

APA-1
11/96

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-4-1-.09

Rule Title Investigation Of HIV/Hepatitis B Virus Infected Health Care Workers

 New Amend XXXX Repeal Adopt by Reference

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 and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? n/a

Are all facts of the rulemaking process designed solely for the purpose of and so they have as their primary effect, the protection of the public? Yes

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 §41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been 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 Reference Service.

Signature of Certifying Officer Fabrice Shie Date 6/16/2014

FORM APA2
11/96

STATE BOARD OF HEALTH
NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-4-1-.09, Investigation Of HIV/Hepatitis B Virus Infected Health Care Workers


INTENDED ACTION: Repeal of Rule 420-4-1-.09

SUBSTANCE OF PROPOSED ACTION: To repeal Rule 420-4-1-.09 since it is addressed in its own part of Title 22, Chapter 11A, Article 3 of the Code of Ala. 1975 and Chapter 420-4-3 of the Alabama Administrative Code.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held at 9:00 a.m. July 29, 2014, at the Alabama Department of Public Health, RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENTS AND COMPLETION OF NOTICE: Written or oral comments will be received until the close of the record at 5:00 p.m. on August 4, 2014. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Sherri Davidson, Analysis and Reporting Branch Manager, Epidemiology Division of the Bureau of Communicable Disease, Department of Public Health, 201 Monroe Street, Suite 1460, Montgomery, Alabama 36104. Telephone number (334) 206-2050.


Patricia E. Ivie, Agency Secretary

420-4-1-.09 Investigation Of HIV/Hepatitis B Virus Infected Health Care Workers. (Repealed)

~~(1) Any health care worker reported as having hepatitis B or HIV infection shall make available all records requested by the Department.~~

~~(2) Any person working with an HIV-infected health care worker, the administrator of any health care facility in which an HIV-infected health care worker shall have practiced or worked, any person serving as the guardian of or the conservator, etc., administrator or executor of the estate of any HIV-infected health care worker, or any person serving as the custodian of records of the patients of any HIV-infected health care worker or facility employing such worker shall provide the Department with all requested documents and shall provide information as requested.~~

Author: Donald E. Williamson, M.D., P. Brian Hale, J.D.

Statutory Authority: Code of Ala. 1975, §§22-11A-7, 22-11A-13, 22-11A-14(g).

History: **Emergency adoption** filed August 21, 1991. **Permanent adoption** filed October 22, 1991. **Amended:** Filed

December 17, 2008; effective January 21, 2009. **Repealed and**

Replaced: Filed May 26, 2011, effective date June 30, 2011.

Repealed: Filed XXXX, xx, 2014; effective XXXX, xx, 2014.