

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Alabama Board of Physical Therapy
Rule No. 700-X-2-.09
Rule Title: Renewal of License

_____ 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? _____
YES

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 costs 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? _____
N/A

Are all 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 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 W. K. Harmer
Date JUNE 19, 2012

ALABAMA BOARD OF PHYSICAL THERAPY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: 700-X-2-.09 Renewal of License

INTENDED ACTION: The Alabama Board of Physical Therapy proposes to amend rule the Renewal of License, Continuing Education Required, Approval of Courses Rule.

SUBSTANCE OF PROPOSED ACTION: The proposed amendment to rule 700-X-2-.09(3)(c)(2)(i), (iv), (v), (vii) 3, will update the approval process for continuing education courses.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing or in person through the close of business on August 3, 2012. Those wishing to present views in person should contact the Board of Physical Therapy at 334/242-4064.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 3, 2012.

CONTACT PERSON AT AGENCY: Nettie Katharin Horner
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Nettie Katharin Horner
Executive Director

ALABAMA BOARD OF PHYSICAL THERAPY
ADMINISTRATIVE CODE

CHAPTER 700-X-2
LICENSURE

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700-X-2-.01 Appropriate Education Required.

(1) United States Educated Applicants. Each applicant for licensure as a physical therapist or physical therapist assistant must have completed a program of physical therapy education appropriate for preparation as a physical therapist or physical therapist assistant, respectively, which is approved by the American Physical Therapy Association's Commission on Accreditation in Physical Therapy Education (CAPTE).

(2) Non-United States Educated Applicants.

(a) Statement of Policy. Foreign educated physical therapist applicants must demonstrate educational equivalency to the United States educated physical therapists in accordance with this rule. Physical therapy education should be broadly based and designed to enable an individual to contribute to society in many ways as a comprehensively educated person as well as to provide specific technical expertise. Consequently, physical therapy education requires a considerable amount of general education as well as professional education in terms of minimum credit and general content.

(b) Submission of Educational Credentials. Foreign educated physical therapist applicants shall submit their education credentials to:

International Credentialing Associates, Inc.
10801 Starkey Road
Suite 104
Seminole FL 33777
Telephone (727) 549-8555

Or

FCCPT
124 West St., South
3rd Floor
Alexandria VA 22314
Fax: 70684-8715

A copy of the evaluation by the credentials evaluating agency must be sent directly to the Board.

(c) Specific Education Requirements. A minimum of the equivalency of 124 semester hours if completed before 2003 and 155 semester hours if completed from 2003 to the present as provided in this rule is required for licensure. The Board shall make the sole judgment in determining whether educational credentials are equivalent and acceptable. An English translated copy of the transcript must be sent directly to the Board from the university.

(d) Applicant must have made acceptable scores on either the Test Of English as a Foreign Language (TOEFL), Test of Spoken English (TSE) and Test of Written English (TWE) or on all components of the TOEFL internet Based Testing (iBT). Acceptable scores are: TOEFL-220, TSE-50, TWE-4.5, iBT Writing-24, iBT Speaking-26, iBT Reading Comprehension-21, and iBT Listening Comprehension-18.

1. General Education Requirements. Applicants must demonstrate that they have earned the equivalent of a minimum of 62 semester hours in general education, including the following:

(i) Humanities -- a minimum of 10 semester hours which must include the equivalent of spoken and written English and may include art, music, drama, speech, languages, etc.

(ii) Social Sciences -- a minimum of 8 semester hours which must include psychology and may include history, sociology, government, etc.

(iii) Natural Sciences -- a minimum of 12 semester hours which must include physics and chemistry and may include mathematics, geology, etc.

(iv) Biological Sciences -- a minimum of 12 semester hours which must include human anatomy and physiology and may include biology, zoology, etc.

(v) Limited Electives -- a minimum of 10 semester hours in social sciences, natural sciences and biological sciences in addition to those minimums required above.

(vi) General Electives -- a minimum of 10 semester hours which may include any subjects selected outside the major area of study.

2. Professional Education Requirements. Applicants must demonstrate that they have earned the equivalent of a minimum of 62 semester hours in physical therapy education, if completing their education before 2003 and 93 semester hours if completing their education from 2003 to the present. This education shall include the following:

(i) Basic Health Sciences -- a minimum of 22 semester hours if completing their education before 2003, and 28 semester hours if completing their education from 2003 to the present. These Basic Health Sciences must include human anatomy and physiology; should include functional anatomy, kinesiology, pathology, neurology, abnormal psychology; and may include embryology, histology, pharmacology, etc.

