

ALABAMA BOARD OF EXAMINERS OF ASSISTED LIVING ADMINISTRATORS
ADMINISTRATIVE CODE

CHAPTER 135-X-4
GENERAL POWERS OF THE BOARD

TABLE OF CONTENTS

135-X-4-.01 General Powers

135-X-4-.01 General Powers.

(1) The Board shall exercise all of the powers conferred on it by the laws of the State of Alabama and shall fulfill all duties on it by law.

(2) All actions taken by the Board shall be by majority vote of the quorum of the Board except where the contrary is expressed or implied by law or by these rules and regulations.

(3) The Board shall annually elect from its members a Chair and Vice Chair at the first meeting of the Board held after October 1 of each year, and shall serve until the first meeting held after October 1 of the following year.

(4) The Chair shall preside at all meetings of the Board and shall sign all official documents of the Board. In the absence of the Chair, the Vice-Chair shall preside at meetings and perform all duties usually performed by the chair.

(5) The Executive Director shall be appointed by the chair; however, as provided in paragraph (6) hereof, such appointment shall have not force or effect until such appointment shall be approved by a majority of the Board.

(6) The Executive Director shall serve until dismissed or replaced by a simple majority vote of the Board.

(7) In the event the office of Executive Director shall become vacant, the Chair may, in his/her discretion, appoint an acting Executive Director who shall serve until the next meeting of the Board at which time an appointment to the office of Executive Director will be made by chair and approved by the Board.

(8) The salary of the Executive Director shall be set and approved by a majority of the Board.

(9) In addition to the duties imposed by law, the Executive Director shall attend all meetings of the Board; keep a full and

complete record of the minutes of said meetings; notify the members of the Board of the time and place fixed for meetings of the Board; maintain the records pertaining to licensees and registrants and these Rules and Regulations; countersign all licenses and other certificates, and official certificates of approval and certification issues by the Board, unless the same are countersigned by the Vice-Chair of the Board.

(10) The Executive Director shall conduct all routine correspondence for the Board, shall issue all notices of meetings and hearings, shall have custody of all books, records, and property of the Board, and shall perform all duties pertaining to the office of Executive Director.

(11) The Executive Director shall receive all monies payable to the Board and shall pay the same to the comptroller (or treasurer or other officer) of the state as provided by law and keep such financial records as are approved by the Board and the fiscal authorities of the state.

(12) The governing body of the Assisted Living Association of Alabama, Inc. shall constitute an Advisory Council to the Board, and the Board shall be required to counsel with the advisory council in connection with the administration of the State licensing statute and these Rules and Regulations.

(13) The Board is authorized to adopt by reference, in its discretion, any rule of the State Board of Health respecting that agency's regulation of Assisted Living Facilities and Specialty Care Assisted Living Facilities.

(14) The Board shall have a seal with which to authenticate its acts.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

History: **New Rule:** Filed November 8, 2002; effective December 13, 2002. **Amended:** Filed September 29, 2008; effective November 3, 2008.