

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency Alabama Board of Examiners in Counseling  
Rule No. 255-X-5

Rule Title: Examination of Applicants  
\_\_\_\_\_ 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

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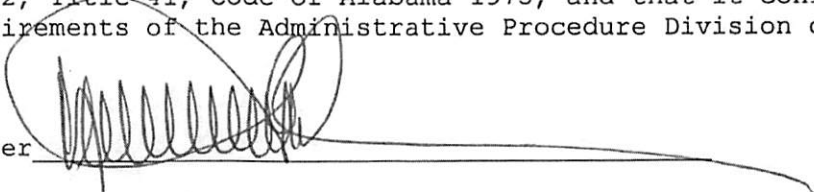
Does the proposed rule have an economic impact? No

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.

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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

(DATE FILED) REC'D & FILED  
NOV 18 2021  
LEGISLATIVE SVC AGENCY

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-5 Examination of Applicants

INTENDED ACTION: Amend

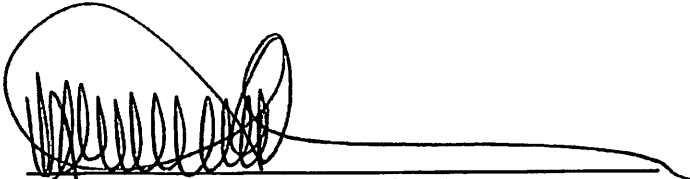
SUBSTANCE OF PROPOSED ACTION: The Board proposes to update examination requirements.

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](mailto: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-5  
EXAMINATION OF APPLICANTS**

**TABLE OF CONTENTS**

<b>255-X-5-.01</b>	<b>General</b>
<b>255-X-5-.02</b>	<b>Written Examination</b>
<b>255-X-5-.03</b>	<b>Electronic Examination</b>

**255-X-5-.01**     General. An applicant who has met the requirements of Code of Ala. 1975, §34-8A-7(1) through (4) and Chapter 255-X-3-.01(2)(a) through (2)(b)1-11, will be granted permission to take the written examination.

**Author:** Alabama Board of Examiners in Counseling

**Statutory Authority:** Code of Ala. 1975, §34-8A-7(6).

**History:** Filed September 30, 1982. **Amended:** Filed: January 16, 1996; effective February 20, 1996. **Amended:** Filed November 9, 2006; effective December 14, 2006. **Amended**

**(Statutory Authority changed only):** Filed July 25, 2017; effective September 8, 2017.

**255-X-5-.02**     Written Examination.

(1)           The Board has adopted a prepared standardized test covering the specialized knowledge common to a variety of counseling practices. The Board may contract with test design specialists to prepare and provide materials for such testing and to revise the examination as deemed necessary. Passing and failing scores will be determined by the Board utilizing the normative data associated with each administration of the examination. A passing score on the examination is one of the requirements for licensure as a licensed professional counselor.

(2)           Application for Examination and Fee. Following notification of eligibility for examination, the applicant shall receive and complete an application for examination and submit the required fee to the Board, or their designated examination agency, with ~~his or her~~ their application for examination.

(3) Notification by Board of Examination. Upon receipt of the applicant's application for examination the Board shall notify the applicant of the date, time and location of the examination. Said notification shall be accompanied by an admission letter which will entitle the applicant to admission to the examination.

(4) Authority to Set Location and Frequency of Examination. The Board shall have authority pursuant to Code of Ala. 1975, §34-8A-10, to designate the location of examinations and the frequency with which these examinations shall be given.

(5) Notification of Results. As soon as the results of the examination have been completed, the Board shall notify each applicant by mail of his or her examination score.

(6) Re-examination. In the event an applicant fails to receive a passing grade on the examination, the applicant may register and shall be allowed to take a subsequent examination.

(7) Preservation of Examination. Pursuant to Code of Ala. 1975, §34-8A-13, the Board shall preserve the examination score of each candidate as part of its records for a period of two years following the date of examination.

(8) Examination Option. Applicants for associate licensed counselor may opt for examination at the completion of their education requirement as set out in Code of Ala. 1975, §34-8A-7(4) and Chapter 255-X-3-.01, or they may defer examination until completion of the experience requirement set out in Code of Ala. 1975, §34-8A-7(5).

**Author:** Alabama Board of Examiners in Counseling

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

**History:** Filed September 30, 1982. **Amended:** Filed September 25, 2000; effective October 30, 2000. **Amended:** Filed November 9, 2006; effective December 14, 2006. **Amended:** Filed September 28, 2009; effective November 2, 2009. **Amended:** Filed November 18, 2021

**255-X-5-.03 Electronic Examination.**

(1) Beginning June 1, 2007, the Board has the option to accept an electronically administered and scored examination

as an alternative that would conform to the stipulations specified in Chapter 255-X-5-.02(1).

(2) The electronic examination option would eliminate the application of procedures noted in Chapter 255-X-5-.02(2) through (6).

(3) Upon meeting the prerequisite academic requirements for licensure specified in Chapter 255-X-3-.01(2)(a) and 255-X-3-.01(2)(b)1 through 11, the Board will assist applicants in identifying and pursuing an electronic administration of the examination.

(4) Should the Board elect to implement the option of utilizing an electronic examination administered and scored by an external agency, written examinations shall not be scheduled or administered by the Board.

**Author:** Alabama Board of Examiners in Counseling

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

**History: New Rule:** Filed May 22, 2007; effective June 26, 2007.