(ii) Clinical Sciences -- a minimum of 26 semester hours if completing their education before 2003, and 45 semester hours if completing their education from 2003 to the present. These Clinical Sciences must include physical therapy theory, techniques and interventions; should include clinical medicine, development; and may include community health, research, administration, etc.

(iii) Clinical Education -- a minimum of 14 semester hours if completing their education before 2003, and 20 semester hours if completing their education from 2003 to the present. This Clinical Education must include supervised clinical application of physical therapy theory, procedures, etc.

(iv) Proof of licensure in country in which physical therapy education was completed.

(d) Educational Deficiencies. In the event of deficiencies in an educational program evaluation the individual may petition the Board for recommendations to remedy the deficiencies. The Board in considering a petition for remedy of deficiencies is not obligated to provide any other assistance than a response.

Authors: Anne H. Harrison, Donald L. Hiltz, Robert L. Shoemake, Danny F. Sutter, Janice M. Goodwin, Herbert R. Caillouet, Bernard Harris, Andy Gustafson, John Cormier, Jay Segal, Ron Bass, Mitzi Tuttle, Vince Molyneux.

Statutory Authority: Code of Ala. 1975, §§34-24-212; 34-24-193; 34-24-216.

History: Filed September 30, 1982; effective date September 15, 1982. **Amended:** January 3, 1990; Filed September 4, 1992; effective October 9, 1992. **Amended:** September 9, 1993; effective October 14, 1993. **Amended:** May 6, 1996; effective June 10, 1996. **Amended:** Filed July 14, 1998; effective August 18, 1998. **Amended:** Filed November 2, 2001; effective December 7, 2001. **Amended:** Filed May 12, 2003; effective June 16, 2003. **Amended:** Filed February 28, 2006; effective April 3, 2006. **Amended:** October 18, 2006; effective December 4, 2006. **Amended:** Filed November 30, 2009; effective January 4, 2010. **Amended:** Filed November 17, 2011; effective March 7, 2011.

700-X-2-.02 Good Moral Character Required. The Board shall refuse licensure to any applicant who is of other than good moral character. The determination as to what constitutes other than good moral character and reputation shall be solely within the judgment of the Board. Each applicant shall be required to submit references from two professional sources addressing, but not limited to, moral character. These references shall be submitted on forms prescribed by the Board and shall be mailed to the executive director. Grounds for refusal may include but are not limited to:

(a) a history of using drugs or intoxicating liquors to an extent which affects his professional competency,

(b) conviction of a felony or of a crime involving moral turpitude,

(c) an attempt to obtain or obtaining a license by fraud or deception,

(d) guilt of conduct unbecoming a person licensed as a physical therapist or licensed as a physical therapist assistant or of conduct detrimental to the best interest of the public, and

(e) conviction of violating any state or federal narcotic law.

Authors: James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake, Danny F. Sutter, Janice M. Goodwin, Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris

Statutory Authority: Code of Ala. 1975, §§34-24-211, 34-24-212, 34-24-193, 34-24-216.

History: Filed September 30, 1982. **Amended:** Filed November 29, 1989; Filed September 4, 1992; effective October 9, 1992. **Amended:** Filed July 14, 1998; effective August 18, 1998.

700-X-2-.03 Application Required.

(1) Application form. Each applicant for licensure shall complete an application form prescribed by the Board and supplied by the executive director.

(2) Documentation. The documents provided in this section must be received by the executive director before an application is considered complete.

(a) Applicants for Licensure by Examination.

1. The following must be submitted by the applicant:

(i) Completed application form, including photograph.

(ii) The required fees as prescribed by the Board.

(iii) Completed examination application form.

2. The following must be submitted directly to the Board by the appropriate person or entity:

(i) A Certification of Physical Therapy Education form completed by an authorized representative of the educational program. (Must be received prior to issuance of a temporary license.)

(ii) An official transcript of grades showing graduation or completion of the requisite physical therapy program. (Must be received prior to issuance of a permanent license.)

(iii) Completed character reference forms.

