

ALABAMA

Administrative Monthly



**ALABAMA
ADMINISTRATIVE MONTHLY
VOLUME XLII, ISSUE NO. 2**

**DATE OF PUBLICATION
November 30, 2023**

**Published By:
Legislative Services Agency
Administrative Procedure Division
Alabama State House, Suite 613
Montgomery, Alabama 36130**

Telephone: (334) 261-0600

**ALABAMA ADMINISTRATIVE MONTHLY
VOLUME XLII, ISSUE NO. 2**

NOVEMBER 30, 2023

TABLE OF CONTENTS

FILINGS BY AGENCY

Page No.

ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC

Proposed Amended Rule:

30-X-4-.03	Applications For Examination, Reexamination, And Reciprocal Certificate	52
------------	----------------------------------------------------------------------------------	----

ARCHITECTS, ALABAMA STATE BOARD FOR REGISTRATION OF

Certified Amended Rules:

100-X-1-.03	Board Members	75-80
100-X-1-.04	Duties Of Board Members	75-80
100-X-1-.05	Compensation Of Board Members	75-80
100-X-1-.06	Meetings, Quorum And Order Of Business	75-80
100-X-1-.07	Election Of Officers	75-80
100-X-1-.08	Chairman And Vice Chairman	75-80
100-X-1-.09	Executive Director	75-80
100-X-1-.12	Publication Of Board Documents And Forms	75-80
100-X-1-.14	Fees	75-80
100-X-1-.15	Public Records	75-80
100-X-2-.02	Registration By Examination	75-80
100-X-2-.04	Administration Of Examination	75-80
100-X-2-.08	Reconsideration Of A Denied Application	75-80
100-X-3-.02	Scope And Exemptions	75-80
100-X-3-.03	Requirements	75-80
100-X-3-.04	Reporting	75-80
100-X-3-.05	Recordkeeping	75-80
100-X-4-.01	Public Interest In Registration Of Architects	75-80
100-X-4-.04	Buildings Intended For Education Occupancy	75-80
100-X-4-.05	Buildings Intended For Use As An Auditorium	75-80
100-X-4-.06	Buildings Intended For Use As A Church	75-80
100-X-4-.10	Exemptions	75-80
100-X-4-.13	Prohibited Acts (Non-registrants)	75-80
100-X-6-.05	Public Notice Of Actions	75-80
100-X-7-.03	Full Disclosure	75-80

100-X-7-.05	Professional Conduct	75–80
100-X-8-.01	General Requirements	75–80
100-X-8-.02	Application Procedures	75–80
100-X-8-.03	Renewal Requirements	75–80

Certified New Rules:

100-X-1-A1	Appendices I Fee Schedule	75–80
100-X-1-A2	Appendices II Forms List	75–80

ATHLETIC AGENTS REGULATORY COMMISSION, ALABAMA

Certified Amended Rule:

Chapter 142-1-1	Organization, Application, Payment of Fees and Costs Alabama Athlete Agents Commission	75–80
-----------------	-------------------------------------------------------------------------------------------------	-------

Certified Repealed and Replaced Rule:

Chapter 142-1-2	Repealed: Rules of Practice → New: Limitation, Suspension, Revocation, Refusal, Penalty Imposition, and Reconsideration	75–80
-----------------	-------------------------------------------------------------------------------------------------------------------------------------	-------

**CONSERVATION AND NATURAL RESOURCES, ALABAMA DEPARTMENT
OF**

Emergency Amended Rules:

220-2-.55 ER	Wildlife Management Areas Of Alabama	75–80
220-2-.167 ER	Chronic Wasting Disease Management Zone Rule	75–80

Certified Amended Rules:

220-2-.02	Legal Arms, Ammunition, And Equipment For Hunting	75–80
220-2-.11	Prohibited Methods And Devices For Hunting	75–80
220-2-.55	Wildlife Management Areas Of Alabama	75–80
220-2-.167	Chronic Wasting Disease Management Zone Rule	75–80

