

APA-1  
6/93

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Department or Agency Alabama Department of Public Health

Rule Number 420-10-1-.05

Rule Title Counseling And Management

New  Amend  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 She Date March 20, 2013



**FORM APA2**  
**11/96**

**STATE BOARD OF HEALTH**  
**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-10-1-.05, Counseling And Management

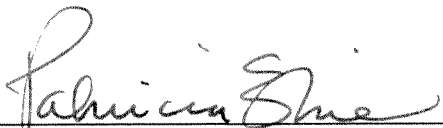
INTENDED ACTION: To Amend

SUBSTANCE OF PROPOSED ACTION: To require the follow-up of failed pulse oximetry screening and to verify that appropriate screening, referral and intervention services have been provided, if needed.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held at The Alabama Department of Public Health, RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104 at 9:00 a.m. on April 11, 2013.

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. May 3, 2013. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Cindy Ashley, Bureau of Family Health Services, Department of Public Health, P.O. Box 303017, Montgomery, Alabama 36130-3017.  
Telephone number: (334) 206-2971.

  
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Patricia E. Ivie, Agency Secretary

(a) The Alabama Department of Public Health shall make contact with the physician of record and the parent/guardian of newborns who test positive, for phenylketonuria, hypothyroidism, galactosemia, congenital adrenal hyperplasia, hearing loss, hemoglobinopathy, biotinidase deficiency, cystic fibrosis, aminoacidopathies, fatty acid oxidation disorders, organic acidurias and acidemias and other heritable disorders to notify them of positive test results and ascertain whether or not these newborns are under the care of a private physician. Additionally, the Alabama Department of Public Health shall make contact with the physician of record and the parent/guardian to advise them of the services available through the Alabama Department of Public Health. Newborns who are under the care of a private physician may additionally utilize these same services. The Alabama Department of Public Health may make contact with the family to make their services available or may assist the family in obtaining the services of a private physician. Services include health assessments, treatment, and referrals to tertiary care centers.

(b) The Alabama Department of Public Health shall make contact with the submitting health care provider of newborns with failed pulse oximetry results to verify that appropriate screening, referral, and intervention services have been provided and if needed, may assist in obtaining the services. Services include health assessments, treatment, and referrals to tertiary care centers.

**Authors:** Thomas M. Miller, M.D., William J. Callan, Ph.D., Lucinda G. Ashley, R.N.-B.C.

**Statutory Authority:** Code of Ala. 1975, §§ 22-20-3.

**History:** Filed December 21, 1987. **Amended:** Filed September 21, 1992; effective October 26, 1992. **Amended:** Filed September 18, 2002; effective October 23, 2002. **Repealed and New Rule:** Filed December 17, 2003; effective January 21, 2004.

**Amended:** December 17, 2007; effective January 21, 2008.