

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-7-.02 Associate Licensed Counselor (ALC) Renewal.

_____ 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

APA-2
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-7-.02 Associate Licensed Counselor (ALC) Renewal.
255-X-7-.02(1); 255-X-7-.02(3); 255-X-7-.02(3)(a); 255-X-7-.02(3)(b); 255-X-7-.02(3)(d);
255-X-7-.02(3)(d)3

INTENDED ACTION:

The Alabama Board of Examiners in Counseling proposes to amend this rule to eliminate all references to requirements for renewing a 2-year ALC license and eliminate one of the alternative options allowed for continuing education credit. The amendment would also add a reference to the code section defining approved continuing education.

SUBSTANCE OF PROPOSED ACTION:

The proposed action is to amend this rule to eliminate outdated requirements for renewing a 2-year ALC license. The amendment would eliminate the use of therapy received as a learning modality as a continuing education activity. It would also add a reference to the code section defining approved continuing education activities.

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 22nd 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 22nd Street, North, Suite 765
Birmingham, AL 35203
Telephone 205 458-8716


Florence Hemphill

255-X-7-.02 Associate Licensed Counselor (ALC) Renewal.

~~(1) General. An Associate Licensed Counselor whose initial license was issued prior to January 1, 2010 expires biennially and on July 31 of the renewal year. The renewal period for an ALC license initially issued prior to January 1, 2010 and expiring on July 31, 2011 will be for a term of twelve (12) months.~~

An Associate Licensed Counselor whose license was issued after December 31, 2009 is required to pay annually to the board by the anniversary of his or her license issuance date a renewal fee as set out in section 255-X-1-.08. A lapsed license may be renewed within a period of one year after lapse upon payment of fees in arrears or thereafter upon payment of a renewal fee as determined by the board.

(2) Renewal Notice and Application. As a courtesy, ALC renewal notices are mailed to the licensee. Failure to receive a renewal notice from the Board will not relieve the licensee from the renewal requirement. Renewal applications will be mailed by the Board or made available through the Board's website.

(3) Continuing Education. No license will be renewed unless the renewal request is accompanied by evidence satisfactory to the Board of the completion of relevant professional and continued educational experience meeting the definition in section 255-X-2-.18 completed during the term of the current license.

~~(a) A minimum of twenty (20) formal contact clock hours of relevant professional and continued education experience shall be required for renewal of ALC license initially issued prior to January 1, 2010 and expiring July 31, 2011. The twenty (20) hours of continuing education required for licensure renewal must contain a minimum of three (3) clock hours of continuing education devoted to ethical concerns for practice, assessment, supervision, or research in counseling.~~

A minimum of ten (10) formal contact clock hours of relevant professional and continued education experience shall be required for renewal of an ALC license, issued after December 31, 2009. The ten (10) hours of continuing education required for ALC licensure renewal must contain a minimum of two (2) clock hours of continuing education devoted to ethical concerns for practice, assessment, supervision, or research in counseling.

(b) All formal contact clock hours of relevant professional and continued education experience shall be approved in advance by the Board, or shall be formal graduate academic course work, excluding thesis or dissertation credit. Academic courses taken as "audits" must be verified with an official transcript and letter from instructor confirming attendance. Formal graduate course work utilized as continuing education for licensure renewal cannot also be utilized as a substitute for supervised experience required to become a Licensed Professional Counselor. Formal graduate course work used as a substitution for supervised experience to become a Licensed Professional Counselor cannot also be utilized as continuing education for licensure renewal.

(c) The ALC is responsible for maintaining documentation to verify completion of all continuing activities listed on the renewal application. This documentation must be available for review by the Board upon request for a period of three (3) years following the renewal period in which the continuing education activities were used for licensure renewal.

~~(d) Of the twenty (20) formal contact clock hours required for renewal of ALC initially issued prior to January 1, 2010 and expiring July 31, 2011, five (5) hours may be obtained by supplying documentation of one (1) of the following activities.~~

Of the ten (10) formal contact clock hours required for renewal of ALC issued after December 31, 2009, three (3) hours may be obtained by supplying documentation of one (1) of the following activities:

1. Services as a presenter for a seminar, workshop, or training conference that is primarily counseling in nature.
2. Publication of peer reviewed material that is primarily counseling in nature.
- ~~3. Therapy received (counseling, psychotherapy, analysis) leading to certification or utilized as a learning modality that is preapproved by the Board and yields a certificate or similar document for inclusion in the licensure file.~~
- ~~4.~~ 3. Services on boards, commissions, and holding office in professional organizations, specifically related to counseling, and in which at least thirty (30) hours annually are devoted to such service.

(e) Real-Time Participation in Continuing Education Activities. Effective August 1, 2011, a minimum of seventy-five percent (75%) of the continuing education activities required for any licensure renewal period must consist of real-time participation in seminars, classes, workshops, presentations, training programs, or similar activities. Such real-time participation must involve licensee presence in the location of the activity as it occurs or use of interactive technology by the licensee for the activity as it occurs. Self-contained activities (e.g., recorded presentations, reading, online study) that do not feature opportunities for dialogue and interaction for the licensee as the activity occurs do not qualify as real-time participation in continuing education.

(f) Documentation of continuing Education Activities. All certificates of completion/verification of attendance must contain: licensee's name, name of workshop/seminar/training, name of sponsoring entity, dates of the activity, and number of contact hours granted.

(4) Expired License Applicants who seek to renew an ALC license more than twelve (12) months from the expiration date of their last active license must pay the published renewal fee. The renewed license shall bear an issuance date corresponding to

the approval date of the renewal and shall expire twelve (12) months from the date of issue. The renewal application must be accompanied by documentation acceptable to the Board of continuing education activities of no less than ten (10) clock hours accrued within the twelve (12) months immediately preceding the request for renewal. The ten (10) hours of continuing education must contain a minimum of two (2) clock hours of continuing education devoted to ethical concerns for practice, assessment, supervision, or research in counseling. An ALC must also submit a proposed plan of supervision for approval by the Board. Any associate licensed counselor whose license has lapsed beyond six (6) years must reapply under the current regulations for initial licensure.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §34-8A-5

History: New Rule: September 7, 2010. **Amended:** Filed September 24, 2012; effective October 29, 2012.