

1 SB215  
2 148362-3  
3 By Senator Waggoner  
4 RFD: Health  
5 First Read: 14-FEB-13

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 To amend Sections 34-39-3, 34-39-4, 34-39-5,  
12 34-39-6, 34-39-7, 34-39-8, 34-39-11, and 34-39-16, Code of  
13 Alabama 1975, relating to the Alabama State Occupational  
14 Therapy Practice Act; to provide further for the definition of  
15 occupational therapy; to include licensed assistants to a  
16 physician acting pursuant to a valid supervisory agreement,  
17 licensed certified registered nurse practitioners in a  
18 collaborative practice agreement with a licensed physician,  
19 and licensed psychologists among those permitted to refer a  
20 patient for occupational therapy treatment; to exempt  
21 occupational therapists performing services in a wellness or  
22 community setting from the referral requirement; to allow a  
23 licensee to include academic credentials with license  
24 acronyms; to increase the number of consecutive terms a board  
25 member may serve from two to three; to delete the requirement  
26 that the State Board of Medical Examiners and the State Board  
27 of Occupational Therapy jointly approve certain rules; to

1 provide for the employment and compensation of an executive  
2 director; to delete certain requirements for degree or  
3 certificate conferral; to provide for the revocation of an  
4 active limited permit upon failure of the permit holder to  
5 pass the qualifying examination; to allow the executive  
6 director, at the request of the secretary, to mail complaints;  
7 and to make certain technical corrections.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Sections 34-39-3, 34-39-4, 34-39-5,  
10 34-39-6, 34-39-7, 34-39-8, 34-39-11, and 34-39-16 of the Code  
11 of Alabama 1975, are amended to read as follows:

12 "§34-39-3.

13 "In this chapter, the following terms shall have the  
14 respective meanings provided in this section unless the  
15 context clearly requires a different meaning:

16 "(1) ASSOCIATION. The Alabama Occupational Therapy  
17 Association.

18 "(2) BOARD. The Alabama State Board of Occupational  
19 Therapy.

20 "(3) LICENSE. A valid and current certificate of  
21 registration issued by the Alabama State Board of Occupational  
22 Therapy.

23 "(4) OCCUPATIONAL THERAPY. ~~The application of~~  
24 ~~purposeful activity in which one engages for evaluation,~~  
25 ~~treatment, and consultation related to problems interfering~~  
26 ~~with functional performance in persons impaired or threatened~~  
27 ~~by physical illness or injury; psychosocial dysfunction;~~

1 congenital dysfunction; developmental and learning  
2 dysfunction; the aging process; environmental deprivation or  
3 anticipated dysfunction; in order to maximize independence,  
4 prevent disability, and maintain health. Specific occupational  
5 therapy services include, but are not limited to, evaluation  
6 techniques such as assessment of sensory motor abilities;  
7 assessment of the development of self-care activities and  
8 capacity for independence; assessment of the capacity for work  
9 readiness and work tasks; assessment of play and leisure  
10 performance; and assessment of environmental areas for  
11 individuals with disabilities. Specific occupational therapy  
12 treatment techniques include activities of daily living (ADL);  
13 the design, fabrication, and application of selected splints  
14 or orthotics, or both; sensorimotor activities and exercise;  
15 the use of specifically designed goal oriented arts and  
16 crafts; design, fabrication, selection, and use of adaptive  
17 equipment; therapeutic activities, modalities, and exercises  
18 to enhance functional performance; work readiness evaluation  
19 and training.

20 "a. The practice of occupational therapy means the  
21 therapeutic use of occupations, including everyday life  
22 activities with individuals, groups, populations, or  
23 organizations to support participation, performance, and  
24 function in roles and situations in home, school, workplace,  
25 community, and other settings. Occupational therapy services  
26 are provided for habilitation, rehabilitation, and the  
27 promotion of health and wellness to those who have or are at

1 risk for developing an illness, injury, disease, disorder,  
2 condition, impairment, disability, activity limitation, or  
3 participation restriction. Occupational therapy addresses the  
4 physical, cognitive, psychosocial, sensory-perceptual, and  
5 other aspects of performance in a variety of contexts and  
6 environments to support engagement in occupations that affect  
7 physical and mental health, well-being, and quality of life.