EDUCATION, ALABAMA STATE BOARD OF

Certified Repealed and Replaced Rule:

290-3-3-.60	Repealed: Alternative Teacher Preparation Organizations → New: Alternative Teacher Preparation Organizations (ATPO)	75–80
-------------	---------------------------------------------------------------------------------------------------------------------------------	-------

ELECTRICAL CONTRACTORS, ALABAMA STATE BOARD OF

Proposed Amended Rule:

303-X-2-.08	License Exemptions	53
-------------	--------------------------	----

Certified Amended Rule:

303-X-2-.01	Qualifications For An Electrical Contractor's License	75–80
-------------	------------------------------------------------------------	-------

FORESTRY COMMISSION, ALABAMA

Emergency New Rules:

390-X-1-.03 ER	DROUGHT EMERGENCY DECLARATION	75–80
390-X-1-.03.01 ER	DROUGHT EMERGENCY DECLARATION (REPEAL OF STATEWIDE DECLARATION)	75–80
390-X-1-.04 ER	DROUGHT EMERGENCY DECLARATION (SPECIFIED COUNTIES)	75–80

FUNERAL SERVICE, ALABAMA BOARD OF

Proposed Amended Rules:

395-X-1-.01	Organization	54
395-X-1-.02	Nomination And Appointment	55
395-X-2-.01	Application For License	56

GENETIC COUNSELING, BOARD OF

Certified Amended Rules:

405-X-1-.03	Renewal Of License	75–80
405-X-3-.01	Continuing Education Requirements	75–80

HEALTH, DEPARTMENT OF PUBLIC

Proposed Repealed and Replaced Rule:

Chapter 420-4-1	Repealed: Notifiable Diseases → New: Notifiable Diseases	57
-----------------	-------------------------------------------------------------------	----

MEDICAID AGENCY, ALABAMA

Proposed Amended Rules:

560-X-6-.01	Physician Program-General	58
560-X-6-.13	Covered Services: Details On Selected Services	59
560-X-16-.01	Pharmacy Services - General	60
560-X-18-.20	NET Escorts	61
560-X-22-.08	Patient Days	62
560-X-42-.03	Definitions	63

MEDICAL EXAMINERS, ALABAMA BOARD OF

Proposed Amended Rules:

540-X-7-.29	Continuing Medical Education - Physician Assistant	64
540-X-7-.50	Qualifications Of The Supervising Anesthesiologist – Anesthesiologist Assistants (A.A.)	65

540-X-7-.62	Continuing Medical Education - Anesthesiologist Assistant (A.A.)	66
540-X-7-Appendix-E	Physician Assistant/Anesthesiologist Assistant License Renewal	67

Certified Amended Rules:

540-X-4-.07	Emergency Prescription Refill	75–80
540-X-26-.01	Definitions	75–80
540-X-26-.04	Collaborative Drug Therapy Management Agreement: Required Terms	75–80
540-X-26-.05	Limitations	75–80
540-X-26-.06	Standards For Physicians	75–80
540-X-26-.07	Standards For Pharmacists	75–80

NURSING, ALABAMA BOARD OF

Proposed Amended Rule:

610-X-4-.14	Fees	68
-------------	------------	----

Certified Amended Rules:

610-X-4-.05	Applicant Request For Special Accommodation(s)	75–80
610-X-4-.09	Special Provisions For Actively Deployed Licensed Nurses	75–80

PHARMACY, ALABAMA STATE BOARD OF

Certified Amended Rules:

680-X-2-.23	Drug Manufacturers; Wholesale Distributors; Private Label Distributors, Repackagers, Third-Party Logistics, 503B Outsourcer; Reverse Distributor; Retail Medical Oxygen Supplier	75–80
680-X-2-.26	Emergency Prescription Refills	75–80
680-X-2-.44	Collaborative Practice	75–80

Certified Repealed Rule:

680-X-2-.25	Drug Manufacturers; Wholesale Drug Distributors; Private Label Distributors, Repackager, Third Party Logistics, 503B Outsourcer; Reverse Distributor Permit Fees. Retail Medical Oxygen.	75–80
-------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------

