

## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

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

Rule No. 850-X-10-.13 Imposition of Discipline  
           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)

APA-2  
07/04

## 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-.13 Imposition of Discipline

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

  
\_\_\_\_\_  
Signature of Officer

**850-X-10-.13 Imposition of Discipline**

(1) Upon a finding that the respondent has violated any of the enumerated provisions of Code of Ala. 1975, §34-30-4 (1991), or any rule established by the Board, including the Standards of Professional Conduct & Ethics, the Board may impose any or all of the disciplinary penalties set forth in ALA. CODE § 34-30-4 (1991) including refusing to renew a license or certification, suspension or revocation of a license or certification, imposition of a private or public censure, probation, and the levy of administrative fines of not more than \$500.00 for each violation.

(2) Consideration. In determining whether a license or certification should be revoked or suspended, and whether execution of the order should be stayed, and upon what conditions; and whether to levy an administrative fine; or impose a public or private censure; the Board shall consider all relevant factors, including, but not limited to the following:

- (a) the severity of the offense;
- (b) the danger to the public;
- (c) the number of repetitions of the offense;
- (d) the length of time since the date of violation;
- (e) the number of complaints filed against the respondent;
- (f) the length of time the respondent has practiced;
- (g) the actual damage to the complainant and/or the public;
- (h) the deterrent effect of the penalty imposed;
- (i) the effect of the penalty upon the respondent's livelihood;
- (j) any efforts or rehabilitation; and
- (k) any other mitigating or aggravating circumstances.

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

**Statutory Authority:** Code of Ala. 1975, §34-30-4 (1996 Supp.).

**History: Repealed and Replaced:** Filed October 31, 1997; Operative December 5, 1997; effective January 1, 1998 (~~See Rule 850-X-1-.19~~).