

Phase I: Administrative Rule Inventory for Mental Health

Due date: September 15, 2023 | Inventory current as of September 1, 2023

Rule Citation	Short Description	Regulatory Text	Statutory Authority	# of Discretionary Regulatory Restrictions
580-3-22-.01	General Requirements	Minimum Standards for Physical Facilities – Providers general requirements. (Para 3).	22-50-11	1
580-3-22.04	Notification of Fire	Notification of Fire – Providers.	22-50-11	1
580-3-22.05	Zoning	Zoning Laws	22-50-11	0
580-3-22.06	Plans & Specs	Building plan and specifications.	22-50-11	0
580-3-22.07	ID & Correction	Identification and correction of life safety and technical services deficiencies.	22-50-11	0
580-3-22.08	Three Beds	Three beds or less residential facility.	22-50-11	0
580-3-22.09	Four Beds	Four to sixteen bed residential facility.	22-50-11	0
580-3-22.10	Over Sixteen Beds	Over sixteen bed residential facility.	22-50-11	0
580-3-22.11	Day Programs	Minimum standards for day programs facilities.	22-50-11	0
580-3-22.12	Day Services	Substance use day services facilities minimum standards.	22-50-11	0
580-3-22.13	Apartment & Individual Units	Minimum standards for apartment dwelling unit of three or less residents.	22-50-11	0
580-3-22.14	Apartment Complexes	Provider owned apartment complexes minimum standards.	22-50-11	0
580-1-1	Organization	Organization & Method of operation for ADMH	22-50-2	0
580-5-29	Introduction	Introduction to statutory authority of ADMH.	22-50	0
580-1-3	Interstate Compact	Interstate compact on Mental Health. Relations with other States.	22-55-1	0
580-3-23.04	Compliance (Certification)	Operation of facility, institution, or program under ADMH authority.	22.50	0
580-3-23.05	Applicability	Exemption to ADMH authority.	22.50	0
580-3-23.06	Definitions	Types of Certifications and Certificates.	22.50	0
580-3-23.07	Period of Certification	Provisional certification. Para 2.	22.50	1
580-3-23.08	Application Process	Flow of application from start to finish. Para 1	22.50	1
580-3-23.09	New Services	Adding new services.	22.50	0
580-3-23.10	Site Visits	How site visits are conducted by ADMH.	22.50	0
580-3-23.11	Unannounced Visits	Authority to conduct unannounced visits by ADMH.	22.50	0

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580-3-23.12	Site Visit Reports	ADMH report process explained. Para 3.	22.50	2
580-3-23.13	Entity's Plan of Action	Requirements of Plan of Action. Para 1.	22.50	1
580-3-23.14	ADMH Response to POA	ADMH process for response to Plan of Action.	22.50	0
580-3-23.15	Appeal Procedures	Provider decertification appeal process. Para 1.	22.50	1
580-3-23.16	Decertification	Provider decertification process.	22.50	0
580-3-24.01	Introduction (Deaf Services)	Defines intended audience for competencies and training.	22.50-11	0
580-3-24.02	Definitions	Defines interpreter skills and certifications.	22.50-11	0
580-3-24.03	Professional Competencies/Knowledge	Desired levels of fluency and knowledge for interpreter.	22.50-11	0
580-3-24.04	Cultural Competencies/Knowledge	Interpreter must demonstrate cross-cultural competencies.	22.50-11	0
580-3-24.05	Conduct Competencies/Knowledge	Interpreter knowledge, skills, and abilities.	22.50-11	0
580-3-24.06	Training and Certification of Qualified Mental Health Interpreters	Requirements to attain Qualified Mental Health Interpreter. Para 1a,	22.50-11	1
580-3-24.07	Certification Maintenance and Renewal	Requirements to maintain certification.	22.50-11	0
580-3-25.01	Introduction (Admin Review)	Establish reasonable administrative certification rules.	22-50-11	0
580-3-25.02	Governing Body	Governing body documents required. Para 1-6	22-50-11	6
580-3-25.03	Personnel	Records for administrative staff of providers. Para 1-3	22-50-11	3
580-3-25.04	Training Records	Records for provider staff.	22-50-11	0
580-3-25.05	Performance Improvement/Quality Enhancement	Written plans.	22-50-11	0
580-3-25.06	Incident Prevention and Management	Written plans.	22-50-11	0
580-3-25.07	Client Funds	Written plan/policy for management of client personal funds.	22-50-11	0

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Rule Citation	Short Description	Regulatory Text	Statutory Authority	# of Discretionary Regulatory Restrictions
580-4-25	Adoption by Reference	ADMH division of Finance adopts Dept of Finance standards.	22-50-11 & 41-4-2	0
580-4-28.01	Statutory Authority (Purchasing)	ADMH division of finance will conduct purchasing.	41-16-50	0
580-4-28.02	Methods of Purchasing	Types of purchases performed by ADMH div of finance.	41-16-50	0
580-4-28.03	Procedures for Purchasing	ADMH system of making purchases by div of finance.	41-16-50	0
580-6-34.01	Personnel Policies	ADMH can publish personnel policies and procedures to regulate matters not covered by State Personnel Dept.	22-50-40	0
580-6-34.02	Personnel Procedures Manual	ADMH maintains its own Personnel Procedures Manual.	22-50-11	0
580-6-34.03	Nepotism	ADMH supervisors/management will not hire relatives.	22-50-11	0
580-6-34.04	Layoffs	ADMH may layoff employees according to State Personnel Dept. rules.	22-50-11	0
580-6-34.05	Performance Appraisals	ADMH will comply with State Personnel Dept. rules.	22-50-11	0
580-6-34.06	Overtime	ADMH may require its employees to work overtime.	22-50-11	0
580-6-34.07	Compensatory Time	ADMH may grant compensatory time to its own employees.	22-50-11	0
580-6-34.08	Holiday Time	ADMH may require its employees to work on holidays.	22-50-11	0
580-6-34.09	Professional Licensure and Qualification	ADMH requires proper position licensing and/or qualifications.	22-50-11	0
580-6-34.10	Due Process	ADMH employees have right to Due Process.	22-50-11	0
580-6-34.11	Progressive Discipline	ADMH may discipline an employee.	22-50-11	0
580-6-34.12	Employee Conduct	ADMH employees will adhere to accepted standards of professional and personnel conduct.	22-50-11	0
580-6-34.13	Sexual Harassment	ADMH will not tolerate sexual harassment.	22-50-11	0
580-6-34.14	Staff Education	ADMH may prescribe job related training for employees.	22-50-11	0
580-6-34.15	Employee Assistance Program	ADMH will have an Employee Assistance Program.	22-50-11	0
580-6-34.16	Post Termination Hearing	Dismissed ADMH employees may appeal termination to Commissioner.	22-50-11	0
580-6-34.17	Employee Complaint Proc.	ADMH provides procedure for employees to seek resolution to complaints.	22-50-11	0
580-6-34.18	Drug Free Workplace	ADMH prohibits drug abuse in workplace.	22-50-11	0

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Rule Citation	Short Description	Regulatory Text	Statutory Authority	# of Discretionary Regulatory Restrictions
580-6-35.01	Adoption by Reference (ADMH Merit System)	ADMH adopts standards of State Personnel.	22-50-40	0
580-6-35.02	Personnel Policies	ADMH may establish personnel policies in accordance with State Personnel Merit System.	22-50-40	0
580-6-35.03	Personnel Administration	ADMH shall publish personnel admin. Regs. That implement Rules of the State Personnel Board and Dept. Policies.	22-50-11	0
580-6-35.04	Recruitment	ADMH will recruit to maintain needed staff.	22-50-11	0
580-6-36.01	Statutory Authority (Non-Merit Positions)	ADMH has statutory authority to establish non-merit positions.	22-50-2	0
580-6-36.02	Personnel Administration	ADMH will publish policies, procedures, and regs relating to exempt positions.	22-50-40	0
580-6-36.03	Recruitment	ADMH will recruit to maintain need of staff.	22-50-11	0
580-6-36.04	Affirmative Action Plan	ADMH will implement an affirmative action plan.	22-50-40	0
580-6-36.05	Exemption Selection	ADMH will employ exempt positions through competitive process.	22-50-11	0
580-6-36.06	Probationary Period	ADMH recognized 6 months as probation period.	22-50-11	0
580-7-37	Traffic Rules and Regs	ADMH Facilities will establish rules for ADMH employee POV and State vehicles on ADMH Facility property.	22-50-11	0
580-8-38	Recipient Rights Protection and Advocacy	ADMH promotes that every recipient shall be entitled to exercise all civil and legal rights; and, shall assist in safeguarding those rights.	22-50-11	0
580-3-26.01	Applicability (Advocacy)	Establish and maintain Human Rights Committee	22-50-11	1
580-3-26.02	Committee Compositions and Responsibilities	Human Rights Committee must be established accordingly.	22-50-11	3
580-3-26.03	Committee Duties	Duties of Human Rights Committee enumerated.	22-50-11	13
580-1-2.01	Introduction	Mission of the Alabama Department of Mental Health and Mental Retardation	22-50-11; 22-51-1 thru 22-51-14	0
580-1-2.02	Definitions	Defines Comprehensive 310 Board and Specialty 310 Board (para 1, 2)	22-50-11	3
580-1-2.03	Certification	Guidelines regarding certification (para 2)	22-50-11	1

