

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Alabama Board of Examiners in Counseling

Rule No. 255-X-10

Rule Title: Licensing Under Special Conditions

_____ New X 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 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? No

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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 Services Agency.

Signature of certifying officer  _____

Date: November 18, 2021

REC'D & FILED
(DATE FILED) **NOV 18 2021**

APA-2
11/96

Alabama Board of Examiners in Counseling

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Examination of Applications

RULE NO. & TITLE: 255-X-10 Licensing Under Special Conditions

INTENDED ACTION: Amend

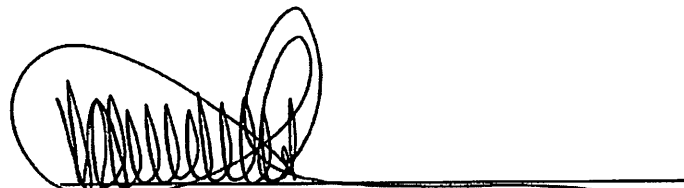
SUBSTANCE OF PROPOSED ACTION: The Board proposes to update language pertaining to licensing under special conditions.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Tuesday, January 4, 2022. Comments should be directed to Keith E. Warren, *Deputy Director*, 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@alstateboard.com or via telephone at 334-420-7229.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Tuesday, January 4, 2022.

CONTACT PERSON AT AGENCY:

Keith E. Warren
Deputy Director
2777 Zelda Road
Montgomery, AL 36106
(334) 420-7229



Keith E. Warren, *Deputy Director*
Alabama Board of Examiners in Counseling

**ALABAMA BOARD OF EXAMINERS IN COUNSELING
ADMINISTRATIVE CODE**

**CHAPTER 255-X-10
LICENSING UNDER SPECIAL CONDITIONS**

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~~255-X-10-.01 Waiver Of Requirements For Prior Practitioners (Grandfather Clause). A candidate eligible for licensure in counseling in Alabama who had filed proper application for such licensure prior to July 19, 1980, could have been licensed to practice counseling provided said candidate met the requirements set forth in Code of Ala. 1975, §34-8A-7 (1) through (5).~~

Author: Alabama Board of Examiners in Counseling

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

History: Filed September 30, 1982. **Repealed:** Filed November 18, 2021;

255-X-10-.02 Endorsement Of Out-Of-State License.

Applicants who hold a current license in good standing to practice counseling issued by a counseling licensure authority in another state, territorial possession of the United States, District of Columbia, or Commonwealth of Puerto Rico may apply for endorsement of that license by:

(1) Applicant must submit an application on a form approved by the Board.

(2) The license that the LPC by Endorsement application is based upon must be a license that the applicant directly qualified for and not one acquired by endorsement or reciprocity in another state.

(3) Applicants must supply a copy of the educational and supervised experience requirements in effect on the date of their application to the state of current licensure.

(34) The Board may, at its discretion, waive the formal examination requirements of an applicant, provided that the applicant has a passing score on a written counseling examination that, in the opinion of the Board, is substantially equivalent to the examination established by the Alabama Board.

(45) Applicants must meet the Alabama educational and supervised experience requirements that were in effect on the date of their application to the state of current licensure.

~~(5) Issuance of License:~~

~~(a) The Board shall issue a license to applicants who satisfactorily meet all requirements in (1) through (4) above.~~

Author: Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §34-8A-15.

History: Filed September 30, 1982. **Repealed and Replaced:**

Filed August 12, 1998; effective September 16, 1998. **Amended:**

Filed November 9, 2006; effective December 14, 2006. **Amended:**

Filed July 14, 2016; effective August 28, 2016. **Amended:** Filed November 18, 2021;

255-X-10-.03 Provisional Licensure.

(1) A provisional license may be issued to an applicant who is currently licensed by a counseling licensure board in another state and who has been found to be deficient in meeting academic, supervised experience or examination requirements of this Board.

(2) An applicant seeking provisional licensure must provide to the Board a written proposal for addressing areas of deficiency. The proposal will be reviewed at a regularly scheduled meeting of the Board.

(3) If the proposal for addressing areas of deficiency is unacceptable, the Board will identify areas of concern and may offer recommendations. The board will inform the applicant in writing regarding the reasons for denial of the proposal.

(4) If the proposal is acceptable, the Board will approve the proposal and inform the applicant in writing.

(5) The provisional license will be issued upon receipt of the licensure fee.

(6) Any provisional license will only be valid for one (1) year from the date of issuance. To renew a professional license requires a request to, and approval by, the Board.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §34-8A-15.

History: New Rule: Filed November 9, 2006; effective December 14, 2006. **Amended:** Filed: November 18, 2021;