

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 190 Department or Agency: Alabama State Board of Chiropractic Examiners

Rule No. 190-X-1-.18

Rule Title: Fees

     New XX Amend      Repeal      Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

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 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 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 Larry H. Heston, D.C.

Date October 17, 2014

DATE FILED  
(STAMP)

**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 1-.18** Fees
- (2) **Rule 190 X 2-.01** Requirements For Licensure By Examination

INTENDED ACTION: The Alabama State Board of Chiropractic Examiners 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 establish the fees associated with non-licensed owner permits.
- (2) The Alabama State Board of Chiropractic Examiners proposes to amend this rule to correct the requirement that each applicant supply I-9 documents.

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: December 8, 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*

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Sheila Bolton  
Executive Director

**Alabama State Board of Chiropractic Examiners**  
**Proposed Amended Rule**

**190-X-1-.18 Fees.** Fees shall be as follows:

- (1) License Application Fee \$150.00  
An application fee not to exceed \$150.00 shall be required of all applicants for licensure. The exact fee shall be set from time to time by resolution of the Board.
- (2) Exam Application Fee \$150  
An applicant for licensure or permit must complete the application form and ~~pay~~ submit a fee of \$150 pursuant to ~~Rule 190-X-2-.02~~ and Rule 190-X-2-.17.
- (3) Original License or Permit \$50  
Upon completion of all requirements for licensure or permit and payment of the license/permit issuance fee of not more than \$50.00 as set from time to time by resolution of the Board, an applicant shall be issued a license/permit.
- (4) Clinic Owner Non Licensed ~~\$75~~ \$300  
An applicant for a permit shall submit to the Board an application as prescribed by the Board, along with a permit fee to be established by the Board.
- (5) Permit or License Replacement \$50  
The fee for any replacement permit or license shall be \$50.00.
- (6) Renewal-Active \$300  
A fee not exceeding \$300.00 to be fixed by rule of the Board is required for annual license renewal. The renewal fee is \$300.00.
- (7) Renewal-Retired \$150  
The annual fee for maintenance of a retired license may not be more than one-half that provided in 190-X-2-.11~~(4)~~(6) for an active license.
- (8) Renewal-Inactive \$150  
The annual fee for an inactive license shall be one-half of the amount required by 190-X-2-.11~~(5)~~(6).
- (9) Late Fees for Licensees and Clinic Owner Non Licensed \$50-250  
The late penalty for renewal during the month of October is fifty dollars (\$50), for renewal during the month of November is

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one hundred dollars (\$100) and for renewal during the month of December is two hundred and fifty dollars (250).

(10) Reinstatement \$150

In the event any licensee or permit holder who allows his/her license to lapse past December 31 and desires to return to active practice, he/she must apply to the Board for a reinstatement of the license or permit and must submit to the Board a reinstatement fee of \$150.00 together with all back fees including the highest late renewal penalty.

(11) Preceptor Doctor \$25/month (\$75/quarter)

Contribute \$25.00 monthly (payable the first quarter with the preceptor application and thereafter quarterly in advance) to the Alabama State Board of Chiropractic Examiners to defray expense of administration of this program only when the Preceptor actually has an extern or intern in the office.

(12) Disciplinary Fines \$500-2,000 per violation

(a) The Board may impose a fine not to exceed \$2,000 for each violation off any of the following provisions of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class A violations)

1. Section 34-24-166(b) (1);
2. Section 34-24-166(b) (2);
3. Section 34-24-166(b) (3);
4. Section 34-24-166(b) (4);
5. Section 34-24-166(b) (5);
6. Section 34-24-166(b) (6);
7. Section 34-24-166(b) (9);
8. Section 34-24-166(b) (10);
9. Section 34-24-166(b) (11);
10. Section 34-24-166(b) (12); and

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11. Section 34-24-166(b) (15);

(b) The Board may impose a fine not to exceed \$1,000 for each violation of any of the following provisions of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class B violations):

1. Section 34-24-166(b) (7); and
2. Section 34-24-166(b) (8);

(c) The Board may impose a fine not to exceed \$500 for each violation of any of the following provisions off law governing the practice of chiropractic or any rule adopted pursuant thereto (Class C violations);

1. Section 34-24-166(b) (13);
2. Section 34-2 4-166(b) (14);
3. Section 34-24-166(b) (16); and
4. Section 34-24-166(b) (17)

(13) Disciplinary Costs. Up to \$8,000 per guilty count.

The Board may impose costs in the amount of up to \$8,000, in connection with any hearing held in connection with the refusal of a license or permit pursuant to Code of Ala. 1975, 34-24-166(a).

(14) Annual Directory \$50  
The Board shall publish annually a directory listing all permit holders and all persons licensed to practice chiropractic in Alabama. Copies of the directory shall be made available from the Executive Director at cost, which cost shall be estimated and set from time to time by resolution of the Board.

(15) CCE Provider/Course Approval Application \$75/per  
module

(16) 5 Year CCE History \$25 per licensee

(17) Permit holder or Licensee Listing (paper list) \$50

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(18) The following fee schedule will apply to all organizations (except state and local government agencies) requesting information from the licensee or clinic databases:

(a) A fee of ten cents (\$.10) per record, up to (10) data fields, and a fee of one cent (\$.01) for each data field exceeding ten (10) will be charged. These fees apply to data released via email or CDROM disks in Microsoft Excel format;

(b) Additional charges will incur for (but may not be limited to) the cost of CDROM disks (\$2.00) each), plus postage;

(c) A minimum total fee of (\$75.00) will be charged for each request.

(d) State and local government agencies will be exempt from all charges except for materials used. These agencies may choose to supply their own CDROM disks and pick up the data, thereby avoiding all charges.

(19) Mailing Labels (paper) \$55

(20) License Verification \$12.50  
Any permit holder or licensee who requires written verification of his/her Alabama license or permit may request certification upon payment of a fee of \$ 12.50 each.

(21) Copy of Rules (paper) \$50

(22) Copies .50 cents/page plus postage

(23) NSF Fee Max allowed by law  
Pursuant to Code of Ala. 1975, 8-8-15, this fee must accompany any check, or other negotiable instrument drawn on a bank or other depository institution and made payable to the Board, if the instrument is not paid or is dishonored by the institution.

(24) Fee to resend Mail \$25

(25) Rule Subscription \$10 (annual subscription)

(26) Licensure by Credentials  
(a) Application Fee \$1,000  
(b) Application Hearing Fee if applicable \$2,000

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Effective: 6/2008; amended 1/09; amended 4/2010, amended 01/2011  
(10) (15), amended 6/2013 (2) (5) (10) (12) (14), amended 10/2013  
(20) (26)

**Author:** ASBCE

**Statutory Authority:** Code of Ala. 1975, 34-24-144; 34-24-16(e);  
34-24-166(c) (1).