

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency The Licensure Board For Interpreters and Transliterators

Rule No. 488-X-1-.12

Rule Title: Complaint Procedures.

_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

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? No

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.

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 Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date: July 20, 2015

APA-2
07/04

The Alabama Licensure Board for Interpreters & Transliterators

NOTICE OF INTENDED ACTION

AGENCY NAME:

The Alabama Licensure Board for Interpreters & Transliterators

RULE NO. & TITLE:

488-X-1-.02 – Fees
488-X-1-.04 – Initial License
488-X-1-.05 – Renewal of License
488-X-1-.06 – Permit
488-X-1-.07 – Permit Renewal
488-X-1-.08 – Non-Renewable Permit
488-X-1-.09 – Deaf Interpreter & Transliterators Exemption Request
488-X-1-.10 – Deaf Interpreter & Transliterators Exemption Renewal
488-X-1-.11 – Exemptions
488-X-1-.12 – Complaint Procedures
488-X-1-.13 – Reinstatement of License
488-X-4-.14 – Reinstatement of Permit

INTENDED ACTION:

To amend Rules and Regulations.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Licensure Board for Interpreters & Transliterators proposes to amend its Administrative Code or Rules and Regulations under which to operate.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

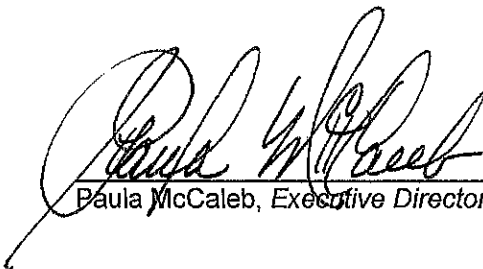
Written comments, views, or arguments will be received by the Alabama Board for Interpreters & Transliterators until 4:30 p.m. on September 4, 2015. Comments should be directed to Paula McCaleb, Executive Director, at Post Office Box 240187, Montgomery, AL 36124, or via fax at 334-277-0188.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 4, 2015

CONTACT PERSON AT AGENCY:

Paula McCaleb, Executive Director
334.277-8881



Paula McCaleb, Executive Director

488-X-1-.12 Complaint Procedures.

(1) Upon ~~self-disclosure or~~ receipt of a written or videoed complaint to the ALBIT Board, alleging that an Interpreter or Transliterater has violated a statute or rule, the Executive Director shall perform a preliminary review to determine if there is merit and sufficient evidence to warrant formal proceedings. Complaints must be submitted to the Board within ninety (90) days of the alleged occurrence.

(2) When the Executive Director determines there may be merit and sufficient evidence exists to warrant proceedings, an investigative committee shall be formed consisting of one (1) Board member, one (1) Board counsel, and the Executive Director.

(a) When the Board receives ~~self-disclosure or receipt of~~ a written complaint being filed against a licensee or unlicensed Interpreter or Transliterater, the Board or its designee shall provide the respondent with the allegations. The Interpreter or Transliterater may submit, to the Executive Director, a written or videoed response and any supporting documentation.

(b) The committee shall review the complaint and other information submitted to determine if further investigation is warranted.

(i) ~~(3)~~ If further investigation is warranted, an investigator may be retained. The investigator shall work under the direction of the Executive Director to conduct further investigation;

(ii) ~~(4)~~ At the conclusion of the investigation, the investigator shall submit an investigation report to be reviewed by the investigative committee, which has the authority to act on the report.

(i)(a) The investigative committee shall send written notification to the complainant and Interpreter or Transliterater against whom the complaint was made of any action it decides to take in response to the investigation report.

(e)(b) If the committee determines that an investigation is not warranted, the Executive Director may close the investigative file, The Executive Director shall notify the complainant and the Interpreter against whom the complaint was made that the investigation has been closed.

~~(3)~~(5) When a preliminary review discloses that further investigation is not warranted, the complaint will be brought to the Board for dismissal with out any further action.

~~(4)~~(6) Board Action Following Investigation, the Board or its authorized designee shall have the power to act on the report of the investigation as follows:

(a) Dismiss the complaint.

(b) Enter into settlement negotiations.

(c) Commence disciplinary proceedings.

(d) Accept voluntary surrender of a License or Permit

Author: The Alabama Board of Interpreter and Transliterators

Statutory Authority: Code of Ala. 1975, §34-16-7(4).

Filed: July 20, 2015 **Effective Date:** September 11, 2015