

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-.18
Rule Title: Fees
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

Wednesday, August 14, 2024

REC'D & FILED
AUG 15, 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-.18 Fees

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama State Board of Chiropractic Examiners proposes this rule to ensure compliance with the statute governing our agency.

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, October 4, 2024

CONTACT PERSON AT AGENCY:

Kelli Smith

*Amy Deavers*

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Amy W Deavers

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

**190-X-1-.18            Fees.**

Fees shall be as follows:

(1) License Application Fee \$150

An applicant for a license shall submit to the Board the application fee of \$150.00.

(2) Exam Application Fee \$150

An applicant for licensure or permit must submit an examination fee in the amount of \$150.00.

(3) Original License or Permit \$90

An applicant for a license or permit shall submit to the Board the initial issuance fee of \$90.00.

(4) Clinic Owner Non Licensed \$360

An applicant for a permit shall submit to the Board an initial ~~or renewal~~ application as prescribed by the Board, along with a permit fee in the amount of \$360.00.

(5) Permit or License Replacement or Duplicate \$90

The fee for any replacement permit or license shall be \$90.00. Upon request, a duplicate chiropractic license or facility permit may be issued upon payment of a fee in the amount of \$90.00.

(6) Renewal-Active License or Clinic Permit \_\_\_\_\_

~~\_\_\_\_\_ \$360~~ \$325  
The annual license/permit renewal fee is \$325.00 ~~renewal fee is \$360.00.~~

(7) Renewal-Retired

~~\$180~~ \$162.50

The annual fee for maintenance of a retired license is ~~\$180.00~~ \$162.50.

(8) Renewal-Inactive

~~\$180~~ \$162.50

The annual fee for an inactive license is ~~\$180.00~~ \$162.50

(9) Late Fees for Licensees and Clinic -\$100 - \$300

Owner Non

Licensed

The late penalty for renewal during the month of October is one hundred (\$100), for renewal during the month of November is two hundred dollars (\$200) and for renewal during the month of December is three hundred dollars (\$300).

(10) Reinstatement \$180 - 2,500

Any licensee or permit holder who allows his/her license/permit to lapse past December 31 must apply to the Board for a reinstatement of the license or permit and must submit to the Board a reinstatement fee of \$180.00 together with all back fees including the highest late renewal fee. Any licensee or permit holder who allows his/her license/permit to lapse past January 31 must also pay a penalty in the amount of \$2,500.

(11) Preceptor Doctor \$25/month (\$75/quarter)  
 Shall submit \$25.00 monthly (payable the first quarter with the preceptor application and thereafter quarterly in advance.)

(12) Disciplinary Fines \$1,000 - 8,000 per violation

(a) The Board may impose a fine not to exceed \$4,000 for each violation of any of the following provisions of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class A violations)

1. Section 34-24-166(b) (1);
2. Section 34-24-166(b) (2);
3. Section 34-24-166(b) (3);
4. Section 34-24-166(b) (4);
5. Section 34-24-166(b) (5);
6. Section 34-24-166(b) (6);
7. Section 34-24-166(b) (9);
8. Section 34-24-166(b) (10);
9. Section 34-24-166(b) (11);
10. Section 34-24-166(b) (12); and
11. Section 34-24-166(b) (15);

(b) The Board may impose a fine not to exceed \$1,000-8,000 for each violation of any of the following provisions of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class B violations):

1. Section 34-24-166(b) (7); and
2. Section 34-24-166(b) (8);

(c) The Board may impose a fine not to exceed \$500 - 8,000 for each violation of any of the following provisions of law governing the practice of chiropractic or any rule adopted pursuant thereto (Class C violations);

1. Section 34-24-166(b) (13);
2. Section 34-24-166(b) (14);
3. Section 34-24-166(b) (16); and
4. Section 34-24-166(b) (17)

(13) Costs  
 The Board may impose actual costs incurred.

(14) Annual Directory \$50  
 Copies of the directory shall be made available from the Executive Director upon the payment of \$50 per copy.

(15) CCE Provider/Course Approval \$90/per module  
 Application

(16) 5 Year CCE History \$25 per licensee

(17) Permit holder or Licensee Listing (paper list) \$50

(18) The following fee schedule will apply to all organizations (except state and local government agencies) requesting information from the licensee or clinic databases:

(a) A fee of ten cents (\$.10) per record, up to (10) data fields, and a fee of one cent (\$.01) for each data field exceeding ten (10) will be charged. These fees apply to data released via email, mail, or CDROM disks in Microsoft Excel format;

(b) Additional charges will incur for (but may not be limited to) the cost of CDROM disks (\$2.00) each), actual cost for special paper sizes, flash drive, CD etc. If the requestor is informed in advance, plus postage;

(c) A minimum total fee of (\$75.00) will be charged for each request. Retrieval and Prep Fee \$20 per hour

(d) State and local government agencies will be exempt from all charges except for materials used. These agencies may choose to supply their own CDROM disks and pick up the data, thereby avoiding all charges.

(19) Mailing Labels (paper) \$60

(20) License Verification \$15.00

Any permit holder or licensee who requires written verification of his/her Alabama license or permit may request certification upon payment of a fee of \$15.00 each.

(21) Copy of Rules (paper) \$50

(22) Copies produced on standard 8.5 x 11 paper. There is no charge for electronic copies. .50 cents/per page plus

postage

(a) Retrieval and Prep Fee \$20 per hour

(Does not include charge for legal review or redaction necessary to withhold legally protected information.)

(b) Actual Cost for special paper sizes, flash drive, CED etc. If the requestor is informed in advance.

(c) Mail Fee actual cost for mailing.

(23) NSF Fee Max allowed by law

Pursuant to Code of Ala. 1975, §8-8-15, this fee must accompany any check, or other negotiable instrument drawn on a bank or other depository institution and made payable to the Board, if the instrument is not paid or is dishonored by the institution.

(24) Fee to resend Mail \$25

(25) Rule Subscription \$10

(annual subscription)

(26) Licensure by Credentials

(a) Application Fee \$1,200

(b) Application Hearing Fee (if applicable) \$2,000

**Author:** ASBCE

**Statutory Authority:** Code of Ala. 1975, §§34-24-144; 34-24-16(e); 34-24-166(c)(1).

**History:** **New Rule:** Filed August 19, 2008; effective September 23, 2008. **Amended:** Filed January 29, 2009; effective March 5, 2009. **Amended:** Filed June 18, 2009; effective July 23, 2009. **Amended:** Filed April 13, 2010; effective May 18, 2010. **Amended:** Filed June 1, 2011; effective July 6, 2011. **Amended:** Filed July 3, 2013; effective August 7, 2013. **Amended:** Filed October 17, 2013; effective November 21, 2013. **Amended:** Filed January 21, 2015; effective February 25, 2015. **Amended:** Filed October 19, 2015; effective November 23, 2015. **Amended:** Filed August 15, 2016; effective September 29, 2016. **Amended:** Filed April 14, 2017; effective May 29, 2017. **Amended:** Published March 31, 2021; effective May 15, 2021. **Amended:** Published February 29, 2024; effective April 14, 2024. **Amended:** Published June 28, 2024; effective August 12, 2024. **Amended:** Published ; effective .