

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

1 SB215

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4 ENROLLED, An Act,

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

1 pass the qualifying examination; to allow the executive
2 director, at the request of the secretary, to mail complaints;
3 and to make certain technical corrections.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

8 "§34-39-3.

9 "In this chapter, the following terms shall have the
10 respective meanings provided in this section unless the
11 context clearly requires a different meaning:

12 "(1) ASSOCIATION. The Alabama Occupational Therapy
13 Association.

14 "(2) BOARD. The Alabama State Board of Occupational
15 Therapy.

16 "(3) LICENSE. A valid and current certificate of
17 registration issued by the Alabama State Board of Occupational
18 Therapy.

19 "(4) OCCUPATIONAL THERAPY. ~~The application of~~
20 ~~purposeful activity in which one engages for evaluation,~~
21 ~~treatment, and consultation related to problems interfering~~
22 ~~with functional performance in persons impaired or threatened~~
23 ~~by physical illness or injury; psychosocial dysfunction;~~
24 ~~congenital dysfunction; developmental and learning~~
25 ~~dysfunction; the aging process; environmental deprivation or~~

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

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

1 "(iv) Performance skills, including motor and
2 praxis, sensory-perceptual, emotional regulation, cognitive,
3 communication, and social skills.

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

6 "(i) Establishment, remediation, or restoration of a
7 skill or ability that has not yet developed, is impaired, or
8 is in decline.

9 "(ii) Compensation, modification, or adaptation of
10 activity or environment to enhance performance, or to prevent
11 injuries, disorders, or other conditions.

12 "(iii) Retention and enhancement of skills or
13 abilities without which performance in everyday life
14 activities would decline.

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

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

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

1 "(i) Therapeutic use of occupations, exercises, and
2 activities.

3 "(ii) Training in self-care, self-management, health
4 management and maintenance, home management, community/work
5 reintegration, and school activities and work performance.

6 "(iii) Development, remediation, or compensation of
7 neuromusculoskeletal, sensory-perceptual, visual, mental, and
8 cognitive functions, pain tolerance and management, and
9 behavioral skills.

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

13 "(v) Education and training of individuals,
14 including family members, caregivers, groups, populations, and
15 others.

16 "(vi) Care coordination, case management, and
17 transition services.

18 "(vii) Consultative services to groups, programs,
19 organizations, or communities.

20 "(viii) Modification of environments, including
21 home, work, school, or community, and adaptation of processes,
22 including the application of ergonomic principles.

23 "(ix) Assessment, design, fabrication, application,
24 fitting, and training in seating and positioning, assistive
25 technology, adaptive devices, training in the use of

1 prosthetic devices, orthotic devices, and the design,
2 fabrication and application of selected splints or orthotics.

3 "(x) Assessment, recommendation, and training in
4 techniques to enhance functional mobility, including
5 management of wheelchairs and other mobility devices.

6 "(xi) Low vision rehabilitation when the patient or
7 client is referred by a licensed optometrist, a licensed
8 ophthalmologist, a licensed physician, a licensed assistant to
9 physician acting pursuant to a valid supervisory agreement, or
10 a licensed certified registered nurse practitioner in a
11 collaborative practice agreement with a licensed physician.

12 "(xii) Driver rehabilitation and community mobility.

13 "(xiii) Management of feeding, eating, and
14 swallowing to enable eating and feeding performance.

15 "(xiv) Application of physical agent modalities, and
16 use of a range of specific therapeutic procedures such as
17 wound care management, interventions to enhance
18 sensory-perceptual and cognitive processing, and manual
19 therapy, all to enhance performance skills.

20 "(xv) Facilitating the occupational performance of
21 groups, populations, or organizations through the modification
22 of environments and the adaptation of processes.

23 "b. An occupational therapist or occupational
24 therapy assistant is qualified to perform the above activities
25 for which they have received training and any other activities

1 for which appropriate training or education, or both, has been
2 received. Notwithstanding any other provision of this chapter,
3 no occupational therapy treatment programs to be rendered by
4 an occupational therapist, occupational therapy assistant, or
5 occupational therapy aide shall be initiated without the
6 referral of a licensed physician, a licensed chiropractor, a
7 licensed optometrist, a licensed assistant to a physician
8 acting pursuant to a valid supervisory agreement, a licensed
9 certified registered nurse practitioner in a collaborative
10 practice agreement with a licensed physician, a licensed
11 psychologist, or a licensed dentist who shall establish a
12 diagnosis of the condition for which the individual will
13 receive occupational therapy services. In cases of long-term
14 or chronic disease, disability, or dysfunction, or any
15 combination of the foregoing, requiring continued occupational
16 therapy services, the person receiving occupational therapy
17 services shall be reevaluated by a licensed physician, a
18 licensed chiropractor, a licensed optometrist, a licensed
19 assistant to a physician acting pursuant to a valid
20 supervisory agreement, a licensed certified registered nurse
21 practitioner in a collaborative practice agreement with a
22 licensed physician, a licensed psychologist, or a licensed
23 dentist at least annually for confirmation or modification of
24 the diagnosis. Occupational therapists performing services
25 that are not related to injury, disease, or illness that are

1 performed in a wellness or community setting for the purposes
2 of enhancing performance in everyday activities are exempt
3 from this referral requirement. Occupational therapists
4 employed by state agencies and those employed by the public
5 schools and colleges of this state who provide screening and
6 rehabilitation services for the educationally related needs of
7 the students are exempt from this referral requirement.

