

SB297 INTRODUCED



1 SB297

2 84R5822-1

3 By Senators Stutts, Gudger, Livingston, Givhan, Butler

4 RFD: Healthcare

5 First Read: 12-Feb-26



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4 SYNOPSIS:

5 This bill would require hospitals and
6 freestanding emergency departments to report
7 information regarding physician availability to the
8 Alabama Department of Public Health on a quarterly
9 basis.

10 This bill would require the Alabama Department
11 of Public Health to publish the information collected
12 publicly on the department's website.

13 This bill would require hospitals to indicate
14 whether a physician is physically present in the
15 hospital's emergency department both physically and on
16 the hospital's website.

17 This bill would authorize the Alabama Department
18 of Public Health to suspend or revoke a license to
19 operate a hospital for violations.

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22 A BILL

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 TO BE ENTITLED

24 AN ACT

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26 Relating to hospitals; to require hospitals and
27 freestanding emergency departments to report certain staffing
28 information to the Alabama Department of Public Health (ADPH);

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29 to require ADPH to publish the information on its website; and
30 to require each hospital to publicly indicate whether a
31 physician is physically present in the hospital's emergency
32 department.

33 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

34 Section 1. (a) Each hospital and freestanding emergency
35 department in this state shall report quarterly to the Alabama
36 Department of Public Health the following information for each
37 emergency department under the hospital or freestanding
38 emergency department's operation:

39 (1) The total number of hours where at least one
40 physician was physically present and on duty in the emergency
41 department.

42 (2) The total number of hours where the emergency
43 department was operating while a physician was not physically
44 present in the emergency department.

45 (b) The Alabama Department of Public Health shall
46 publish the information collected pursuant to subsection (a)
47 on the department's website. The information shall be
48 organized into a searchable, standardized format with
49 facility-specific and aggregate statistics.

50 (c) Each hospital, both virtually on its website and
51 physically in the hospital's emergency department waiting
52 room, shall post or display one of the following statements,
53 depending on whether a physician is physically present in the
54 emergency department:

55 (1) If a physician is physically present, the statement
56 shall read, "A physician is physically present in the



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57 emergency department at this time."

58 (2) If there is no physician physically present, the
59 statement shall read, "A physician is not physically present
60 in the emergency department at this time."

61 (d) (1) For purposes of this section, a physician shall
62 be considered physically present if, in the emergency
63 department, there is a licensed doctor of medicine or doctor
64 of osteopathy who is on-site, immediately available for
65 emergency patient care, and primarily responsible for clinical
66 oversight of the department.

67 (2) A physician shall not be considered physically
68 present if a physician is:

69 a. Only available by telephone or telemedicine;
70 b. Located off-site, including within the same hospital
71 campus but not in the emergency department;
72 c. On-call but not physically present; or
73 d. Covering multiple emergency departments
74 simultaneously.

75 (e) The Alabama Department of Public Health may suspend
76 or revoke a license granted to allow operation of a hospital
77 under Article 2, Chapter 21 of Title 22, Code of Alabama 1975,
78 for violations of this section.

79 Section 2. This act shall become effective on July 1,
80 2026.