

APA-1
11/96

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 

Date February 3, 2017

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-4-.06 Discipline

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 increase the amount of possible disciplinary fines.
- (2) The Alabama State Board of Chiropractic Examiners proposes to amend this rule to increase the amount of possible disciplinary fines.

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: April 4, 2017.

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**

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

- (1) License Application Fee \$150
An applicant for a license shall submit to the Board the application fee of \$150.00.
- (2) Exam Application Fee \$150
An applicant for licensure or permit must submit an examination fee in the amount of \$150.00.
- (3) Original License or Permit \$75
An applicant for a license or permit shall submit to the Board the initial issuance fee of \$75.00.
- (4) Clinic Owner Non Licensed \$300
An applicant for a permit shall submit to the Board an initial or renewal application as prescribed by the Board, along with a permit fee in the amount of \$300.00.
- (5) Permit or License Replacement or Duplicate \$75
The fee for any replacement permit or license shall be \$75.00. Upon request, a duplicate chiropractic license or facility permit may be issued upon payment of a fee in the amount of \$75.00.
- (6) Renewal-Active \$300
The annual license renewal fee is \$300.00.
- (7) Renewal-Retired \$150
The annual fee for maintenance of a retired license is \$150.00.
- (8) Renewal-Inactive \$150
The annual fee for an inactive license is \$150.00.
- (9) Late Fees for Licensees and Clinic Owner Non Licensed \$100 - \$300
The late penalty for renewal during the month of October is one hundred (\$100), for renewal during the month of November is two hundred dollars (\$200) and for renewal during the month of December is three hundred dollars (\$300).
- (10) Reinstatement \$150 - 2,500
Any licensee or permit holder who allows his/her license/permit to lapse past December 31 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 fee. Any Licensee or permit

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holder who allows his/her license/permit to lapse past January 31 must also pay a penalty in the amount of \$2,500.

(11) Preceptor Doctor \$25/month (\$75/quarter)
Shall submit \$25.00 monthly (payable the first quarter with the preceptor application and thereafter quarterly in advance.)

(12) Disciplinary Fines ~~\$500-2,000~~ \$1,000-4,000 per violation

(a) The Board may impose a fine not to exceed ~~\$2,000~~ \$4,000 for each violation of 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
11. Section 34-24-166(b) (15);

(b) The Board may impose a fine not to exceed ~~\$1,000~~ \$2,000 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~~ \$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 C violations);

1. Section 34-24-166(b) (13);
2. Section 34-24-166(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 actual costs up to \$8,000 per violation.

(14) Annual Directory \$50

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Copies of the directory shall be made available from the Executive Director upon the payment of \$50 per copy.

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| (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 |
| (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) | \$60 |
| (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), amended 10/2014 (2) (3) (4) (7) (8), amended 8/2015
(1) (2) (3) (4) (5) (6) (9) (10), amended 4/2016 (10), amended 01/2017
(12) (a) (b) (c)

Author: ASBCE

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