

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. 255 Department or Agency: AL Board of Examiners in Counseling  
Rule No. 255-X-1-.10 Military Exceptions.

X  New   Amended   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? 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 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 *Florence Hemphill*  
Florence Hemphill

Date 5/15/17

DATE FILED  
STAMP

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07/04

ALABAMA BOARD OF EXAMINERS IN COUNSELING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Examiners in Counseling

RULE NO. & TITLE: 255-X-1-.10 Military Exceptions

INTENDED ACTION:

The Alabama Board of Examiners in Counseling proposes to add a new rule to allow some exceptions to licensure requirements for those on active duty military or the spouse of someone who is on active duty in the military.

SUBSTANCE OF PROPOSED ACTION:

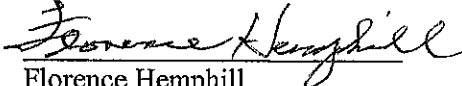
The proposed new rule will authorize the board to accept alternative means of verification as well as grant exceptions for some requirements for licensure to those persons who are active duty military or the spouse of someone who is on active duty in the military.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Executive Director of the Alabama Board of Examiners in Counseling at any time during the 51-day period following the 31st day of May, 2017, or if requested in advance, by personally appearing at Room 765, Medical Forum Building, 950 22<sup>nd</sup> Street North, Birmingham, AL at 10:00 a.m., Friday, July 21, 2017.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 21, 2017

CONTACT PERSON AT AGENCY: Florence Hemphill  
Executive Director  
Alabama Board of Examiners in Counseling  
950 22<sup>nd</sup> Street, North, Suite 765  
Birmingham, AL 35203  
Telephone 205 458-8716

  
Florence Hemphill

**255-X-1-10 Military Exceptions.** The Board recognizes the unique challenges of obtaining and maintaining licensure for those who are serving on active duty in the military or who are the spouse of a person serving on active duty in the military.

In its review of applications for licensure, licensure renewal, and requests for inactivation or reactivation of licensure status, the board shall exercise authority to examine individual circumstances related to applicants who are serving on active duty in the military or who are the spouse of a person serving on active duty in the military. In such cases, the Board may accept alternative means of verification as well as grant exceptions for educational requirements, supervised experience requirements, and examination requirements. The Board shall examine each case and determine eligibility for exceptions based on this review but in so doing shall not compromise its mission of public protection.

**Author:** Alabama Board of Examiners in Counseling

**Statutory Authority:** Code of Ala. 1975, §34-8A-5

**History:** New Rule