

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency: Alabama Board of Examiners for Speech-Language Pathology and Audiology

Rules No. Chapter 870-X-4-.06

Rule Title: Suspension and Revocation, or Reprimand

\_\_\_\_\_ 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? \_\_\_\_\_ 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 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? \_\_\_\_\_ Yes

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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 41-22-23, 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, Coe of Alabama 1975, and that it conforms to all applicable filing requirement of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying  
Officer Wanda C. Raulerson  
Date 07-15-14

Alabama Board of Examiners for Speech-Language  
Pathology and Audiology (ABESPA)

**NOTICE OF INTENDED ACTION**

Rule Number & Title: 870-X-4-.06 Suspension and Revocation, or Reprimand

Intended Action: To Amend Chapter

Substance of Amendment: ABESPA proposes to amend chapter to cover other categories of professionals covered under the rules.

Time, Place, Manner of Presenting Views: All interested parties may present their views in writing to Wanda Rawlinson, Executive Secretary or via email at [abespa@mindspring.com](mailto:abespa@mindspring.com) at any time during the thirty-five (35) day period following the publication of the notice or by appearing at the public hearing scheduled for 12:30 p.m. on Friday, September 12, 2014 at 400 South Union Street, 4<sup>th</sup> floor conference room.

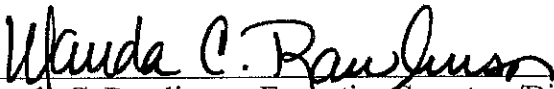
Final Date for Comment and Completion of Notice: September 12, 2014

Contact Person at Agency:

Wanda Rawlinson

334-269-1434

Email: [abespa@mindspring.com](mailto:abespa@mindspring.com)



Wanda C. Rawlinson, Executive Secretary/Director

870-X-4-.06 Suspension and Revocation, or Reprimand. The license of any person licensed by the Board may be suspended or revoked or a reprimand may be issued by the Board. The registration of a Clinical Fellow (CF), Fourth-Year Intern or a Speech-Language Pathology or Audiology Assistant may be suspended or revoked or a reprimand may be issued by the Board. The licensed supervisor of the CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant shall be responsible for the legal, ethical, and moral professional behavior of the registered CF, Fourth-Year Intern or Assistant. A second reprimand within a five-year period will be cause for revocation of a license. A license or registration may be suspended or revoked or a reprimand may be issued upon a finding by the Board that:

(a 1) The licensee or registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) has been convicted of a felony in any court within the United States, if the acts for which the person has been convicted are found by the Board to have a direct bearing on whether the person should be entrusted to serve the public as a speech-language pathologist or audiologist.

(b 2) The licensee or registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) has been guilty of fraud or deceit in connection with services rendered as a speech-language pathologist or audiologist.

(c 3) The licensee or registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) has aided or abetted a person, not a licensed speech-language pathologist or audiologist, in illegally representing such person as a speech-language pathologist or audiologist within this state.

(d 4) The licensee or registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) has been grossly negligent in the practice of speech-language pathology and/or audiology.

(e 5) The licensee or registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) has willfully violated any of the provisions of state law governing said licensee or any regulations adopted by the Board.

(f 6) The licensee or registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) has been guilty of unprofessional conduct or violation of the Code of Ethics.

(g 7) The licensee or registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) has used fraud or deception in applying for a license.

(h 8) Any disciplinary violation by a licensee may be punished with a fine not to exceed \$1000.00 per violation. Any disciplinary violation by a registered clinician (CF, Fourth-Year Intern or Speech-Language Pathology or Audiology Assistant) may be punished with a fine not to exceed \$500.00 per violation. The Board has the authority to effect any legal proceedings necessary to enforce compliance of this rule.

Authors: David Savage, Loie Sears, Denise P. Gibbs and Richard Talbott  
Statutory Authority: Code of Ala. 1975, §§34-28A-1, et seq.  
History: Filed September 20, 1982. Amended: Filed December 12, 1988; January 14, 1994.  
Amended: Filed February 11, 1994; effective March 18, 1994; Filed \_\_\_\_\_