

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-7-.05 (1) (2) (3)

Rule Title: Fees

 New X 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? NO

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? NO

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

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.

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 7/24/12

(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-7-.05 (1) (2) (3) – Administrator-In-Training

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-7-.05 (1)(2)(3) by adding the following language

(1) Only individuals who have been pre-approved by the Board may use the title “Administrator-in-Training”.

(2) Any preceptor (as defined in 135-X-2-.01 (r)) who allows or is shown to have known that an AIT was using the title “Administrator” or holding himself or herself out as an “Administrator” of a facility may be subject to disciplinary action by the Board.

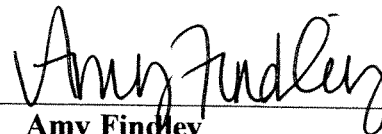
(3) Any AIT who holds himself or herself out as a licensed administrator, rather than an “Administrator-in-Training” is subject to having his or her information forwarded to the local district attorney for prosecution pursuant to Alabama Code Section 34-2A-15.

TIME, PLACE, MANNER OF PRESENTING VIEWS: The Board of Examiners of Assisted Living Administrators will hold a public hearing to hear written comments from 10:00 am until 11:00 am on October 11, 2012. The public hearing will be held in the conference room of the ALAA Office, 5921 Carmichael Road, Montgomery, Alabama.

Notice - If you require special accommodations (wheel chair access) and would like to attend our Board Meetings, you MUST notify the BOEALA Office by calling (334) 271.2418 at least 10 days in advance of any meeting.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: The date for completion of notice is October 10, 2012.

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.



Amy Findley
Executive Director

(b) To practice as an assisted living administrator under cover of any license illegally or fraudulently obtained or unlawfully issued;

(c) Practice as an assisted living administrator or use in connection with his or her name any designation tending to imply that he or she is an assisted living administrator unless duly licensed to so practice under the provisions of these Rules and Regulations;

(d) Practice as an assisted living administrator or use in connection with his or her name any designation tending to imply that he or she is an assisted living administrator during the time his or her license issued under the provisions of these Rules and Regulations shall be expired, suspended, revoked; or

(e) Otherwise violate any of the provisions of these Rules and Regulations or the State licensing act.

(2) Such violation of the State licensing act or these Rules and Regulations shall be a Class C misdemeanor punishable as provided by law.

Author: Theresa Jordan.

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

History: New Rule Filed September 16, 2002.

135-X-7-.04 Restoration of License.

The Board may, for good cause shown, upon such terms as the Board may prescribe, reissue a license to any person whose license has been revoked.

Author: Theresa Jordan.

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

History: New Rule Filed September 16, 2002.

135-X-7-.05 Administrator-in-Training

(1) Only individuals who have been pre-approved by the Board may use the title "Administrator-in-Training".

(2) Any preceptor (as defined in 135-X-2-.01 (r)) who allows or is shown to have known that an AIT was using the title "Administrator" or holding himself or herself out as an "Administrator" of a facility may be subject to disciplinary action by the Board.

(3) Any AIT who holds himself or herself out as a licensed administrator, rather than an "Administrator-in-Training" is subject to having his or her information forwarded to the local district attorney for prosecution pursuant to Alabama Code Section 34-2A-15.

Author: Amy Findley.

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

History: Amendment Filed July 24, 2012.