

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 610
Department or Agency: Alabama Board of Nursing
Rule No.: 610-X-4-.11
Rule Title: Notice Requirements
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

Peggy Benson
Peggy Benson, AL

Date

Friday, January 17, 2025

REC'D & FILED

JAN 17, 2025

LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

RULE NO. & TITLE: 610-X-4-.11 Notice Requirements

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board of Nursing Proposes amending the subject rule to require nurses serving as chief nursing officers or directors of nursing to notify the Board in the event of a change in the position.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or verbal comments will be accepted through 4:30 p.m. on Friday, March 7, 2025, and may be directed to Peggy Sellers Benson, PO Box 303900, Montgomery, AL 36130, telephone 334/293-5200, email Peggy.Benson@abn.alabama.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, March 7, 2025

CONTACT PERSON AT AGENCY:

Peggy Benson

Peggy Benson

Peggy Benson, AL

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

610-X-4-.11 Notice Requirements.

(1) The applicant, or licensed nurse shall notify the Board in writing of any requested name change. Appropriate legal documents shall be submitted prior to changing the name of the licensee on the license. The legal documents required for a name change are one of the following:

- (a) Marriage certificate.
- (b) Divorce decree substantiating the name change
- (c) Probate court records effecting a legal name change.

(2) The applicant or licensed nurse shall notify the Board office in writing of any change in the reported address. The address of record is the last known address provided by the applicant or licensed nurse.

(3) The Board's notice to the licensed nurse of selection for audit of continuing education records is presumed received within five (5) days of mailing or electronic transmission to the address of record.

(4) Advanced practice nurses, as defined by statute and regulation, shall submit to the Board, immediately upon receipt:

- (a) Evidence of authorization to test for the initial certification examination if requesting provisional approval for advanced practice nursing.
- (b) Evidence of current national certification by a Board-recognized national certifying body:
 - 1. Upon successful completion of the initial certification examination.
 - 2. Upon recertification by a Board-recognized national certifying body.

(c) Notice of termination of an approved collaborative practice, if applicable.

(5) Current national certification by a Board-recognized certifying body is a prerequisite for approval to practice as a certified registered nurse practitioner, certified nurse midwife, certified registered nurse anesthetist, or clinical nurse specialist. Failure to provide evidence by primary source verification of current national certification prior to the expiration of existing certification on file with the Board shall result in lapse of approval to practice as an advanced practice nurse and may result in disciplinary action pursuant to Chapter 610-X-8.

(6) The Board's notice to the advanced practice nurse of approval to practice may be:

- (a) A letter or other document granting provisional, temporary, or interim approval.
- (b) A letter or other document granting full approval.

(7) Practicing as an advanced practice nurse subsequent to the expiration date of the advanced practice approval shall result in disciplinary action pursuant to Chapter 610-X-8. Failure to submit evidence to the Board of meeting the requirements of

Chapter 610-X-5 or Chapter 610-X-9, as applicable, shall result in lapse of the advance practice approval.

(8) Any nurse holding a multistate license issued by another state who becomes a resident of Alabama shall be required to notify the board of the change in state of primary residence and file an application for licensure by endorsement in Alabama, within sixty (60) days of the change having occurred.

(9) Any nurse holding advanced practice approval in Alabama who holds a multistate license issued by another state shall notify the board of a change in state of primary residence, within thirty (30) days of the change having occurred.

(10) Upon a change in the position of Chief Nursing Officer or Director of Nursing in a licensed healthcare facility, the person assuming the role shall notify the board in writing of the change within ninety (90) days of assuming the role.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, 34-21-123(c).

History: Filed September 29, 1982. **Amended:** Filed February 15, 1991; effective March 22, 1991. **Repealed and New Rule:** Filed May 29, 2001; effective July 3, 2001. **Repealed and New Rule:** Filed September 29, 2004; effective November 1, 2004. **Amended:** Filed March 24, 2006; effective April 28, 2006. **Amended:** Filed November 26, 2007; effective December 31, 2007. **Amended:** Filed November 19, 2010; effective December 24, 2010. **Amended:** Filed April 22, 2016; effective June 6, 2016. **Amended:** Filed November 21, 2016; effective January 5, 2017. **Amended:** Filed March 20, 2018; effective May 4, 2018. **Amended:** Filed July 20, 2018; effective September 3, 2018. **Amended:** Filed July 25, 2019; effective September 9, 2019; operative January 1, 2020. **Amended:** Published April 30, 2024; effective June 14, 2024. **Amended:** Published _____; effective _____.