

Alabama State Board of Chiropractic Examiners
Proposed Amended Rule

190-X-4-.05 Disciplinary Hearings.

(1) Conduct of Hearing.

Hearing Officer. The Board shall appoint a person to act as an impartial hearing officer at any disciplinary hearing. Such hearing officer shall preside at the hearing and shall rule on all questions of evidence and procedure, notwithstanding any other provisions of these rules to the contrary.

(2) The procedure and format of the hearing shall be the same as that utilized in non-jury civil cases in the Circuit Courts of this State. Additionally, the Board is allowed the right to examine any witness called by either party.

(3) Order. The Board shall render a final Order within ~~thirty (30)~~ forty-five (45) days of the date of the hearing, which shall be in writing and made part of the record and include findings of fact and conclusions of law specifically stated. The licensee and/or permit holder shall be delivered a copy of the Order by certified mail, return receipt requested, and a copy shall be mailed first class to the attorney of record.

(4) Evidence. Evidence shall be admitted in accordance with Code of Alabama, 1975 41-22-13 and 34-24-173.

(5) Emergencies. The Board may in any emergency situation, when danger to the public health, safety, and welfare requires, suspend a license and/or permit without hearing or with an abbreviated hearing in accordance with the Code of Alabama 1975 41-22-19(4) and 34-24-174(c).

(6) Other. The hearing shall otherwise be conducted in compliance with the provision of the Alabama Administrative Procedures Act.

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Statutory Authority: Code of Ala. 1975, §§34-24-144, 34-24-165, 34-24-168, 41-22-13, 41-22-16(3).

Effective: 3/6/90, amended 9/92, (a) (f) (g) (h) amended 5/99,

(1) (f) (2) (4) amended 3/2009, (1) (a) (b) (c) (d) (e) (f) (2) (3) (4) (5) amended 8/2013, amended 4/2019 (3)