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07/04

## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

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

Rule No. 850-X-10-15 Rehearing, Appeal and Judicial Review  
         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   Brand Golden  

Date   7-12-10  

(DATE FILED)  
(STAMP)

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## 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-.15 Rehearing, Appeal and Judicial Review

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-.15 Rehearing, Appeal and Judicial Review.**

(1) A respondent in a disciplinary or other contested case proceeding who is aggrieved by a final order of the Board may within 15 days after entry of said order file an application for rehearing as provided in ALA. CODE §41-22-17 (1991). If the Board does not grant the application by the next regularly scheduled Board meeting following 30 days from filing, and unless otherwise extended by agreement of the parties in writing, the application for rehearing shall be deemed denied by operation of law. While encouraged, the filing of an application for rehearing is not a prerequisite to judicial review.

(2) A respondent in a disciplinary or other contested case proceeding who is aggrieved by a final order of the Board or denial of an application for rehearing may seek judicial review within 30 days after entry of the order or denial by filing a notice of appeal and a cost bond with the Board to cover the reasonable costs of preparing the transcript of the proceeding under review as provided in Code of Ala. 1975, §41-22-20 (1991) and §34-30-5 (1991).

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

**Statutory Authority:** Code of Ala. 1975, §§34-30-5 (1991); 41-22-20 (1996 Supp.).

**History: Repealed and Replaced:** Filed October 31, 1997; Operative December 5, 1997, effective January 1, 1998 (~~See Rule 850-X-1-.19~~).