

APA-1
11/96

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-4-1-.08
Rule Title Notification of Funeral Home Personnel

 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 Fabian Blue 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-.08, Notification of Funeral Home Personnel

INTENDED ACTION: Repeal of Rule 420-4-1-.08.

SUBSTANCE OF PROPOSED ACTION: To repeal Rule 420-4-1-.08 since funeral home personnel take the same precautions with every deceased person.

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

Notification Of Funeral Home Personnel. (Repealed)

~~(1) A physician, hospital administrator, or their designee, may notify the director of a funeral home to which a body is referred when there is known to be present in said patient at the time of death a contagious disease.~~

~~(2) Such notification may be performed by placing on the right great toe of the deceased person an appropriately color-coded body tag. Said body tag shall remain on the remains for final disposition.~~

~~**Red:** This shall include those notifiable diseases transmitted by blood and body fluids.~~

~~**Yellow:** This shall include those notifiable diseases transmitted via the respiratory route.~~

~~(3) If, in the course of postmortem examination or preparation, an individual under the control of the funeral home director shall acquire a documented exposure to potential pathogenic body material, the funeral director may be notified of the exact infectious agent present in the body.~~

~~(4) Such documentation of exposure shall be provided in writing within 48 hours of the alleged exposure. Such notification shall be provided to the attending physician, the hospital administrator, or their designee. Upon presentation of documentation of exposure in a fashion consistent with biologically plausible transmission of the infectious agent, the funeral home director may be provided with the specific name of the infectious agent.~~

~~(5) A funeral home director so notified shall inform the exposed employee of the specific infectious agent.~~

Author: Donald E. Williamson, M.D.

Statutory Authority: Code of Ala. 1975, §§22-11A-1, et seq.

History: **Emergency adoption** filed November 21, 1988. **Permanent adoption** filed February 17, 1989. **Repealed and Replaced:** Filed May 26, 2011, effective date June 30, 2011. Repealed: Filed XXXX, xx, 2014; effective XXXX, xx, 2014.