

**ALABAMA ADMINISTRATIVE MONTHLY
VOLUME XXVII, ISSUE NO. 6**

MARCH 31, 2009

TABLE OF CONTENTS

	Page No.
<u>FILINGS BY AGENCY</u>	
AGRICULTURE AND INDUSTRIES, DEPARTMENT OF	
Proposed New Rule:	
Chapter 80-10-19 Establish Quarantine against the Citrus Greening Disease (CG) also known as Huanglongbing Disease and the Asian Citrus Psyllid (ACP)	197
Emergency New Rule:	
Chapter 80-10-19 Establish Quarantine against the Citrus Greening Disease (CG) also known as Huanglongbing Disease and the Asian Citrus Psyllid (ACP)	242
CHIROPRACTIC EXAMINERS, BOARD OF	
Proposed Amended Rules:	
190-X-1-.01 Purpose.....	198
190-X-1-.02 Composition and Selection of Board.....	198
190-X-1-.06 Meetings.....	199
190-X-1-.09 Use of Forms	198
190-X-1-.10 Executive Secretary	198
190-X-1-.11 Records	198
190-X-1-.13 Directory of Licensees Published	198
190-X-1-.18 Fees	198
190-X-2-.04 Application Required.....	198
190-X-2-.06 Issuance of License.....	198
190-X-2-.07 No Temporary Permit Issued	198
190-X-2-.11 Renewal of License	198
190-X-2-.12 Reinstatement of License	200
190-X-2-.14 Retirement of License	198
190-X-4-.01 Complaints	198
190-X-4-.05 Disciplinary Hearings	198
190-X-4-.06 Discipline	198
190-X-4-.08 Restoration of a Refused, Revoked, or Cancelled License	198
190-X-4-.09 Conflict and Bias	198
190-X-5-.02 Cooperation with the Board	198
190-X-5-.03 Notification of Change of Address	198
190-X-5-.05 Immoral or Unprofessional Conduct Prohibited	198
190-X-6-.01 Petition for Adoption of Rules	198

CHIROPRACTIC EXAMINERS, BOARD OF (cont.)

Proposed Amended Rules:

190-X-6-.02	Notice	198
190-X-6-.03	Public Hearings	198
190-X-7-.02	Extern and Intern	198

Certified New Rule:

190-X-2-.18	Inspections.....	243
-------------	------------------	-----

CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF

Proposed Amended Rules:

220-2-.26	Restrictions on Possession, Sale, Importation and/or Release of Certain Animals and Fish.....	201
220-2-.27	Permit to Take Protected Game Causing Crop or Property Damage	201
220-2-.39	Legal Methods of Taking Minnows and Shad for Bait and Mullet in Freshwater	201
220-2-.52	Restricted Areas for the Taking of Freshwater Mussels.....	201
220-2-.92	Non-game Species Regulation	201
220-3-.03	Use of Nets and Harvest of Mullet	202
220-3-.04	Miscellaneous	202
220-6-.55	Lakes Permit Regulation.....	203

Proposed New Rule:

220-6-.54	Bird Island/Walker Island Vessel Restrictions.....	203
-----------	--	-----

Emergency Amended Rules:

220-2-.26	Restrictions on Possession, Sale, Importation and/or Release of Certain Animals and Fish.....	242
220-2-.27	Permit to Take Protected Game Causing Crop or Property Damage	242

Certified Amended Rules:

220-2-.126	Public Shooting Range Regulation.....	243
220-2-.138	Licensed Game Breeders	243

Certified New Rule:

220-2-.151	Archery Range Regulation.....	243
------------	-------------------------------	-----

DIETETIC/NUTRITION PRACTICE, BOARD OF EXAMINERS FOR

Proposed Amended Rules:

282-X-5-.04	Renewal of Licensure	204-205
282-X-5-.05	Continuing Education Requirements	204-205
282-X-5-.06	Inactive License Status	204-205
282-X-7-.01	Exemptions and Special Conditions	204-205
282-X-8-.01	Licensure Fees	204-205

DIETETIC/NUTRITION PRACTICE, BOARD OF EXAMINERS FOR (cont.)**Proposed Amended Rules:**

282-X-8-.02	Prorated Licensure Fees	204-205
282-X-9-.01	Board Establishment	204-205

ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF**Proposed Amended Rules:**

335-6-8-.02	Definitions	206
335-6-8-.04	Exempted Operations.....	206
335-6-8-.05	Prohibited Actions	206
335-6-8-.07	Permit Issuance Procedures.....	206
335-6-8-.08	Public Notice Requirements.....	206
335-6-8-.10	Class V Well Permit Application Requirements	206
335-6-8-.12	Class V Well Permit Requirements	206
335-6-8-.15	Confidentiality	206

HEALTH, DEPARTMENT OF PUBLIC**Proposed Amended Rule:**

Chapter 420-1-4	Petitions for Declaratory Rulings	207
-----------------	---	-----

