

# ALABAMA

## Administrative Monthly



**ALABAMA  
ADMINISTRATIVE MONTHLY  
VOLUME XLII, ISSUE NO. 4**

**DATE OF PUBLICATION  
January 31, 2024**

**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. 4**

**JANUARY 31, 2024**

**TABLE OF CONTENTS**

**FILINGS BY AGENCY**

**Page No.**

**ATHLETIC TRAINERS, ALABAMA BOARD OF**

**Certified Amended Rules:**

140-X-4-.01	General Provisions .....	142–144
140-X-4-.03	Continuing Education .....	142–144
140-X-7-.03	Grant Application Procedure .....	142–144

**DENTAL EXAMINERS, ALABAMA BOARD OF**

**Proposed Repealed Rule:**

270-X-5-.04	Rule-Making Proceedings .....	98
-------------	-------------------------------	----

**Proposed New Rule:**

270-X-4-.13	The Alabama Dental Professionals Wellness Committee .....	99
-------------	--	----

**ENVIRONMENTAL MANAGEMENT, ALABAMA DEPARTMENT OF**

**Proposed Amended Rules:**

Chapter 335-4-1	General Provisions .....	100
Chapter 335-4-2	Scrap Tire Site Remediation .....	101
Chapter 335-4-3	Registration and Permitting .....	102
Chapter 335-4-4	Management of Tire Materials .....	103
Chapter 335-4-5	Scrap Tire Receivers .....	104
Chapter 335-4-6	Scrap Tire Processors .....	105
Chapter 335-4-7	Scrap Tire Transporters .....	106
Chapter 335-4-8	Financial Assurance .....	107
Chapter 335-4-9	Delegation of County Enforcement Programs .....	108

**Proposed New Rules:**

Chapter 335-4-10	End-Use Market Development Program .....	109
Chapter 335-4-11	Procedures For Variances .....	110

**FUNERAL SERVICE, ALABAMA BOARD OF**

**Proposed Amended Rule:**

395-X-2-.03	Fees .....	111
-------------	------------	-----

**Proposed New Rules:**

Chapter 395-X-8	General Purpose, Scope, Authority, and Definitions .....	112
Chapter 395-X-9	Preneed Contracts and Certificate of Authority .....	113
Chapter 395-X-10	Preneed Examinations .....	114
Chapter 395-X-11	Preneed Contract Funding and Trusts .....	115
Chapter 395-X-12	Required Funeral and Cemetery Transaction Records .....	116

**Certified Amended Rules:**

395-X-1-.01	Organization .....	142–144
395-X-1-.02	Nomination And Appointment .....	142–144
395-X-2-.01	Application For License .....	142–144

**LABOR (ALABAMA DEPARTMENT OF LABOR AND ALABAMA DEPARTMENT OF INDUSTRIAL RELATIONS MERGED), ALABAMA DEPARTMENT OF**

**Proposed Amended Rules:**

480-8-2-.02	Registration Of Conveyances .....	117
480-8-3-.04	Fee Schedule .....	118

**Proposed New Rules:**

480-8-5-.05	Lock Boxes .....	119
480-8-5-.06	Mechanical locking device .....	120

**LIBRARY SERVICE, ALABAMA PUBLIC**

**Proposed Amended Rule:**

520-2-2-.03	Library Establishment, Policy And Service Requirements .....	121
-------------	--	-----

**MEDICAID AGENCY, ALABAMA**

**Certified Amended Rules:**

560-X-6-.01	Physician Program-General .....	142–144
560-X-6-.13	Covered Services: Details On Selected Services .....	142–144
560-X-16-.01	Pharmacy Services - General .....	142–144
560-X-18-.20	NET Escorts .....	142–144
560-X-22-.08	Patient Days .....	142–144
560-X-42-.03	Definitions .....	142–144

