

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 255
Department or Agency: Alabama Board of Examiners in Counseling
Rule No.: Chapter 255-X-6
Rule Title: Licensure
Intended Action: Amend

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? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

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

Keith E. Warren
Keith E. Warren

Date

Monday, November 18, 2024

REC'D & FILED
NOV 18, 2024
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF EXAMINERS IN COUNSELING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Examiners in Counseling

RULE NO. & TITLE: Chapter 255-X-6 Licensure

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to update requirements outlined in this chapter.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted directly to Keith E. Warren, Executive Director, 2777 Zelda Road, Montgomery, Alabama 36106 or by email at keith@alstateboard.com.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, January 1, 2025

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
Alabama Board of Examiners in
Counseling
2777 Zelda Road
Montgomery, Alabama 36106
334-420-7229

Keith E. Warren

Keith E. Warren

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

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

**CHAPTER 255-X-6
LICENSURE**

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255-X-6-.01 Licensure.

(1) The Board shall issue a license to practice as a professional counselor to all persons who meet the qualifications and who pass the required examination and meet the required experience **qualifications**. For all initial licenses, the licensure term may be less than or greater than two (2) years depending on the date of issuance of the license and will expire July 31 of the renewal year.

(2) The Board shall issue a license to practice as an associate licensed counselor to all persons who meet the qualifications set out in Code of Ala. 1975, §34-8A-7(1), (2), (3), and (4). The associate licensed counselor license will be issued for a period of one year and will expire twelve (12) months from the date of issue.

(3) Licensure shall be documented by the issuance of a license document approved by the Board, carrying the approval seal of the board, and bearing the signature of the Chair of the Board. The issuance of a license by the Alabama Board of Examiners in Counseling authorizes a licensee to engage in the private practice of counseling in the State of Alabama only.

(4) Each licensed professional counselor and associate licensed counselor shall be required to display his or her license for inspection by the general public.

(5) Valid Licensure. All ALC's are required to maintain valid licensure (defined as current supervision by an ABEC approved LPC-S, current PPOS [particularly in the case of a change in LPC-S or work site], proper renewals with appropriate CE documentation, appropriate fee payments, adherence to the Codes and Rules of ABEC in order to provide clinical services. ALC's will become invalid due to unapproved changes in supervision or

supervisor, or unapproved changes in site where supervised client services are acquired.

(6) Notwithstanding the exemptions provided in Code of Ala. 1975, §34-8A-3, those persons who file an application with the Board or who are licensed professional counselors or associate licensed counselors shall comply with the codes and regulations of the Board and be subject to the disciplinary provisions of the Board.

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:** July 14, 2016; effective August 28, 2016. **Amended:** Published February 28, 2022; effective April 14, 2022. **Amended: Published ; effective** .

255-X-6-.02 Inactive License.

An LPC or ALC may seek inactive status of their licensure through written request to the Board prior to the ending valid date of the license. The Board shall inform the licensee in writing of the inactivation decision. Once the Board renders the license inactive, the licensee shall have all privileges associated with licensure revoked until the license is reactivated. Otherwise, the licensee will be subject to Section 255-X-7 of the regulation regarding licensure renewal, since the Board will not consider retroactive inactivation of a lapsed or expired license.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §§34-8A-6.

History: **New Rule:** Filed September 25, 2000; effective October 30, 2000. **Amended:** Filed September 28, 2009; effective November 2, 2009. **Amended:** Published February 28, 2022; effective April 14, 2022.

255-X-6-.03 Reactivation Of License.

An LPC or ALC with an inactive license may request reactivation of licensure through a written request to the Board. An LPC must submit documentation acceptable to the Board of continuing education activities of no less than forty (40) contact clock hours accrued within the twenty-four (24) months immediately preceding the reactivation request. The forty (40) hours of continuing education must contain a minimum of six (6) clock hours devoted to ethical concerns ~~for practice, assessment,~~

~~supervision, or research in counseling.~~ An ALC must submit documentation acceptable to the Board of continuing education activities of no less than twenty ~~(20) contact clock hours~~ accrued within the twenty four ~~(24) months~~ immediately preceding the reactivation request. The twenty ~~(20) hours~~ of continuing education must contain a minimum of three ~~(3) clock hours~~ devoted to ethical concerns for practice, assessment, supervision, or research in counseling. Additionally, the applicant must pay the reactivation fee as well as the renewal fee noted under 255-X-1-.08 of the regulations.

~~An ALC must submit documentation acceptable to the Board of continuing education activities of no less than ten~~ (10) contact clock hours accrued within the twelve (12) months immediately preceding the reactivation request. The ten (10) hours of continuing education must contain a minimum of two (2) clock hours devoted to ethical concerns for practice, ~~assessment, supervision, or research in counseling.~~ A proposed plan of supervision must also be submitted by the ALC for Board approval. Additionally, the applicant must pay the reactivation fee as well as the renewal fee noted under 255-X-1-.08 of the regulations.

Inactivation of LPC or ALC licenses shall not exceed six (6) years from the date of inactivation by the Board. After six (6) years of inactivation has passed, any licensure applicant must reapply under the current regulations for initial ALC licensure with forfeiture of all accrued supervision, and all client experience hours.

Author: Alabama Board of Examiners in Counseling

Statutory Authority: Code of Ala. 1975, §§34-8A-6.

History: New Rule: Filed September 25, 2000; effective October 30, 2000. **Amended:** Filed March 22, 2002; effective April 26, 2002. **Amended:** Filed May 30, 2003; effective July 4, 2003.

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

Amended: Filed September 28, 2009; effective November 2, 2009.

Amended: Filed July 14, 2016; effective August 28, 2016.

Amended: Published February 28, 2022; effective April 14, 2022.

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