

APA-1

TRANSMITTAL SHEET FOR NOTICE  
OF INTENDED ACTION

Control: 190

Department or Agency: Alabama State Board of Chiropractic Examiners

Rule No.: 190-X-1-.02

Rule Title: Composition And Selection Of Board

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

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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

Amy Deavers  
Amy W Deavers

Date

Wednesday, June 11, 2025

REC'D & FILED  
JUN 11, 2025  
LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Chiropractic Examiners

RULE NO. & TITLE: 190-X-1-.02 Composition And Selection Of Board

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama State Board of Chiropractic Examiners proposes amending this rule to comply with changes to the Code of AL resulting from Act 2025-335, effective May 13, 2025.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama State Board of Chiropractic Examiners, 1700 Yellowleaf Road, Clanton, AL, 35045, telephone 205-755-8000

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, August 4, 2025

CONTACT PERSON AT AGENCY:

Kelli Smith  
kelli.smith@chiro.alabama.gov  
1700 Yellowleaf Road  
Clanton, AL 35045

*Amy Deavers*

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Amy W Deavers

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

(1) Composition and Selection of Board. The Board shall be composed of nine members, eight of which shall be licensed to practice and are currently practicing in Alabama who meet the qualifications set out in Code of Ala. 1975, §§34-24-140, 34-24-141 and one consumer member appointed by the Governor. Members serve staggered four-year terms and continue to serve until a new member is appointed/elected, and qualified. No member shall serve more than two consecutive terms. The Alabama State Board of Chiropractic Examiners shall conduct an annual election according to the terms set out in this rule. When a vacancy occurs, whether by expiration of the term, death, resignation of a member, or other cause, the vacancy shall be filled in the same manner as the original appointment/elections are made.

(2) Candidate/Elected Member Qualification. In order to qualify the potential candidate/ elected member must meet the following qualifications:

(a) Be a citizen and a resident of Alabama who has resided in this State for at least five (5) years;

(b) Reside in the Congressional district from which they seek election, except for one African American elected from the state at-large;

(c) Be a graduate of a chartered chiropractic school which required actual attendance in the school as a prerequisite to graduation;

(d) Be actively licensed in Alabama and currently engaged in the clinical practice of chiropractic and have been so engaged for at least the five (5) immediately preceding years;

(e) Have renewed his or her license to practice chiropractic by September 30 of the year in which the election shall take place;

(f) Be of good moral character, with no board convictions in the five (5) years preceding qualification, no prior criminal convictions, and no recent history of drug or alcohol abuse; and

(g) Must not be presently on probation relating to the practice of chiropractic in any state including this state; and

(h) Candidates shall qualify by submitting their name to the executive director of the board during the qualifying period which shall be not less than twenty (20) days nor more than forty (40) days after notice is ~~mailed~~sent.

(i) Each member of the board shall meet all qualifications to be a candidate for his or her seat on the board during his or her entire term. Any member who fails to continue to meet the qualifications for his or her seat shall forfeit his or her seat on the board and resign or the board seat shall be declared vacant by the board.

(3) Voter Qualification. In order to be eligible to vote in a board election you must meet the following qualifications:

(a) Reside in the respective congressional district.

(b) Certify your residency in the congressional district on your completed ballot.

(c) Have an active Alabama license.

(4) Ballots.

(a) Not less than fourteen (14) days after the deadline for qualification, each licensed chiropractor shall be ~~mailed~~sent a ballot for the appropriate congressional district where the vacancy is to be filled. Requests for paper ballots must be made to the board office in writing and received prior to September 1.

(b) In order to be counted the ballot shall be ~~mailed~~returned to the independent agency conducting the election, postmarked/timestamped not later than 14 business days after the ballots were ~~mailed~~sent by the board.

(c) Only original, official ballots will be counted.

(d) The ballots shall be maintained for a period of six (6) months by the independent agency conducting the election.

(5) Ballot Counting.

The independent agency conducting the election shall tabulate eligible ballots and shall certify the results. The candidate receiving a simple majority of eligible ballots in the applicable congressional district shall be certified as the winner and deemed elected.

In the event no candidate in a congressional district receives the required majority there shall be a run-off election in the same manner as set out in Code of Ala. 1975, §34-24-140.

The individual(s) certified as the winner of the election in their district shall take office ~~immediately upon their~~at the first meeting of the board after the election.

**Author:** Board of Chiropractic Examiners

**Statutory Authority:** Code of Ala. 1975, §§34-24-140, 34-24-141, 34-24-144, 34-24-165.

**History:** Filed September 30, 1982. **Emergency rule** filed July 21, 1986. **Amended:** Filed November 8, 1988; January 31, 1990.

**Amended:** Filed September 19, 1996; effective October 24, 1996.

**Amended:** Filed January 21, 1997; effective February 25, 1997.

**Amended:** Filed November 6, 2003; effective December 11, 2003.

**Amended:** Filed August 24, 2006; effective September 28, 2006.

**Amended:** Filed June 18, 2009; effective July 23, 2009. **Amended:** Filed October 17, 2013; effective November 21, 2013. **Amended:** Filed October 19, 2015; effective November 23, 2015. **Amended:** Published ; effective .