



KAY IVEY  
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STATE OF ALABAMA  
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LYNN T. BESHEAR  
COMMISSIONER

## **NOTICE REGARDING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)**

On March 15, 2020, Governor Kay Ivey issued the following statement to all state agency heads: "Due to the impending threat on our state. I have declared a State of Emergency to deploy all state resources and lessen the impact of this virus on our state and its citizens. . . . Effective on Monday, March 16, 2020, Departments providing public safety, direct care and other essential services must plan and schedule their activities accordingly, with the directors of those departments determining staffing needs and work requirements to ensure the continued operation of essential and emergency services."

These plans and schedules were to be in effect until April 6. On March 27, 2020, the Governor issued a statement extending the end date through April 17. The Alabama Department of Mental Health has complied with that directive as a provider of direct services. Employees at our Facilities, Central Office, Regional Offices, and other locations are essential in providing direct care, whether directly or through supportive administrative services to direct care employees and to community providers.

On March 18, 2020, President Donald Trump signed the Families First Coronavirus Response Act (FFCRA). The Act requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

Within this act is the provision that a healthcare provider may elect to exclude their employees from coverage of the FFCRA. Attached is Commissioner Beshear's declaration to exclude ADMH employees from coverage. This includes employees at our Facilities, Central Office, Regional Offices, and other locations.

As employees continue to work, normal leave policies apply, with one exception. Employees who are diagnosed with COVID-19 or are caring for an immediate family member (as defined in ADMH Policy 60-60, Sick Leave) who has been diagnosed with COVID-19, or are quarantined related to exposure to COVID-19 will not use accrued leave but will be placed on emergency leave authorized by the Governor. The approval for use of emergency leave due to quarantine is limited to exposure or potential exposure to someone with a COVID-19 diagnosis. Potential exposure will have to meet specific criteria, since that applies now to the general population. Supervisors should consult with their Human Resources Office for guidance.



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Declaration from Commissioner Lynn T. Beshear on  
Emergency Leave for DMH Employees

It has been declared that Alabama Department of Mental Health employees perform an essential function of state government in providing health care to its citizens therefore are under the exceptions stated by the U.S. Dept. of Labor for health care providers and emergency responders, specifically Section 3105 of the *Families First Coronavirus Response Act* and its amendments, to be effective April 1, 2020, all DMH employees, as well as central office employees, shall be excluded from paid emergency leave under the Act. DMH facilities shall remain at normal staffing and operations during the COVID-19 public health crisis.

A handwritten signature in black ink that reads "Lynn T. Beshear".

Lynn T. Beshear  
Commissioner