

ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: The Alabama State Board of Chiropractic Examiners

RULE NO. & TITLE:

- (1) **Rule 190-X-1-.02 Composition and Selection of Board**
- (2) **Rule 190-X-1-.07 Questions of Procedure and Evidence**
- (3) **Rule 190-X-1-.09 Use of Forms**
- (4) **Rule 190-X-1-.13 Directory of Licensees Published**
- (5) **Rule 190-X-1-.18 Fees**
- (6) **Rule 190-X-2-.01 Requirements For Licensure By Examination**
- (7) **Rule 190-X-2-.08 Verification of Licensure**

INTENDED ACTION: The Alabama State Board of Chiropractic Examiners proposes to amend or repeal the rules as listed above.

SUBSTANCE OF PROPOSED ACTIONS:

- (1) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (2) The Alabama State Board of Chiropractic Examiners proposes to repeal this rule to comply with 190-X-4-.05.
- (3) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (4) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (5) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (6) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.
- (7) The Alabama State Board of Chiropractic Examiners proposes to amend this rule per changes in ACT 2013-414.

TIME, PLACE AND MANNER FOR 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 & COMPLETION OF NOTICE: September 27, 2013.

CONTACT PERSON AND ADDRESS:

Amy Deavers
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Alabama State Board of Chiropractic Examiners
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Sheila Bolton
Executive Director

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190-X-1-.02 **Composition And Selection Of Board.**

(1) Composition and Selection of Board. The Board shall be composed of nine members, eight of which shall be licensed to practice and are currently practicing in Alabama who meet the qualifications set out in Code of Ala. 1975, §§34-24-140, 34-24-141 and one consumer member appointed by the Governor. Members serve staggered four-year terms and continue to serve until a new member is appointed/elected, and qualified. No member shall serve more than two consecutive terms. The Alabama State Board of Chiropractic Examiners shall conduct an annual election according to the terms set out in this rule. When a vacancy occurs, whether by expiration of the term, death, resignation of a member, or other cause, the vacancy shall be filled in the same manner as the original appointment/elections are made.

(2) Candidate/Elected Member Qualification. In order to qualify the potential candidate/ elected member must ~~fulfill~~ meet the following qualifications requirements:

(a) Be a citizen and a resident of Alabama who has resided in this State for at least five (5) years;

(b) Reside in the Congressional district from which they seek election, except for one African American elected from the state at-large;

(c) Be a graduate of a chartered chiropractic school which required actual attendance in the school as a prerequisite to graduation;

(d) Be actively licensed in Alabama and currently engaged in the clinical practice of chiropractic and have been so engaged for at least the five (5) immediately preceding years;

(e) Have renewed his or her license to practice chiropractic by September 30 of the year in which the election shall take place;

~~(e)~~(f) Be of good moral character, with no board convictions in the five (5) years preceding qualification, no prior criminal convictions, and no recent history of drug or alcohol abuse; and

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~~(f)~~ (g) Must not be presently on probation relating to the practice of chiropractic in any state including this state; and

~~(g)~~ (h) Submit a completed qualification form to the Board not less than 20 days prior to the election or within the time stated in the Notice of Election.

(3) Voter Qualification. In order to be eligible to vote in a board election you must ~~fulfill~~ meet the following qualifications requirements:

(a) Reside ~~Must reside~~ in the respective congressional district ~~in which you are voting~~.

(b) Certify ~~Must certify to~~ your residency in the congressional district on your completed ballot.

(c) Have ~~Must have~~ an active Alabama license.

(4) Ballots.

(a) An official ballot will be sent to each qualified voter in the respective district not less than 14 days and not later than 120 days after the deadline for qualification.

(b) In order to be counted it must be received by the Board not later than 14 days after the ballots are mailed.

(c) Each official ballot must be returned in the official envelope in order to be counted.

(d) Only original, official ballots will be counted.

(e) The ballots will be maintained for 6 months by the Executive Director of the Board as public information.

(5) Ballot Counting. As soon as possible, after the deadline for board reception of ballots the Executive Director will deliver by hand or mail all of the unopened ballots to an independent agency employed by the Board for the purpose of tabulating the votes and declaring a majority winner. Unless there is only one candidate for the board and in this situation, the board shall certify the results. ~~and the~~ The results of the election shall be certified by no less than three members of the board. The candidate with a simple majority of the votes cast

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in each respective congressional district shall be declared the winner. In the event that no majority is gained by a candidate run-off ballots will be sent out within 14 days of the completion of the ballot tabulation and a run-off election between the two largest vote recipients will be held.

Immediately upon being declared the winner, the elected member shall take office. ~~majority vote recipient will take possession of the expired position on the Board.~~

Effective: 3-6-90, amended 8/06, amended 1/97, (1), (2)(D), (3)(C), (5) amended 8/2003,
(1)(2)(B)(D)(F)(G) amended 6/06, (2)(A)(5) amended 3/2009; amended 6/2013
Authority: 34-24-140; 34-24-141; 34-24-144; 34-24-165