

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, November 17, 2023, and filed with the agency secretary on Friday, November 17, 2023.

AGENCY NAME: Alabama Board of Nursing

INTENDED ACTION: Amend

RULE NO.: 610-X-4-.09

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **NA**

RULE TITLE: Special Provisions For Actively Deployed Licensed Nurses

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLI, ISSUE NO. 12, AAM,
DATED FRIDAY, SEPTEMBER 29, 2023.

STATUTORY RULEMAKING AUTHORITY: 34-21-2

(Date Filed)
(For LRS Use Only)

REC'D & FILED
NOV 17, 2023
LEGISLATIVE SVC AGENCY

Peggy Benson

Peggy Benson, AL

Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

610-X-4-.09

**Special Provisions For Actively Deployed
Licensed Nurses.**

(1) When a licensed nurse who is actively serving in the military is deployed during the biennial renewal period, the license shall not lapse, provided that the following conditions are met:

- (a) The license was active at the time of deployment.
- (b) The licensee provides the Board a copy of the military activation or deployment orders, or other proof of active military service, in advance of deployment.
- (c) The licensee renews the license no later than December 31 of the next year following return from deployment.

(2) In the event that a licensed nurse fails to notify the Board prior to deployment, the license shall lapse, if not renewed. However, the license may be reinstated or renewed without penalty or payment of the reinstatement or late renewal fee(s) under the following conditions:

- (a) The license was active at the time of deployment.
- (b) The application for reinstatement or renewal is made while still in the armed services or no later than six months after discharge from active service or return to inactive military status.
- (c) A copy of the military activation orders or other proof of active military service accompanies the application.
- (d) The renewal fee is paid.
- (e) If the required continuing education contact hours were not earned for renewal during the earning period, the licensed nurse shall be required to complete the required continuing education hours needed for renewal no later than six months after discharge from active service, return to inactive military status, or return from deployment.

(3) The continuing education contact hours used for renewal may not be used for the next license renewal.

(4) The continuing education contact hours for the next license renewal may not be prorated.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §31-12A-4; §34-21-2(j)(1); 34-21-23.

History: New Rule: Filed September 29, 2004; effective November 1, 2004. **Amended:** Filed November 21, 2016; effective January 5, 2017. **Amended:** Published November 30, 2023; effective January 14, 2024.