8 The practice of occupational therapy includes:

9 "1. Evaluation of factors affecting activities of  
10 daily living (ADL), instrumental activities of daily living  
11 (IADL), rest and sleep, education, work, play, leisure, and  
12 social participation including all of the following:

13 "(i) Client factors, including body functions, such  
14 as neuromusculoskeletal, sensory-perceptual, visual, mental,  
15 cognitive, and pain factors; body structures such as  
16 cardiovascular, digestive, nervous, integumentary,  
17 genitourinary systems, and structures related to movement;  
18 values, beliefs, and spirituality.

19 "(ii) Habits, routines, roles, rituals, and behavior  
20 patterns.

21 "(iii) Physical and social environments, cultural,  
22 personal, temporal, and virtual contexts, and activity demands  
23 that affect performance.

24 "(iv) Performance skills, including motor and  
25 praxis, sensory-perceptual, emotional regulation, cognitive,  
26 communication, and social skills.

1           "2. Methods or approaches selected to direct the  
2 process of interventions such as:

3           "(i) Establishment, remediation, or restoration of a  
4 skill or ability that has not yet developed, is impaired, or  
5 is in decline.

6           "(ii) Compensation, modification, or adaptation of  
7 activity or environment to enhance performance, or to prevent  
8 injuries, disorders, or other conditions.

9           "(iii) Retention and enhancement of skills or  
10 abilities without which performance in everyday life  
11 activities would decline.

12           "(iv) Promotion of health and wellness, including  
13 the use of self-management strategies, to enable or enhance  
14 performance in everyday life activities.

15           "(v) Prevention of barriers to performance and  
16 participation, including injury and disability prevention.

17           "3. Interventions and procedures to promote or  
18 enhance safety and performance in activities of daily living  
19 (ADL), instrumental activities of daily living (IADL), rest  
20 and sleep, education, work, play, leisure, and social  
21 participation including all of the following:

22           "(i) Therapeutic use of occupations, exercises, and  
23 activities.

24           "(ii) Training in self-care, self-management, health  
25 management and maintenance, home management, community/work  
26 reintegration, and school activities and work performance.

1           "(iii) Development, remediation, or compensation of  
2 neuromusculoskeletal, sensory-perceptual, visual, mental, and  
3 cognitive functions, pain tolerance and management, and  
4 behavioral skills.

5           "(iv) Therapeutic use of self, including one's  
6 personality, insights, perceptions, and judgments, as part of  
7 the therapeutic process.

8           "(v) Education and training of individuals,  
9 including family members, caregivers, groups, populations, and  
10 others.

11           "(vi) Care coordination, case management, and  
12 transition services.

13           "(vii) Consultative services to groups, programs,  
14 organizations, or communities.

15           "(viii) Modification of environments, including  
16 home, work, school, or community, and adaptation of processes,  
17 including the application of ergonomic principles.

18           "(ix) Assessment, design, fabrication, application,  
19 fitting, and training in seating and positioning, assistive  
20 technology, adaptive devices, training in the use of  
21 prosthetic devices, orthotic devices, and the design,  
22 fabrication and application of selected splints or orthotics.

23           "(x) Assessment, recommendation, and training in  
24 techniques to enhance functional mobility, including  
25 management of wheelchairs and other mobility devices.

26           "(xi) Low vision rehabilitation.

27           "(xii) Driver rehabilitation and community mobility.

1           "(xiii) Management of feeding, eating, and  
2 swallowing to enable eating and feeding performance.

3           "(xiv) Application of physical agent modalities, and  
4 use of a range of specific therapeutic procedures such as  
5 wound care management, interventions to enhance  
6 sensory-perceptual and cognitive processing, and manual  
7 therapy, all to enhance performance skills.

8           "(xv) Facilitating the occupational performance of  
9 groups, populations, or organizations through the modification  
10 of environments and the adaptation of processes.

11           "b. An occupational therapist or occupational  
12 therapy assistant is qualified to perform the above activities  
13 for which they have received training and any other activities  
14 for which appropriate training or education, or both, has been  
15 received. Notwithstanding any other provision of this chapter,  
16 no occupational therapy treatment programs to be rendered by  
17 an occupational therapist, occupational therapy assistant, or  
18 occupational therapy aide shall be initiated without the  
19 referral of a licensed physician, a licensed chiropractor, a  
20 licensed optometrist, a licensed assistant to a physician  
21 acting pursuant to a valid supervisory agreement, a licensed  
22 certified registered nurse practitioner in a collaborative  
23 practice agreement with a licensed physician, a licensed  
24 psychologist, or a licensed dentist who shall establish a  
25 diagnosis of the condition for which the individual will  
26 receive occupational therapy services. In cases of long-term  
27 or chronic disease, disability, or dysfunction, or any