**MEDICAL EXAMINERS, ALABAMA BOARD OF**

**Proposed Amended Rules:**

540-X-25-.01	Preamble .....	122
--------------	----------------	-----

540-X-25-.02	Definitions .....	123
540-X-25-.04	Requirements For Initial Application For Alabama Medical Cannabis Certification Permit .....	124
540-X-25-.05	Physician Eligibility For An Alabama Medical Cannabis Certification Permit .....	125
540-X-25-.09	Limitations Upon Registered Certifying Physicians .....	126
540-X-25-.10	Requirements For Physician Recommendation Or Certification For The Use Of Medical Cannabis .....	127

**Proposed New Rule:**

540-X-25 Appendix A	Alabama Medical Cannabis Informed Consent .....	128
---------------------	---	-----

**Certified Amended Rules:**

540-X-7-.29	Continuing Medical Education - Physician Assistant .....	142–144
540-X-7-.50	Qualifications Of The Supervising Anesthesiologist – Anesthesiologist Assistants (A.A.) .....	142–144
540-X-7-.62	Continuing Medical Education - Anesthesiologist Assistant (A.A.) .....	142–144
540-X-7-Appendix-E	Physician Assistant/Anesthesiologist Assistant License Renewal .....	142–144

**NURSING, ALABAMA BOARD OF**

**Proposed Amended Rule:**

610-X-4-.11	Notice Requirements .....	129
-------------	---------------------------	-----

**Emergency Amended Rule:**

610-X-4-.11 ER	Notice Requirements .....	142–144
----------------	---------------------------	---------

**Certified Amended Rule:**

610-X-4-.14	Fees .....	142–144
-------------	------------	---------

**PHYSICAL THERAPY, ALABAMA BOARD OF**

**Proposed Amended Rules:**

700-X-1-.05	Executive Director .....	130
Chapter 700-X-2	Licensure .....	131
Chapter 700-X-3	Professional Conduct .....	132
Chapter 700-X-4	Disciplinary Actions .....	133

**Proposed New Rule:**

700-X-1-.11	Directory .....	134
-------------	-----------------	-----

## **PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA**

### **Proposed New Rules:**

720-X-4-.06	Academic Credit for Military Education, Training and Experience .....	135
Chapter 720-X-19	Conduct .....	136
Chapter 720-X-20	Complaints Against Licensees .....	137

## **PUBLIC SERVICE COMMISSION, ALABAMA**

### **Miscellaneous Filings:**

770-X-12-.02	Definitions (Rule TNC-2) .....	138
770-X-12-.03	Permitting (Rule TNC-3) .....	139
770-X-12-.05	Submission Of Local Assessment Fees (Rule TNC-5) .....	140
770-X-12-.07	Safety Inspections (Rule TNC-7) .....	141

## **REVENUE, ALABAMA DEPARTMENT OF**

### **Certified Amended Rules:**

810-3-137-.01	Historic Rehabilitation Tax Credit Of 2017 – General Guidelines .....	142–144
810-3-137-.02	Historic Rehabilitation Tax Credit Of 2017 - Availability, Claiming And Transferability Of The Historic Rehabilitation Tax Credit .....	142–144

<b><u>MISCELLANEOUS FILINGS</u></b> .....	138
.....	139
.....	140
.....	141

<b><u>EMERGENCY RULES</u></b> .....	142–144
-------------------------------------	---------

<b><u>CERTIFIED ADOPTED RULES</u></b> .....	142–144
---	---------

<b><u>RULES THAT SIGNIFICANTLY LESSEN COMPETITION UNDER SECTION 41-22-22.1</u></b> .....	144
--	-----

BOARD OF DENTAL EXAMINERS OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-5-.04 Rule-Making Proceedings

INTENDED ACTION: Repeal

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to repeal Rule 270-X-5-.04. This rulemaking is permissible under Section 2 of E.O. 735, because the proposed repeal will "remove obsolete, outdated, or unnecessary rules."

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed repeal of the rule in writing to: W. Blake Strickland, Executive Director, Board of Dental Examiners of Alabama, 2229 Rocky Ridge Road, Birmingham, AL 35216, by mail or in person between the hours of 9:00 a.m. through 5:00 p.m. Monday through Friday, until and including March 6, 2024. Alternatively, data, views, or comments may be submitted via email to [blake@dentalboard.org](mailto:blake@dentalboard.org) during the comment period. Interested persons may also present comments at the public meeting of the Board to be held on March 8, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

W. Blake Strickland, Executive  
Director  
Board of Dental Examiners of  
Alabama  
2229 Rocky Ridge Road  
Birmingham, AL 35216

*W. Blake Strickland*

---

W. Blake Strickland

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

BOARD OF DENTAL EXAMINERS OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-4-.13 The Alabama Dental Professionals  
Wellness Committee

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Board proposes a new rule to constitute the Alabama Dental Professionals Wellness Committee as provided in the state law. This rulemaking is permissible under Section 2 of E.O. 735, because the proposed rule does not impose any new regulatory burdens on the public, and is needed to implement the provisions of Alabama statutes.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed rule in writing to: W. Blake Strickland, Executive Director, Board of Dental Examiners of Alabama, 2229 Rocky Ridge Road, Birmingham, AL 35216, by mail or in person between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, until and including March 6, 2024. Alternatively, data, views, or comments may be submitted via email to blake@dentalboard.org during the comment period. Interested persons may also present comments at the public meeting of the board to be held March 8, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

W. Blake Strickland, Executive  
Director  
Board of Dental Examiners of  
Alabama  
2229 Rocky Ridge Road  
Birmingham, AL 35216

*W. Blake Strickland*

---

W. Blake Strickland

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



APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-1 General Provisions

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to the ADEM Administrative Code Div. 335-4-1 are being proposed to update and add definitions, outline use of the Department-approved electronic system for submittals, and provide clarification for the Scrap Tire Environmental Fee.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper, (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-2 Scrap Tire Site Remediation

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to ADEM Administrative Code 335-4-2 are being proposed to update citation references, clarify limited-use transporter permits, and requests for technical proposals are noticed on the Department's website

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper, (334) 271-7728.

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-3 Registration and Permitting

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to ADEM Administrative Code 335-4-3 outline use of the Department-approved electronic system for registration and permitting, clarification for length of permits and requirements for applications, and general updates with typographical improvements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper, (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-4 Management of Tire Materials

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to ADEM Administrative Code 335-4-4 update citation references, use of the Department-approved electronic systems, language regarding disposal, reporting requirements, and added language for decal requirements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper, (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-5 Scrap Tire Receivers

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to the ADEM Administrative Code Div. 335-4-5 are being proposed to add use of the Department-approved electronic system, update recordkeeping and reporting requirements updates, outline record retention requirements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper, (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-6 Scrap Tire Processors

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to ADEM Administrative Code 335-4-6 are being proposed to add use of the Department-approved electronic system, add requirements for maintenance of equipment and storage.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper, (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-7 Scrap Tire Transporters

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to the ADEM Administrative Code Div. 335-4-7 are being proposed to add use of the Department-approved electronic system and update recordkeeping and storage requirements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-8 Financial Assurance

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to the ADEM Administrative Code Div. 335-4-8 are being proposed to add use of the Department-approved electronic system and general updates for clarity.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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



APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION - SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-9 Delegation of County Enforcement  
Programs

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to the ADEM Administrative Code Div. 335-4-9 are being proposed to add use of the Department-approved electronic system and to update reporting requirements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION- SCRAP TIRE  
PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-10 End-Use Market Development Program

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Revisions to the ADEM Administrative Code 335-4 includes the creation of a new chapter 335-4-10, End-Use Market Development Program which includes definitions, grant application requirements, disbursement of funds, and grant recordkeeping.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper, (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
LAND DIVISION - SCRAP TIRE PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: Chapter 335-4-11 Procedures For Variances

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Revisions to ADEM Administrative Code 335-4 includes the creation of a new chapter, 335-4-11, Procedures for Variances. The rules include petition for variances, Departmental Action on Petitions for Variance, and Termination of Variance.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 9:30 a.m., March 21, 2024, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., March 21, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, March 21, 2024

CONTACT PERSON AT AGENCY:

Lynn T. Roper (334) 271-7728

*marilyn elliott*

---

Marilyn Elliott

(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-.03 Fees

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of Alabama Preneed Funeral and Cemetery Act of 2023, SB131 (Act No. 2023-94 effective 10/1/2023), the board began regulating preneed funeral and cemetery services. The administrative rules under the Department of Insurance remained effected as administrative rules of the board until added, amended, or repealed by the board. This rule is being amended to administrative rules under the Alabama Board of Funeral Services to account for preneed fees that were charged under DOI and now by ABFS.

