

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. 850 Department : Alabama State Board of Social Work Examiners
Rule No. 850-x-4-.02 Reciprocity and Applications From Non-Residents
 New Amend 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

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? N/A

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 Holden

Date June 12, 2014

(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-.02 Reciprocity and Applications from Non-Residents

INTENDED ACTION:

To remove the irrevocable consent statement, to correct numbering, and to add the ability to grant temporary right to practice under the state of emergency

SUBSTANCE OF PROPOSED ACTION:

Will allow licensed social workers from other states to aid in emergency situations in Alabama

TIME, PLACE, MANNER OF PRESENTING VIEWS:

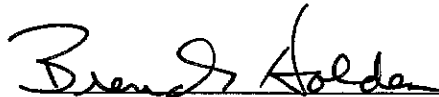
August 12, 2014, 9:30 AM, Public Hearing
100 North Union Street, Suite 732, Montgomery AL 36104

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Written or oral 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 and oral comments must be received by August 12, 2014.

CONTACT PERSON AT AGENCY:

Brenda W. Holden, 334-242-5860


Brenda Holden

850-X-4-.02 Reciprocity And Applications From
Non-Residents.

(1) Reciprocity. Reciprocity shall be granted by the Board to applicants holding valid licenses from other states provided equivalency of standards exists. A comparison shall be made between the requirements for licensure under Alabama law and requirements for licensure under the law in the state where the licensee holds a valid license. Reciprocity will be granted for whatever level is applicable. Where necessary the Board shall request additional information from the applicant in order to clarify whether or not equivalency exists.

(2) Non-Alabama residents who hold a valid social workers' license from another state of the United States may apply for licensure or certification provided:

(a) the state in which the applicant holds a license or certification requires standards equivalent to Alabama's for licensing or certification;

~~(b) the applicant submits with the application an irrevocable consent appointing the executive director of the Board as agent for service of process, if, in an action against the applicant in a court of this state arising out of the applicant's activities as a licensed or certified social worker, the plaintiff cannot, in the exercise of due diligence, effect personal service upon the applicant;~~

(eb) the applicant agrees to be bound by all the provisions of the State of Alabama law governing social workers, and submits to the jurisdiction of the Board, and agrees to be subject to the investigations and disciplinary actions by the Board; and

(ec) The applicant otherwise complies with the provisions of Alabama law and the rules pertaining to the application and certification of social workers in Alabama.

(3) Upon payment of all fees, non-resident applicants who meet all the above requirements and have taken a social worker licensure examination are not required to take the Alabama examination. The non-resident applicant shall complete an Alabama application and provide the necessary information from the resident state that the applicant holds a valid license or certification in good standing issued by the licensing or regulatory agency in

the state as attested to by a statement under seal from the agency setting forth:

(a) the type of license or certification held by the applicant and the license or certification number;

(b) the date of licensure or certification and the expiration date of the applicant's current license or certification;

(c) proof of the examination taken by the applicant;

(d) verification of supervision in that state; and

(e) a complete record of any disciplinary actions taken or pending against the applicant.

(4) Reciprocity filed under a State of Emergency proclaimed by the Governor of Alabama upon request a person with a valid and active social work license may be issued a temporary license to practice in this state as long as the State of Emergency is in effect.

Author: Alabama Board of Social Work Examiners

Statutory Authority: Code of Ala. 1975, §34-30-24 (1991).

History: Repealed and Replaced: Filed October 31, 1997; effective January 1, 1998; March 8, 2007; effective April 12, 2007 (See Rule 850-X-1-.19).