1 combination of the foregoing, requiring continued occupational  
2 therapy services, the person receiving occupational therapy  
3 services shall be reevaluated by a licensed physician, a  
4 licensed chiropractor, a licensed optometrist, a licensed  
5 assistant to a physician acting pursuant to a valid  
6 supervisory agreement, a licensed certified registered nurse  
7 practitioner in a collaborative practice agreement with a  
8 licensed physician, a licensed psychologist, or a licensed  
9 dentist at least annually for confirmation or modification of  
10 the diagnosis. Occupational therapists performing services in  
11 a wellness or community setting for the purposes of enhancing  
12 performance in everyday activities are exempt from this  
13 referral requirement. Occupational therapists employed by  
14 state agencies and those employed by the public schools and  
15 colleges of this state who provide screening and  
16 rehabilitation services for the educationally related needs of  
17 the students are exempt from this referral requirement.

18 "(5) OCCUPATIONAL THERAPIST. A person licensed to  
19 practice occupational therapy whose license is in good  
20 standing.

21 "(6) OCCUPATIONAL THERAPY ASSISTANT. A person  
22 licensed to assist in the practices of occupational therapy  
23 under the supervision of, or with the consultation of, a  
24 licensed occupational therapist whose license is in good  
25 standing.

26 "(7) OCCUPATIONAL THERAPY AIDE. A person who assists  
27 in the delivery of occupational therapy, who works under

1 direct on-site supervision of an occupational therapist or  
2 occupational therapy assistant, or both, and whose activities  
3 require an understanding of occupational therapy but do not  
4 require professional or advanced training in the basic  
5 anatomical, biological, psychological, and social sciences  
6 involved in the practice of occupational therapy. No activity  
7 listed under paragraph a. of subdivision (4) may be performed  
8 by an occupational therapy aide.

9 "(8) PERSON. A human person only, not a legal  
10 entity.

11 "(9) WITH THE CONSULTATION OF. The collaboration of  
12 two or more persons on a regularly scheduled basis for the  
13 purpose of planning, review, or evaluation of occupational  
14 therapy services.

15 "§34-39-4.

16 "(a) No person may present ~~himself/herself~~ himself  
17 or herself as an occupational therapist or an occupational  
18 therapy assistant in this state unless he or she is licensed  
19 in accordance with ~~the provisions of~~ this chapter. No firm,  
20 partnership, association, or corporation may advertise or  
21 otherwise offer to provide or convey the impression that it is  
22 providing occupational therapy unless an individual holding a  
23 current valid license or limited permit under this chapter is  
24 or will at the appropriate time be rendering the occupational  
25 therapy services to which reference is made.

26 "(b) It is unlawful for any person not licensed as  
27 an occupational therapist or an occupational therapy assistant

1 or whose license has been suspended or revoked to use in  
2 connection with ~~his/her~~ his or her name or place of business  
3 the words "occupational therapist," "licensed occupational  
4 therapist," "occupational therapy assistant," "licensed  
5 occupational therapy assistant," or the letters "O.T.,"  
6 "L.O.T.," "O.T.R./L.," "O.T.A.," "L.O.T.A.," "C.O.T.A./L.,"  
7 thereby indicating or implying that he/she is qualified to  
8 practice in this state as a licensed occupational therapist or  
9 a licensed occupational therapy assistant. At the discretion  
10 of the licensee, academic credentials including MS, OTR/L to  
11 indicate a master's degree, and OTD to indicate a clinical  
12 doctorate, may also be used in conjunction with the licensure  
13 acronyms. It is unlawful also for any person not licensed  
14 under this chapter to show in any other way, orally, in  
15 writing, in print, or by sign, directly or by implication that  
16 ~~he/she~~ he or she is engaged in performing occupational therapy  
17 services.

18 "§34-39-5.

19 "Nothing in this chapter shall be construed as  
20 preventing or restricting the practice, services, or  
21 activities of any of the following persons:

22 "(1) Any person licensed under any other law of the  
23 state from engaging in the profession for which he or she is  
24 licensed.

25 "(2) Any person employed as an occupational  
26 therapist or an occupational therapy assistant by the  
27 government of the United States, if the person provides

1 occupational therapy solely under the direction or control of  
2 the organization by which he or she is employed.