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, March 6, 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:

Wednesday, March 6, 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 SERVICES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: Chapter 395-X-8 General Purpose, Scope, Authority,  
and Definitions

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of Alabama Preneed Funeral and Cemetery Act of 2023, SB131 (Act No. 2023-94 effective 10/1/2023), the board began regulating preneed funeral and cemetery services. The administrative rules under the Department of Insurance remained effected as administrative rules of the board until added, amended, or repealed by the board. This rule is being added to administrative rules under the Alabama Board of Funeral Services from DOI with technical changes.

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 March 6, 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:

Wednesday, March 6, 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 SERVICES - PRENEED DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: Chapter 395-X-9 Preneed Contracts and Certificate of Authority

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of Alabama Preneed Funeral and Cemetery Act of 2023, SB131 (Act No. 2023-94 effective 10/1/2023), the board began regulating preneed funeral and cemetery services. The administrative rules under the Department of Insurance remained effected as administrative rules of the board until added, amended, or repealed by the board. This rule is being added to administrative rules under the Alabama Board of Funeral Services from DOI with changes.

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 March 6, 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:

Wednesday, March 6, 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 SERVICES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: Chapter 395-X-10 Preneed Examinations

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of Alabama Preneed Funeral and Cemetery Act of 2023, SB131 (Act No. 2023-94 effective 10/1/2023), the board began regulating preneed funeral and cemetery services. The administrative rules under the Department of Insurance remained effected as administrative rules of the board until added, amended, or repealed by the board. This rule is being added to administrative rules under the Alabama Board of Funeral Services from DOI with changes.

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 March 6, 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:

Wednesday, March 6, 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 SERVICES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: Chapter 395-X-11 Preneed Contract Funding and Trusts

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of Alabama Preneed Funeral and Cemetery Act of 2023, SB131 (Act No. 2023-94 effective 10/1/2023), the board began regulating preneed funeral and cemetery services. The administrative rules under the Department of Insurance remained effected as administrative rules of the board until added, amended, or repealed by the board. This rule is being added to administrative rules under the Alabama Board of Funeral Services from DOI with changes.

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 March 6 , 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:

Wednesday, March 6, 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 SERVICES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: Chapter 395-X-12 Required Funeral and Cemetery  
Transaction Records

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Due to the passage of Alabama Preneed Funeral and Cemetery Act of 2023, SB131 (Act No. 2023-94 effective 10/1/2023), the board began regulating preneed funeral and cemetery services. The administrative rules under the Department of Insurance remained effected as administrative rules of the board until added, amended, or repealed by the board. This rule is being added to administrative rules under the Alabama Board of Funeral Services from DOI with changes.

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 March 6, 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:

Wednesday, March 6, 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 DEPARTMENT OF LABOR  
ELEVATOR SAFETY RULES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Labor (Alabama Department of Labor and Alabama Department of Industrial Relations merged)

RULE NO. & TITLE: 480-8-2-.02 Registration Of Conveyances

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To allow Department inspectors access to the premises where regulated conveyances are being constructed, installed, operated, maintained or repaired.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Within 35 days of publishing by email to contact person at the Department of Labor by or before 3/6/2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

arthur.ray@labor.alabama.gov

*Arthur F. Ray II*

Arthur Ray

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

ALABAMA DEPARTMENT OF LABOR  
ELEVATOR SAFETY RULES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Labor (Alabama Department of Labor  
and Alabama Department of Industrial Relations merged)

RULE NO. & TITLE: 480-8-3-.04 Fee Schedule

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:  
To define where permitting fees are to be distributed.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:  
Within 35 days of publishing by email to contact person at the Department of Labor  
by or before 3/6/2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:  
Arthur F. Ray II