PRIVATE INVESTIGATION BOARD, ALABAMA

Proposed Amended Rules:

741-X-2-.01	Definitions	69
741-X-4-.03	Renewal Of License	70

741-X-A1-1	Fee Schedule	71
Proposed New Rules:		
741-X-4-01.02	Licensed Private Investigator Sponsorship	72
741-X-4.01.01	Investigator Apprentice	73
RESPIRATORY THERAPY, ALABAMA STATE BOARD OF		
Certified Amended Rules:		
798-X-5-.09	Special Renewal Provisions For Actively Deployed Respiratory Therapists	75–80
798-X-8-.03	Reporting Requirements And Audit	75–80
SECRETARY OF STATE, STATE OF ALABAMA OFFICE OF THE		
Proposed Amended Rule:		
820-2-6-.06	Provisional Ballot Roster	74
SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF		
Certified Amended Rule:		
Chapter 850-X-5	Fees	75–80
<u>EMERGENCY RULES</u>	75–80
<u>CERTIFIED ADOPTED RULES</u>	75–80
<u>RULES THAT SIGNIFICANTLY LESSEN COMPETITION UNDER</u>		
<u>SECTION 41-22-22.1</u>	80
<u>EDITOR’S NOTE:</u>		
A withdrawal of Rule 364-X-4-.02 Fees by the Board of Licensure for Professional Geologists was erroneously generated and printed in the November 2023 AAM due to a technical issue created by the migration of data to the new website. Please disregard this withdrawal. This rule is effective on December 15, 2023.		

ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Public Accountancy

RULE NO. & TITLE: 30-X-4-.03 Applications For Examination,
Reexamination, And Reciprocal Certificate

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The proposed Rule change will update reciprocal certificates language to coincide with Act 2023-200.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present their views in writing to the Executive Director of the Alabama State Board of Public Accountancy at any time until and including January 23, 2024, following the 30th day of November 2023, or, if requested in advance, by personally appearing at the Alabama State Board of Public Accountancy Board Meeting to be held at Troy University, John Robert Lewis Hall, Room 129, Troy, AL 36082, at 10:00 a.m., January 23, 2024

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, January 23, 2024

CONTACT PERSON AT AGENCY:

D. Boyd Busby, CPA

D. Boyd Busby, CPA

Donald Boyd Busby

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA STATE BOARD OF ELECTRICAL CONTRACTORS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Electrical Contractors

RULE NO. & TITLE: 303-X-2-.08 License Exemptions

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to remove the exemption language regarding master and journeyman electrician where there is no governing ordinance or laws requiring a license since licenses have been required by the Board since 2010.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments will be received by the Board until 4:00 p.m. on Thursday, January 4, 2024. Comments are to be directed to Keith Warren, Executive Director, 2777 Zelda Road, Montgomery, AL 36106 or by email at keith@alstateboard.com.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, AL 36106
334-420-7232

Keith E. Warren

Keith E. Warren

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF FUNERAL SERVICE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-1-.01 Organization

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of SB131 (Act No. 2023-94 effective 10/1/2023) the board's composition changed to increase the board to 14 members(11 professional and 3 consumers)and forming a funeral division and preneed division of the board. 7 professional members and 2 consumers on for the funeral division and 4 professional members and 1 consumer for the preneed division. This rule is being amended to clarify the board's make up and set forth the procedure for the presiding officer for each division. This rule amendment protects the public's health, safety, and welfare by ensuring the orderly functioning of the board tasked with the protection of the public's health, safety, and welfare due to legislative changes to the statute.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written, verbal or electronic mail comments will be accepted by the Board until:
Time: 4:30 p.m., Wednesday, January 4, 20
Place: 4276 Lomac Street, Montgomery, AL 36106
Email: Charles.perine@fsb.alabama.gov
Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Charles M. Perine

Charles M. Perine

Charles Perine

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF FUNERAL SERVICE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-1-.02 Nomination And Appointment

