

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

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

Rule No. 850-X-10-.05 Summons, Complaint and Answer
 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 Brian J. Aelden

Date 7-12-10

(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-.05 Summons, Complaint and Answer

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-.05 Summons, Complaint and Answer.

(1) Preparation. In the event the Investigative Disciplinary Committee of the Board determines that probable cause exists for the filing of a summons and complaint, counsel for the Board shall prepare a summons and complaint.

(2) Contents. The summons and complaint shall give notice in substantial compliance with the Alabama Administrative Procedure Act, ALA. CODE § 41-22-12(b) (1991) and § 34-30-5 (1991).

(3) Service. The summons and complaint shall be mailed certified mail return receipt requested to the most recent address of the respondent with the Board. A copy shall also be sent first class mail.

(4) Answer. The respondent shall within thirty (30) days of service of the summons and complaint file with the Board, and serve counsel for the Board an Answer, admitting or denying the allegations and charges set forth therein. Failure to file an Answer within the time permitted by this rule without good cause shall be construed as an admission that the factual averments contained in the complaint are true.

Author: Alabama State Board of Social Work Examiners

Statutory Authority: Code of Ala. 1975, §§41-22-4(a)(2) (1991); 41-22-12 (1996 Supp.); 34-30-5 (1991).

History: Repealed and Replaced: Filed October 31, 1997; Operative December 5, 1997; effective January 1, 1998 ~~(See Rule 850-X-1-.19).~~