- (b) Applicants for Licensure by Endorsement.
 - 1. The following must be submitted by the applicant:
 - (i) Completed application form, including photograph.
 - (ii) The required fee as prescribed by the Board.
 - 2. The following must be submitted directly to the Board by the appropriate person or entity:
 - (i) An official transcript of grades showing graduation or completion of the requisite physical therapy program.
 - (ii) Verification of all of applicant's current licenses in other states as a physical therapist or physical therapist assistant.
 - (iii) Completed character reference forms.
 - (iv) Applicants who took the examination between August, 1965, and February, 1991, must have passed each part of the examination, as well as the entire examination, by at least 1.5 sigma below the national mean. Applicants who took the examination between February, 1991, and March, 1993, must have passed the examination by at least 1.5 sigma below the national mean. Applicants who took the examination from March, 1993, to the present must have passed the examination with a criterion referenced raw score of at least 600.
- (c) Foreign-educated applicants.
 - 1. The following must be submitted directly to the Board by the appropriate person or entity:
 - (i) A certified copy of the evaluation by the approved credentials evaluating agency of the applicant's education prior to application.
 - (ii) Completed character reference forms.
 - (iii) Any other certifying documents deemed necessary by the Board to establish professional status.
 - 2. The following must be submitted by the applicant:

(i) Completed application form. ~~(Not to be submitted until after the Board has reviewed the credentials evaluation report.)~~

(ii) The required fees as prescribed by the Board.

Authors: James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake; Danny F. Sutter; Janice M. Goodwin, Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris; Vince Molyneux, John Cormier, Jay Segal, Eric Dekle, Mitzi Watson, Mary Jolley;

Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-211, 34-24-212, 34-24-216.

History: Filed September 30, 1982. **Amended:** Filed November 29, 1989; Filed January 3, 1990; Filed September 4, 1992; effective October 9, 1992. **Amended:** Filed July 14, 1998; effective August 18, 1998. **Amended:** Filed June 19, 2012;

700-X-2-.04 **Application Fee Required.** A fee not to exceed \$250.00 shall be required of all applicants for licensure. The fee shall be tendered in cashier's check, bank certified check, corporate or business check, or money order.

Authors: James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake; Danny F. Sutter; Janice M. Goodwin, Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris

Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-211.

History: Filed September 30, 1982. **Amended:** Filed November 29, 1989; Filed September 4, 1992; effective October 9, 1992. **Amended:** Filed July 14, 1998; effective August 18, 1998.

700-X-2-.05 **Examinations Required.**

(1) Examinations.

(a) Each candidate for licensure must pass a licensure examination and a jurisprudence examination approved by the Board.

(b) The fee for the examinations is in addition to the application fee provided for in Rule 700-X-2-.04 and the check should be made payable directly to the examination service.

(2) Time and Place of Examinations. Once the candidate has met the Board's requirements for examination, the Board will certify eligibility to the FSBPT who will directly

inform the candidate, by letter, of a toll free number to use to schedule the examination with an approved testing center. Candidates must schedule and take the examinations within 60 days of the date of the letter. Candidates may test in any state.

(3) Proctoring of Examinations. The approved testing center will provide proctors who are available to assist candidates, as needed, with problems related to the use of the computer for the testing process. Tutorials will be provided in advance of the examinations to familiarize candidates with the process.

(4) Scoring of Examinations.

(a) Examinations shall be scored by and maintained on file by the appropriate examination service, and examination scores maintained by the Board.

(b) Passing Score.

1. Physical Therapist Applicants. Physical therapist applicants must pass the examinations based on a passing score approved by the Board.

2. Physical Therapist Assistant Applicants. Physical therapist assistant applicants must pass the examinations based on a passing score approved by the Board.

(5) Reexamination.

(a) Any candidate who fails to pass the first licensure or jurisprudence examination may file for an application for reexamination following procedures established by the Board. Candidates need only to wait for this process to be completed before rescheduling the examination.

(b) The fee for the first reexamination shall be the same as that fee specified in Section (1)(b) of this rule.

(c) Any candidate who fails to pass the second licensure examination must subsequently resubmit his/her application for licensure as a new applicant. Any candidate who fails to pass the second jurisprudence examination may file for an application for reexamination following procedures established by the Board.

(d) Any applicant is eligible to sit for the examination a maximum of three times. Any applicant is eligible to sit for the jurisprudence exam an unlimited number of times.

Authors: James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake; Danny F. Sutter; Janice M. Goodwin, Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris
Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-212, 34-24-216.
History: Filed September 30, 1982. **Amended:** Filed November 29, 1989; effective September 15, 1982. **Amended:** January 3, 1990; Filed September 4, 1992; October 9, 1992.
Amended: Filed July 14, 1998; effective August 18, 1998.
Amended: Filed April 20, 2006; effective June 1, 2006.

700-X-2-.06 **Licensure Without Examination.** Any individual who applies for ~~registration or~~ licensure without examination under the provisions of Code of Ala. 1975, §34-24-214, must provide the Board with a copy of the law under which he/she was licensed and, where appropriate, have the licensing authority or appropriate score reporting service provide the Board with a copy of his/her examination scores.

