

1 SB141
2 118000-2
3 By Senators Dixon, Barron, Little (T), and Figures
4 RFD: Governmental Affairs
5 First Read: 12-JAN-10

1 SB141

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to the Alabama Sunset Law; to continue the
12 existence and functioning of the Board of Home Medical
13 Equipment Services Providers with certain modifications; to
14 amend Section 34-14C-2, Code of Alabama 1975, so as to require
15 that board members be citizens of this state.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Pursuant to the Alabama Sunset Law, the
18 Sunset Committee recommends the continuance of the Board of
19 Home Medical Equipment Services Providers, with the additional
20 recommendations for statutory change as set out in Section 3.

21 Section 2. The existence and functioning of the
22 Board of Home Medical Equipment Services Providers, created
23 and functioning pursuant to Sections 34-14C-1 to 34-14C-8,
24 inclusive, Code of Alabama 1975, is continued, and those code
25 sections are expressly preserved.

26 Section 3. Section 34-14C-2 of the Code of Alabama
27 1975, is amended to read as follows:

1 "§34-14C-2.

2 "(a) Within 90 days of August 1, 2000, the Governor
3 shall appoint a minimum of nine persons to serve on the Home
4 Medical Equipment Services Providers, such persons to include
5 a majority who are representatives of the home medical
6 equipment services industry, and at least one person from each
7 of the following categories: A consumer of home medical
8 equipment services, a physician, a representative from the
9 acute-care hospital community, and a representative from the
10 home health agency community. Those persons representing the
11 Home Medical Equipment Services Provider industry shall be
12 selected from a list submitted by the Alabama Durable Medical
13 Equipment Association or its successor. Board members shall
14 each be citizens of this state and shall have no record of
15 sanctions related to fraud under federal or state law. The
16 membership of the board shall be inclusive and reflect the
17 racial, gender, geographic, urban/rural, and economic
18 diversity of the state.

19 "(b) The members appointed to the board shall serve
20 for terms of three to five years, with one-third of the board
21 being replaced each year, beginning in year four. The terms
22 may be renewed for successive three-year periods.

23 "(c) Members of the board shall not be entitled to
24 compensation for service, but shall be reimbursed for
25 reasonable travel and meeting expenses, according to a budget
26 developed and approved by the board.

1 "(d) The board shall have the responsibility for
2 creating, establishing, maintaining, and enforcing regulations
3 governing the operation of home medical equipment services
4 providers, including the qualifications of inspectors, the
5 nature of inspections, and the process for appeals.

6 "(e) Any vacancy on the board must be filled by the
7 Governor within 60 days. If a vacancy occurs among those
8 members who represent the home medical equipment services
9 provider industry, the appointment shall be made from a list
10 submitted by the Alabama Durable Medical Equipment Association
11 or its successor."

12 Section 4. The Legislature concurs in the
13 recommendations of the Sunset Committee as provided in
14 Sections 1, 2, and 3.

15 Section 5. This act shall become effective
16 immediately upon its passage and approval by the Governor, or
17 its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs 12-JAN-10

Read for the second time and placed on the calen-
dar 14-JAN-10

Read for the third time and passed as amended ... 11-FEB-10

Yeas 31
Nays 0

McDowell Lee
Secretary