*Arthur F. Ray II*  
\_\_\_\_\_  
Arthur Ray

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

ALABAMA DEPARTMENT OF LABOR  
ELEVATOR SAFETY RULES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Labor (Alabama Department of Labor and Alabama Department of Industrial Relations merged)

RULE NO. & TITLE: 480-8-5-.05 Lock Boxes

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Procedure for when an owner of a conveyance fails or refuses to provide the Department inspectors with access to conveyance machine rooms for purposes of the annual inspection.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Within 35 days of publishing by email to contact person at the Department of Labor by or before 3/6/2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

arthur.ray@labor.alabama.gov

*Arthur F. Ray II*

---

Arthur Ray

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

ALABAMA DEPARTMENT OF LABOR  
ELEVATOR SAFETY RULES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Labor (Alabama Department of Labor and Alabama Department of Industrial Relations merged)

RULE NO. & TITLE: 480-8-5-.06 Mechanical locking device

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:  
Requirement for a mechanical car locking device as per national safety standards.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:  
Within 35 days of publishing by email to contact person at the Department of Labor by or before 3/6/2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:  
arthur.ray@labor.alabama.gov

*Arthur F. Ray II*

---

Arthur Ray

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

ALABAMA PUBLIC LIBRARY SERVICE LIBRARY DEVELOPMENT DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Public Library Service

RULE NO. & TITLE: 520-2-2-.03 Library Establishment, Policy And Service Requirements

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The proposed Rule change will update State Aid policy requirements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons are invited to present comments on the proposed rulemaking action described above at any time during the ninety (90) day period following publication of this notice. Written comments may be mailed or hand-delivered to the address below:

Vanessa Carr  
Executive Secretary  
Alabama Public Library Service  
6030 Monticello Drive  
Montgomery, AL 36117

Written comments should be received at the Alabama Public Library Service by 4:30 p.m. CST on April 29, 2024. A public hearing will be held on April 30, 2024 at 10:00 a.m. CST at the above address. Requests to make oral comments should be sent to vcarr@apls.state.al.us no later than 4:30 p.m. on April 29, 2024. The order of oral comments will be established based on the date(s) that the requests are received. Oral comments will be limited to three (3) minutes.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, April 30, 2024

CONTACT PERSON AT AGENCY:

Nancy C. Pack

*Nancy C. Pack*

---

Nancy Pack

(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-25-.01 Preamble

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend the rule to require registered certifying physicians to utilize risk and abuse mitigation strategies and observe the same standard of care as for any other treatment utilizing controlled substances.

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 March 6, 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](http://www.albme.gov).

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 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-25-.02 Definitions

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend to specify AMCC may also license a Cultivator; define Patient Capable of Conception; remove extraneous word in (20)(p); define Telemedicine; add missing words "shall mean" in (27).

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 March 6, 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](http://www.albme.gov).

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 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-25-.04 Requirements For Initial Application For  
Alabama Medical Cannabis Certification Permit

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend to clarify the requirement of proof of registration or intent to register with the AMCC; clarify no physician permit will be issued until the AMCC has issued certain licenses.

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 March 6, 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](http://www.albme.gov).

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 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-25-.05 Physician Eligibility For An Alabama  
Medical Cannabis Certification Permit

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend to clarify eligibility concerning being a registered user or will become a registered user of the AMCC patient registry.

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 March 6, 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:

Wednesday, March 6, 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-25-.09 Limitations Upon Registered Certifying Physicians

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend to correct misspelled words; clarify that registered certifying physician shall not be located at a dispensing site; clarify that recertification and/or re-recommendation must take place while both parties are physically located in Alabama; to prohibit any form of telemedicine to be used when certifying, re-certifying, recommending, or re-recommending a patient for the use of medical cannabis or when conducting any examination associated therewith.

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 March 6, 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](http://www.albme.gov).