Authors: James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake, Danny F. Sutter, Janice M. Goodwin, Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris; Vince Molyneux, John Cormier, Jay Segal, Eric Dekle, Mitzi Watson, Mary Jolley;
Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-215.
History: Filed September 30, 1982. **Amended:** Filed November 29, 1989. **Amended:** Filed July 14, 1998; effective August 18, 1998. **Amended:** Filed June 19, 2012;

700-X-2-.07 **Issuance Of License.** Each license shall be dated and numbered in the order of issuance and shall be signed by the chair and the executive director.

Authors: James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake, Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris
Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-213, 34-24-214, 34-24-215.
History: Filed September 30, 1982. **Amended:** Filed November 29, 1989. **Amended:** Filed July 14, 1998; effective August 18, 1998. **Amended:** Filed February 4, 2003; effective March 11, 2003.

700-X-2-.08 **Temporary Licenses.**

(1) Upon application for licensure by qualified candidates under the provisions of Code of Ala. 1975,

§34-24-215(b), and upon submission of documentation required by Rule 700-X-2-.03, a candidate shall be issued a temporary license to practice as a physical therapist or physical therapist assistant. The temporary license shall be valid only until the first examination is scored and the Board determines whether a permanent license shall be issued. Physical therapists practicing under a temporary license must be under the direct, on-site supervision of a licensed physical therapist. Physical therapist assistants practicing under a temporary license must be under the direct, on-site supervision of a licensed physical therapist or a licensed physical therapist assistant, with the approval of the supervising physical therapist.

(2) The Board shall issue a temporary license under the provisions of Code of Ala. 1975, §34-24-215(a), upon application and payment of a fee not to exceed \$100.00, which fee shall be set from time to time by resolution of the Board.

Authors: Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris
Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-214.

History: Filed September 30, 1982. **Amended:** Filed March 9, 1995; effective April 13, 1995. **Amended:** Filed December 6, 1996; effective January 10, 1997. **Amended:** Filed July 14, 1998; effective August 18, 1998. **Amended:** February 4, 2003; effective March 11, 2003.

700-X-2-.09 Renewal Of License.

(1) Annual Renewal Required. Each license expires on October 1 of the year following its issuance.

(2) Renewal Fee Required. A renewal fee of not to exceed \$100.00 shall be required for annual renewal of license. The renewal fees shall be set from time to time by resolution of the Board.

(3) Continuing Education Required. Successful completion of continuing education shall be a requirement for the renewal of licenses. Licensees will provide documentation of successful completion of continuing education units with license renewals.

(a) General Guidelines

1. Continuing education courses seeking Board approval are courses which:

(i) Maintain, improve or expand skills or knowledge of the practice of physical therapy

(ii) Contribute to the professional competency of the licensee by means of an organized program

(iii) Pertain to common subjects related to the practice of physical therapy

(iv) Are conducted by experts in the subject matter - individuals with special education, training, and experience, and are accompanied by a paper, CD, manual or outline

(v) Have stated program goals/objectives.

2. One contact hour constitutes one fifty-minute clock hour or one-tenth CEU and ten contact hours are equal to one CEU in an organized continuing education experience under responsible sponsorship, capable direction and qualified educators.

3. Components of APTA shall include sections, chapters and accredited school programs. The Federation of State Boards of Physical Therapy and CLEAR conference programs will be recognized for those involved with licensure.

(b) Requirements

1. Each physical therapist and physical therapist assistant licensed to practice by this Board shall complete for each compliance period, a minimum of ten (10) contact hours from courses approved by the Board. October 1 through September 30 of the next year shall constitute a compliance period.

2. Continuing education credit may be granted for:

(i) Courses, seminars and workshops which are sponsored by APTA and/or its components,

(ii) Certificate courses for an advanced specialty,

(iii) APTA individual self-directed studies. Please note that other self-directed studies taught by qualified individuals may be considered.

(iv) University/college courses which apply to the field of physical therapy. Ten contact hours will be awarded for each college semester credit earned with a grade of "B" or above, seven contact hours for each quarter hour.

(v) Courses which are of two or more consecutive contact hours in duration on the same subject matter.

(vi) Practicing licensees who teach continuing education courses that are pre-approved by the Alabama Board for at least two-hours in duration shall be awarded one contact hour for each hour taught.

3. Applicants who are approved for initial licensure between October 1 and December 31 are not required to accrue hours the first licensure period. New graduates will not be required to meet the continuing education requirement for their first renewal.

