TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 190 Department or Agency: Alabama State Board of Chiropracts Rule No. 190-X-514	ic Examiners
Rule Title: Accident Solicitation Letters	
New Amend XX Repeal Adopt by Reference	
Would the absence of the proposed rule significantly narm or endanger the public health, welfare, or safety?	No
s 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 costs, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?	n/a
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 accompanied by a fiscal note prepared in accordance with subsection (f) of 22-23, Code of Alabama 1975.	
Certification of Authorized Official	
I certify that the attached proposed rule has been proposed in full compliar requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it capplicable filing requirements of the Administrative Procedure Division of Legislative Reference Service. Signature of certifying officer	onforms to all
Signature of certifying officer	and the second s
Date September 27, 2011	
	FILED AMP)

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-5-.14 Accident Solicitation Letters

<u>INTENDED ACTION</u>: 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 repeal this rule as it has been combined with Rule 190-X-5-.06 Solicitation.

<u>TIME, PLACE AND MANNER FOR PRESENTING VIEWS</u>: 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: December 6, 2011.

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 Executive Director

Alabama State Board of Chiropractic Examiners Proposed Amended Rule

RULE 190-X-5-.14 Accident Solicitation Letters. REPEALED

- (A) On the outside of each envelope in 10-point bold type at the bottom left hand corner of the envelope, there will be printed in capital letters in a color clearly distinguishable from the color of the background page, this is an advertisement.
- (B) On the first and last page of the letter, in the same type size as the letter, shall be contained the following paragraph in a color different from the color of the text on the background page.

NOTICE: THIS IS A SOLICITATION. Your name and address and information relative to the accident in which you were involved were acquired from public documents. You are under no obligation to respond to this letter. Recipients of this solicitation should understand the importance of employing a health care provider and inquiry into the doctor's qualifications and experience is recommended.

- (C) If the Internet (E-Mail) is utilized the language required in (A) above must appear in clearly distinguishable capital letters in the subject line and the language required in (B) above must appear in clearly distinguishable capital letters at the beginning and end of the E-Mail.
- (D) Senders shall take reasonable steps to avoid sending solicitation letters to minors.
- (E) A sample copy of each different solicitation letter shall be retained by the sender for a period of one year.

Effective: 1/2003, 6/12/05, 9/8/05

Authority: 34-24-144; 34-24-165; 34-24-166(b)(1)(2)(16)