TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Rule No. 190-X-504 Rule No. 190-X-504	actic Examiners
Rule Title: Advertising	
New _XX _Amend Repeal Adopt by R	eference
Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?	
Is there a reasonable relationship between the state's police power	Yes
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 costs, 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	n
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 require accompanied by a fiscal note prepared in accordance with subsection (f) 22-23, Code of Alabama 1975.	ed to be of Section 41-
Certification of Authorized Official	
I certify that the attached proposed rule has been proposed in full complication requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it applicable filing requirements of the Administrative Procedure Division of Legislative Reference Service.	ance with the conforms to all of the
Signature of certifying officer Husld falling oc	nigger varietismisser fan Friedrikser-in stept in 18 Springen menskrikklichter op i verep
Date July 3, 2013	
	E FILED AMP)

ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: The Alabama State Board of Chiropractic Examiners

<u>RULE NO. & TITLE:</u>

(1) Rule 190-X-4-.06 Discipline

(2) Rule 190-X-5-.02 Cooperation With The Board

(3) Rule 190-X-5-.04 Advertising

(4) Rule 190-X-5-.10 Inability To Practice Chiropractic With Reasonable Skill And Safety To Patients.

(5) Rule 190-X-5-.13 Professional Signs

<u>INTENDED ACTION</u>: The Alabama State Board of Chiropractic Examiners proposes to amend the rules as listed above.

SUBSTANCE OF PROPOSED ACTIONS:

- (1) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (2) The Alabama State Board of Chiropractic Examiners proposes to amend this rule to correct code reference.
- (3) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (4) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (5) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.

<u>TIME, PLACE AND MANNER FOR PRESENTING VIEWS</u>: Written or oral comments may be submitted to the Alabama State Board of Chiropractic Examiners, 126 Chilton Place, Clanton, AL 35045, 205-755-8000.

FINAL DATE FOR COMMENT & COMPLETION OF NOTICE: September 27, 2013.

CONTACT PERSON AND ADDRESS:

Amy Deavers
Administrative Assistant
Alabama State Board of Chiropractic Examiners
126 Chilton Place
Clanton, AL 35045
1-800-949-5838 ext. 226

Shula Bolton
Executive Director

Alabama State Board of Chiropractic Examiners Proposed Amended Rule

190-X-5-.04 Advertising.

- (1) A chiropractor or non licensed clinic owner shall not make or cause to be made a false communication about the chiropractor or the chiropractor's services. A communication is false if it contains a material misrepresentation of fact or law or omits a material fact rendering the statement when considered as a whole to be false.
- (2) A communication is defined as information in any manner or medium designed or intended to attract public attention to the chiropractor or his/ her practice.
- The chiropractor or non licensed clinic owner shall have ultimate responsibility for all communications which are approved by him or her or his or her agents or associates. All communications regardless of form, including but not limited to recorded and printed communications, shall be approved by the chiropractor. In the case of broadcast communications, the actual transmission shall be retained and in the case of printed communications, a copy of the publication in which the communication is displayed shall be retained. Copies of communications, including but not limited to the transmission and publication referenced above, shall be retained by the chiropractor for one hundred eighty (180) days following the final appearance or use of the communication. The chiropractor is responsible for making copies of the communications available to the Board within ten (10) days following a request by the board.

Author: ASBCE

Effective: 1/14/08, amended (2)(3) 6/2013

Authority: 34-24-166(5)(15)(20); 34-24-144; 34-24-165