

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: ALABAMA BOARD OF FUNERAL SERVICE
Rule No.: CHAPTER 395-X-7
Rule Title: Eye Enucleating Technicians

_____ New _____ Amend X 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? YES

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? NO

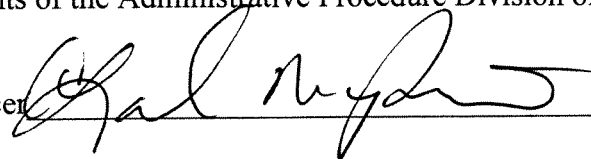
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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 412223, 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 

Date 11/17/11

(DATE FILED)
(STAMP)

Alabama Board of Funeral Service
NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: Chapter 395-X-7 Eye Enucleating Technicians

INTENDED ACTION: The Alabama Board of Funeral Service proposes to repeal Chapter 395-X-7 concerning eye enucleating technicians

SUBSTANCE OF PROPOSED ACTION: The Board proposes to remove the language concerning eye enucleating technicians.


TIME, PLACE, MANNER OF PRESENTING VIEWS: Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, January 4, 2012
Place: 11 South Union Street, Montgomery, AL 36104
Email: Charles.perine@fsb.alabama.gov
Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, January 4, 2012

CONTACT PERSON AT AGENCY:

Charles M. Perine
Associate Executive Secretary
11 South Union Street
Montgomery, AL 366104
(334)242-4049


Charles M. Perine
Associate Executive Secretary
Alabama Board of Funeral Service

“Repealed”

CHAPTER 395-X-7 EYE ENUCLEATING TECHNICIANS TABLE OF CONTENTS

395-X-7-.01 Application

395-X-7-.02 Certification Training Course

395-X-7-.03 Licensure And Renewal

395-X-7-.01 Application. Anyone wishing to become a licensed eye enucleating technician shall make written application to the Board on a form provided by the Board or the Alabama Lion's Eye and Tissue Bank. In order to qualify for a license as an enucleating technician, the applicant shall: (a) be a licensed embalmer in the state of Alabama; (b) have completed a course of study in mortuary science at such school or college as defined in the state funeral service laws; and (c) have completed a certification training course of the Alabama Lion's Eye and Tissue Bank in eye enucleation instruction.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§ 34-13-26, 34-13-151.

History: Filed July 31, 1984. **Repealed:** Filed November 17, 2011

395-X-7-.02 Certification Training Course. Anyone meeting all other requirements for licensure and wishing to enroll in the enucleation certification training course may do so by informing the Board office or the Alabama Lion's Eye and Tissue Bank prior to the date of the course, which shall be set by the eye bank. It is the Board's intent that an apprentice embalmer may enroll in the training course, provided the said apprentice will become eligible for an embalmer license within six months of the training course.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§ 34-13-26, 34-13-151.

History: Filed July 31, 1984. **Repealed:** Filed November 17, 2011

395-X-7-.03 Licensure And Renewal. Each licensed enucleating technician shall be eligible for renewal of said license each October 1st by performing at least one eye enucleation or completing a refresher training course not more than two years prior to said renewal date. The Alabama Lion's Eye and Tissue Bank shall keep an accurate record of all enucleations and of those persons completing refresher training courses and submit to the Board, no later than September 1 of each year, a list of all licensed technicians eligible for renewal. Should a licensee fail to meet the renewal requirements of this section, the license may only be renewed by completing a refresher training course.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§ 34-13-26, 34-13-151.

History: Filed July 31, 1984. **Repealed:** Filed November 18, 2011