

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. 255      Department or Agency: AL Board of Examiners in Counseling  
Rule No. 255-X-6-.01  
Rule Title: Licensure.

New     Amended     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?      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 *Florence Hemphill*  
Florence Hemphill

Date 5/11/16

DATE FILED  
STAMP

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07/04

ALABAMA BOARD OF EXAMINERS IN COUNSELING

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Board of Examiners in Counseling

RULE NO. & TITLE: 255-X-6-.01 Licensure.  
255-X-6-.01(1) and 255-X-6-.01(3)

INTENDED ACTION:

The Alabama Board of Examiners in Counseling proposes to amend this rule eliminating reference to grandfathering period and to clarify that a license issued by this Board authorizes the practice of counseling only in the state of Alabama.

SUBSTANCE OF PROPOSED ACTION:

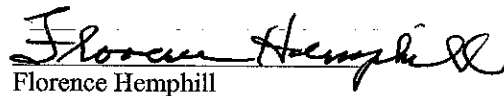
The proposed action is to amend this rule eliminating the reference to licensure during grandfathering period and clearly state that the license issued by this Board authorizes counseling practice only in the state of Alabama.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Executive Director of the Alabama Board of Examiners in Counseling at any time during the 38-day period following the 31st day of May, 2016, or if requested in advance, by personally appearing at Room 765, Medical Forum Building, 950 22<sup>nd</sup> Street North, Birmingham, AL at 10:00 a.m., Friday, July 8, 2016.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 8, 2016

CONTACT PERSON AT AGENCY: Florence Hemphill  
Executive Director  
Alabama Board of Examiners in Counseling  
950 22<sup>nd</sup> Street, North, Suite 765  
Birmingham, AL 35203  
Telephone 205 458-8716

  
Florence Hemphill

**255-X-6.01 Licensure.**

(1) The Board shall issue a license to practice as a professional counselor to all persons who meet the qualifications and ~~who either are subject to the provisions of Code of Ala. 1975, §34-8A-23,~~ or who pass the required examination and meet the required experience qualifications. For all initial licenses, the licensure term may be less than or greater than two (2) years depending on the date of issuance of the license and will expire July 31 of the renewal year.

(2) The Board shall issue a license to practice as an associate licensed counselor to all persons who meet the qualifications set out in Code of Ala. 1975, §34-8A-7(1), (2), (3), and (4). The associate licensed counselor license will be issued for a period of one year and will expire twelve (12) months from the date of issue.

(3) Licensure shall be documented by the issuance of a license document approved by the Board, carrying the approval seal of the board, and bearing the signature of the Chair of the Board. The issuance of a license by the Alabama Board of Examiners in Counseling authorizes a licensee to engage in the private practice of counseling in the State of Alabama only.

(4) Each licensed professional counselor and associate licensed counselor shall be required to display his or her license for inspection by the general public.

(5) Notwithstanding the exemptions provided in Code of Ala. 1975, §34-8A-3, those persons who file an application with the Board or who are licensed as licensed professional counselors or associate licensed counselors shall comply with the regulations of the Board and be subject to the disciplinary provisions of the Board.

**Author:** Alabama Board of Examiners in Counseling

**Statutory Authority:** Code of Ala. 1975, §34-8A-1, et seq.

**History:** Filed September 30, 1982. **Amended:** Filed September 22, 2000; effective October 27, 2000. **Amended:** Filed November 9, 2006; effective December 14, 2006.

**Amended:** Filed September 28, 2009; effective November 2, 2009.