

1 HB20  
2 189326-1  
3 By Representative Mooney  
4 RFD: Health  
5 First Read: 05-MAR-19  
6 PFD: 01/10/2019

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8 SYNOPSIS: Under existing law, there is an advisory  
9 board that assists the State Health Officer in the  
10 establishment of rules, regulations, and standards  
11 necessary to carry out the provisions of law  
12 relating to hospitals and health care facilities.

13 This bill would authorize the advisory board  
14 to meet by electronic means and require the  
15 advisory board to establish rules of procedure for  
16 its meetings.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT

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22 Relating to the advisory board that assists the  
23 State Health Officer on laws relating to hospitals and health  
24 care facilities; to amend Section 22-21-27, Code of Alabama  
25 1975; to authorize the advisory board to meet by electronic  
26 means and require the advisory board to establish rules of  
27 procedure for its meetings.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 22-21-27, Code of Alabama 1975,  
3 is amended to read as follows:

4 "§22-21-27.

5 "(a) There shall be an advisory board of 17 members  
6 to assist in the establishment of rules, regulations, and  
7 standards necessary to carry out the provisions of this  
8 article and to serve as consultants to the State Health  
9 Officer. The board shall meet at least twice each year and at  
10 the call of the State Health Officer. The board may meet by  
11 electronic means in compliance with the Open Meeting Act and  
12 shall establish rules of procedure for its meetings. The  
13 members of the board shall annually elect one of its members  
14 to serve as chair.

15 "(b) The advisory board shall be constituted in the  
16 following manner:

17 "(1) Four representatives of hospitals, who shall be  
18 appointed by the Board of Trustees of the Alabama Hospital  
19 Association as follows:

20 "a. One administrator of a governmental hospital.

21 "b. One administrator of a nongovernmental nonprofit  
22 hospital.

23 "c. One owner or administrator of a proprietary  
24 hospital.

25 "d. One member of a managing board of a nonprofit  
26 hospital.

1           "(2) Three representatives who shall be doctors of  
2 medicine appointed by the Board of Censors of the Medical  
3 Association of the State of Alabama.

4           "(3) One representative who shall be a registered  
5 nurse appointed by the Executive Board of the Alabama State  
6 Nurses Association.

7           "(4) One representative from the State Board of  
8 Human Resources who shall be appointed by the board.

9           "(5) One registered pharmacist actively engaged in  
10 the practices of pharmacy in the State of Alabama, to be  
11 appointed by the Executive Committee of the Alabama Pharmacy  
12 Association.

13           "(6) Three members who shall be appointed by the  
14 Executive Committee of the Alabama Nursing Home Association,  
15 each of whom shall be the operator of a duly qualified  
16 licensed nursing home.

17           "(7) One member who shall be appointed by the  
18 Alabama Hospice Association.

19           "(8) Two members who shall be appointed by the  
20 Assisted Living Association of Alabama, one of whom shall be  
21 the operator of a licensed assisted living facility or  
22 licensed specialty care assisted living facility rising to the  
23 level of intermediate care with 16 or fewer beds, and one of  
24 whom shall be the operator of an assisted living facility or  
25 licensed specialty care assisted living facility rising to the  
26 level of intermediate care with more than 16 beds.

1           "(9) One member who shall be appointed by the  
2 Governor to represent the interests of consumers. The consumer  
3 representative shall be at least 65 years of age and shall  
4 have no financial interest in any facility licensed under this  
5 article.

6           "(c) Each new appointee shall serve for five years  
7 or until his or her successor is appointed, whichever is  
8 later. Any vacancy caused by a member leaving the position  
9 before the expiration of his or her term shall be filled by  
10 the organization selecting the original member. The  
11 replacement member appointed shall serve for the remainder of  
12 the unexpired term.

13           "~~(c)~~ (d) A member of the advisory board shall not be  
14 eligible to succeed himself or herself after serving one full  
15 five-year term, but shall be eligible for reappointment if he  
16 or she has served only a portion of a five-year term or if he  
17 or she has not served immediately preceding the reappointment.

18           "~~(d)~~ (e) Members of the advisory board shall serve  
19 without compensation, but shall be entitled to reimbursement  
20 for expenses incurred in the performance of the duties of the  
21 office at the same rate allowed state employees pursuant to  
22 general law."

23           Section 2. This act shall become effective  
24 immediately following its passage and approval by the  
25 Governor, or its otherwise becoming law.