3 "(3) Any person pursuing a course of study leading  
4 to a degree ~~or certificate~~ in occupational therapy at an  
5 accredited or approved educational program if the activities  
6 and services constitute a part of a supervised course of  
7 study, if the person is designated by a title which clearly  
8 indicates his or her status as a student or trainee.

9 "(4) Any person fulfilling the supervised fieldwork  
10 experience requirements of subdivision (2) of Section 34-39-8.

11 "§34-39-6.

12 "(a) There is established the Alabama State Board of  
13 Occupational Therapy.

14 "(1) The board shall consist of five members, four  
15 of whom shall be involved in the practice of occupational  
16 therapy, of which one shall be an occupational therapy  
17 assistant. The remaining member shall be a member of another  
18 health profession or a member of the public with an interest  
19 in the rights or the concerns of health services. Each member  
20 of the board shall be a citizen of this state. The  
21 occupational therapy board members shall be appointed by the  
22 Governor from a list submitted by the Alabama Occupational  
23 Therapy Association. In appointing members to the board, the  
24 association and the Governor, to the extent possible, shall  
25 select those persons whose appointments ensure that the  
26 membership of the board is inclusive and reflects the racial,  
27 gender, geographic, urban/rural, and economic diversity of the

1 state. Those board members who are occupational therapists, of  
2 which one shall be a minority, and occupational therapy  
3 assistants shall have been engaged in rendering services to  
4 the public, teaching, or research in occupational therapy for  
5 at least three years, and shall at all times be holders of  
6 valid licenses for the practice of occupational therapy in  
7 Alabama. Except for the members in the initial board, all  
8 members who are occupational therapists and occupational  
9 therapy assistants shall fulfill the requirements for  
10 licensure pursuant to this chapter. Terms of appointment for  
11 the initial board members shall be as follows: Two members  
12 shall serve a one-year term; two members shall serve a  
13 two-year term; and one member shall serve a three-year term.

14 "(2) The board shall, within 90 days after April 17,  
15 1990, be selected as provided in subdivision (1). At the  
16 expiration of the initial terms, board members shall be  
17 appointed in the same manner as initial appointments, each for  
18 a period of three years. No person shall be appointed to serve  
19 more than ~~two~~ three consecutive terms.

20 "(3) Terms shall begin on the first day of the  
21 calendar year and end on the last day of the calendar year, or  
22 until successors are appointed, except for the initial members  
23 who shall serve through the last calendar day of the year in  
24 which they are appointed before the commencement of the terms  
25 prescribed by subdivision (1).

26 "(4) Within 45 days after April 17, 1990, and  
27 annually thereafter, the association shall submit two or three

1 names for each position on the board to be filled. In the  
2 event of a midterm vacancy in one of the positions on the  
3 board, the Governor shall appoint a member to fill the  
4 unexpired term from a list submitted by the association in the  
5 same manner as provided in subdivision (1).

6 "(5) The Governor, after notice and opportunity for  
7 hearing by the board, may remove any member of the board for  
8 neglect of duty, incompetence, revocation or suspension of the  
9 license of the member, or other dishonorable conduct. After  
10 removal, the Governor shall appoint a successor to the  
11 unexpired term from a list of two or three names submitted by  
12 the association.

13 "(6) The board shall elect from its membership a  
14 chairperson, a secretary, and a treasurer. A majority of the  
15 members of the board shall constitute a quorum. The board  
16 shall meet during the first month of the calendar year to  
17 select officers. No board member may hold the same position as  
18 an officer of the board for more than two consecutive years.  
19 At least one additional meeting shall be held before the end  
20 of the calendar year. Further meetings may be convened at the  
21 call of the chairperson, or on the request of any three board  
22 members.

23 "(7) Members may be reimbursed for all reasonable  
24 and necessary expenses actually incurred in the performance of  
25 their duties in accordance with the laws of the State of  
26 Alabama and regulations of the State Personnel Director.

1           "(b) There is established a separate special revenue  
2 fund in the State Treasury known as the Alabama State Board of  
3 Occupational Therapy Fund. All receipts collected by the board  
4 pursuant to this chapter shall be deposited in this fund and  
5 used only to carry out the provisions of this chapter.  
6 Receipts shall be disbursed only by warrant of the state  
7 Comptroller upon the State Treasurer, upon itemized vouchers  
8 approved by the chairperson. No funds shall be withdrawn or  
9 expended except as budgeted and allotted according to the  
10 provisions of Sections 41-4-80 to 41-4-96, inclusive, and  
11 Sections 41-19-1 to 41-19-12, inclusive, and only in amounts  
12 as stipulated in the general appropriations bill or other  
13 appropriation bills.

