

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. 795 Department or Agency Alabama Board and Dept. of Rehabilitation Services.

RuleNo. 795-7-2-.05

Rule Title: Reinstatement Process

         New;   X   Amend;          Repeal;          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?          No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?          Yes

Is there another, less restrictive method of regulation available that could adequately protect the public?          No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?          No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?          N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?          Yes

\*\*\*\*\*

Does the proposed rule have an economic impact?          No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama, 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Alabama Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer         Stephen K. Sizemore        

Date         12-16-16        

(DATE FILED)  
(STAMP)

ALABAMA BOARD OF REHABILITATION SERVICES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Rehabilitation Services

RULE NO. & TITLE: Amend Rule No. 795-7-2-.05 Reinstatement Process.

INTENDED ACTION: The ALABAMA BOARD OF REHABILITATION SERVICES proposes to amend rules and regulations.

SUBSTANCE OF PROPOSED ACTION: The amendment of this rule is authorized under the authority of ALA. CODE 1975 §21-9-1 *et seq.*, and the Alabama Board of Rehabilitation Services wishes to amend this rule so as to come in compliance with requirements for the program. This amended rule and regulation is issued under the authority of ALA.CODE 1975 §21-9-1 *et seq.* This rule covers specific requirements and procedures necessary for the proper administration of Alabama law. The amendment clarifies who must seek reinstatement.

Copies of the proposed amended rule are available for inspection in the offices of the Board, 602 South Lawrence Street, Montgomery, Alabama 36104. Upon reasonable notice, persons requiring accommodation may obtain copies in large print, Braille or other media.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit written comments, and if requested in advance may personally appear before the Alabama Board of Rehabilitation Services by submitting a request to appear, to:

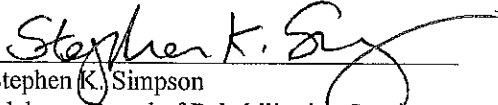
Stephen K. Simpson  
602 South Lawrence Street  
Montgomery, Alabama 36104  
Telephone: (334) 293-7187

To be considered by the Board, written comments must be received in the office of the Board no later than two days before the next regularly scheduled Board meeting on March 3, 2017, to wit: not later than March 1, 2017. Persons desiring to orally express their views before the Board must first submit their comments in writing as stated above, and shall be limited to ten minutes per person.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: March 1, 2017.

CONTACT PERSON AT AGENCY:

Stephen K. Simpson  
602 South Lawrence Street  
Montgomery, Alabama 36104  
Telephone: (334) 293-7187

  
Stephen K. Simpson  
Alabama Board of Rehabilitation Services

**ALABAMA DEPARTMENT OF REHABILITATION SERVICES  
BUSINESS ENTERPRISE PROGRAM**

**CHAPTER 795-7-2  
LICENSE**

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**795-7-2-.05   Reinstatement Process**

**795-7-2-.05   Reinstatement Process.** ~~All individuals who have discontinued his/her affiliation with BEP for any reason and seek reinstatement must complete in order the following steps: Individuals, other than those displaced at no fault of their own, seeking reinstatement with BEP, must complete in order the following steps:~~

(a) Individuals who seek reinstatement as a permanent vendor in good standing with the full rights and privileges thereof to include the bidding on a permanent facility shall repay all financial obligations and file all appropriate reports due BEP.

(b) Individuals unable to repay their outstanding debt due BEP who were not removed for General Rules violations may seek reinstatement to perform a temporary assignment. The seniority review committee will evaluate reinstatement requests of this type on an individual basis and submit their written recommendations to the BEP director. The BEP director and the assistant commissioner will make the final determination.

(c) Complete a face-to-face interview with the BEP director and the assistant commissioner for BEP, and complete an individualized reinstatement plan that may include a consultation with the E.H. Gentry training specialist and the completion of an individualized training program at the E.H. Gentry Technical Facility as required after an evaluation of skills.

(d) Seniority for a reinstated vendor shall begin on the first business day of their first permanent BEP facility assignment after reinstatement. Any seniority accruing to the vendor prior to reinstatement shall be lost.

**Author:** Alabama Board of Rehabilitation Services, Alabama Elected Committee of Blind Vendors.

**Statutory Authority:** Alabama Code 1975 §§ 21-1-40 and 21-9-9; 20 U. S. C. §

107 et. seq.

**History: New Rule:** Filed January 19, 2000; effective February 23, 2000.

**Amended:** Filed June 9, 2006; effective July 14, 2006; **Amendment:** Filed December 16, 2016.