

ALABAMA ADMINISTRATIVE MONTHLY
VOLUME XXVII, ISSUE NO. 10

JULY 31, 2009

TABLE OF CONTENTS

	Page No.
<u>FILINGS BY AGENCY</u>	
AUCTIONEERS, BOARD OF	
Proposed Amended Rules:	
150-X-1-.01	Definitions..... 326
150-X-1-.03	Advertisements 327
CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF	
Proposed Amended Rules:	
220-2-.22	Wildlife Management Areas and Sanctuaries Established 328
220-2-.55	Wildlife Management Areas, Community Hunting Areas, Public Hunting Areas, and Refuges of Alabama 328
220-2-.109	Physically Disabled Hunting Areas 328
220-2-.110	Establishment of Physically Disabled Hunting Areas 328
220-2-.126	Public Shooting Range Regulation 328
220-2-.131	Establishment of Youth Turkey Hunting Area 328
220-2-.146	Antlered Buck and Turkey Harvest Record..... 328
220-2-.151	Archery Range Regulation..... 328
220-6-.59	Closure to Vessels and Watercraft – Portion of Gulf Waters Adjacent to Gulf State Park Pier..... 329
Proposed Repealed Rules:	
220-2-.28	Metal Tag Required for Commercial Pen-Raised Quail..... 328
220-2-.41	Trolling in Certain Areas Prohibited During Duck Season 328
220-2-.143	Alligator Hunting Season and Regulations..... 328
Proposed New Rule:	
220-2-.143	Alligator Hunting Season and Regulations..... 328
Emergency Amended Rule:	
220-6-.59	Closure to Vessels and Watercraft – Portion of Gulf Waters Adjacent to Gulf State Park Pier..... 380
Emergency Repealed Rule:	
220-2-.143	Alligator Hunting Season and Regulations..... 380

CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF

Emergency New Rule:

220-2-.143	Alligator Hunting Season and Regulations.....	380
------------	---	-----

Certified Amended Rules:

220-3-.03	Use of Nets and Harvest of Mullet	381
220-3-.30	Saltwater Fish Creel, Bag, Possession, and Size Limits	381
220-3-.79	Saltwater Fishing License Surcharge.....	381

Peremptory Repealed Rule:

220-3-.76	Closed Fishing Season – Portion of Gulf Waters Adjacent to Gulf State Park Pier	383
-----------	--	-----

COUNSELING, BOARD OF EXAMINERS IN

Proposed Amended Rules:

255-X-1-.04	Vacancies	330
255-X-1-.08	Finances	331
255-X-2-.01	Practice of Counseling	332
255-X-5-.02	Written Examination.....	333
255-X-6-.01	Licensure.....	334
255-X-6-.02	Inactive License	335
255-X-6-.03	Reactivation of License.....	336
255-X-7-.01	Expiration.....	337
255-X-7-.03	Continuing Education	338
255-X-7-.05	Renewal Application Deadline	339
255-X-7-.06	Failure to Pay Renewal Fee	340
255-X-7-.07	Expired License	341
255-X-11-.01	Ethical Standards	344

Proposed New Rules:

255-X-8-.09	Compliant and Investigation Files	342
255-X-8-.10	Public Records	343

CONTRACTORS, LICENSING BOARD FOR GENERAL

Certified Amended Rule:

230-X-1-.01	Renewal Procedures.....	381
-------------	-------------------------	-----

DENTAL EXAMINERS, BOARD OF

Proposed Amended Rule:

270-X-1-.08	Meetings of the Board.....	345
-------------	----------------------------	-----

Certified Amended Rules:

270-X-2-.04	Fees for Dental Applicants.....	381
270-X-2-.07	Annual Registration for Dentists	381
270-X-3-.04	Alabama Dental Hygiene Program Requirements	381
270-X-3-.05	Change of Name on License Certificates.....	381

DENTAL EXAMINERS, BOARD OF (cont.)

Certified Amended Rules:

270-X-3-.07	Annual Registration for Hygienists	381
270-X-4-.01	Professional Corporations and Professional Associations	381
270-X-4-.08	Advertising	381

Certified Repealed Rules:

270-X-3-.02	Replacement Certificate for Dental Hygienists	381
270-X-5-.08	Authorized Fees	381

Certified New Rules:

270-X-4-.09	Criteria and Fees for Mobile Dental Facilities or Portable Dental Operations	381
270-X-5-.09	Non-Disciplinary Administrative Penalties	381
270-X-5-.10	Definition of Gross Negligence	381

EDUCATION, DEPARTMENT OF

Proposed Amended Rules:

290-2-1-.01	Annual Apportionment of the Foundation Program Funds	346
290-2-1-.04	Annual Apportionment of Public School Funds	346

Proposed Repealed Rule:

Chapter 290-6-1	Career/Technical Education (CTE)	347
-----------------	--	-----

Proposed New Rule:

Chapter 290-6-1	Career/Technical Education (CTE)	347
-----------------	--	-----

Certified Amended Rule:

Chapter 290-4-1	Education Accountability	382
-----------------	--------------------------------	-----

ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF

Proposed Amended Rules:

335-6-15-.02	Definitions	348
335-6-15-.04	Interim Prohibition for Deferred UST Systems	348
335-6-15-.10	Operation and Maintenance of Corrosion Protection	348
335-6-15-.13	Reporting and Recordkeeping	348
335-6-15-.45	Delivery Prohibition	348
335-6-15-.47	Severability	348

Proposed New Rules:

335-6-15-.46	Operator Training	348
Chapter 335-13-12	Landfill Operator Certification Requirements	349

HEALTH, DEPARTMENT OF PUBLIC

Proposed Amended Rule:

420-2-2-.02	Trauma Center Standards: Verification	350
-------------	---	-----

HEALTH, DEPARTMENT OF PUBLIC (cont.)

