SB148 ENROLLED



- 1 SB148
- 2 IB3DZZZ-2
- 3 By Senator Coleman-Madison
- 4 RFD: Fiscal Responsibility and Economic Development
- 5 First Read: 20-Feb-24

SB148 Enrolled



1 Enrolled, An Act,

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- 4 Relating to the Alabama Sunset Law; to continue the
- 5 existence and functioning of the Alabama State Board of
- 6 Respiratory Therapy until October 1, 2028, with certain
- 7 modifications; to amend Section 34-27B-5, Code of Alabama
- 8 1975, to replace references to nonexistent nominating
- 9 agencies.
- 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 Alabama
- 13 State Board of Respiratory Therapy until October 1, 2028, with
- 14 the additional recommendation for statutory change as set out
- 15 in Section 3.
- 16 Section 2. The existence and functioning of the Alabama
- 17 State Board of Respiratory Therapy, created and functioning
- 18 pursuant to Chapter 27B of Title 34, Code of Alabama 1975, is
- 19 continued until October 1, 2028, and those code sections are
- 20 expressly preserved.
- 21 Section 3. Section 34-27B-5 of the Code of Alabama
- 22 1975, is amended to read as follows:
- 23 "\$34-27B-5
- (a) (1) The Alabama State Board of Respiratory Therapy
- 25 is created to implement and administer this chapter and shall
- 26 be composed of six members appointed by the Governor. Three of
- 27 the members shall be respiratory therapists, one member shall
- 28 be the chief executive officer of a hospital, one member shall

SB148 Enrolled



- 29 be a physician, and one member shall be a consumer.
- 30 (2) The respiratory therapist members of the board
- 31 appointed by the Governor shall be selected from a list of
- names submitted by the Alabama Society for Respiratory Care.
- 33 The list shall include two names for each appointed position
- 34 to be filled. The respiratory therapist members appointed to
- 35 the board shall be registered or certified by the National
- 36 Board for Respiratory Care or its successor organization.
- 37 Respiratory therapists appointed to the initial board must be
- 38 eligible to obtain a license under this chapter. Respiratory
- 39 therapists selected for subsequent appointments must be
- 40 licensed by the state.
- 41 (3) The hospital member shall be selected from a list
- 42 of two names submitted by the Alabama Hospital Association.
- 43 (4) The physician member appointed shall be duly
- 44 licensed to practice medicine in Alabama and shall be a member
- of at least one of the following: The American Thoracic
- 46 Society, the American College of Chest Physicians, the
- 47 American Society of Anesthesiologists, or the American Academy
- of Pediatrics. The physician member of the board appointed by
- 49 the Governor shall be selected from a list of two names
- 50 submitted by the Medical Association of the State of Alabama.
- 51 (5) The consumer member appointed by the Governor shall
- 52 be selected from one of the names submitted by the Alabama
- 53 Cystic Fibrosis Association, the Alabama Lung Association
- 54 American Lung Association in Alabama, the Alabama Chapter of
- 55 the Cystic Fibrosis Foundation, and the Alabama Asthma
- 56 Coalition. Each entity shall submit one name for

SB148 Enrolled



57 consideration.

term of service.

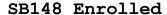
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- (b) All board members shall be residents of Alabama and all appointing authorities shall coordinate their appointments so that diversity of gender, race, and geographical areas is
- for reflective of the makeup of this state.
- (c) The Governor shall make the appointments for all positions for members of the board within 90 days of the date the position becomes available, including initial appointments, vacancies, and replacements at the end of the
- (d) Members of the board shall have the same immunities from personal liability as state employees for actions taken in the performance of their official duties.
- 70 (e) The term of office of those members first appointed
 71 shall be as follows: Two respiratory therapists and the
 72 hospital member, as determined by the Governor, shall serve
 73 for terms of two years, and one respiratory therapist and the
 74 physician member shall serve for terms of four years.
 75 Thereafter, the term of all members, including the consumer
- member, shall be for four years. No member shall be appointed for more than three consecutive full terms. A vacancy in an
- 78 unexpired term shall be filled in the manner of the original
- 79 appointment. The board shall elect a chair and vice chair
- 80 annually.
- 81 (f) The board shall meet at least twice each year at a
- 82 time and place determined by the chair. A majority of the
- 83 members of the board shall constitute a quorum for the
- 84 transaction of business.





85 (g) Each member shall serve without compensation, but 86 shall be reimbursed for travel expenses incurred in attendance at meetings of the board and any other expenses incurred on 87 88 business of the board at its discretion. Board members shall 89 also receive a per diem allowance following the guidelines for 90 state employees. The reimbursement for expenses and per diem 91 shall be paid from funds derived from the Alabama State Board 92 of Respiratory Therapy Fund." 93 Section 4. The Legislature concurs in the recommendations of the Sunset Committee as provided in 94 95 Sections 1, 2, and 3. 96 Section 5. This act shall become effective June 1, 97 2024.





President and Presiding Officer of the Senate Speaker of the House of Representatives SB148 Senate 09-Apr-24 I hereby certify that the within Act originated in and passed the Senate. Patrick Harris, Secretary. House of Representatives Passed: 30-Apr-24 By: Senator Coleman-Madison