

1 SB116
2 203674-2
3 By Senator Coleman-Madison
4 RFD: Healthcare
5 First Read: 02-FEB-21
6 PFD: 01/28/2021

1 SB116

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4 ENROLLED, An Act,

5 To amend Section 34-27B-5, Code of Alabama 1975,
6 relating to the Alabama State Board of Respiratory Therapy, to
7 add a consumer member appointed by the Governor to the
8 membership of the board.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 34-27B-5 of the Code of Alabama
11 1975, is amended to read as follows:

12 "§34-27B-5.

13 "(a) (1) The Alabama State Board of Respiratory
14 Therapy is created to implement and administer this chapter
15 and shall be composed of ~~five~~ six members appointed by the
16 Governor. Three of the members shall be respiratory
17 therapists, one member shall be the chief executive officer of
18 a hospital, ~~and~~ one member shall be a physician, and one
19 member shall be a consumer.

20 "(2) The respiratory therapist members of the board
21 appointed by the Governor shall be selected from a list of
22 names submitted by the Alabama Society for Respiratory Care.
23 The list shall include two names for each appointed position
24 to be filled. The respiratory therapist members appointed to
25 the board shall be registered or certified by the National

1 Board for Respiratory Care or its successor organization.
2 Respiratory therapists appointed to the initial board must be
3 eligible to obtain a license under this chapter. Respiratory
4 therapists selected for subsequent appointments must be
5 licensed by the state.

6 "(3) The hospital member shall be selected from a
7 list of two names submitted by the Alabama Hospital
8 Association.

9 "(4) The physician member appointed shall be duly
10 licensed to practice medicine in Alabama and shall be a member
11 of at least one of the following: The American Thoracic
12 Society, the American College of Chest Physicians, the
13 American Society of Anesthesiologists, or the American Academy
14 of Pediatrics. The physician member of the board appointed by
15 the Governor shall be selected from a list of two names
16 submitted by the Medical Association of the State of Alabama.
17 ~~Such lists shall include two names for the position.~~

18 "(5) The consumer member appointed by the Governor
19 shall be selected from one of the names submitted by the
20 Alabama Cystic Fibrosis Association, the Alabama Lung
21 Association, and the Alabama Asthma Coalition. Each entity
22 shall submit one name for consideration.

23 "(b) All board members shall be residents of Alabama
24 ~~and the composition of the board shall reflect the racial,~~
25 ~~gender, geographic, urban/rural, and economic diversity of the~~

1 all appointing authorities shall coordinate their appointments
2 so that diversity of gender, race, and geographical areas is
3 reflective of the makeup of this state.

4 "(c) The Governor shall make the appointments for
5 all positions for members of the board within 90 days of the
6 date the position becomes available, including initial
7 appointments, vacancies, and replacements at the end of the
8 term of service.

9 "(d) Members of the board shall have the same
10 immunities from personal liability as state employees for
11 actions taken in the performance of their official duties.

12 "(e) The term of office of those members first
13 appointed shall be as follows: Two respiratory therapists and
14 the hospital member, as determined by the Governor, shall
15 serve for terms of two years, and one respiratory therapist
16 and the physician member shall serve for terms of four years.
17 Thereafter, the term of all members, including the consumer
18 member, shall be for four years. No member shall be appointed
19 for more than three consecutive full terms. A vacancy in an
20 unexpired term shall be filled in the manner of the original
21 appointment. The board shall elect a chair and vice chair
22 annually.

23 "(f) The board shall meet at least twice each year
24 at a time and place determined by the chair. A majority of the

1 members of the board shall constitute a quorum for the
2 transaction of business.

3 "(g) Each member shall serve without compensation,
4 but shall be reimbursed for travel expenses incurred in
5 attendance at meetings of the board and any other expenses
6 incurred on business of the board at its discretion. Board
7 members shall also receive a per diem allowance following the
8 guidelines for state employees. The reimbursement for expenses
9 and per diem shall be paid from funds derived from the Alabama
10 State Board of Respiratory Therapy Fund."

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB116
Senate 02-MAR-21
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 20-APR-21

By: Senator Coleman-Madison