

APA-1  
Revised 4/2018

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 610 Department or Agency Alabama Board of Nursing  
Rule NO. 610-X-3-09 Out Of State Programs Conducting Clinical Experience In Alabama  
Rule Title: 610-X-3-09 Out Of State Programs Conducting Clinical Experience In Alabama  
         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 March 11, 2022

REC'D & FILED (DATE FILED)  
(STAMP)

MAR 11 2022

APA-2  
11/96

**ALABAMA BOARD OF NURSING**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Board of Nursing

**RULE NO. & TITLE:** 610-X-3-.09 Out Of State Programs Conducting  
Clinical Experience In Alabama

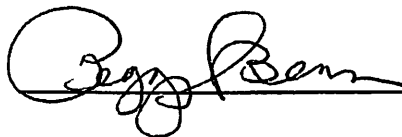
**INTENDED ACTION:** The Alabama Board of Nursing proposes to amend a rule  
relating to education.

**SUBSTANCE OF PROPOSED ACTION:** The Alabama Board of Nursing  
proposes to promulgate ABN Administrative Code § 610-X-3-.09, to impose a fee  
on out of state education programs occupying Alabama clinical slots. 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 Thursday, May 5, 2022. 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 Thursday, May 5, 2022.

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



Executive Officer

**610-X-3-.09      Out Of State Programs Conducting Clinical Experience In Alabama.**

(1)            The nursing program shall be a postsecondary education institution that is accredited by a national nursing accrediting agency recognized by the U.S. Department of Education by January 1, 2022.

(2)            The governing institution offering the nursing program shall be a postsecondary education institution that is accredited by an organization recognized by the U.S. Department of Education.

(3)            The nursing education program shall have full approval (local, state, federal, and regulatory board) in the state where located.

(4)            A nursing education program based outside the state of Alabama that plans to provide students with clinical learning experiences in Alabama shall submit to the Board, within a minimum of thirty (30) days in advance of the expected clinical learning experience, the following:

(a)            A letter of intent identifying the governing institution, the type of nursing education program, and the status of approval from accrediting bodies and state where located. The letter shall include:

1.            Name of student and license number of the student (where applicable). Any student enrolled in a post-licensure program who is participating in clinical experiences in Alabama shall have a valid registered nurse license issued by Alabama, or a multistate license issued by a party state, as defined in Chapter 4 of these rules.

2.            Name and license number of the clinical supervisor. Clinical supervision shall meet the requirements set forth in this chapter.

3.            Name and location of the clinical facility and statement from the Director of Nursing/Chief Nursing Officer of the clinical facility regarding the availability of clinical learning experiences for in-state and out-of-state nursing students.

4.            Learning outcomes expected of the student.

5.            Name and Alabama registered nurse license number or multistate registered nurse license number issued by a party state of the nursing faculty responsible for the evaluation and

oversight of the student's clinical learning experience.

**Author:** Alabama Board of Nursing

6. Effective January 1, 2023, out of state nursing programs conducting clinical experiences in Alabama shall submit an annual out of state Program fee of \$500.00 in January of each calendar year.

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

**History: New Rule:** Published November 30, 2020; effective January 14, 2021.