

## TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

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

Rule No. 850-X-4-.04 Reconsideration of Denied Applicants  
         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 J. Golden  

Date   7-12-14  

(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-4-.04 Reconsideration of Denied Application

INTENDED ACTION:

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

SUBSTANCE OF PROPOSED ACTION:

Removing 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-4-.04 Reconsideration of Denied Application.**

(1) A denied application may be reconsidered by the Board, if notice of appeal is filed with the executive director within thirty (30) days after the applicant has been notified of the ruling of the Board.

(2) A hearing shall be held as soon as practicable after filing of the notice of appeal, or at such time agreed upon by stipulation between the applicant and the executive director.

(3) The hearing shall be held by at least a quorum of the Board.

(4) Evidence, including oral testimony, shall be freely admitted. The applicant shall be allowed to have counsel present if desired.

(5) In a reconsideration of denied application, the applicant shall have the burden of establishing to the reasonable satisfaction of the Board that the applicant is entitled to the specific relief requested.

(6) The Board shall issue a final decision within thirty (30) days of the date of the hearing, which shall include findings of fact and official notice taken. The applicant shall be delivered a copy of the decision by first class mail.

(7) The decision of the Board may be appealed as provided in ALA. CODE §34-30-5 (1991) within thirty (30) days of the decision of the Board.

(8) The record on appeal shall be certified by the executive director of the Board, and shall include the entire record and transcript of the hearing.

**Author:** Alabama 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; effective January 1, 1998; March 8, 2007; effective April 12, 2007; October 4, 2014 (~~See Rule 850-X-1-.19~~)