



**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:

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Alabama State Board of Chiropractic Examiners  
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*Sheila Bolton*

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Executive Director

Alabama State Board of Chiropractic Examiners  
Proposed Amended Rule

**190-X-4-.09      Conflict And Bias.**

(1) ~~No Board member shall participate in any disciplinary hearing before the Board or be entitled to vote in such a hearing who has a disqualifying conflict or bias against the licensee or permit holder who is the subject of the hearing any disciplinary matter if the Board member is personally biased against the respondent or when such voting would violate the provisions of Code of Ala. 1975, §41-22-18.~~

(2) ~~Any challenge to a Board member(s) participation based upon any alleged conflict or bias shall be filed within the time set for the filing of Motions as established by the Hearing Officer. Any such challenge must be accompanied by an affidavit(s) stating with specificity the basis for the alleged conflict or bias. Any respondent in a disciplinary action who wishes to assert bias or conflict may do so by filing with the Executive Director at least three days before scheduled disciplinary hearing an affidavit asserting the disqualification together with the underlying factual bias for assertion.~~

~~(3) The Board shall consider the assertion of disqualification on the record as a preliminary matter at the hearing before any other question is decided.~~

**Author:**

**Statutory Authority:** Code of Ala. 1975, §§34-24-144, 34-24-165, 41-22-18(1).

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

**Amended:** Filed January 29, 1990; (1)(2)(3) amended 11/2013

**Amended:** Filed June 18, 2009; effective July 23, 2009.