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of SB131 (Act No. 2023-94 effective 10/1/2023) the board's composition changed to increase the board to 14 members (11 professional and 3 consumer) and forming a funeral division and preneed division of the board. 7 professional members and 2 consumer members for the funeral division and 4 professional members and 1 consumer member for the preneed division. This rule is being amended to implement legislative changes to the procedure for nominating 3 individuals to be submitted to the Governor for consideration of appointment to the board and the procedure for filling vacancies on the board. This rule amendment protects the public's health, safety, and welfare by ensuring the orderly functioning of the board tasked with the protection of the public's health, safety, and welfare due to legislative changes to the statute.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written, verbal or electronic mail comments will be accepted by the Board until:
Time: 4:30 p.m., Thursday, January 4, 2024
Place: 4276 Lomac Street, Montgomery, AL 36106
Email: Charles.perine@fsb.alabama.gov
Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Charles M. Perine

Charles Perine

Charles Perine

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF FUNERAL SERVICE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-2-.01 Application For License

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of SB131 (Act No. 2023-94 effective 10/1/2023) the board will begin regulating preneed funeral and cemetery services. The board will be charged with issuing certificates of authority to business entities desiring to sell preneed services. One of the statutory requirements for a license is to complete a criminal history background check on the applicant pursuant to §34-13-190(c). This emergency rule clarifies who must submit to the background check when applying for a certificate of authority on behalf of an entity. This rule amendment protects the public's health, safety, and welfare by ensuring the individuals selling preneed services and merchandise do not have any prior offenses that would make the individual(s) the have legal control over an entity ineligible to be granted a certificate of authority (and which would indicate they may pose some threat to consumers).

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Thursday, January 4, 2024

Place: 4276 Lomac Street, Montgomery, AL 36106

Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Charles M. Perine

Charles M. Perine

Charles Perine

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**ALABAMA STATE BOARD OF HEALTH
ALABAMA DEPARTMENT OF PUBLIC HEALTH
DIVISION OF DISEASE CONTROL**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Public Health

RULE NO. & TITLE: Chapter 420-4-1 Notifiable Diseases

INTENDED ACTION: Repeal and Replace

SUBSTANCE OF PROPOSED ACTION:

The proposed revisions will improve the timeliness of reporting notifiable diseases, provide clarification, remove antiquated references, and allow the Department to better serve and protect the public.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

A public hearing will be held on December 13, 2023 at 9:00 a.m., at the Alabama Department of Public Health, RSA Tower, Training Room 982, 201 Monroe Street, Montgomery, Alabama 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Sherri Davidson, Ph.D., M.P.H.
Office of Informatics & Data
Analytics
Department of Public Health
P.O. Box 303017
Montgomery, Alabama 36130-3017
Telephone number: (334) 260-2050

Sancha O. Howard

Sancha Howard

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medicaid Agency

RULE NO. & TITLE: 560-X-6-.01 Physician Program-General

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The above referenced rule is being amended to reflect current terminology. EO 735 state law exception.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Stephanie Lindsay
Administrative Secretary
Alabama Medicaid Agency
501 Dexter Avenue
Post Office Box 5624
Montgomery, Alabama 36103-5624
Phone: (334) 353-3781

Stephanie Azar

Stephanie McGee Azar

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medicaid Agency

RULE NO. & TITLE: 560-X-6-.13 Covered Services: Details On Selected Services

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The above referenced rule is being amended to reflect current terminology. EO 735 state law exception.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Stephanie Lindsay
Administrative Secretary
Alabama Medicaid Agency
501 Dexter Avenue
Post Office Box 5624
Montgomery, Alabama 36103-5624
Phone: (334) 353-3781

Stephanie Azar

Stephanie McGee Azar

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medicaid Agency

RULE NO. & TITLE: 560-X-16-.01 Pharmacy Services - General

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The above referenced rule is being amended to clarify drug coverage through outpatient pharmacy. EO 735 protect public health, safety, or welfare exception and state law exception.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Stephanie Lindsay
Administrative Secretary
Alabama Medicaid Agency
501 Dexter Avenue
Post Office Box 5624
Montgomery, Alabama 36103-5624
Phone: (334) 353-3781