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 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-25-.10 Requirements For Physician Recommendation  
Or Certification For The Use Of Medical Cannabis

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Amend to clarify that any certification, re-certification, recommendation, or re-recommendation of a patient for the use of medical cannabis must occur with the parties physically present in the same room; clarify the use of drug screens and the prescription drug monitoring data bank and consider the polypharmacy and possible interactions of these substances; to obtain a negative pregnancy test on any patient capable of conception immediately prior to certifying, re-certifying, recommending, or re-recommending a patient for the use of medical cannabis; add registered caregivers as parties to the informed consent; clarify the details to submit to the patient registry; to limit the length of duration of certification for patients capable of conception to 30 days; delete the requirement of an annual report.

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 March 6, 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](http://www.albme.gov).

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 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-25 Appendix A Alabama Medical Cannabis  
Informed Consent

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Adopt a new rule containing the language necessary for the Alabama Medical Cannabis Informed Consent.

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 March 6, 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:

Wednesday, March 6, 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-.11 Notice Requirements

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board of Nursing proposes amending the rule to increase the grace period for obtaining an Alabama license upon relocation to the state of Alabama from 30 to 60 days.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or verbal comments will be accepted through 4:30 p.m. on Wednesday, March 6, 2024, and may be directed to Peggy Benson, PO Box 303900, Montgomery, AL 36130 or Peggy.Benson@abn.alabama.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

Peggy Benson, Executive Officer

*Peggy Benson*

---

Peggy Benson, AL

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

ALABAMA BOARD OF PHYSICAL THERAPY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: 700-X-1-.05 Executive Director

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To reflect the Board's current address

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments can be mailed to the Board at Alabama Bd of Physical Therapy, 100 North Union Street, Suite 724, Montgomery, AL 36130, or emailed to [info@pt.alabama.gov](mailto:info@pt.alabama.gov) or attend a public hearing held at the Board Office (address above) on March 14, 2024, at 9:00 am.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

Kathy Miller, Executive Director

*Claire DiLaura*

---

Claire DiLaura

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

ALABAMA BOARD OF PHYSICAL THERAPY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: Chapter 700-X-2 Licensure

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Modify rules to accommodate applicants for a compact privilege in Alabama and initiation of a jurisprudence exam for Alabama licensees and compact privilege applicants.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments can be mailed to the Board at Alabama Bd of Physical Therapy, 100 North Union Street, Suite 724, Montgomery, AL 36130 or comments can be emailed to info@pt.alabama.gov or presented at the public hearing on March 14, 2024, at 9:00 am in the offices of the Board at 100 North Union Street, Suite 724, Montgomery, AL 36130.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

Kathy Miller, Executive Director

*Claire DiLaura*

---

Claire DiLaura

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



ALABAMA BOARD OF PHYSICAL THERAPY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: Chapter 700-X-3 Professional Conduct

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To hold privilege holders to the same standards of professional conduct as licensees.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments can be mailed to the Board at Alabama Bd of Physical Therapy, 100 North Union Street, Suite 724, Montgomery, AL 36130 or comments can be emailed to info@pt.alabama.gov or presented at the public hearing on March 14, 2024, at 9:00 am in the offices of the Board at 100 North Union Street, Suite 724, Montgomery, AL 36130.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

Kathy Miller

*Claire DiLaura*

---

Claire DiLaura

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

ALABAMA BOARD OF PHYSICAL THERAPY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: Chapter 700-X-4 Disciplinary Actions

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Renumber rules and add and amend rules to include privilege holders under the current disciplinary provisions for licensees.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments can be mailed to the Board at Alabama Bd of Physical Therapy, 100 North Union Street, Suite 724, Montgomery, AL 36130 or comments can be emailed to info@pt.alabama.gov or presented at the public hearing on March 14, 2024, at 9:00 am in the offices of the Board at 100 North Union Street, Suite 724, Montgomery, AL 36130.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

Kathy Miller

*Claire DiLaura*

---

Claire DiLaura

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

ALABAMA BOARD OF PHYSICAL THERAPY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: 700-X-1-.11 Directory

