

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 135 Department or Agency Board of Examiners of Assisted Living Administrators
Rule No. 135-X-13-.01

Rule Title: Fees
 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 costs of any goods or services involved and, if so, to what degree? YES

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? NA

Does the proposed rule have an economic impact? YES

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 412223, 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 Amy Jindley, Executive Director

Date 6.19.15

(DATE FILED)
(STAMP)

APA-2
07/04

Board of Examiners of Assisted Living Administrators
NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Examiners of Assisted Living Administrators

RULE NO. & TITLE: 135-X-13-.01 -- Fees

INTENDED ACTION: amend the above referenced rule

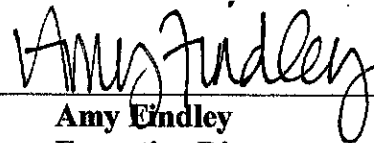
SUBSTANCE OF PROPOSED ACTION: The Board of Examiners of Assisted Living Administrators proposes to amend Rule 135-X-13-.01 (4) by adjusting the rules to match the statutes that will be effective September 1, 2015. Adding a replacement license fee, a reapplication fee and increasing the fines to \$5,000.00 per violation.

TIME, PLACE, MANNER OF PRESENTING VIEWS: The Board of Examiners of Assisted Living Administrators will hold a public hearing to hear written comments from 11:00 am until 12:00 pm on August 5, 2015. The public hearing will be held in the conference room of the ALAA Office, 2740 Zelda Road, Suite 3B, Montgomery, Alabama.

Notice - If you require special accommodations (wheel chair access) and would like to attend our Board Meetings, you MUST notify the BOEALA Office by calling (334) 271.2418 at least 10 days in advance of any meeting.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: The date for completion of notice is August 4, 2015.

CONTACT PERSON AT AGENCY: The contact person for the Board of Examiners of Assisted Living Administrators is: Amy Findley, Executive Director, 2740 Zelda Road, Suite 3B, Montgomery, AL 36106.



Amy Findley
Executive Director

**ALABAMA BOARD OF EXAMINERS OF ASSISTED LIVING
ADMINISTRATORS**

**CHAPTER 135-X-13
FEES**

TABLE OF CONTENTS

135-X-13-.01 Fees

135-X-13-.01 Fees. The fee requirements shall be set and annually adopted by the Board. The fee requirements shall be published after the last Board meeting held prior to October 1 of each year. Fees shall be charged for each of the following items:

Initial Application Cat. I	\$100.00
Initial Application Cat. II	\$125.00
Examination	\$150.00(Section A) \$150.00(Section B)
License	\$125.00
License Renewal	\$150.00
Reciprocity Questionnaire	\$100.00
Late Renewal Penalty	\$275.00
Inactive Reactivation Fee	\$325.00
<u>Replacement License Fee</u>	<u>\$25.00</u>
<u>Reapplication Fee</u>	<u>\$150.00</u>
Bad Check Fee	\$30.00
Emergency Permit	\$350.00
Administrative Fee	\$100.00
Administrative Fines	<u>\$5,000.00</u>
Copies (per page)	\$.75 (per page 1-25) \$.25 (per page 26+)

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, Section 34-2A-1-16.

History: New Rule Filed September 16, 2002., Amended: October 19, 2007. Amended May 22, 2009. Amended November 25, 2011. Amended December 11, 2014. Amended February 24, 2015. Amended September 2015.

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No. 135 – BOEALA

Rule No: 135-X-13-.01

Rule Title: Fees

New Amend Repeal Adopt by Reference

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. **NEED/EXPECTED BENEFIT OF RULE:**

The Administrative fine is being increased from 1,000 per violation to \$5,000 to help cover the costs of administrative hearings.

The License replacement fee is being implemented to defer some of the costs associated with having to print and mail an individual a replacement license.

The reapplication fee is being implemented for those who let their license expire without renewing.

2. **COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE SEATED PURPOSE:**

The cost is passed on to the license.

3. **EFFECT OF THIS RULE ON COMPETITION:**

None

4. **EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:**

None

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

Licensing fees, application fees and other fees provide the revenue for the Board to operate and to implement new rules and regulations.

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULES ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

All of the licensed assisted living administrators will benefit from being able to call the board's Executive Director and have their license replaced due to loss, theft, etc. Increasing the fines will help the board pay for administrative hearings.

The short term economic impact is that the person may have less money to spend or pay bills in any given year.

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

None

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

None

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

None