



**ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS**

NOTICE OF INTENDED ACTION

AGENCY NAME: The Alabama State Board of Chiropractic Examiners

RULE NO. & TITLE:

- (1) **Rule 190-X-2-.17 Non Licensed Chiropractic Practice Ownership**
- (2) **Rule 190-X-4-.04 Pre Hearing Discovery**
- (3) **Rule 190-X-4-.09 Conflict And Bias**
- (4) **Rule 190-X-5-.09 Chiropractic Records Required; Release of Records**

INTENDED ACTION: The Alabama State Board of Chiropractic Examiners proposes to amend the rules as listed above.

SUBSTANCE OF PROPOSED ACTIONS:

- (1)The Alabama State Board of Chiropractic Examiners proposes to amend this rule to clarify who is required to complete continuing education for a Non Licensed Permit renewal.
- (2)The Alabama State Board of Chiropractic Examiners proposes to amend this rule to update language based on a five year review of all rules.
- (3)The Alabama State Board of Chiropractic Examiners proposes to amend this rule to update language based on a five year review of all rules.
- (4)The Alabama State Board of Chiropractic Examiners proposes to amend this rule to update language based on a five year review of all rules.

TIME, PLACE AND MANNER FOR PRESENTING VIEWS: Written or oral comments may be submitted to the Alabama State Board of Chiropractic Examiners, 126 Chilton Place, Clanton, AL 35045, 205-755-8000.

FINAL DATE FOR COMMENT & COMPLETION OF NOTICE: January 3, 2014.

CONTACT PERSON AND ADDRESS:

Amy Deavers  
Administrative Assistant  
Alabama State Board of Chiropractic Examiners  
126 Chilton Place  
Clanton, AL 35045  
1-800-949-5838 ext. 226

*Sheila Bolton*

---

Sheila Bolton  
Executive Director

190-X-4-.04 Pre-Hearing Discovery.

~~(1) Permitted. Pre-hearing discovery shall be permitted in accordance with this rule. Any party to a contested case before the Board may seek discovery by the filing of a motion or request with the Board's Hearing Officer. It shall be within the discretion of the Board's Hearing Office to allow any such discovery.~~

~~(2) Extent Allowed. The attorney for the Board or the respondent may upon application to the hearing officer obtain discovery regarding any matter not privileged which is relevant to the subject matter involved in the pending action, whether it relates to the charge of the Board or the defense of the respondent. The method(s) or type(s) of discovery allowed and/or any limitations or conditions of the same shall be within the discretion of the Board's Hearing Officer; however, interrogatories or request for admissions shall not be allowed.~~

~~(3) Methods of Discovery. The Board's Hearing Officer shall also have the authority to perform those acts set forth in Code of Alabama, (1975) §41-22-12(e).~~

~~(a) Upon written application to the hearing officer, and in his discretion, the following discovery may be allowed:~~

~~1. Deposition upon oral examination of any expert witness.~~

~~2. Interrogatories to respondent.~~

~~3. Request for production and copying of documents or for inspection.~~

~~(b) The discovery must be had in accordance with any terms and conditions imposed by the hearing officer. The hearing officer may impose any such terms and conditions as are just upon discovery in order to protect a person from annoyance, embarrassment, oppression, or undue burden or expense.~~

**Author:** Board of Chiropractic Examiners

**Statutory Authority:** Code of Ala. 1975, §§34-24-144, 34-24-165.

**History:** Filed September 30, 1982.

**Amended:** Filed June 12, 2000; effective July 17, 2000;

(1) (2) (3) amended 11/2013