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

To include privilege holders in the Directory listing.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments can be mailed to the Board at Alabama Bd of Physical Therapy, 100 North Union Street, Suite 724, Montgomery, AL 36130 or comments can be emailed to info@pt.alabama.gov or presented at the public hearing on March 14, 2024, at 9:00 am in the offices of the Board at 100 North Union Street, Suite 724, Montgomery, AL 36130.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

Kathy Miller

*Claire DiLaura*

---

Claire DiLaura

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

ALABAMA PLUMBERS AND GAS FITTERS  
EXAMINING BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Plumbers and Gas Fitters Examining Board

RULE NO. & TITLE: 720-X-4-.06 Academic Credit for Military Education,  
Training and Experience

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

To create a new rule addressing Act 2013-350, which requires the Board to allow discharged military service members to receive academic credit for military education, training and experience when applying for a license issued by the Board.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Views may be presented orally or in writing and should be addressed to James M. Morgan, Executive Director, Alabama Plumbers & Gas Fitters Examining Board, 216 Aquarius Drive, Suite 319, Homewood, Alabama 35209; (205) 945-4857; or jimmy.morgan@pgfb.alabama.gov. Comments may also be submitted during the public hearing to be held at the Board's office on May 16, 2024, at 10:00 am

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, April 30, 2024

CONTACT PERSON AT AGENCY:

James M. Morgan

*James M. Morgan*

---

James M. Morgan

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

PLUMBERS & GAS FITTERS EXAMINING BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Plumbers and Gas Fitters Examining Board

RULE NO. & TITLE: Chapter 720-X-19 Conduct

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

To create a new chapter and rule addressing the conduct of licensees as it relates to their interaction with consumers.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Views may be presented orally or in writing and should be addressed to James M. Morgan, Executive Director, Alabama Plumbers & Gas Fitters Examining Board, 216 Aquarius Drive, Suite 319, Homewood, Alabama 35209; (205) 945-4857; or jimmy.morgan@pgfb.alabama.gov. Comments may also be submitted during the public hearing to be held at the Board's office on May 16, 2024, at 10:00 am.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, April 30, 2024

CONTACT PERSON AT AGENCY:

James M. Morgan

*James M. Morgan*

---

James M. Morgan

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

PLUMBERS & GAS FITTERS EXAMINING BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Plumbers and Gas Fitters Examining Board

RULE NO. & TITLE: Chapter 720-X-20 Complaints Against Licensees

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

To create a new chapter and rule outlining the Board's existing procedure for addressing consumer complaints against licensees.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Views may be presented orally or in writing and should be addressed to James M. Morgan, Executive Director, Alabama Plumbers & Gas Fitters Examining Board, 216 Aquarius Drive, Suite 319, Homewood, Alabama 35209; (205) 945-4857; or jimmy.morgan@pgfb.alabama.gov. Comments may also be submitted during the public hearing to be held at the Board's office on May 16, 2024, at 10:00 am.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, April 30, 2024

CONTACT PERSON AT AGENCY:

James M. Morgan

*James M. Morgan*


---

James M. Morgan

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

**RULES FILED FOR INCLUSION IN THE ALABAMA ADMINISTRATIVE CODE  
BY PUBLIC SERVICE COMMISSION**

An amendment to Alabama Public Service Commission Rule 770-X-12-.02, *Definitions* (Rule TNC-2), was duly adopted by the Alabama Public Service Commission on the 12th day of December 2023, and a true and correct copy was filed with the Legislative Services Agency.




---

John A. Garner, Executive Director  
Alabama Public Service Commission

**RULES FILED FOR INCLUSION IN THE ALABAMA ADMINISTRATIVE CODE  
BY PUBLIC SERVICE COMMISSION**

An amendment to Alabama Public Service Commission Rule 770-X-12-.03, *Permitting* (Rule TNC-3), was duly adopted by the Alabama Public Service Commission on the 12th day of December 2023, and a true and correct copy was filed with the Legislative Services Agency.