Stephanie Azar

Stephanie McGee Azar

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medicaid Agency

RULE NO. & TITLE: 560-X-18-.20 NET Escorts

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The above referenced rule is being amended to reflect current terminology. EO 735 state law exception.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Stephanie Lindsay
Administrative Secretary
Alabama Medicaid Agency
501 Dexter Avenue
Post Office Box 5624
Montgomery, Alabama 36103-5624
Phone: (334) 353-3781

Stephanie Azar

Stephanie McGee Azar

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medicaid Agency

RULE NO. & TITLE: 560-X-22-.08 Patient Days

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The above referenced rule is being amended to reflect current terminology. EO 735 state law exception.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Stephanie Lindsay
Administrative Secretary
Alabama Medicaid Agency
501 Dexter Avenue
Post Office Box 5624
Montgomery, Alabama 36103-5624
Phone: (334) 353-3781

Stephanie Azar

Stephanie McGee Azar

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Medicaid Agency

RULE NO. & TITLE: 560-X-42-.03 Definitions

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The above referenced rule is being amended to reflect current terminology. EO 735 state law exception.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Stephanie Lindsay
Administrative Secretary
Alabama Medicaid Agency
501 Dexter Avenue
Post Office Box 5624
Montgomery, Alabama 36103-5624
Phone: (334) 353-3781

Stephanie Azar

Stephanie McGee Azar

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.29 Continuing Medical Education - Physician Assistant

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend the continuing medical education requirement from 25 hours each calendar year to 50 hours every two calendar years. This amendment meets the "protection of public health" exemption from the moratorium on rule amendments contained in Governor Ivey's Executive Order No. 735, Reducing "Red Tape" on Citizens and Businesses.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (bme@albme.gov), until and including Jan. 4, 2024. Persons wishing to submit data, views, or comments in person should contact Carla Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Carla Kruger

William M. Perkins

William M Perkins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.50 Qualifications Of The Supervising
Anesthesiologist - Anesthesiologist Assistants (A.A.)

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Add a requirement for a supervising anesthesiologist to have obtained continuing medical education not more than 48 months prior to or within 12 months of registration to an anesthesiologist assistant. This amendment meets the "protection of public health" exemption from the moratorium on rule amendments contained in Governor Ivey's Executive Order No. 735, Reducing "Red Tape" on Citizens and Businesses.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (bme@albme.gov), until and including Jan. 4, 2024. Persons wishing to submit data, views, or comments in person should contact Carla Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Carla Kruger

William M. Perkins

William M Perkins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-.62 Continuing Medical Education -
Anesthesiologist Assistant (A.A.)

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend the continuing medical education requirement from 25 hours every year to 50 hours every two years. This amendment meets the "protection of public health" exemption from the moratorium on rule amendments contained in Governor Ivey's Executive Order No. 735, Reducing "Red Tape" on Citizens and Businesses.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (bme@albme.gov), until and including Jan. 4, 2024. Persons wishing to submit data, views, or comments in person should contact Carla Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Carla Kruger

William M. Perkins

William M Perkins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Medical Examiners

RULE NO. & TITLE: 540-X-7-Appendix-E Physician Assistant/
Anesthesiologist Assistant License Renewal

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend form to conform with amended CME requirement in 540-X-7-.29 from 25 hours every year to 50 hours every two years; and to add questions regarding certification by the National Commission on Certification of Physician Assistants/ National Commission on Certification of Anesthesiologist Assistants. This amendment meets the "protection of public health" exemption from the moratorium on rule amendments contained in Governor Ivey's Executive Order No. 735, Reducing "Red Tape" on Citizens and Businesses.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to: Carla Kruger, Office of the General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or email (bme@albme.gov), until and including Jan. 4, 2024. Persons wishing to submit data, views, or comments in person should contact Carla Kruger by telephone (334-242-4116) during the comment period. Copies of proposed rules may be obtained at the Board's website, www.albme.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Carla Kruger

