

### TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

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

Rule No. 850-X-10-.11 Hearing Officer's Decision and Recommendation  
         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   Brandi Holden  

Date   7-12-16  

(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-.11 Hearing Officer's Decision and Recommendation

INTENDED ACTION:

Removing the reference to 850-X-1-.19

SUBSTANCE OF PROPOSED ACTION:

Removing the 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



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Signature of Officer

**850-X-10-.11 Hearing Officer's Decision and Recommendation.**

(1) Upon completion of a hearing, the hearing officer shall prepare a written decision and recommendation. The decision shall contain a statement of facts found by the hearing officer, a recitation of the application of the facts found to the applicable statutes, rules, regulations, policies, and procedures, and a proposed recommendation as to the merits of the matters presented for review including recommended discipline if appropriate.

(2) The hearing officer may request one or both sides to prepare for the hearing officer's consideration a proposed order of the Board including findings of fact, official notice and conclusions of law. Underlying facts of record which support the findings should be cited.

(3) The hearing officer's decision and recommendation along with the record shall be submitted to the executive director of the Board within forty-five (45) calendar days after the hearing is concluded. The hearing officer's decision and recommendation shall be communicated by the Board in person or by certified mail.

**Author:** Alabama State Board of Social Work Examiners

**Statutory Authority:** Code of Ala. 1975, §§41-22-12 (1996 Supp.); 41-22-15 (1991).

**History: Repealed and Replaced:** Filed October 31, 1997; Operative December 5, 1997; effective January 1, 1998; October 4, 2014 ~~(See Rule 850-X-1-.19).~~