

## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. 850 Department : Alabama State Board of Social Work Examiners  
Rule No. 850-x-4-.03 Disposition of Applications  
 New  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 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? N/A

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 Holeda

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-.03 Disposition of Applications

#### INTENDED ACTION:

Adding the ability to require additional information from applicants and to correct the reference to 850-X-4-.05 found in (3) to 850-X-4-.04 since there is no longer a .05

#### SUBSTANCE OF PROPOSED ACTION:

Allowing the Board to request Background or Qualification information before licensure

#### TIME, PLACE, MANNER OF PRESENTING VIEWS:

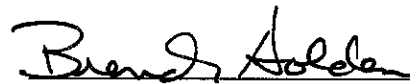
August 12, 2014, 9:30 AM, Public Hearing  
100 North Union Street, Suite 732, Montgomery AL 36104

#### 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

850-X-4-.03      Disposition Of Applications.

(1)            Approved Applications.    When the Board, after due consideration of an application and of information pertaining thereto, is satisfied that the applicant is eligible for licensure or certification the applicant will be granted licensure or certification, and the applicant will be notified by the executive director.

(2)            Deferred Applications.    If an applicant's education or experience is considered inadequate upon Board review, but the Board believes the applicant may meet the minimum legal requirements within one year, such application may be held by the Board for up to one year without approval or denial. The applicant will be advised of the basis for holding the application, of additional information to be submitted, and of the approximate date on which the application will be formally considered again. The Board may require additional information pertaining to background and qualification. If more than one additional year of experience or additional education is considered necessary, the application will be denied, and for further consideration, the applicant will be required to submit a new application after having acquired the necessary qualifications.

(3)            Denied Applications.    When the Board, after due consideration of an application and of information pertaining thereto finds that the applicant is not eligible for licensure or certification under any section of the law, the applicant will be given notice of the denial, and shall be advised of the appellate procedures set forth in Rule 850-X-4-.054 The board may deny an application upon proof that the person has engaged in unprofessional conduct within the last five years, including, but not limited to:

(1) Conviction of a felony;

(2) Habituation or addiction to habit-forming drugs, either of which impairs the ability to perform his or her work;

(3) Conviction of fraud or deceit in connection with services rendered as a social worker licensed under this

chapter or in establishing qualifications under this chapter;

(4) Aiding or abetting a person not licensed under this chapter who is falsely representing himself as a social worker licensed under this chapter;

(5) Failing to be relicensed and continuing to represent himself or herself as licensed after the expiration of his or her license; or

(6) Being found guilty of unprofessional conduct by the rules established by the Board of Social Work Examiners.

**Author:** Alabama State Board of Social Work Examiners

**Statutory Authority:** Code of Ala. 1975 §41-22-4(a)(2) (1991).

**History: Repealed and Replaced:** Filed October 31, 1997, effective January 1, 1998; March 8, 2007; effective April 12, 2007; March 9, 2010; effective June 15, 2010 (See rule 850-X-1-.19).