14           "§34-39-7.

15           "(a) The board shall administer, coordinate, and  
16 enforce this chapter.

17           "(b) The board shall, within 90 days of the time at  
18 which it is appointed, notify all current practitioners of  
19 occupational therapy in the state, as identified by the  
20 American Occupational Therapy Certification Board, of the  
21 enactment of this chapter and its otherwise becoming a law.

22           "(c) The board shall adopt and publish rules and  
23 regulations relating to the professional conduct to carry out  
24 the policies of this chapter, including but not limited to  
25 regulations relating to professional licensure, registration,  
26 and the establishment of ethical standards of practice. The  
27 ~~State Board of Medical Examiners and the~~ Alabama State Board

1 of Occupational Therapy must ~~jointly~~ approve any rule,  
2 regulation, or policy that interprets, explains, or enumerates  
3 the permissible acts, functions, or services rendered by an  
4 occupational therapist, occupational therapy assistant, or  
5 occupational therapy aide as those acts, functions, and  
6 services are defined in Section 34-39-3. Any rule, regulation,  
7 or policy adopted in violation of this requirement is invalid.

8 "(d) The board shall evaluate the qualifications of  
9 all applicants for licensure under this chapter and shall  
10 maintain a register of all persons holding a license and a  
11 record of all inspections made.

12 "(e) The board shall approve all examinations of  
13 applicants for licensure at least twice a year, shall  
14 determine the qualifications and authorize the issuance of  
15 licenses to qualified occupational therapists and  
16 occupational therapy assistants, and shall renew, suspend, or  
17 revoke the licenses in the manner provided.

18 "(f) The board may investigate complaints and  
19 allegations concerning the violation of this chapter and may  
20 examine witnesses, issue subpoenas, and administer oaths in  
21 connection with these investigations. Hearings may be  
22 conducted, provided reasonable public notice is given and  
23 records and minutes are kept in accordance with the rules and  
24 regulations of the board.

25 "(g) The board shall make an annual report to the  
26 Governor which shall contain an account of duties performed,  
27 actions taken, and appropriate recommendations.



1           "(h) The board shall establish a budget in  
2 accordance with the requirements of the state.

3           "(i) The board may establish and publish reasonable  
4 fees as established in Section 34-39-14.

5           "(j) The board may employ and discharge an executive  
6 ~~secretary~~ director and any officers and employees as may be  
7 necessary, and shall determine their duties and fix their  
8 compensation in accordance with applicable state statutes. The  
9 board shall hire and establish the responsibilities and salary  
10 of all employees.

11           "§34-39-8.

12           "An applicant for licensure as an occupational  
13 therapist or as an occupational therapy assistant shall be a  
14 citizen of the United States or, if not a citizen of the  
15 United States, a person who is legally present in the United  
16 States with appropriate documentation from the federal  
17 government, and shall file a written application on forms  
18 provided by the board, showing to the satisfaction of the  
19 board fulfillment of all of the following requirements:

20           "(1) Applicant shall present evidence satisfactory  
21 to the board of having successfully completed all of the  
22 academic requirements of for degree or certificate conferral  
23 from an educational program in occupational therapy recognized  
24 by the board. The program shall be accredited by the  
25 Accreditation Council for Occupational Therapy Education of  
26 the American Occupational Therapy Association, Incorporated.

1           ~~"a. For an occupational therapist, such a program~~  
2 ~~shall be accredited by the Accreditation Council for~~  
3 ~~Occupational Therapy Education of the American Occupational~~  
4 ~~Therapy Association, Inc.; or an individual may have~~  
5 ~~successfully completed the career mobility program of the~~  
6 ~~American Occupational Therapy Association.~~

7           ~~"b. For an occupational therapy assistant, the~~  
8 ~~program shall be accredited by the American Occupational~~  
9 ~~Therapy Association, Inc.~~

10           ~~"(2) Applicant shall submit to the board evidence of~~  
11 ~~having successfully completed a period of supervised fieldwork~~  
12 ~~experience at a recognized educational institution or a~~  
13 ~~training program approved by the educational institution where~~  
14 ~~he or she met the academic requirements.~~

15           ~~"a. For an occupational therapist, a minimum of 24~~  
16 ~~weeks supervised fieldwork experience is required.~~

17           ~~"b. For an occupational therapy assistant, a minimum~~  
18 ~~of eight weeks supervised fieldwork experience is required.~~