Certified Amended Rule:

420-3-22-.01	General Provisions.....	243
--------------	-------------------------	-----

HUMAN RESOURCES, DEPARTMENT OF**Certified Amended Rule:**

660-3-6-.01	General Intercept Information	243
-------------	-------------------------------------	-----

MEDICAID AGENCY**Proposed Amended Rule:**

560-X-57-.04	Covered Services	208
--------------	------------------------	-----

Miscellaneous Notice:

PN-09-002	Amendment to Alabama State Plan For Medical Assistance	209
-----------	--	-----

Certified Amended Rules:

560-X-13-.17	Motorized/Power Wheelchairs	243
560-X-35-.02	Description of Services	243
560-X-35-.06	Financial Accountability	243

Certified Repealed Rule:

560-X-35-.18	Appeal Procedure (Fiscal Audit)	243
--------------	---------------------------------------	-----

MEDICAL EQUIPMENT SERVICES, BOARD OF HOME**Certified Amended Rules:**

473-X-1-.01	Definitions	244
473-X-3-.01	Administrative Procedure.....	244

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Proposed Amended Rules:

580-5-31-.13	Program Enrollment/Participation In Medical Waiver Programs	210
580-5-31-.14	Consumer Eligibility and Level of Care Determinations for Medicaid Waiver Programs.....	211

PEACE OFFICERS STANDARDS AND TRAINING COMMISSION

Proposed Amended Rules:

650-X-2-.05	Character	212
650-X-12-.04	Firearms Re-qualification by Retired Certified Law Enforcement Officers.....	213

Emergency Amended Rule:

650-X-2-.05	Character	242
-------------	-----------------	-----

PERSONNEL DEPARTMENT

Certified Amended Rule:

670-X-18-.01	Layoffs	244
--------------	---------------	-----

PLUMBERS AND GAS FITTERS EXAMINING BOARD

Certified New Rule:

720-X-16-.01	Bad Checks	244
--------------	------------------	-----

PUBLIC SAFETY, DEPARTMENT OF

Certified Amended Rule:

760-X-1-.07	Suspension and Revocation of Driver License Under Points System	244
-------------	---	-----

RED MOUNTAIN GREENWAY AND RECREATIONAL AREA COMMISSION

Proposed New Rules:

Chapter 797-X-1	Definitions	214
Chapter 797-X-2	Process to Establish Rules and Regulations	215
Chapter 797-X-3	Administrative Regulations.....	216
Chapter 797-X-4	Rules and Regulations	217
Chapter 797-X-5	Disclaimer of Liability.....	218
Chapter 797-X-6	Violation of Rules or Regulations – Penalties	219

REVENUE, DEPARTMENT OF

Proposed New Rule:

810-3-15-.27	Deductions for Contributions to Alabama College Education Plans	220
--------------	---	-----

Certified Amended Rules:

810-5-9-.10	IFTA Quarterly Fuel Use Tax Returns	244
810-6-5-.26	Utility Privilege or License Tax	244

SENIOR SERVICES, DEPARTMENT OF

Proposed Repealed Rules:

Chapter 70-X-1	Introduction	221
Chapter 70-X-2	Summary of Older Americans Act	222
Chapter 70-X-3	State Agency on Aging	223
Chapter 70-X-4	Area Agencies on Aging.....	224
Chapter 70-X-5	Service Providers	225
Chapter 70-X-6	Uniform Service Requirements	226
Chapter 70-X-7	Uniform Administrative and Fiscal Requirements	227
Chapter 70-X-8	Cost Principles Applicable to Grants and Contracts	228
Chapter 70-X-9	Procurement and Property Management Standards.....	229
Chapter 70-X-10	Reporting Requirements	230
Chapter 70-X-11	Grant/Contract Closeout, Suspension and Termination	231
Chapter 70-X-12	Audit and Record Requirements	232
Chapter 70-X-13	Hearing Procedures for Aggrieved Parties.....	233
Appendix A	Alabama Commission on Aging Administrative Code	234
Appendix B	Organizational Chart.....	235
Appendix C	Alabama Aging Network	236
Appendix D-1	Total Unduplicated Counts of Participants by Title III Program Parts	237
Appendix D-2	Office of the State Ombudsman Forms and Report Section.....	238
Appendix D-3	Title III Legal Assistance Program.....	239
Appendix D-4	Quarterly Statement of Expenditures for the Waiver for the Elderly and Disabled	240
Appendix D-5	Quarterly Financial Report.....	241

Proposed New Rules:

Chapter 70-X-1	Introduction	221
Chapter 70-X-2	Summary of Older Americans Act	222
Chapter 70-X-3	State Agency on Aging	223
Chapter 70-X-4	Area Agencies on Aging.....	224
Chapter 70-X-5	Service Providers	225

EMERGENCY ADOPTED RULES.....	242
-------------------------------------	------------

CERTIFIED ADOPTED RULES.....	243-244
-------------------------------------	----------------