---

John A. Garner, Executive Director  
Alabama Public Service Commission



**RULES FILED FOR INCLUSION IN THE ALABAMA ADMINISTRATIVE CODE  
BY PUBLIC SERVICE COMMISSION**

An amendment to Alabama Public Service Commission Rule 770-X-12-.05, *Submission of Local Assessment Fees* (Rule TNC-5), was duly adopted by the Alabama Public Service Commission on the 12th day of December 2023, and a true and correct copy was filed with the Legislative Services Agency.

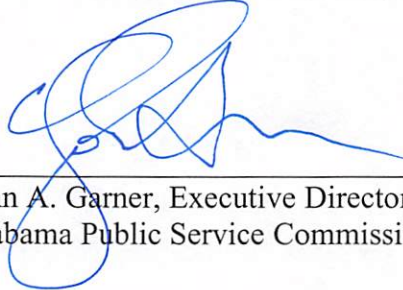


---

John A. Garner, Executive Director  
Alabama Public Service Commission

**RULES FILED FOR INCLUSION IN THE ALABAMA ADMINISTRATIVE CODE  
BY PUBLIC SERVICE COMMISSION**

An amendment to Alabama Public Service Commission Rule 770-X-12-.07, *Safety Inspections* (Rule TNC-7), was duly adopted by the Alabama Public Service Commission on the 12th day of December 2023, and a true and correct copy was filed with the Legislative Services Agency.



John A. Garner, Executive Director  
Alabama Public Service Commission

## **EMERGENCY RULE**

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. NURSING, ALABAMA BOARD OF**

#### **Amended Rule:**

610-X-4-.11 ER Notice Requirements

**Date Filed: January 19, 2024**

#### **Person to Contact for Copy of Rule:**

**Peggy Sellers Benson, PO Box 303900, Montgomery, AL 36130, (334) 293-5200,  
Peggy.Benson@abn.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. ATHLETIC TRAINERS, ALABAMA BOARD OF**

#### **Amended Rules:**

- 140-X-4-.01 General Provisions
- 140-X-4-.03 Continuing Education
- 140-X-7-.03 Grant Application Procedure

**Date Filed: January 8, 2024**

**Public Notice appeared in Volume XLII, Issue No. 1 AAM, Dated October 31, 2023.**

### **B. FUNERAL SERVICE, ALABAMA BOARD OF**

#### **Amended Rules:**

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

**Date Filed: January 17, 2024**

**Public Notice appeared in Volume XLII, Issue No. 2 AAM, Dated November 30, 2023.**

### **C. MEDICAID AGENCY, ALABAMA**

#### **Amended Rules:**

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

**Date Filed: January 19, 2024**

**Public Notice appeared in Volume XLII, Issue No. 2 AAM, Dated November 30, 2023.**

### **D. MEDICAL EXAMINERS, ALABAMA BOARD OF**

#### **Amended Rules:**

- 540-X-7-.29 Continuing Medical Education - Physician Assistant
- 540-X-7-.50 Qualifications Of The Supervising Anesthesiologist –  
Anesthesiologist Assistants (A.A.)
- 540-X-7-.62 Continuing Medical Education - Anesthesiologist Assistant (A.A.)
- 540-X-7-Appendix-  
E Physician Assistant/Anesthesiologist Assistant License Renewal

**Date Filed: January 19, 2024**

**Public Notice appeared in Volume XLII, Issue No. 2 AAM, Dated November 30, 2023.**

**E. NURSING, ALABAMA BOARD OF**

**Amended Rule:**

610-X-4-.14 Fees

**Date Filed: January 19, 2024**

**Public Notice appeared in Volume XLII, Issue No. 2 AAM, Dated November 30, 2023.**

**F. REVENUE, ALABAMA DEPARTMENT OF**

**Amended Rules:**

810-3-137-.01 Historic Rehabilitation Tax Credit Of 2017 – General Guidelines

810-3-137-.02 Historic Rehabilitation Tax Credit Of 2017 - Availability,  
Claiming And Transferability Of The Historic Rehabilitation Tax  
Credit

**Date Filed: January 18, 2024**

**Public Notice appeared in Volume XLII, Issue No. 1 AAM, Dated October 31, 2023.**

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

None