

Alabama Board of Examiners in Counseling

Chapter 255-X-9

Private Practice of Counseling By Unlicensed Persons
Prohibited

Table of Contents

- 255-X-9-.01 Notice And Prosecution
- 255-X-9-.02 Conviction (Repealed)
- 255-X-9-.03 Judicial Review

255-X-9-.01 Notice And Prosecution.

(1) When the Board is made aware of a violation, or a possible violation of Code of Ala. 1975, §34-8A-18, notice by registered letter with return receipt, or personal service, shall be sent to the last known address of the person in question. The letter will direct attention to pertinent aspects of the law and the rules and regulations of the law. If this does not induce said person to cease violation and to desist from the private practice of counseling, holding himself/herself out to private practice of counseling, and/or use of title or titles, in violation, the information shall be forwarded to the appropriate law enforcement authorities. The attorney general of the state shall be the attorney of the Board, but the Board may in its discretion employ other counsel. It shall be the duty of the district attorney of the judicial circuit wherein any offense is committed to prosecute violations of Code of Ala. 1975, §§42-8A-1, et seq.

(2) The Board shall have the authority to furnish evidence to assist prosecutors in the prosecution of violations of the act and to investigate complaints regarding possible violations of the act.

(3) The Board shall have the authority to administer oaths and to summon witnesses to take testimony in all matters relating to its duties.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §§34-8A-1 et seq.

History: Filed September 30, 1982.

255-X-9-.02 Repealed.

255-X-9.03 Judicial Review. A judicial review of an order entered by the Board shall be conducted in accordance with the pertinent provisions for the judicial review of contested cases as provided under the Alabama Administrative Procedure Act.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §34-8A-18

History: New Rule: Filed November 9, 2006; effective December 14, 2006.