

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

1 SB141

2
3
4 ENROLLED, An Act,

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

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Pursuant to the Alabama Sunset Law, the
12 Sunset Committee recommends the continuance of the Board of
13 Home Medical Equipment Services Providers, with the additional
14 recommendations for statutory change as set out in Section 3.

15 Section 2. The existence and functioning of the
16 Board of Home Medical Equipment Services Providers, created
17 and functioning pursuant to Sections 34-14C-1 to 34-14C-8,
18 inclusive, Code of Alabama 1975, is continued, and those code
19 sections are expressly preserved.

20 Section 3. Section 34-14C-2 of the Code of Alabama
21 1975, is amended to read as follows:

22 "§34-14C-2.

23 "(a) Within 90 days of August 1, 2000, the Governor
24 shall appoint a minimum of nine persons to serve on the Home
25 Medical Equipment Services Providers, such persons to include

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

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

19 "(c) Members of the board shall not be entitled to
20 compensation for service, but shall be reimbursed for
21 reasonable travel and meeting expenses, according to a budget
22 developed and approved by the board.

23 "(d) The board shall have the responsibility for
24 creating, establishing, maintaining, and enforcing regulations
25 governing the operation of home medical equipment services

1 providers, including the qualifications of inspectors, the
2 nature of inspections, and the process for appeals.

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

9 Section 4. The Legislature concurs in the
10 recommendations of the Sunset Committee as provided in
11 Sections 1, 2, and 3.

12 Section 5. This act shall become effective
13 immediately upon its passage and approval by the Governor, or
14 its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB141
Senate 11-FEB-10
I hereby certify that the within Act originated in and passed
the Senate, as amended.

McDowell Lee
Secretary

House of Representatives
Passed: 23-FEB-10

By: Senator Dixon