Proposed Amended Rules:

420-2-2-.07	Patient Entry Criteria for Hospitals.....	351
420-3-11-.18	Construction, Maintenance, and Operation of Hotels.....	352
420-3-15-.08	Crab Sanitation Program.....	353
420-3-21-.04	Camp Sanitation.....	354
420-3-23-.16	Rules for Body Art Practice and Facilities	355
Chapter 420-6-1	Immunization of Children.....	356

Miscellaneous Notice:

Chapter 420-7-2	Appendix A – Controlled Substances List.....	357
-----------------	--	-----

Certified Amended Rules:

420-5-22-.01	Applicability	382
420-5-22-.02	Submission of Plans and Specifications	382
420-5-22-.03	Codes and Standards.....	382

HUMAN RESOURCES, DEPARTMENT OF

Certified Amended Rule:

Chapter 660-3-11	Paternity	382
------------------	-----------------	-----

LABOR, DEPARTMENT OF

Proposed Amended Rule:

490-2-3-.04	Fee Schedule	359
-------------	--------------------	-----

Proposed New Rule:

490-2-2-.05	Application Form for Variance from Adopted Elevator Code	358
-------------	---	-----

MANUFACTURED HOUSING COMMISSION

Certified Amended Rule:

535-X-12-.03	Certification	382
--------------	---------------------	-----

MEDICAID AGENCY

Miscellaneous Notice:

PN-09-003	Amendment to Alabama State Plan for Medical Assistance	360
-----------	--	-----

MEDICAL EXAMINERS, BOARD OF

Proposed Amended Rule:

540-X-3-.02	Medical Education Requirement.....	361
-------------	------------------------------------	-----

Emergency Amended Rule:

540-X-3-.02	Medical Education Requirement.....	380
-------------	------------------------------------	-----

MEDICAL EXAMINERS, BOARD OF (cont.)

Certified Amended Rule:

540-X-4-.01 Registration for Alabama Controlled Substances Certificate 382

Certified New Rule:

Chapter 540-X-7 Appendix I – Application for Physician Assistant/
Anesthesiologist Assistant License Renewal 382

OIL AND GAS BOARD

Proposed Amended Rules:

400-1-4-.17 Request to Classify Wells as Temporarily Abandoned or
Shut-In..... 362

400-2-4-.14 Request to Classify Wells as Temporarily Abandoned or
Shut-In..... 363

400-3-4-.17 Request to Classify Wells as Temporarily Abandoned or
Shut-In..... 364

OPTOMETRY, BOARD OF

Proposed Amended Rule:

630-X-5-.06 Content of Examinations..... 365

PHARMACY, BOARD OF

Proposed Amended Rules:

680-X-2-.14 The Role of Technicians in Pharmacies in Alabama 366

680-X-2-.18 Institutional Pharmacies 367

Proposed New Rule:

680-X-2-.39 Non-Hospital Pharmacy Off-Site Order Entry..... 368

PROSTHETISTS AND ORTHOTISTS, BOARD OF

Certified Amended Rule:

746-X-2-.04 Application Fee Required 382

REAL ESTATE APPRAISERS BOARD

Proposed Repealed Rule:

780-X-16-.05 Temporary Permit Application 369

Proposed New Rule:

780-X-16-.05 Temporary Permit Application 369

Emergency Repealed Rule:

780-X-16-.05 Temporary Permit Application 380

Emergency New Rule:

780-X-16-.05 Temporary Permit Application 380

RESPIRATORY THERAPY, BOARD OF

Proposed Amended Rule:

798-X-3-.13 Board of Respiratory Therapy Fund 370

REVENUE, DEPARTMENT OF

Proposed Amended Rules:

810-3-19.1-.01 Severance Pay Exemption..... 371-372

810-3-71-.02 Computing Tax Withheld. 371-372

810-6-3-.69.02 Exemption for United States, State, County, City, and Other
Exempt Entities from the Payment of Sales Tax and
Purchases Made Through the Use of Purchasing Agents 373-374

Proposed New Rule:

810-6-3-.15 Federal Charge Card Program, Exemption Certification..... 373-374

Certified Amended Rules:

810-6-3-.32 Historical Preservation Authorities 383

810-6-3-.33 Industrial Development Board 383

810-6-3-.38 Medical Clinic Boards 383

810-6-3-.41 Exemption for Municipal Special Health Care Facilities 383

810-6-3-.41.01 Exemption for Certain Health Care Authorities 383

SECURITIES COMMISSION

Proposed Amended Rules:

830-X-6-.11 Limited Offering Exemption..... 375

830-X-6-.12 Further Limited Offering Exemption..... 376

SOCIAL WORK EXAMINERS, BOARD OF

Proposed Amended Rules:

850-X-4-.03 Denied Applications..... 377

850-X-5-.04 Renewal Fees 378

Proposed New Rule:

850-X-7-.03 Inactive Status 379

MISCELLANEOUS NOTICES 357, 360

EMERGENCY ADOPTED RULES 380

CERTIFIED ADOPTED RULES 381-383

