

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 700 Department or Agency Alabama Board of Physical Therapy  
Rule No. CHAPTER 700-X-4  
Rule Title: DISCIPLINARY ACTIONS.

New                       Amend                       Repeal                       Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

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 cost, 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 2/17/2017

**ALABAMA BOARD OF PHYSICAL THERAPY**

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: CHAPTER 700-X-5-AMENDMENT OF RULES

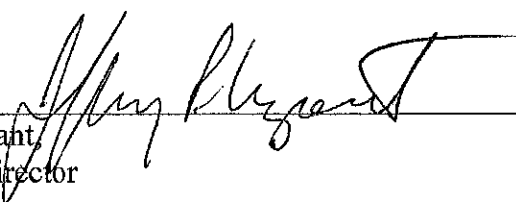
INTENDED ACTION: The Alabama Board of Physical Therapy proposes to repeal the Chapter AMENDMENT OF RULES. re: repeal and replace with updated, more concise version of code.

SUBSTANCE OF PROPOSED ACTION: The proposed rule Chapter 700-X-5 will be repealed and replaced by authority in Alabama Code Title 42. State Government. §41-22-5.2

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing or in person through the close of business on Tuesday, April 5, 2017. Those wishing to present views in person should contact the Board of Physical Therapy at 334-242-4064.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 5, 2017.

CONTACT PERSON AT AGENCY: Jeffrey Vinzant  
Executive Director  
Board of Physical Therapy  
100 North Union Street, Suite 724  
Montgomery, AL 36130-5040  
(334) 242-4064  
[jeffrey.vinzant@pt.alabama.gov](mailto:jeffrey.vinzant@pt.alabama.gov)

  
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Jeffrey Vinzant,  
Executive Director

ALABAMA BOARD OF PHYSICAL THERAPY  
ADMINISTRATIVE CODE

CHAPTER 700-X-5  
AMENDMENT OF RULES

TABLE OF CONTENTS

700-X-5-.01 Petition For Adoption Of Rules  
 700-X-5-.02 Notice  
 700-X-5-.03 Public Hearings  
 700-X-5-.04 Board Decisions  
 700-X-5-.05 Emergency Rules  
 700-X-5-.06 Compliance With Administrative Procedure Act

700-X-5-.01 Petition For Adoption Of Rules.

(1) Any person who wishes to propose that the Board adopt, repeal, or amend any rule shall do so on the form prescribed by the Board and supplied by the executive director.

(2) The Board shall meet and consider any petition for adoption, repeal, or amendment within 60 days of its submission.

Authors: James F. Hobbs, Jr.; Anne H. Harrison; Robert L. Showmake; Donald L. Mills; Herbert A. Caillouet

Statutory Authority: Code of Ala. 1975, §§34-24-193, 41-22-8.

History: Filed September 30, 1982. Amended: Filed March 5, 1999; effective April 9, 1999.

700-X-5-.02 Notice

(1) The Board shall give at least 15 days' notice of any proposed action on any rule by publication in the Alabama Administrative Monthly in compliance with the Alabama Administrative Procedure Act, §5(1)(a).

(2) Any person who wishes to receive notice by mail of all proposed actions on rules may do so by requesting such notice from the executive director and paying an annual charge of \$50.00 to cover costs of the mailings. All annual subscriptions begin October 1 and expire September 30.

**Author:** James R. Hobbs, Jr., Anne H. Harrison; Robert L. Shoemake; Donald L. Hiltz; Herbert R. Caillouet  
**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-5.  
**History:** Filed September 30, 1982. Amended: Filed March 5, 1999; effective April 9, 1999.

**700-X-5-.03** Public Hearing. The Board shall permit all interested persons reasonable opportunity to submit data, views, or arguments concerning any proposed rule action. Data, views, or arguments submitted in writing must be received by the executive director at least seven days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear before the Board to present data, views, or arguments orally must submit a request to appear before the Board to the executive secretary, and such request must be received by the executive secretary at least seven days before the scheduled public hearing.

**Author:** James R. Hobbs, Jr., Anne H. Harrison; Robert L. Shoemake; Donald L. Hiltz; Herbert R. Caillouet  
**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-5.  
**History:** Filed September 30, 1982. Amended: Filed March 5, 1999; effective April 9, 1999.

**700-X-5-.04** Board Decision. The Board shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the Board, if conflicting views are submitted on the proposed rule, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling any consideration urged against its adoption.

**Author:**  
**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-5.  
**History:** Filed September 30, 1982.

**700-X-5-.05** Emergency Rules. In the event the Board finds that an immediate danger to the public health, safety, or welfare requires adoption of a rule upon fewer than 35 days' notice or that action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than 35 days' notice, the Board may adopt an emergency rule under the provisions of the Administrative Procedure Act, §5(2).

**Author:**  
**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-5.

Physical Therapy

Chapter 700-X-5

History: Filed September 30, 1982.

700-X-5-.06 Compliance With Administrative Procedure Act. All rules adopted by the Board shall otherwise substantively and procedurally comply substantially with the provisions of the Alabama Administrative Procedure Act.

Author:

Statutory Authority: Code of Ala. 1975 §§34-24-193.

History: Filed September 30, 1982.

REPEAL

NEW

ALABAMA BOARD OF PHYSICAL THERAPY  
ADMINISTRATIVE CODE

CHAPTER 700-X-5  
AMENDMENT OF RULES

TABLE OF CONTENTS

700-X-5-.01      Petition For Adoption Of Rules  
 700-X-5-.02      Public Hearings  
 700-X-5-.03      Board Decisions  
 700-X-5-.04      Emergency Rules

700-X-5-.01      Petition For Adoption Of Rules.

(1)            Any person who wishes to propose that the Board adopt, repeal, or amend any rule may do so on the form prescribed by the Board and supplied by the executive director.

(2)            When a proposal to adopt, repeal or amend a rule is received by the Board, the director shall place the proposal on the agenda of the next board meeting under "new business."

**Authors:** James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Showmake; Donald L. Hilts; Herbert R. Caillouet

**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-8.

**History:** Filed September 30, 1982. **Amended:** Filed March 5, 1999; effective April 9, 1999.

**700-X-5-.02      Public Hearings.** The Board shall permit all interested persons reasonable opportunity to submit data, views, or arguments concerning any proposed rule action. Data, views, or arguments submitted in writing must be received by the executive director at least ten days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear before the Board to present data, views, or arguments orally should submit a request to appear before the Board to the executive director, and such request should be received by the executive director at least ten days before the scheduled public hearing.

**Author:** James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake; Donald L. Hilts; Herbert R. Caillouet  
**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-5.  
**History:** Filed September 30, 1982. **Amended:** Filed March 5, 1999; effective April 9, 1999.

**700-X-5-.03** Board Decision. The Board shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the Board, if conflicting views are submitted on the proposed rule, may issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling any consideration urged against its adoption.

**Author:**  
**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-5.  
**History:** Filed September 30, 1982.

**700-X-5-.04** Emergency Rules. The Board may adopt emergency rules under the provisions of Ala. Code § 41-22-5(b).

**Author:**  
**Statutory Authority:** Code of Ala. 1975, §§34-24-193, 41-22-5.  
**History:** Filed September 30, 1982.