

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 610 Department or Agency Alabama Board of Nursing

Rule No. 610-X-8-05 Board Action Following Investigation

Rule Title: Board Action Following Investigation

         New     ✓     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 cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?         No        

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 action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?         No        

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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.

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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 Services Agency.

Signature of certifying officer  Peggy Sellers Benson, RN, MSHA, MSN, NE-BC

Date July 22, 2019

(DATE FILED)  
(STAMP)

APA-2  
11/96

**ALABAMA BOARD OF NURSING**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Board of Nursing

**RULE NO. & TITLE:** § 610-X-8-.05 Board Action Following Investigation


**INTENDED ACTION:** The Alabama Board of Nursing proposes to amend the rules related to investigations.

**SUBSTANCE OF PROPOSED ACTION:** The Alabama Board of Nursing proposes to amend ABN Administrative Code § 610-X-8-.05, to align rules to requirements of the Enhanced Nurse Licensure Compact. A copy of the proposed rule may be found on the Board's web site, [www.abn.alabama.gov](http://www.abn.alabama.gov), under "laws" and then "proposed rule changes."

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written or verbal comments will be accepted until Wednesday, September 4, 2019. Verbal or written comments should be directed to Peggy Benson, Executive Officer, at P.O. Box 303900, Montgomery, AL 36130-3900 or via electronic mail at [Peggy.Benson@abn.alabama.gov](mailto:Peggy.Benson@abn.alabama.gov) or via telephone at 334-293-5210.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
The record closes at 4:30 P.M. on Wednesday, September 4, 2019.

**CONTACT PERSON AT AGENCY:** Peggy Benson, Executive Officer.

  
Executive Officer

610-X-8-.05 Board Action Following Investigation. The Board or its authorized designee shall have the power to act on the report of the investigation as follows:

(1) Dismiss a complaint with a letter of closure or a letter of admonishment.

(2) Commence disciplinary proceedings through pursuit of informal disposition in accordance with Alabama Board of Nursing Administrative Code Section 610-X-8-.08 or the issuance of an administrative complaint pursuant to Alabama Board of Nursing Administrative Code, Section 610-X-8-.07.

(3) Accept voluntary surrender of a license, certificate of qualification, or multistate licensure privilege to practice nursing in Alabama.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Code of Ala. 1975, §§34-21-2(j)(1), 34-21-25.

**History:** Filed September 29, 1982. **Repealed and New Rule:**

Filed January 29, 2002; effective March 5, 2002. **Repealed and**

**New Rule:** Filed May 21, 2010; effective June 25, 2010.

**Amended:** Filed June 24, 2014; effective July 29, 2014.