

1 SB341
2 166960-4
3 By Senator McClendon
4 RFD: Health and Human Services
5 First Read: 07-APR-15

2
3
4 ENGROSSED

5
6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 To amend Section 34-14C-5, as amended by Act
12 2014-172, 2014 Regular Session, Code of Alabama 1975, relating
13 to the licensure of home medical equipment services providers;
14 to exempt certain providers of insulin infusion pumps or
15 continuous glucose monitors and related supplies.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 34-14C-5, as amended by Act
18 2014-172, 2014 Regular Session, Code of Alabama 1975, is
19 amended to read as follows:

20 "§34-14C-5.

21 "The licensure requirements of this chapter do not
22 apply to the following entities or practitioners:

23 "(1) Home health agencies certified by the State of
24 Alabama to participate in the Medicare and Medicaid programs.

25 "(2) Hospital based home medical equipment services,
26 whether or not the services are provided through a separate
27 corporation or other business entity.

1 "(3) Health care practitioners legally eligible to
2 order or prescribe home medical equipment, or who use home
3 medical equipment to treat patients in locations other than
4 the patient's residence, including, but not limited to,
5 physicians, nurses, physical therapists, respiratory
6 therapists, speech therapists, occupational therapists,
7 optometrists, chiropractors, and podiatrists, except for those
8 practitioners, other than a licensed physician practicing
9 medicine, who provide home medical equipment services in a
10 patient's residence.

11 "Nothing in this chapter shall be construed as
12 prohibiting or restricting a licensed physician who is
13 practicing medicine, nor shall anything in this chapter be
14 construed as requiring a physician practicing medicine, to be
15 licensed as a home medical equipment services provider.

16 "(4) Manufacturers and wholesale distributors, when
17 not selling directly to a patient.

18 "(5) Retail community pharmacies, including
19 providers of home infusion therapy services.

20 "(6) Hospice programs, except programs which provide
21 home medical equipment services, including delivery to a
22 patient's residence.

23 "(7) Skilled nursing facilities, except facilities
24 which provide home medical equipment services, including
25 delivery to a patient's residence.

26 "(8) Governmental agencies, including fire districts
27 which provide emergency medical services, and contractors to

1 governmental agencies whose business deals only with the
2 contracted agency.

3 "(9) Mail order companies, as defined by rule of the
4 board.

5 "(10) A provider of home medical equipment or
6 services that manufactures and distributes its own
7 company-branded power operated or durable insulin infusion
8 pumps or continuous glucose monitors and related supplies."

9 Section 2. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10

11
12
13
14
15
16
17
18

Senate

Read for the first time and referred to the Senate
committee on Health and Human Services..... 07-APR-15

Read for the second time and placed on the calen-
dar 1 amendment..... 28-APR-15

Read for the third time and passed as amended 21-MAY-15

Yeas 28
Nays 0
Abstaining 1

Patrick Harris
Secretary