

**ALABAMA BOARD OF EXAMINERS IN COUNSELING
ADMINISTRATIVE CODE**

**CHAPTER 255-X-1
ORGANIZATION AND PROCEDURAL RULES OF THE BOARD**

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255-X-1-.01 Introduction.

(1) The Alabama Board of Examiners in Counseling operates under the authority of Code of Ala. 1975, §§34-8A-1, et seq. The Board interprets the intent of the legislature, which passed Act 423 of 1979 (hereinafter referred to as Code of Ala. 1975, §§34-8A-1, et seq.), and the Governor who signed it into law, to be the protection of the public welfare and in the public interest.

(2) Therefore, the Board of Examiners in Counseling shall in all its deliberations and all its adopted rules and regulations diligently pursue those goals most consistent with the public interest, and shall at all times apply the provisions of Code of Ala. 1975, §§34-8A-1, et seq., and the rules and regulations adopted from time to time in a fair and impartial manner.

Author:

Statutory Authority: Code of Ala. 1975, §§34-8A-1, et seq.

History: Filed September 30, 1982.

255-X-1-.02 Procedure.

The Board hereby adopts Robert's Rules of Order governing procedure at Board meetings.

Author:

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

History: Filed September 30, 1982.

255-X-1-.03 Organization.

The Alabama Board of Examiners in Counseling is composed, by law, of seven members appointed by the Governor to staggered terms of five years. The composition of the Board shall include three licensed professional counselors, two counselor educators and two citizens from the general public. Appointments are made from a list of qualified candidates submitted to the Governor by the Executive Committee of the Alabama Counseling Association no later than October 1 of each year.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §34-8A-4.

History: Filed September 30, 1982. **Amended:** Filed August 12, 1998; effective September 16, 1998. **Amended:** Filed September 25, 2000; effective October 30, 2000.

255-X-1-.04 Vacancies.

(1) Expired Terms. No later than October 1 of each year, the Executive Committee of the Alabama Counseling Association shall submit to the Governor the names of two qualified candidates for the position or positions on the Board to be vacated by reason of expiration of term of office. The Governor shall make the appointments from this list, prior to January 1. If the Governor fails to make an appointment by January 1, the Alabama Counseling Association, or its successor organization, shall select a successor member from among the two qualified candidates nominated to fill the vacancy. Said appointments shall be for a term of five years.

(2) Unexpired terms. Any unexpired terms shall be filled by appointment of the Governor from a list of two candidates for each vacancy, submitted within thirty days of such vacancy, by the Executive Committee of the Alabama Counseling Association. The appointments shall be made within forty-five (45) days after the candidates' names have been submitted. If the Governor fails to make the appointment within the forty-five (45) day period, the executive director of the Alabama Counseling Association, or its successor organization, shall select a replacement member from among the two qualified candidates nominated to fill the unexpired term of a board member.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §§34-8A-1, et seq.

History: Filed September 30, 1982. **Amended:** Filed August 12, 1998; effective September 16, 1998. **Amended:** Filed September 25, 2000; effective October 30, 2000. **Amended:** Filed September 28, 2009; effective November 2, 2009.

255-X-1-.05 Election Of Board Officials And Appointment Of Board Employees.

(1) The Board shall elect a chair and a vice chair and such other officers as it deems necessary from its members to serve for terms of one year.

(2) The Board may employ such personnel as necessary to carry out the provisions of Code of Ala. 1975, §§34-8A-1, 34-8A-4.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §§34-8A-1, et seq.

History: Filed September 30, 1982. **Amended:** Filed September 25, 2000; effective October 30, 2000.

255-X-1-.06 Meetings.

(1) The Board shall hold at least one meeting each year and four members shall at all times constitute a quorum. Additional meetings may be held at the discretion of the chair or upon written request of any three members of the Board.

(2) Meetings of the Board, formal or informal, shall be open to the public. Dates, times, and places of meetings shall be furnished to anyone requesting the information. Code of Ala. 1975, §13A-14-2.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §§34-8A-1, et seq.

History: Filed September 30, 1982. **Amended:** Filed September 25, 2000; effective October 30, 2000.

255-X-1-.07 Records.

Records of the Board shall be kept, maintained and made available for inspection. The Board shall also submit detailed reports of its proceedings to the Governor or his representative and shall make annual reports in such form as required by the Governor.

Author:

Statutory Authority: Code of Ala. 1975, §34-8A-4.

History: Filed September 30, 1982.

255-X-1-.08 Finances.

(1) The Board shall set fees and no part of any fee shall be refundable under any conditions.

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(2) The following fees shall be in effect:

(a) Application	\$200.00
(b) Licensed Professional Counselor License	\$300.00
(c) Associate Licensed Counselor License	\$150.00
(d) Licensed Professional Counselor Renewal	\$300.00
(e) Associate Licensed Counselor Renewal	\$150.00
(f) Supervising Counselor Approval Processing Fee	\$150.00
(g) Duplicate or replacement license	\$ 15.00
(h) Provisional License	\$150.00
(i) License Reactivation	\$50.00 per year not to exceed \$250.00
(j) Written License Verification	\$ 25.00
(k) LPC Reinstatement under 255-X-7-.01(3) (a)	\$500.00
(l) Bad Check Charge	\$ 30.00
(m) Mailing Labels	\$ 25.00
(n) Request of Reduction of Professional Experience Hours	\$150.00
(o) Lapsed License Fee	\$100.00

(3) All fees collected shall be deposited in the State Treasury, with funds being disbursed in accordance with normal state procedures. In addition to fees collected, the Board is empowered to accept grants from foundations and institutions to carry out its functions.

Author: Alabama State Board of Examiners in Counseling

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

History: Filed September 30, 1982; July 30, 1992. **Amended:** Filed March 21, 1995; effective April 25, 1995. **Amended:** Filed January 16, 1996; effective February 20, 1996. **Amended:** Filed November 26, 1996; effective December 31, 1996. **Amended:** Filed August 12, 1998; effective September 16, 1998. **Amended:** Filed September 25, 2000; effective October 30, 2000. **Amended:** Filed March 22, 2002; effective April 26, 2002. **Amended:** Filed November 9, 2006; effective December 14, 2006. **Amended:** Filed September 28, 2009;

effective November 2, 2009. **Amended:** Filed September 25, 2012;
effective October 30, 2012. **Amended:** Filed July 14, 2016;
effective August 28, 2016. **Amended:** Filed July 25, 2017;
effective September 8, 2017. **Amended:** Published June 30, 2021;
effective August 14, 2021. **Amended:** Published February 28, 2022;
effective April 14, 2022.

255-X-1-.09 Forms And Instructions.

The Board has authority to adopt and change forms for use by the Board as the Board deems necessary to conduct its business.

Author:

Statutory Authority: Code of Ala. 1975, §34-8A-7.

History: Filed September 30, 1982.

255-X-1-.10 Military Exceptions.

The Board recognizes the unique challenges of obtaining and maintaining licensure for those who are serving on active duty in the military or who are the spouse of a person serving on active duty in the military.

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

Author: Alabama State Board of Examiners in Counseling

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

History: New Rule: Filed July 25, 2017; effective September 8, 2017.