

1 SB341  
2 166960-7  
3 By Senator McClendon  
4 RFD: Health and Human Services  
5 First Read: 07-APR-15

1 SB341

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4 ENROLLED, An Act,

5 To amend Section 34-14C-5, as amended by Act  
6 2014-172, 2014 Regular Session, Code of Alabama 1975, relating  
7 to the licensure of home medical equipment services providers;  
8 to exempt certain providers of insulin infusion pumps or  
9 continuous glucose monitors and related supplies.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 34-14C-5, as amended by Act  
12 2014-172, 2014 Regular Session, Code of Alabama 1975, is  
13 amended to read as follows:

14 "§34-14C-5.

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

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

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

22 "(3) Health care practitioners legally eligible to  
23 order or prescribe home medical equipment, or who use home  
24 medical equipment to treat patients in locations other than  
25 the patient's residence, including, but not limited to,

1 physicians, nurses, physical therapists, respiratory  
2 therapists, speech therapists, occupational therapists,  
3 optometrists, chiropractors, and podiatrists, except for those  
4 practitioners, other than a licensed physician practicing  
5 medicine, who provide home medical equipment services in a  
6 patient's residence.

7 "Nothing in this chapter shall be construed as  
8 prohibiting or restricting a licensed physician who is  
9 practicing medicine, nor shall anything in this chapter be  
10 construed as requiring a physician practicing medicine, to be  
11 licensed as a home medical equipment services provider.

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

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

16 "(6) Hospice programs, except programs which provide  
17 home medical equipment services, including delivery to a  
18 patient's residence.

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

22 "(8) Governmental agencies, including fire districts  
23 which provide emergency medical services, and contractors to  
24 governmental agencies whose business deals only with the  
25 contracted agency.

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

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

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

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB341  
Senate 21-MAY-15  
I hereby certify that the within Act originated in and passed  
the Senate, as amended.

Patrick Harris  
Secretary

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House of Representatives  
Passed: 04-JUN-15

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By: Senator McClendon