William M. Perkins

William M Perkins

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

RULE NO. & TITLE: 610-X-4-.14 Fees

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes amending the subject rule to add the fee for out of state programs conducting clinical learning experiences in the state to the Board's fee schedule. The fee itself is included in Chapter 610-x-3.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or verbal comments will be accepted until Thursday, January 4, 2024. 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 or via telephone at 334-293-5210.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Peggy Sellers Benson, Executive Officer

Peggy Benson

Peggy Benson, AL

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA PRIVATE INVESTIGATION BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Private Investigation Board

RULE NO. & TITLE: 741-X-2-.01 Definitions

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to include apprentices and agencies in the industry expanding the industry and to include more people to work in the industry

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written Comments will be received by the Board until 4:00 pm on Friday, January 4, 2024. Comments should be directed to Claire H. Austin, Executive Director, 60 Commerce Street - Suite 1440, Montgomery, AL 36104, or via electronic email at theaustingroupapib@gmail.com or via telephone at 334-801-9575

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Claire H. Austin
Executive Director
60 Commerce Street - Suite 1440
Montgomery, AL 36104
334-801-9575

Claire H. Austin

Claire Hannah Austin

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA PRIVATE INVESTIGATION BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Private Investigation Board

RULE NO. & TITLE: 741-X-4-.03 Renewal Of License

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama Private Investigation Board proposes to amend its scope to allow a person to become inactive in the industry.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Private Investigation Board through 4:00 pm on January 4, 2024

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Claire H. Austin
Executive Director
60 Commerce Street - Suite 1440
Montgomery, AL 36104
334-657-9440

Claire H. Austin

Claire Hannah Austin

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA PRIVATE INVESTIGATION BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Private Investigation Board

RULE NO. & TITLE: 741-X-A1-1 Fee Schedule

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama Private Investigation Board proposes to amend these fees

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Private Investigation Board, through 4:00 p.m. on Friday, November 17, 2023. Comments should be directed to Claire Austin, Executive at 60 Commerce Street - Suite 1440 - Montgomery, AL 36104

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Claire H. Austin
Executive Director
60 Commerce Street - Suite 1440
Montgomery, AL 36104

Claire H. Austin

Claire Hannah Austin

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA PRIVATE INVESTIGATION BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Private Investigation Board

RULE NO. & TITLE: 741-X-4-01.02 Licensed Private Investigator
Sponsorship

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Private Investigation Board proposes to have a licensed private investigator as a sponsor for apprentices in the industry.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Private Investigation Board through Thursday, January 4, 2024. Comments should be directed to Claire H. Austin, Executive Director at 60 Commerce Street - Suite 1440, Montgomery, AL 36104, or electronically at theaustingroupapib@gmail.com.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Claire H. Austin
Executive Director
60 Commerce Street - Suite 1440
Montgomery, AL 36104
334-801-9575

Claire H. Austin

Claire Hannah Austin

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

ALABAMA PRIVATE INVESTIGATION BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Private Investigation Board

RULE NO. & TITLE: 741-X-4.01.01 Investigator Apprentice

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to include apprentices to participate and become licensed in the industry. This will allow for continuing education and fieldwork experience for these apprentices.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Private Investigation Board through 4:00 pm on Thursday, January 4, 2024. Comments should be directed to Claire H. Austin Executive Director at 60 Commerce Street - Suite 1440, Montgomery, AL 36104, or electronically to theaustingroupapib@gmail.com .

