

APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 589

Department or Agency: Alabama State Board of Prosthetists and Orthotists

Rule No. 746-X-2-.04

Rule Title: Application Fee Required

New	Amend (X)	Repeal	Adopt by Reference
Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?			YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare:	YES
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Is there another, less restrictive method of regulation available that could adequately protect the public?	NO
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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
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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
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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
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Does the proposed rule have an economic impact?	NO
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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 Ronald E. Ewell Date 6-17-14

ALABAMA STATE BOARD OF PROSTHETISTS AND ORTHOTISTS
Notice of Intended Action

AGENCY NAME: ALABAMA STATE BOARD OF PROSTHETISTS
AND ORTHOTISTS

RULE NO. : 746-X-2-.04

TITLE: APPLICATION FEE REQUIRED

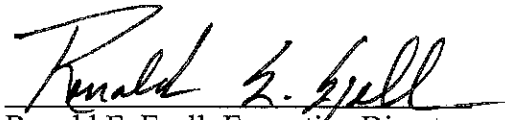
INTENDED ACTION: Amend Existing Rule

SUBSTANCE OF PROPOSED ACTION: Delete: 746-X-2-.04(3)(i) - Requires a license duplicate or replacement fee of \$50; and 746-X-2-.04(6) - Written license. Requires a Certification verification of \$10 each.

TIME, PLACE, MANNER OF PRESENTING VIEWS: The board will provide the public with an opportunity to present their views orally by contacting the Board at 334-420-1111 or in writing at the following address: Alabama State Board of Prosthetists and Orthotists, P.O. Box 1052, Montgomery, 36101; or via electronic mail at rezell113@aol.com. Physical Address: 441 High Street, Montgomery, AL 36104. All oral and written comments to be received no later than 4:00 PM on August 5, 2014.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
The record shall be closed on August 5, 2014 at 4:00 PM.

CONTACT PERSON AT AGENCY: Ronald E. Ezell, Executive Director, Alabama State Board of Prosthetists and Orthotists, P.O. Box 1052, Montgomery, AL 36101; 441 High Street, Montgomery, AL 36104; Phone: 334-420-1111.


Ronald E. Ezell, Executive Director

746-X-2-.04**Application Fee Required.**

- (1) Application fees, licensure fees, temporary licensing fees, and other fees as set by the board may be amended by two-thirds vote of board members present at a regular or called meeting of the Board. Fees shall not exceed the limits established in Code of Ala. 1975, §34-25A-1-14.
- (2) Unless otherwise specified, the fees established in this section must be paid to the Board before a license is issued. Fees may be submitted as a personal check, business check, money order, or certified check paid by mail.
- (3) Schedule of fees. The board has established the schedule of fees as follows:
- (a) application fees for licensure--\$175
 - (b) application fees for Orthotic Suppliers--\$150
 - (c) license fees-single discipline--\$450
 - (d) license fees-dual discipline--\$900
 - (e) Orthotic Suppliers License fees--\$350
 - (f) Licensed associate fees--\$250
 - (g) License fees for a single discipline temporary license--\$450
 - (h) License fees for a dual discipline temporary license--\$900
 - ~~(i) License duplicate or replacement -- \$50.~~
- (4) Late Fee. There shall be a grace period of thirty days prior to the imposition of a late fee for tardy renewals of one hundred dollars will be imposed for each month in which the application is late not to exceed three months. After this time, the applicant is in violation of ACT-2002-527 and must be brought in front of the Alabama State Board of Prosthetists and Orthotists and their license may be suspended, revoked, or a fine may be imposed in accordance with Code of Ala. 1975, §34-25A-14 for each violation which consists of each patient seen.
- (5) Returned Check Fee. Maximum fee allowed by Code of Ala. 1975, §8-8-15, this fee must accompany any check, or other negotiable instrument drawn on a bank or other depository institution and made payable to the Board, if the instrument is not paid or it dishonored by the institution.
- ~~(6) Written license. Certification verification--\$10 each.~~
- ~~(7)~~(6) Returned checks. Returned checks will be subject to the following procedure:
- (a) A license, or accredited facilities, whose check is returned due to insufficient funds, account closed, payments stopped, or other reason, shall remit a money order or check for guaranteed funds to the board within 30 days of the date of the board's notice.

(b) The application shall be considered incomplete until the replacement fee has been received in accordance with Section A.

(c) If a license has been issued, it shall be invalid until the replacement fee is received.

(d) If a money order or check for guaranteed funds is not received within 30 days of the date of the board's notice, the board shall notify the applicant and the applicant's employer that the application is incomplete or the license has been invalidated due to a returned check.

~~(8)~~(7) Review of the fee schedule. The executive director shall make periodic reviews of the fee schedule and recommend adjustments necessary to provide sufficient funds to meet the expenses of the board without creating an unnecessary surplus. Adjustments shall be made through rule amendments approved by the board.

Authors: Joseph C. Elliott, Glenn Crumpton

Statutory Authority: Code of Ala.1975, §34-25A-1-14.

History: New Rule: Filed December 12, 2002; effective January 16, 2003. **Amended:** Filed October 22, 2003; Effective November 26, 2003. **Amended (Rule No. Only):** Filed April 29, 2005; Effective June 3, 2005. **Amended:** Filed July 21, 2009; Effective August 25, 2009. **Amended:** Filed September 1, 2010; Effective October 6, 2010. **Amended:** Filed March 30, 2012; Effective May 4, 2012. **Amended:** Filed June 17, 2014; Effective: