

APA-1  
Revised 4/2018

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 580 Department or Agency Alabama Department of Mental Health

Rule No. 580-2-20-.05

Rule Title: Infection Control

           New     X     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?           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 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?           NO          

Are all facets 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 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          

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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.

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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           Allie Joo            
Date 10-19-2022

(DATE FILED)  
(STAMP)

APA-2

Alabama Department of Mental Health  
Mental Health and Substance Abuse

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Mental Health

RULE NO. & TITLE: 580-2-20-.05 Infection Control

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: We have created Chapter 580-2-20-.08 to eventually combine the current rules for Mental Illness in Chapter 580-2-9 and Substance Abuse in Chapter 580-9-44.

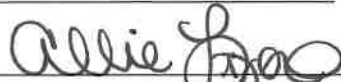
TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments in writing to Altovise (Allie) Ligon, Director, Office of Certification Administration, Alabama Department of Mental Health, 100 North Union Street, Suite 540, Montgomery, Alabama 36130 by mail or in person between the hours of 8:00AM and 5:00PM, Monday through Friday, or by electronic means to [contactoca.dmh@mh.alabama.gov](mailto:contactoca.dmh@mh.alabama.gov) until and including December 5, 2022. Persons wishing to submit data, views or arguments orally should contact Ms. Ligon by telephone at (334)353-2069 during this period to arrange for appointment.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
**December 5, 2022**

CONTACT PERSON AT AGENCY:

Persons wishing a copy of the proposal may contact:  
Altovise (Allie) Ligon  
Department of Mental Health  
100 North Union Street, Suite 540  
Montgomery, Alabama 36130  
(334)353-2069

A copy of the proposed change is available on the department's website at <https://mh.alabama.gov/division-of-administration/certification-administration/>



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

**580-2-20-.05 Infection Control**

(1) The entity shall develop, maintain, and document compliance with a written plan for exposure control relative to infectious diseases that shall, at a minimum, include the following requirements:

(a) The plan shall be inclusive of the entity's staff, recipients, and volunteers.

(b) The plan shall be consistent with protocols and guidelines established for infection control in healthcare settings by the Federal Center for Disease Control, and shall at a minimum include:

1. Policies and procedures to mitigate the potential for transmission and spread of infectious diseases within the agency.

2. All staff shall be trained in infection control upon hire. ~~Staff shall be trained prior to working with recipients and annually thereafter.~~ Direct care staff shall be trained annually thereafter.

3. Risk assessment and screening of recipients reporting high risk behavior and symptoms of communicable disease.

4. Procedures to be followed for recipients known to have an infectious disease.

5. Provisions to offer directly or by referral, as needed, to ~~all~~ recipients who voluntarily accept the offer for HIV/AIDS early intervention services to include, HIV pre-test and post-test counseling and case management and referral services, ~~as needed~~, for medical care.

~~7. Each recipient shall have training in infection control at program admission and annually thereafter.~~

6. Infection Control training shall be provided as follows:

i. Mental Illness only: Residential and Day programs within ten (10) days of admission.

ii. Substance Use Disorders Only: All program recipients within ten (10) days of admission and annually thereafter.

~~9. TB screening for all employees prior to initiation of duties. Annual screening shall occur only if there has been known exposure or evidence of ongoing TB transmission.~~

~~10 7. All staff shall be educated annually about TB including risk factors and signs and symptoms.~~

~~11 8 . The entity shall document compliance with all laws and regulations regarding reporting of communicable diseases to the Alabama Department of Public Health.~~

~~8 9. Substance Use Disorder Only: A formal process for screening all program admissions for TB.~~

~~-6 10. Substance Abuse Use Disorder Only: The provision of HIV/AIDS, Hepatitis, STD, and TB education for all program admissions either provided by the agency or by referral.~~

**Author:** Division of Mental Health and Substance Abuse Services,  
**DMH Statutory Authority:** Code of Ala. 1975, §22-50-11.  
**History: New Rule: Filed: March 11, 2020. Effective: May 15, 2020. Revised Rule: Filed: \_\_\_\_\_ . Effective: \_\_\_\_\_**