8 "c. Nothing in this chapter shall be construed as
9 giving occupational therapists the authority to examine or
10 diagnose patients or clients for departures from the normal of
11 human eyes, visual systems or their adjacent structures, or to
12 prescribe or modify ophthalmic materials including, but not
13 limited to, spectacles, contacts, or spectacle-mounted low
14 vision devices.

15 "(5) OCCUPATIONAL THERAPIST. A person licensed to
16 practice occupational therapy whose license is in good
17 standing.

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

23 "(7) OCCUPATIONAL THERAPY AIDE. A person who assists
24 in the delivery of occupational therapy, who works under
25 direct on-site supervision of an occupational therapist or

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

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

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

14 "§34-39-4.

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

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

20 "§34-39-5.

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

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

4 "(2) Any person employed as an occupational
5 therapist or an occupational therapy assistant by the
6 government of the United States, if the person provides
7 occupational therapy solely under the direction or control of
8 the organization by which he or she is employed.

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

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

17 "§34-39-6.

18 "(a) There is established the Alabama State Board of
19 Occupational Therapy.

20 "(1) The board shall consist of five members, four
21 of whom shall be involved in the practice of occupational
22 therapy, of which one shall be an occupational therapy
23 assistant. The remaining member shall be a member of another
24 health profession or a member of the public with an interest
25 in the rights or the concerns of health services. Each member

1 of the board shall be a citizen of this state. The
2 occupational therapy board members shall be appointed by the
3 Governor from a list submitted by the Alabama Occupational
4 Therapy Association. In appointing members to the board, the
5 association and the Governor, to the extent possible, shall
6 select those persons whose appointments ensure that the
7 membership of the board is inclusive and reflects the racial,
8 gender, geographic, urban/rural, and economic diversity of the
9 state. Those board members who are occupational therapists, of
10 which one shall be a minority, and occupational therapy
11 assistants shall have been engaged in rendering services to
12 the public, teaching, or research in occupational therapy for
13 at least three years, and shall at all times be holders of
14 valid licenses for the practice of occupational therapy in
15 Alabama. Except for the members in the initial board, all
16 members who are occupational therapists and occupational
17 therapy assistants shall fulfill the requirements for
18 licensure pursuant to this chapter. Terms of appointment for
19 the initial board members shall be as follows: Two members
20 shall serve a one-year term; two members shall serve a
21 two-year term; and one member shall serve a three-year term.

22 "(2) The board shall, within 90 days after April 17,
23 1990, be selected as provided in subdivision (1). At the
24 expiration of the initial terms, board members shall be
25 appointed in the same manner as initial appointments, each for

1 a period of three years. No person shall be appointed to serve
2 more than ~~two~~ three consecutive terms.

3 "(3) Terms shall begin on the first day of the
4 calendar year and end on the last day of the calendar year, or
5 until successors are appointed, except for the initial members
6 who shall serve through the last calendar day of the year in
7 which they are appointed before the commencement of the terms
8 prescribed by subdivision (1).

9 "(4) Within 45 days after April 17, 1990, and
10 annually thereafter, the association shall submit two or three
11 names for each position on the board to be filled. In the
12 event of a midterm vacancy in one of the positions on the
13 board, the Governor shall appoint a member to fill the
14 unexpired term from a list submitted by the association in the
15 same manner as provided in subdivision (1).

16 "(5) The Governor, after notice and opportunity for
17 hearing by the board, may remove any member of the board for
18 neglect of duty, incompetence, revocation or suspension of the
19 license of the member, or other dishonorable conduct. After
20 removal, the Governor shall appoint a successor to the
21 unexpired term from a list of two or three names submitted by
22 the association.

23 "(6) The board shall elect from its membership a
24 chairperson, a secretary, and a treasurer. A majority of the
25 members of the board shall constitute a quorum. The board

1 shall meet during the first month of the calendar year to
2 select officers. No board member may hold the same position as
3 an officer of the board for more than two consecutive years.
4 At least one additional meeting shall be held before the end
5 of the calendar year. Further meetings may be convened at the
6 call of the chairperson, or on the request of any three board
7 members.

