

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 190
Department or Agency: Alabama State Board of Chiropractic Examiners
Rule No.: 190-X-1-.11
Rule Title: Records
Intended Action: Amend

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

Amy Deavers
Amy W Deavers

Date

Monday, June 10, 2024

REC'D & FILED
JUN 10, 2024
LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Chiropractic Examiners

RULE NO. & TITLE: 190-X-1-.11 Records

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:
Changes in language to comply with Alabama Open Records Law

TIME, PLACE AND MANNER OF PRESENTING VIEWS:
Written or oral comments may be submitted to the Alabama State Board of Chiropractic Examiners 126 Chilton Place Clanton, AL 35045 205-755-8000

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, September 20, 2024

CONTACT PERSON AT AGENCY:
Kelli Smith
ASA I
Alabama State Board of
Chiropractic Examiners
126 Chilton Place
Clanton, AL 35045
205-755-8000

Amy Deavers

Amy W Deavers

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

190-X-1-.11 Records.

(1) "Public Record" for the purpose of these rules means all Board records which are reasonably necessary to record the business and activities required to be done or carried on by the Board so that the status and condition of such business and activities can be known by the publiccitizens. Public records shall not include, but not necessarily limited to, reports of investigations or complaints alleging violation of any rule or law, documents subpoenaed by the Board, reports of any investigators or investigative agency appointed or employed by the Board, memorandum or reports of the Board's counsel, memorandum or reports of the Board's counsel relating to investigations or complaints alleging violation of any rule or law, statements of persons interviewed by the Board or any committee or member thereof unless made at a public hearing, reports of sensitive, personnel, confidential or health information, reports of pending criminal investigations or reports or information the disclosure of which would be detrimental to the best interest of the public. The foregoing non-public records or writings shall not be subject to subpoena except upon the express order of a court of competent jurisdiction.

(2) Specific public records are available. Any personcitizen wishing to inspect and/or obtain public records should submit a public records request form detailing the record or records desired. The certified records will be provided as outlined in the ASBCE Public Records Access Policy and Code of Alabama 1975 §36-12-40 through 36-12-46.

(3) Specific records may be obtained by submitting the above request and the fee as established in Rule 190-X-1-.18

Author: Board of Chiropractic Examiners

Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165, 41-22-4(1)(c).

History: Filed September 30, 1982. **Amended:** Filed February 26, 2003; effective April 2, 2003. **Amended:** Filed June 18, 2009; effective July 23, 2009. **Amended:** Filed February 22, 2016; effective April 7, 2016. **Amended:** Published February 29, 2024; effective April 14, 2024. **Amended:** Published ; effective .