

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 680
Department or Agency: Alabama State Board of Pharmacy
Rule No.: 680-X-1-.04
Rule Title: Petition for Adoption, Amendment, or Repeal of a Rule
Intended Action: New

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

Jon M Linna
Jon Linna

Date

Friday, April 17, 2026

REC'D & FILED
APR 17, 2026
LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF PHARMACY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Pharmacy

RULE NO. & TITLE: 680-X-1-.04 Petition for Adoption, Amendment, or
Repeal of a Rule

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The Board of Pharmacy proposes a new rule to specify the procedures for submitting a petition to adopt, amend, or repeal a Rule, in accordance with the Alabama Administrative Procedures Act.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

The public hearing will be June 17, 2026 during the business meeting beginning at 9:00 am CST at the Board of Pharmacy office, located at 111 Village Street, Birmingham, AL 35242. Comments may be submitted to Wendy Passmore via email to wpassmore@albop.com by EOB June 5, 2026.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, June 4, 2026

CONTACT PERSON AT AGENCY:

Wendy Passmore wpassmore@albop.com

Jon M Linna

Jon Linna

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

680-X-1-.04

Petition for Adoption, Amendment, or Repeal of a Rule.

680-X-1-.04 Petition for Adoption, Amendment, or Repeal of a Rule.

(1) This Rule governing petitions for the adoption, amendment, or repeal of any Rule of the Board is promulgated to comply with the requirement of the Alabama Administrative Procedure Act that every State "agency shall prescribe by rule the form for petition requesting the adoption, amendment, or repeal of a rule and the procedure for submission, consideration, and disposition thereof." Ala. Code § 41-22-8.

(2) Any person who desires to request that the Board adopt, amend, or repeal any Rule may petition the Board to take such action as prescribed in this Rule. The petition shall comply with all of the following requirements:

(a) The petition shall be in writing, shall be delivered by e-mail or regular U.S. Mail to the Executive Secretary of the Board, and shall specifically state that it is a "Petition Requesting the Adoption, Amendment, or Repeal of a Rule";

(b) The petition shall be filed by, and shall disclose the name and postal address of, the actual party in interest; disclosing the identity of an attorney or agent representing the actual party in interest is not sufficient;

(c) The petition shall identify with particularity the Rule to be adopted, amended or repealed, including language to be inserted or stricken, and/or new language to be adopted, as applicable;

(d) If the petition proposes adoption of a new Rule, the petition shall include a statement of the legal authority for the Rule proposed to be adopted; and

(e) The petition shall contain a brief statement of the reasons for the proposed adoption, amendment, or repeal of the Rules involved.

(3) In addition, the petition may, but is not required to, include the following information:

(a) A narrative statement describing how the petitioner is particularly affected by the present Rule and how it would be affected by the proposed Rule change;

(b) A description of any other persons or class of persons that the proposed Rule change would affect and how the change would affect them;

(c) A description of the estimated cost or cost savings to the public; and/or

(d) Any pertinent facts, data, literature, opinions, or arguments in support of the proposed Rule change.

(4) Upon receipt of a petition, the Executive Secretary shall review the petition for compliance with the requirements of subsection (2) of this Rule. If the petition is deficient, the Executive Secretary shall notify the petitioner in writing within 10 calendar days of receipt, specifying each deficiency. The 60-day period prescribed in subsection (5) of this Rule shall not commence until the petitioner submits a corrected petition that complies with all requirements of subsection (2) of this Rule. If the petitioner fails to correct all identified deficiencies within 10 calendar days, the petition shall be deemed to have been withdrawn.

(5) Within 60 days after receipt of a properly presented petition, the Board either shall deny the petition in writing on the merits, stating its reasons for the denial, or initiate rulemaking proceedings in accordance with Ala. Code § 41-22-5. Provided, however, that if the Board's next meeting is scheduled to occur outside of the 60-day period, the Board may by written

notice extend the period for not more than 30 days, during which it shall either deny the petition or initiate rulemaking proceedings.

(6) The petition and all supporting material submitted by the petitioner shall be public documents, and the Board may in its discretion solicit public comment thereon.

Author: Alabama Board of Pharmacy

Statutory Authority: 41-22-8

History: New Rule: Published _____; effective _____.