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Claire H. Austin
Executive Director
60 Commerce Street - Suite 1440
Montgomery, AL 36104

Claire H. Austin

Claire Hannah Austin

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

THE OFFICE OF THE SECRETARY OF STATE

NOTICE OF INTENDED ACTION

AGENCY NAME: State of Alabama Office of the Secretary of State

RULE NO. & TITLE: 820-2-6-.06 Provisional Ballot Roster

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Authorizing electronic poll books to record provisional voting data and requiring compliance with applicable requirements for paper rosters.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Views may be presented in writing and should be addressed to Michael L. Jones, Jr., Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama, 36130.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 4, 2024

CONTACT PERSON AT AGENCY:

Michael L. Jones, Jr. State
Capitol, Suite 3-201, 600 Dexter
Avenue, Montgomery, Alabama 36130;
(334) 353-7857.

Meridith H. Blackburn

Meridith H. Blackburn

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

EMERGENCY RULES

Emergency adoption of new rules, amendment of existing rules, repeal of existing rules, and adoption by reference, shall become effective immediately, unless otherwise stated therein, upon the filing of the rule with Legislative Services Agency. Emergency rules may be effective for a period of not longer than 120 days.

A. CONSERVATION AND NATURAL RESOURCES, ALABAMA DEPARTMENT OF

Amended Rules:

220-2-.55 ER Wildlife Management Areas Of Alabama

Date Filed: November 16, 2023

Person to Contact for Copy of Rule:

**Charlanna W. Skaggs; 64 N. Union Street, Room 474, Montgomery, AL 36130;
(334) 242-3165.**

220-2-.167 ER Chronic Wasting Disease Management Zone Rule

Date Filed: November 16, 2023

Person to Contact for Copy of Rule:

**Charlanna W. Skaggs; 64 N. Union Street, Room 474, Montgomery, AL 36130.
334-242-3165.**

B. FORESTRY COMMISSION, ALABAMA

New Rules:

390-X-1-.03 ER DROUGHT EMERGENCY DECLARATION

Date Filed: November 8, 2023

Person to Contact for Copy of Rule:

Scott L. Rouse, General Counsel

Alabama Forestry Commission

P. O. Box 302550

Montgomery, AL 36130-2550

(334) 240-9300

scott.rouse@forestry.alabama.gov

390-X-1-.03.01 ER DROUGHT EMERGENCY DECLARATION (REPEAL OF
STATEWIDE DECLARATION)

Date Filed: November 17, 2023

Person to Contact for Copy of Rule:

Scott L. Rouse, General Counsel

Alabama Forestry Commission

P. O. Box 302550

Montgomery, AL 36130-2550

(334) 240-9300
scott.rouse@forestry.alabama.gov

390-X-1-.04 ER DROUGHT EMERGENCY DECLARATION (SPECIFIED
COUNTIES)

Date Filed: November 16, 2023

Person to Contact for Copy of Rule:

Scott L. Rouse, General Counsel

Alabama Forestry Commission

P. O. Box 302550

Montgomery, AL 36130-2550

(334) 240-9300

scott.rouse@forestry.alabama.gov

CERTIFIED ADOPTED RULES

In accordance with Code of Alabama 1975, §41-22-6(c), certified adopted rules become effective 45 days after a notice that the rule has been certified is published in the Alabama Administrative Monthly, except that if a later date is required by statute or specified in the rule, then the later date is the effective date.

A. ARCHITECTS, ALABAMA STATE BOARD FOR REGISTRATION OF Amended Rules:

100-X-1-.03 Board Members
100-X-1-.04 Duties Of Board Members

Date Filed: October 25, 2023

Public Notice appeared in Volume XLI, Issue No. 9 AAM, Dated June 30, 2023.

