal date for which the contact hours were earned including but not limited to certificates, transcripts,

or other documentation of attendance at continuing education activities to substantiate earned contact hours.

(c) Submit documented evidence of meeting continuing education requirements within thirty days of the date a written request is mailed first class to the address of record of the respiratory therapist.

(2) A respiratory therapist who fails to comply with reporting requirements, requirements of the audit, requests for documents, or submitting false, inaccurate, or incomplete evidence of meeting continuing education requirements shall be subject to disciplinary action by the Board.

(3) A respiratory therapist who fails to provide evidence meeting continuing education requirements for license renewal shall not have the license renewed.

~~(4) Providers:~~

~~(a) A provider's compliance may be evaluated by participant evaluations, provider evaluation, random on-site visits, or an audit of the provider's reports and records by the Board or its designee.~~

~~——(b) Audits of providers may be conducted upon written complaint by any individual for failure of a provider to meet criteria for approval. The provider shall submit requested documents within 30 days of the date a written request is mailed. Failure to comply may result in sanctions by the Board~~

~~——(c) A self-evaluation report of compliance with standards shall be submitted to the Board according to Board guidelines as part of the application for continued approval.~~

Author: The Alabama State Board of Respiratory Therapy

Statutory Authority: Code of Alabama (1975) §§ 34-27B-1 thru 34-27B-17.

History: New Rule: Filed May 16, 2005; refilled August 10, 2005; effective September 14, 2005. **Amended:** Filed July 5, 2017; effective August 19, 2017. Filed: July 5, 2018;

**Appendices I
Fee Schedule**

Application Fee	\$25.00
License Fee	\$75100.00
Temporary License Application Fee	\$25.00
Temporary License Fee	\$250.00
Renewal Fee	\$75100.00
Late Renewal Fee	\$5075.00
Replacement License Fee	\$25.00
License Verification Fee	\$25.00
Reinstatement Fee	\$15200.00
Electronic Mailing List	\$50.00

Author: The Alabama State Board of Respiratory Therapy

Statutory Authority: Code of Alabama (1975) §§ 34-27B-1 thru 34-27B-17.

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