

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 580

Department or Agency: Alabama Department of Mental Health and Mental Retardation Advocacy

Rule No.: 580-8-38-.05

Rule Title: Recipient Rights

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? No

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? No

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

Fred McCoy, III Director Office of Certification
Administration
Fred McCoy, III

Date

Monday, April 14, 2025

REC'D & FILED
APR 15, 2025
LEGISLATIVE SVC AGENCY

APA-2

ALABAMA DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
ADVOCACY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Mental Health

RULE NO. & TITLE: 580-8-38-.05 Recipient Rights

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

strike the word recogovized and added recognizes. Add a space between the words
Developmental and Disabilities. added a space between effective and april on the
last line.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

6/5/2025
Dianne Durbin Dianne.durbin@mh.alabama.gov

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, June 5, 2025

CONTACT PERSON AT AGENCY:

Fred McCoy, III

*Fred McCoy, III Director Office of Certification
Administration*

Fred McCoy, III

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

Recipient Rights.

The Department of Mental Health~~and Mental Retardation~~ promotes that every recipient shall be entitled to exercise all civil and legal rights guaranteed other individuals in society unless otherwise legally restricted. The Department further ~~recognized~~recognizes the rights to treatment, protection from abuse, and least restrictive care as established by the Alabama Developmental Disabilities Bill of Rights, the Alabama Mental Illness Consumers' Bill of Rights, and other State and Federal laws. The rights of individuals served~~r~~ are established in Departmental policies and certification standards, which provide recognized and acceptable procedures for safeguarding civil, legal, personal, and treatment rights of recipients.

Author: Office of Advocacy Services, ~~DMH/MR~~ADMH

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: Filed February 17, 1987. **Repealed and Replaced:** Filed March 24, 1997; effective April 28, 1997. Amended: Published
; effective .