

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 532
Department or Agency: Alabama Massage Therapy Licensing Board
Rule No.: 532-X-1-.08
Rule Title: Declaratory Rulings
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 Monday, June 23, 2025

REC'D & FILED JUN 23, 2025 LEGISLATIVE SVC AGENCY

ALABAMA MASSAGE THERAPY LICENSING BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Massage Therapy Licensing Board, Alabama

RULE NO. & TITLE: 532-X-1-.08 Declaratory Rulings

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama Massage Therapy Licensing Board proposes to make a technical correction to the rule.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or verbal comments will be accepted through 4:30 pm on Thursday, September 4, 2025 and may be directed to Honor.Ingels@abn.alabama.gov or 334-293-5200.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, September 4, 2025

CONTACT PERSON AT AGENCY:

Honor L Ingels

*Peggy Benson*

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Peggy Benson, AL

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

**Declaratory Rulings.**

Any person(s) substantially affected by a rule may petition the Board for a declaratory ruling with respect to the validity of a rule or the applicability to any person, property or state of facts of any rule or statute enforceable by it or with respect to the meaning and scope of any order of the Board.

(1) The petition shall be in writing and shall include:

(a) The name and address of the petitioner.

(b) A statement of facts sufficient to show that the person seeking relief is substantially affected by the rule.

(c) The rule, statute or order and the reasons for the questions.

(2) Failure of the Board to issue a declaratory ruling within forty-five days of date of receipt of request shall constitute a denial of the request.

(3) Circumstances in which rulings shall not be issued include but are not necessarily limited to:

(a) Lack of jurisdiction.

(b) Lack of clarity of the issue presented.

(c) No clear answer is determinable.

**Author:** Alabama Massage Therapy Licensing Board

**Statutory Authority:** Code of Ala. 1975, §41-22-11.

**History: New Rule:** Published September 30, 2024; effective November 14, 2024. **Amended: Published ; effective .**