100-X-1-.05 Compensation Of Board Members
100-X-1-.06 Meetings, Quorum And Order Of Business
100-X-1-.07 Election Of Officers
100-X-1-.08 Chairman And Vice Chairman
100-X-1-.09 Executive Director
100-X-1-.12 Publication Of Board Documents And Forms
100-X-1-.14 Fees
100-X-1-.15 Public Records
100-X-2-.02 Registration By Examination
100-X-2-.04 Administration Of Examination
100-X-2-.08 Reconsideration Of A Denied Application
100-X-3-.02 Scope And Exemptions
100-X-3-.03 Requirements
100-X-3-.04 Reporting
100-X-3-.05 Recordkeeping
100-X-4-.01 Public Interest In Registration Of Architects
100-X-4-.04 Buildings Intended For Education Occupancy
100-X-4-.05 Buildings Intended For Use As An Auditorium
100-X-4-.06 Buildings Intended For Use As A Church
100-X-4-.10 Exemptions
100-X-4-.13 Prohibited Acts (Non-registrants)
100-X-6-.05 Public Notice Of Actions
100-X-7-.03 Full Disclosure
100-X-7-.05 Professional Conduct
100-X-8-.01 General Requirements
100-X-8-.02 Application Procedures
100-X-8-.03 Renewal Requirements

Date Filed: October 26, 2023

Public Notice appeared in Volume XLI, Issue No. 9 AAM, Dated June 30, 2023.

New Rules:

100-X-1-A1 Appendices I Fee Schedule
100-X-1-A2 Appendices II Forms List

Date Filed: October 26, 2023

Public Notice appeared in Volume XLI, Issue No. 9 AAM, Dated June 30, 2023.

B. ATHLETIC AGENTS REGULATORY COMMISSION, ALABAMA

Amended Rule:

Chapter 142-1-1 Organization, Application, Payment of Fees and Costs Alabama
Athlete Agents Commission

Date Filed: November 15, 2023

Public Notice appeared in Volume XLI, Issue No. 12 AAM, Dated September 29, 2023.

Repealed and Replaced Rule:

Chapter 142-1-2 Repealed: Rules of Practice → New: Limitation, Suspension,
Revocation, Refusal, Penalty Imposition, and Reconsideration

Date Filed: November 15, 2023

Public Notice appeared in Volume XLI, Issue No. 12 AAM, Dated September 29, 2023.

C. CONSERVATION AND NATURAL RESOURCES, ALABAMA DEPARTMENT OF

Amended Rules:

220-2-.02 Legal Arms, Ammunition, And Equipment For Hunting

Date Filed: November 17, 2023

Public Notice appeared in Volume XLI, Issue No. 12 AAM, Dated September 29, 2023.

220-2-.11 Prohibited Methods And Devices For Hunting

220-2-.55 Wildlife Management Areas Of Alabama

220-2-.167 Chronic Wasting Disease Management Zone Rule

Date Filed: November 16, 2023

Public Notice appeared in Volume XLI, Issue No. 12 AAM, Dated September 29, 2023.

D. EDUCATION, ALABAMA STATE BOARD OF

Repealed and Replaced Rule:

290-3-3-.60 Repealed: Alternative Teacher Preparation Organizations → New:
Alternative Teacher Preparation Organizations (ATPO)

Date Filed: November 16, 2023

Public Notice appeared in Volume XLI, Issue No. 12 AAM, Dated September 29, 2023.

E. ELECTRICAL CONTRACTORS, ALABAMA STATE BOARD OF

Amended Rule:

303-X-2-.01 Qualifications For An Electrical Contractor's License

Date Filed: November 20, 2023

Public Notice appeared in Volume XLI, Issue No. 11 AAM, Dated August 31, 2023.

798-X-8-.03 Reporting Requirements And Audit

Date Filed: October 26, 2023

Public Notice appeared in Volume XLI, Issue No. 11 AAM, Dated August 31, 2023.

K. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF

Amended Rule:

Chapter 850-X-5 Fees

Date Filed: November 16, 2023

Public Notice appeared in Volume XLI, Issue No. 12 AAM, Dated September 29, 2023.

**RULES THAT SIGNIFICANTLY LESSEN COMPETITION UNDER SECTION
41-22-22.1 OF THE CODE OF ALABAMA 1975.**

None

EDITOR'S NOTE

A withdrawal of Rule 364-X-4-.02 Fees by the Board of Licensure for Professional Geologists was erroneously generated and printed in the November 2023 AAM due to a technical issue created by the migration of data to the new website. Please disregard this withdrawal. This rule is effective on December 15, 2023.