19           ~~"(3)(2) Applicant shall pass an examination as~~  
20 ~~provided for in Section 34-39-9.~~

21           ~~"§34-39-11.~~

22           ~~"(a) The board shall issue a license to any person~~  
23 ~~who meets the requirements of this chapter upon payment of the~~  
24 ~~license fee as described in Section 34-39-14.~~

25           ~~"(b) The board shall issue a limited permit to~~  
26 ~~persons who have completed the educational and fieldwork~~  
27 ~~experience requirements of this chapter. This permit shall~~

1 allow the person to practice occupational therapy under the  
2 supervision of an occupational therapist who holds a current  
3 license in this state and shall be valid until the date on  
4 which the results of the ~~next~~ qualifying examination have been  
5 made public. This limited permit shall not be renewed if the  
6 applicant has failed the examination. Failure of the  
7 examination shall result in revocation of an active limited  
8 permit.

9 (c) Any person who is issued a license as an  
10 occupational therapist under the terms of this chapter may use  
11 the words "occupational therapist," "licensed occupational  
12 therapist," "occupational therapist registered," or may use  
13 the letters "O.T.," "L.O.T.," or "O.T.R./L." in connection  
14 with his/her name or place of business to denote registration  
15 hereunder.

16 (d) Any person who is issued a license as an  
17 occupational therapy assistant under the terms of this chapter  
18 may use the words "occupational therapy assistant," "licensed  
19 occupational therapy assistant," "certified occupational  
20 therapy assistant," or may use the letters "O.T.A.,"  
21 "L.O.T.A.," or "C.O.T.A./L." in connection with his or her  
22 name or place of business to denote registration hereunder.

23 "§34-39-16.

24 (a) Any person may file a complaint with the board  
25 against any licensed occupational therapist or licensed  
26 occupational therapy assistant in the state charging the  
27 person with having violated ~~the provisions of~~ this chapter.

1 The complaint shall set forth specifications of charges in  
2 sufficient detail so as to disclose to the accused fully and  
3 completely the alleged acts of misconduct for which he or she  
4 is charged. When ~~such a~~ complaint is filed, the secretary of  
5 the board, or the executive director at the request of the  
6 secretary, shall mail a copy thereof to the accused by  
7 ~~registered~~ return receipt mail at his or her address of  
8 record, with a written notice of the time and place of hearing  
9 thereof, advising him or her that he or she may be present in  
10 person and by counsel if he or she so desires, to offer  
11 evidence and be heard in his or her defense.

12 "(b) At the time and place fixed for the hearing,  
13 the board shall receive evidence upon the subject matter under  
14 consideration and shall accord the person against whom charges  
15 are preferred a full and fair opportunity to be heard in his  
16 or her defense. The board shall be bound by the rules of  
17 evidence in contested cases under Section 41-22-13 of the  
18 Alabama Administrative Procedure ~~Statute~~ Act and all oral  
19 testimony considered by the board ~~must~~ shall be under oath. If  
20 the board finds that the licensed occupational therapist or  
21 the licensed occupational therapy assistant has violated ~~the~~  
22 ~~provisions of this chapter, it shall immediately~~ the board may  
23 suspend or revoke his or her licensure, levy a reasonable fine  
24 not to exceed one thousand dollars (\$1,000) per violation, or  
25 restrict his or her license and require the licensee to report  
26 regularly to the board on matters related to the reasons for  
27 the restricted license, or any combination of these.

1                   "(c) The action of the board in suspending,  
2                   revoking, or refusing to issue a license may be appealed to  
3                   the Circuit Court of Montgomery County accompanied by a bond  
4                   to be approved by the court. The notice of appeal shall be  
5                   filed within 30 days from the receipt of such order or  
6                   ruling. Appeals shall be governed by the judicial review  
7                   provisions of Section 41-22-20 of the Alabama Administrative  
8                   Procedure ~~Statute~~ Act, except that the review procedure  
9                   provided therein shall not suspend the action of the board nor  
10                  stay the enforcement of any order in the suspension,  
11                  revocation, or refusal of a license."

12                  Section 2. This act shall become effective on the  
13                  first day of the third month following its passage and  
14                  approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Health..... 14-FEB-13

Read for the second time and placed on the calen-  
dar 1 amendment..... 21-FEB-13

Read for the third time and passed as amended .... 16-APR-13

Yeas 29  
Nays 1

Patrick Harris  
Secretary