4. Licensees will be responsible for supplying copies of certificates of completion for approved continuing education courses upon request, in addition to renewal applications and fees.

5. Hours earned by a physical therapist or physical therapist assistant in excess of ten (10) hours during a compliance period, may be carried forward into the next compliance period; but, no more than ten (10) hours may be carried forward.

6. Licensees are required to have at least one approved continuing education course every other year on the topic of physical therapy jurisprudence, covering both the Practice Act and the Administrative Code. PTs will be required to fulfill this requirement when renewing their license in even numbered years; PTAs will be required to fulfill this requirement when renewing their license in odd numbered years.

(c) Approval of courses

1. Any individual or organization seeking approval of a course should apply to the Board for approval in advance of the commencement of the activity.

2. An application shall include:

(i) dates and location of course if offered as a live event; URL and access code if offered electronically; all materials if offered as a home study course

(ii) subjects offered

(iii) course outline and objectives

(iv) total hours of instruction to complete course

(v) names and qualifications of speakers, and instructors, and course developers

(vi) sponsoring organization or institution

(vii) most recent date course was reviewed and updated, by whom, and that individual(s)' qualifications

3. The approval of courses granted by the Board shall be good for a two-year period

(d) Unacceptable activities for continuing education:

1. Orientation and inservice
2. Courses that are less than two hours in length
3. Meetings for purposes of policy decisions
4. Non-educational meetings at annual conferences, chapter or organizational meetings
5. Entertainment or recreational meetings or activities
6. Committee meetings, holding office, serving as an organizational delegate
7. Visiting exhibits, poster presentations

(e) Review of Programs. The Board may monitor or review any continuing education program already approved and, upon evidence of significant variation in the program presented from the program approved, may revoke all or any part of the hours approved.

(f) Failure to Meet Requirement

1. No license will be renewed in the absence of satisfactory evidence that the required hours have been earned.

2. The Board may consider exceptions in extenuating circumstances.

Authors: James R. Hobbs, Jr.; Anne H. Harrison; Robert L. Shoemake; Donald L. Hiltz; Janice M. Goodwin, Herbert R. Caillouet, Bernard Harris; Andy Gustafson, John Cormier, Ron Bass, Jay Segal, Mitzi Tuttle, Sonja Enfinger, Vince Molyneux; Vince Molyneux, John Cormier, Jay Segal, Eric Dekle, Mitzi Watson, Mary Jolley;

Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-216.

History: Filed September 30, 1982. **Amended:** Filed November 29, 1989; January 3, 1990; July 7, 1991. **Amended:** Filed June 8, 1994; Effective July 13, 1994. **Amended:** Filed July 14, 1998; effective August 18, 1998. **Amended:** Filed November 2, 2001; effective December 7, 2001. **Amended:** Filed February 4, 2003; effective March 11, 2003. **Amended:** Filed February 2, 2004; effective March 10, 2005. **Amended:** Filed September 6, 2005; effective October 11, 2005. **Amended:** Filed December 31, 2009; effective February 4, 2010. **Amended:** Filed June 19, 2012;

700-X-2-.10 **Restoration Of License.** All licenses shall expire on the first day of October. Any person who permits his/her license to lapse past September 30 may restore the license upon application to the Board and submission of all fees due on or before November first. After November first, a restoration fee set by the board will be required, in addition to the renewal fee. Upon receipt of all fees applicable, a license will be reinstated and restored effective the date that all fees are received in the board office.

Authors: Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris
Statutory Authority: Code of Ala. 1975, §§34-24-193, 34-24-216.
History: Filed September 30, 1982. **Amended:** Filed July 14, 1998; effective August 18, 1998. **Amended:** Filed February 2, 2005; effective March 10, 2005. **Amended:** Filed March 7, 2007; effective April 11, 2007.

700-X-2-.11 **Lost Or Destroyed License Or Name Change.**

(1) Lost or destroyed license. Any licensee whose license is lost or destroyed may be issued a replacement license upon making application to the Board. Such application must be accompanied by an affidavit setting out the facts concerning the loss or destruction.

(2) Name change. Any licensee whose name is changed by marriage or court order shall surrender his/her license, provide proof of name change and apply for a replacement license within 60 days.

Authors: Herbert R. Caillouet, Donald L. Hiltz, Bernard Harris
Statutory Authority: Code of Ala. 1975, §34-24-193.
History: Filed September 30, 1982. **Amended:** Filed July 14, 1998; effective August 18, 1998.