8 "(7) Members may be reimbursed for all reasonable
9 and necessary expenses actually incurred in the performance of
10 their duties in accordance with the laws of the State of
11 Alabama and regulations of the State Personnel Director.

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

25 "§34-39-7.

1 "(a) The board shall administer, coordinate, and
2 enforce this chapter.

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

8 "(c) The board shall adopt and publish rules and
9 regulations relating to the professional conduct to carry out
10 the policies of this chapter, including but not limited to
11 regulations relating to professional licensure, registration,
12 and the establishment of ethical standards of practice. The
13 State Board of Medical Examiners and the Alabama State Board
14 of Occupational Therapy must jointly approve any rule,
15 regulation, or policy that interprets, explains, or enumerates
16 the permissible acts, functions, or services rendered by an
17 occupational therapist, occupational therapy assistant, or
18 occupational therapy aide as those acts, functions, and
19 services are defined in Section 34-39-3. Any rule, regulation,
20 or policy adopted in violation of this requirement is invalid.

21 "(d) The board shall evaluate the qualifications of
22 all applicants for licensure under this chapter and shall
23 maintain a register of all persons holding a license and a
24 record of all inspections made.

1 "(e) The board shall approve all examinations of
2 applicants for licensure at least twice a year, shall
3 determine the qualifications and authorize the issuance of
4 licenses to qualified occupational therapists and
5 occupational therapy assistants, and shall renew, suspend, or
6 revoke the licenses in the manner provided.

7 "(f) The board may investigate complaints and
8 allegations concerning the violation of this chapter and may
9 examine witnesses, issue subpoenas, and administer oaths in
10 connection with these investigations. Hearings may be
11 conducted, provided reasonable public notice is given and
12 records and minutes are kept in accordance with the rules and
13 regulations of the board.

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

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

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

21 "(j) The board may employ and discharge an executive
22 ~~secretary~~ director and any officers and employees as may be
23 necessary, and shall determine their duties and fix their
24 compensation in accordance with applicable state statutes. The

1 board shall hire and establish the responsibilities and salary
2 of all employees.

3 "§34-39-8.

4 "An applicant for licensure as an occupational
5 therapist or as an occupational therapy assistant shall be a
6 citizen of the United States or, if not a citizen of the
7 United States, a person who is legally present in the United
8 States with appropriate documentation from the federal
9 government, and shall file a written application on forms
10 provided by the board, showing to the satisfaction of the
11 board fulfillment of all of the following requirements:

12 "(1) Applicant shall present evidence satisfactory
13 to the board of having successfully completed all of the
14 academic requirements of for degree or certificate conferral
15 from an educational program in occupational therapy recognized
16 by the board. The program shall be accredited by the
17 Accreditation Council for Occupational Therapy Education of
18 the American Occupational Therapy Association, Incorporated.

19 ~~"a. For an occupational therapist, such a program~~
20 ~~shall be accredited by the Accreditation Council for~~
21 ~~Occupational Therapy Education of the American Occupational~~
22 ~~Therapy Association, Inc.; or an individual may have~~
23 ~~successfully completed the career mobility program of the~~
24 ~~American Occupational Therapy Association.~~

1 ~~"b. For an occupational therapy assistant, the~~
2 ~~program shall be accredited by the American Occupational~~
3 ~~Therapy Association, Inc.~~

4 ~~"(2) Applicant shall submit to the board evidence of~~
5 ~~having successfully completed a period of supervised fieldwork~~
6 ~~experience at a recognized educational institution or a~~
7 ~~training program approved by the educational institution where~~
8 ~~he or she met the academic requirements.~~

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

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

13 ~~"(3)(2) Applicant shall pass an examination as~~
14 ~~provided for in Section 34-39-9.~~

15 ~~"§34-39-11.~~

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

19 ~~"(b) The board shall issue a limited permit to~~
20 ~~persons who have completed the educational and fieldwork~~
21 ~~experience requirements of this chapter. This permit shall~~
22 ~~allow the person to practice occupational therapy under the~~
23 ~~supervision of an occupational therapist who holds a current~~
24 ~~license in this state and shall be valid until the date on~~
25 ~~which the results of the next qualifying examination have been~~

1 made public. This limited permit shall not be renewed if the
2 applicant has failed the examination. Failure of the
3 examination shall result in revocation of an active limited
4 permit.

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

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

19 "§34-39-16.

20 "(a) Any person may file a complaint with the board
21 against any licensed occupational therapist or licensed
22 occupational therapy assistant in the state charging the
23 person with having violated ~~the provisions of~~ this chapter.
24 The complaint shall set forth specifications of charges in
25 sufficient detail so as to disclose to the accused fully and

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

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

Speaker of the House of Representatives

SB215

Senate 16-APR-13

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Amended and passed 20-MAY-13

Senate concurred in House amendment 20-MAY-13

By: Senator Waggoner