

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 532
Department or Agency: Alabama Board of Massage Therapy
Rule No.: 532-X-2-.01
Rule Title: Board Composition And Officers
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

Tuesday, July 18, 2023

REC'D & FILED

JUL 20 2023

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA BOARD OF MASSAGE THERAPY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 532-X-2-.01 Board Composition And Officers

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To update board meeting schedule to quarterly instead of biannally.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments will be received by the Board until 4:00 PM on Monday, September 4, 2023. Comments should be directed to Keith E. Warren, Executive Director, 2777 Zelda Road, Montgomery AL 36106 or via electronic mail at keith@alstateboard.com

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, September 4, 2023

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
334-420-7233
keith@alstateboard.com

Keith E. Warren

Keith E. Warren

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

Board Composition And Officers.

(1) The Board shall consist of seven members, of whom five will be licensed massage therapists and two will be public members. The Board members shall serve no more than two consecutive full terms of four years each. The Board will elect a chairperson and vice chairperson from the members of the Board annually at the October regular session meeting.

(2) Qualifications of the Board members are as set forth in the act.

(3) ~~The chairperson shall conduct the biannual and additional Board meetings, and~~ Board shall meet quarterly and ascertain the presence of a quorum of a majority of the current appointed board members prior to conducting the business of the Board. The chairperson shall call meetings in addition to the ~~biannual~~ quarterly meetings when in his or her discretion he or she deems it proper, or upon written request of any three members of the Board.

(4) The vice-chairperson shall assume the duties of the chairperson when the chairperson is unable to carry them out. In the event of a vacancy in the position of chairperson during the year for which that position was filled at the October meeting, the vice-chairperson shall act as a chairperson of the Board for the remainder of that year.

(5) Where the positions of chairperson and vice chairperson both become vacant during the year for which these positions were filled at the October meeting, leaving a quorum of the Board remaining, the remaining Board members shall elect by majority vote an interim chairperson for the remainder of that year.

Author: Keith E. Warren

Statutory Authority: Code of Ala. 1975, §34-43-6.

History: New Rule: Filed January 29, 2001; effective March 5, 2001. **Amended:** Filed November 9, 2006; effective December 14, 2006. **Amended:** Filed April 20, 2009; effective May 25, 2009.

Amended: Filed February 10, 2012; effective March 16, 2012.

Amended: Filed July 20, 2023;