

APA-1  
07/04

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. 135 Department or Agency Board of Examiners of Assisted Living Administrators

Rule No. 135-X-5-.06 (1)

Rule Title: Grading Examinations

New  Amend  Repeal  Adopt by Reference

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

NO

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

NO

Is there another, less restrictive method of regulation available that could adequately protect the public?

NA

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

No

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

NA

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

NA

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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 412223, Code of Alabama 1975.

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**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 Reference Service.

Signature of certifying officer

Amy Fudley

Date

4.19.13

(DATE FILED)  
(STAMP)

APA-2  
07/04

**Board of Examiners of Assisted Living Administrators**  
**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Board of Examiners of Assisted Living Administrators

**RULE NO. & TITLE:** 135-X-5-.06 (1) – Grading Examinations

**INTENDED ACTION:** Amend the above referenced rule.

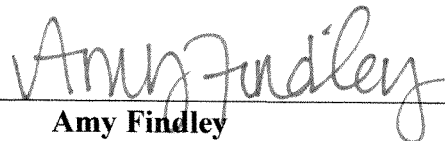
**SUBSTANCE OF PROPOSED ACTION:** The Board of Examiners of Assisted Living Administrators proposes to amend Rule 135-X-5-.06 by changing the passing test scores effective January 1, 2014 and July 1, 2014:

“Each applicant for a Category I or II assisted living administrator’s license shall be required to pass Sections A and B of the examination for such license with a grade as determined by the Board. The Board has determined that Section A and Section B of the Category I or Category II State examination will be used for the written or oral examination administered to all applicants, and the applicant must obtain a score of at least 80% on each section of the Category I or Category II State examination. Effective January 1, 2014 all applicants must obtain a passing score of at least 85% on each section of the Category I or Category II State Examination. Effective July 1, 2014 all applicants must obtain a passing score of at least 90% on each section of the Category I or Category II State Examination.” All applicants who apply and are approved by the Board through reciprocity shall be required to take Section A of either the Category I or Category II examination, determined by the license for which the applicant has applied. The applicant must obtain a score of at least 80% on Section A of the Category I or Category II State examination. Effective January 1, 2014 the applicant must obtain a score of at least 85% on Section A of the Category I or Category II State Examination. Effective July 1, 2014 the applicant must obtain a score of at least 90% on Section A of the Category I or Category II State Examination.”

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** The Board of Examiners of Assisted Living Administrators will hold a public hearing to hear oral and written comments from 10:00 am until 11:00 am on May 24, 2013. The public hearing will be held in the conference room of the ALAA Office, 5921 Carmichael Road, Montgomery, Alabama.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** The date for completion of notice is May 23, 2013.

**CONTACT PERSON AT AGENCY:** The contact person for the Board of Examiners of Assisted Living Administrators is: Amy Findley, Executive Director, 5921 Carmichael Road, Montgomery, Alabama, 36117. The phone number is (334) 271-2418.



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**Amy Findley**  
**Executive Director**

(4) If a Category I applicant wishes to obtain a Category II license, he or she must complete the application process and pass Section A of the Category II examination. If the Category II applicant has completed the 30 hours of AIT training within the previous 12 months of his/her Category II application, then he/she shall be exempt from taking Section B of the Category II examination.

**Author:** Theresa Jordan.

**Statutory Authority:** Code of Ala. 1975, Section 34-2A-1-16.

**History:** New Rule Filed September 16, 2002. Amended: November 13, 2003.  
Amended: September 29, 2008.

135-X-5-.06 Grading Examinations.

(1) “Each applicant for a Category I or II assisted living administrator’s license shall be required to pass Sections A and B of the examination for such license with a grade as determined by the Board. The Board has determined that Section A and Section B of the Category I or Category II State examination will be used for the written or oral examination administered to all applicants, and the applicant must obtain a score of at least 80% on each section of the Category I or Category II State examination. Effective January 1, 2014 all applicants must obtain a passing score of at least 85% on each section of the Category I or Category II State Examination. Effective July 1, 2014 all applicants must obtain a passing score of at least 90% on each section of the Category I or Category II State Examination.” All applicants who apply and are approved by the Board through reciprocity shall be required to take Section A of either the Category I or Category II examination, determined by the license for which the applicant has applied. The applicant must obtain a score of at least 80% on Section A of the Category I or Category II State examination. Effective January 1, 2014 the applicant must obtain a score of at least 85% on Section A of the Category I or Category II State Examination. Effective July 1, 2014 the applicant must obtain a score of at least 90% on Section A of the Category I or Category II State Examination.”

(2) The Board shall determine a method of grading each section of the examination separately and shall apply such method uniformly to all candidates that are examined.

(3) An applicant who does not pass a section of the Category I or Category II Assisted Living Administrator Licensure examination may pay another examination fee and retake the appropriate section of the examination. After failing the same section of the examination twice, the applicant will be required to participate in a Board approved study course before taking the section of the examination a third time.

**Author:** Theresa Jordan.

**Statutory Authority:** Code of Ala. 1975, Section 34-2A-1-16.

**History:** New Rule Filed September 16, 2002. Amended: November 13, 2003

135-X-5-.07 Deadline to Pay License Fee.