

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. 850 Department : Alabama State Board of Social Work Examiners

Rule No. 850-X-10-03 Disciplinary Investigative Committee
 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 cost 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 the 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

.....
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 the 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 Reference Service.

Signature of certifying officer Brenda Golden

Date 7-17-16

(DATE FILED)
(STAMP)

Alabama State Board of Social Work Examiners

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Social Work Examiners

RULE NO. & TITLE:

850-X-10-.03 Disciplinary Investigative Committee

INTENDED ACTION:

Removing the use of a volunteer and reference to 850-X-1-.19

SUBSTANCE OF PROPOSED ACTION:

Removing the use of a volunteer and reference to 850-X-1-.19

TIME, PLACE, MANNER OF PRESENTING VIEWS:

A Public Hearing will be held September 8, 2016, 9:30AM, 100 North Union Street, Suite 300, Montgomery AL 36104

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Written comments may be sent to Alabama State Board of Social Work Examiners at: 100 North Union Street, Suite 736, Montgomery AL 36130-1620. All written comments must be received by 4:30PM September 7, 2016.

CONTRACT PERSON AT AGENCY:

Brenda W. Holden, 334/242-5860



Signature of Officer

850-X-10-.03 Disciplinary Investigative Committee. In the event a complaint is filed against a licensee, or the Board determines from other information that an investigation is necessary, the procedure for investigation shall be as follows:

(1) The complaint or other information will be reviewed by a Disciplinary Investigative Committee designated by the Board. The Disciplinary Investigative Committee will consist of:

- (a) The executive director;
- (b) The attorney for the Board; and

(c) A member of the Board who shall be selected on a rotating basis provided that if the complaint is first made to a Board member, then it shall be referred to that Board member.

(2) The Board may also employ investigators ~~or volunteers~~ to assist in the investigation of a disciplinary complaint.

(3) In the event probable cause is determined, the Board member who participates on the Investigative Committee investigating a licensee shall not sit as a member of the Board to consider the merits of the complaint at any disciplinary hearing on the same case if a summons and complaint is issued.

Author: Alabama State Board of Social Work Examiners

Statutory Authority: Code of Ala. 1975, §41-22-4(a)(2) (1991).

History: Repealed and Replaced: Filed: October 31, 1997; Operative December 5, 1997; effective January 1, 1998 ~~(See Rule 850-X-1-.19).~~