

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 610

Department or Agency: Alabama Board of Nursing Alabama

Rule No.: 610-X-14-.20

Rule Title: Grounds For Discipline Or Denial Of An Initial Permit

Intended Action Repeal and Replace

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

.....
Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Peggy Benson

Peggy Benson, AL

Date

Saturday, May 18, 2024

REC'D & FILED

MAY 20, 2024

LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF NURSING ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

RULE NO. & TITLE: 610-X-14-.20 Grounds For Discipline Or Denial Of An
Initial Permit

INTENDED ACTION: Repeal and Replace

SUBSTANCE OF PROPOSED ACTION:

The Alabama Board of Nursing proposes repealing the subject rule to consolidate its provisions into Chapter 610-X-8.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or verbal comments may be directed to Peggy Sellers Benson, Executive Officer, Alabama Board of Nursing, PO Box 303900, Montgomery, Alabama 36104, or Peggy.Benson@abn.alabama.gov. Comments will be accepted until 4:30 p.m., Central time, on Friday, July 5, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, July 5, 2024

CONTACT PERSON AT AGENCY:

Peggy Sellers Benson

Peggy Benson

Peggy Benson, AL

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

~~610-X-14-.20~~

~~Grounds For Discipline Or Denial Of An Initial Permit.~~

~~The Board may deny an application for an initial permit, or upon permitting, reprimand and fine the permit, upon proof that the applicant:~~

- ~~(1) Has failed to meet any requirement or standard established by law or by rules and regulations adopted by the Board.~~
- ~~(2) Has engaged in fraud, misrepresentation, deception, or concealment of a material fact in applying for or securing the permit or taking any examination required for the permit.~~
- ~~(3) Has engaged in a course of conduct that would be grounds for discipline under Rule 610-X-14-.21.~~
- ~~(4) Has disciplinary action pending or having had a license, registration, or certification for any health-related profession or occupation denied, conditionally issued, fined, reprimanded, censured, restricted, limited, placed on probation, suspended, revoked, voluntarily surrendered, or otherwise encumbered in any state, territory or country.~~
- ~~(5) Has been court martialed or administratively discharged by a branch of the United States Armed Forces for any act or conduct that would constitute grounds for discipline Alabama under Rule 610-X-4-.21.~~
- ~~(6) Has engaged in conduct that is inconsistent with good moral character.
 - ~~(a) The decision as to whether the applicant has engaged in conduct that is inconsistent with good moral character is within the discretion of the Board of Nursing.~~
 - ~~(b) In determining whether the applicant has engaged in conduct that is inconsistent with good moral character, the Board may consider the applicant's criminal history, pattern of illegal conduct or disregard for the law, or other evidence bearing on the applicant's fitness and capacity for practice as a Medication Assistant, Certified.~~~~
- ~~(7) Is or has been non-compliant with a monitoring agreement or contract with an alternative to discipline program or order issued in another jurisdiction pertaining to any license, certification, or registration for a health-related profession or occupation.~~
- ~~(8) Is subject to any other ground(s) for discipline or denial of licensure authorized by law.~~

~~**Author:** Alabama Board of Nursing~~

~~**Statutory Authority:** Code of Ala. 1975, §34-21-2.1.~~

~~**History: New Rule:** Published September 30, 2021; effective November 14, 2021.~~

610-X-14-.20

Grounds For Discipline Or Denial Of An Initial
Permit (Repealed).

(Repealed)

610-X-14-.20 Discipline

Any disciplinary process or action involving MAC permit shall be
conducted according to the provisions of Chapter 610-X-8 of
these rules.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §34-21-2.1.

History: New Rule: Published September 30, 2021; effective
November 14, 2021. **Repealed and New Rule:** Published
effective .