

APA-1

TRANSMITTAL SHEET FOR NOTICE  
OF INTENDED ACTION

Control: 680

Department or Agency: Alabama State Board of Pharmacy

Rule No.: 680-X-1-.07

Rule Title: Meetings of the Board

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

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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

Jon M Linna  
Jon Linna

Date

Wednesday, July 15, 2026

REC'D & FILED

JUL 15, 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-.07 Meetings of the Board

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

The purpose of this Rule is to outline the framework for business meetings of the Board.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

The public hearing will be September 16, 2026 during the business meeting beginning at 9:00 am CT at the Board of Pharmacy office, located at 111 Village Street, Birmingham, AL 35242. Written comments may be submitted to Anne Marie Nolen via email to anolen@albop.com by EOB September 15, 2026.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, September 16, 2026

CONTACT PERSON AT AGENCY:

Anne Marie Nolen  
anolen@albop.com

*Jon M Linna*

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Jon Linna

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

(1) Regular Meetings.

(a) The Board shall conduct regular meetings at least three times annually, as required by Section 34-23-91(c), Code of Alabama 1975, and additionally as necessary for the examination of applicants for licensure and for the transaction of Board business. Unless otherwise specified, all meetings of the Board and any committees of the Board shall be held at the Board's offices at 111 Village Street, Birmingham, Alabama.

(b) At the last regular meeting held in each calendar year, the Board shall elect officers for the following year as prescribed in Rule 680-X-1-.06(1), and shall establish a schedule of regular meetings for the following calendar year.

(2) Special Meetings. Special meetings of the Board may be called either by the President, or upon request of any four or more members of the Board, in either case by written call for a special meeting submitted to the President and Executive Secretary. In either case, the call for a special meeting shall specify the topic or topics to be addressed in the special meeting, and shall specify at least one proposed date and time for the special meeting, occurring at least 10 days from the date of the call.

(a) Upon receipt of a call for a special meeting, the Executive Secretary shall promptly poll by e-mail all Board members for availability for the proposed special meeting. The poll shall include the topic or topics to be addressed in the special meeting and the proposed date(s) and time(s). The poll may include a response deadline of not less than 48 hours from issuance of the poll.

(b) If the Executive Secretary receives affirmative indications of availability from at least five members, at least one of whom shall be the President or Vice-President, then he or she shall publish public notice of the special meeting on the web site of the Alabama Secretary of State, and shall promptly notify all members of the date, time, and subject(s) of the special meeting. If the Executive Secretary does not receive affirmative indications of availability from at least five members, at least one of whom shall be the President or the Vice-President, then the Executive Secretary shall so advise the members issuing the call, and no special meeting shall be noticed.

(c) At any special meeting of the Board, the agenda for the meeting shall be limited to the topic or topics specified in the call.

(3) Open Meetings Act. All meetings of the Board shall be noticed and conducted in compliance with the Alabama Open Meetings Act. No meeting shall be held upon less than seven days' notice unless either the General Counsel, Administrative Division, or General Counsel, Disciplinary Division, opines that less than seven days' notice is permitted under Ala. Code § 36-25A-3(b). Except for executive sessions permitted by law, all meetings shall be open and public. Executive sessions are not required, but may be held under the circumstances and utilizing the procedures prescribed in Ala. Code § 36-25A-7. Remote participation by Board members via electronic communication is allowable pursuant to §36-25A-5.1, Code of Alabama 1975.

(4) Quorum. At any regular or special meeting of the Board, a majority of the then-serving members of the Board shall constitute a quorum for the transaction of business, as provided in Section 34-23-91(c), Code of Alabama 1975. If a quorum is not present, the meeting shall be adjourned. There shall be no representation of any Board member by proxy.

(5) Voting. All Board members present, other than the presiding officer, are entitled to make and second motions. All Board members present, subject to any member's obligation to recuse on a particular matter, are entitled to vote on any matter. An affirmative vote of a majority of those members present and voting shall be required for any official action of the Board, provided, however, that no action of the full Board shall be approved upon less than four affirmative votes. If the number of yeas and nays are equal, the motion fails. A roll call vote may be taken upon direction of the presiding officer or upon the request of any Board member.

(6) Agendas for Regular Meetings.

(a) The Executive Secretary, in consultation with the President, shall prepare the proposed agenda for each regular meeting of the Board.

(b) Any Board member who wishes to have an item placed on the agenda for a regular meeting shall submit a written request to the Executive Secretary at least seven days before the meeting.

(c) The Executive Secretary shall cause a preliminary agenda, together with relevant supporting materials, to be

transmitted to each Board member at least three days before the meeting.

(d) Immediately following establishment of a quorum, the Board shall adopt the agenda for the meeting. The agenda may not be amended after adoption.

(7) Minutes. The Executive Secretary shall cause a record to be kept of all meetings and official acts of the Board. The minutes shall reflect at least:

(a) The date, time, and place of the meeting;

(b) Confirmation that a quorum was present, including the names of Board members present and absent;

(c) Late arrivals and early departures of Board members;

(d) All official acts of the Board; and

(e) The vote of each individual Board member, except when the vote is unanimous. When a dissenting Board member requests it, the reasons for the dissent shall be recorded in the minutes.

(8) Recording of Meetings. In accordance with Ala. Code § 36-25A-6, the public portions of meetings of the Board may be openly recorded, provided the recording does not disrupt the conduct of the meeting. Any disruption to the conduct of the meeting caused by recording activity shall be addressed by the presiding officer.

(9) Parliamentary Procedure. The presiding officer shall decide all questions of parliamentary procedure. The presiding officer may consult Robert's Rules of Order and/or the Sturgis Standard Code of Parliamentary Procedure as guidelines for decision of any such questions. The presiding officer's parliamentary ruling shall be final and non-reviewable.

(10) Compensation and Expenses. While serving on official business of the Board, members shall be entitled to compensation for services as specified in §34-23-91(b) for days when members engage in official business of the Board. Attending continuing education classes, or otherwise engaging in an activity necessary solely to maintain a member's license to practice pharmacy or registration to practice as a pharmacy technician, does not constitute official business of the Board. Members "engage in official business of the Board" when they do any one or more of the following:

(a) Attend meetings of the Board or of any committee of which he or she is a member, including contested case proceedings and interviews of licensure candidates;

(b) Attend Board orientation and/or training sessions;

(c) Attend association meetings where the Board has authorized reimbursement of the member's travel expenses;

(d) Attend legislative meetings, court proceedings, or committee meetings as a representative of the Board;

(e) Perform the duties prescribed for officers in Rule 680-X-1-.06, provided, however, that compensation for the duties prescribed in Rule 680-X-1-.06 shall not exceed one additional day per month;

(f) Perform any other work or business pre-approved by the Board.

**Author:** Alabama State Board of Pharmacy

**Statutory Authority:** Code of Ala. 1975, §§34-23-91, 34-23-92

**History: New Rule:** Published \_\_\_\_\_; effective \_\_\_\_\_.