

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. 850 Department : Alabama State Board of Social Work Examiners
Rule No. 850-x-4-.01 Form of Application
 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? No

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 cost 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? NA

Are the 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 the 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 Brenda Holden

Date June 12, 2014

(DATE FILED)
(STAMP)

APA-2
07/04

Alabama State Board of Social Work Examiners

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Social Work Examiners

RULE NO. & TITLE:

850-X-4-.01 Form of Application

INTENDED ACTION:

To remove the requirement for a notary on the application, to correct the language, and to reference the statutory code

SUBSTANCE OF PROPOSED ACTION:

Remove the requirement of a notary on the applications, changing "are" to "is", and correcting the reference to the Code 34-30-22 instead of 34-30-23

TIME, PLACE, MANNER OF PRESENTING VIEWS:


August 12, 2014, 9:30 AM, Public Hearing
100 North Union Street, Suite 732, Montgomery AL 36104

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Written or oral comments may be sent to Alabama State Board of Social Work Examiners at: 100 North Union Street, Suite 736, Montgomery AL 36130-1620. All written and oral comments must be received by August 12, 2014.

CONTACT PERSON AT AGENCY:

Brenda W. Holden, 334-242-5860


Brenda Holden

ALABAMA STATE BOARD OF SOCIAL WORK EXAMINERS
ADMINISTRATIVE CODE

CHAPTER 850-X-4
APPLICATIONS FOR LICENSURE AND CERTIFICATION

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850-X-4-.01 Form Of Application.

(1) All applications for licensure and certification shall be made on a form provided by the Board and no applications made otherwise will be accepted. Where space does not permit an applicant to present his record of experience, education or practice on the application form provided by the Board, the applicant may request additional forms or duplicate the experience and education record part of the application form. All forms must be signed and dated. Applications must be clearly typewritten or printed in black suitable for photostatic copy and all questions must be answered. An application not properly completed, or not containing all of the information required, or not accompanied by the required fee will be returned with a statement of the reasons for return.

(2) Applications for licensure and certification shall be subscribed and sworn to on a form provided by the Board, ~~before a notary public or other person qualified to administer oaths.~~ On-line applications meet this requirement.

(3) Requests for application packets shall be made to the Alabama State Board of Social Work Examiners. The application packet, including necessary forms with instructions, and a copy of pertinent rules will be provided by the office of the Board to the applicant.

(4) To allow time for processing, all applications for licensure for any social work licensure and certification

shall be filed with the Board at least fourteen (14) days prior to the next scheduled meeting of the Board.

(5) The applicant has the responsibility for providing documentation that his/her positions constitute "social work practice" and that the applicant is identified with the profession.

(6) It is the responsibility of the applicant to ensure that all documents have been received. Any person who knowingly makes, or causes to be made, false or misleading statements during the Board's investigation of his/her application shall be denied licensure. The existence of such false or misleading statements on the applicant's application or supporting documents shall be prima facie evidence of the violation of this rule. Whenever it appears that a person has violated this rule, the Board shall, after proper notice having been given, conduct a show-cause hearing for the purpose of denial of any license of said person. If the facts substantiate the violation of this rule, reapplication may not be made for a period of one year during which time the person shall not practice social work utilizing the rights and privileges granted to a licensed social worker.

(7) Applications for licensure by reciprocity shall be reviewed by the Executive Director of the Board. Applications for licensure for PIP shall be reviewed by at least two Board members. Board members shall not review applications for applicants who are relatives, personal friends or work in the same agency or setting with the Board member. If an application is denied, the Board shall submit a written notice stating the reason(s) for the denial. If the Board determines that the applicant does not qualify for the level applied for, it shall approve licensure at the maximum level for which the applicant is eligible. This is not to be construed to deny the applicant the right to appeal the Board's decision.

(8) Progression to a new level of licensure constitutes a new application. The applicant or licensee must make formal application for each level and meet all requirements established for that level of licensure. Documentation already presented for determining eligibility for a previous level of licensure will be applied to the new application and need not be resubmitted.

(9) Licensure is a matter between the individual applicant and the Board. Applications and supporting

documentation ~~are~~ is confidential. The Board has no obligation to inform agencies or employers of Board decisions regarding applicants employed in their agencies. Ordinarily, written authorization shall be obtained from applicants or licensees prior to any necessary communication with any individual or agency regarding an applicant. However, agency supervisors, or employers, in their efforts to verify compliance with the licensing requirements, may be informed of the status of an application or the currency of an individual's license. In such instances, a note should be made in the applicant or licensee's file as to who inquired, what information was given, and by whom the information was released.

(10) The Board requires an official transcript confirming the completion of the degree as required by the Code of Alabama 34-30-22. Transcripts must bear the official seal and be mailed directly from the college or university to the Board or other Board approved authority.

(11) Withholding information, misrepresentation, or untrue statements will be cause for denial of an application.

Author: Alabama Board of Social Work Examiners

Statutory Authority: Code of Ala. 1975, §§34-30-232 (1991); 41-22-4(a)(2) (1991).

History: Repealed and Replaced: Filed: October 31, 1997; Operative December 5, 1997; effective January 1, 1998; March 8, 2007; effective April 12, 2007 (See Rule 850-X-1-.19).