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Rule Citation	Short Description	Regulatory Text	Statutory Authority	# of Discretionary Regulatory Restrictions
580-1-2.04	Transitional Procedures	Procedures for transitioning and identifying 310 Boards as Comprehensive or Specialty Boards (para 1, 2, 3)	22-50-11	4
580-1-2.05	Role And Function	Role and function of Comprehensive and Specialty Boards (para (5)(l)1	22-50-11	1
580-1-2.06	Standards For Certification	Standards for certification of 310 Boards (para (1) (f), (1)(l), (1)(n-r)	22-50-11	8
580-1-2.07	Exceptions	Contracts for providers not covered by 580-1-2	22-50-11	0
580-1-4.01	Introduction	Mission of the Alabama Department of Mental Health and Mental Retardation	22-50-11; 22-51-1; 22-51-14	0
580-1-4.02	Applicability	Contracts for providers not covered by 580-2-1	22-50-11	0
580-1-4.03	Certification	Insurance of compliance with certifications standards	22-50-11	0
580-1-4.04	Role and Function	Role and Function of providers and DMH/MR	22-50-11	0
580-1-4.05	Administrative Standards for Providers (Non-310)	Standards for Non-310 providers (para (1)-(6)	22-50-11	7
580-5-30-.01	Purpose	Describes the purpose of the Alabama Department of Mental Health (ADMH) Division of Developmental Disabilities (DDD)	22-50-11	0
580-5-30.02	Method of Delivery	Describes the DDD service delivery system and its objectives	22-50-11	0
580-5-30.03	Assurances	Assurances that all intellectual disabilities (ID) services will be provided in accordance with ADMH standards, guidelines, and federal requirements (Para 6 & 7)	22-50-11	2
580-5-30.04	Record Management	Maintaining records	22-50-11	0
580-5-30.05	Abuse/Neglect/Maltreatment/Exploitation	Individual protection from abuse, neglect, maltreatment, and exploitation	22-50-11	0
580-5-30.06	Service System	Describes entry into the service system	22-50-11	0
580-5-30.08	Community Service Provision	Assisting individuals in the provision of services	22-50-11	0
580-5-30.10	Contracted Intellectual Disabilities Service	The provision of services through public and private entities and individual service providers	22-50-11	0
580-5-30.11	Review of Contracted Services	On-going monitoring and the provision of technical assistance to contracted service providers	22-50-11	0

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Rule Citation	Short Description	Regulatory Text	Statutory Authority	# of Discretionary Regulatory Restrictions
580-5-30.13	Program Enrollment/ ADMH Medicaid Waiver Programs	Conditions for enrollment in the Medicaid Waiver programs	22-50-11	0
580-5-30.14	Eligibility And Level of Care Determinations For Medicaid Waiver Programs	Definitions, Medicaid HCBS Waiver eligibility requirements and steps and waiting list placement	22-50-11	0
580-5-30.15	Freedom of Choice; ADMH Medicaid Waiver Programs	Freedom of choice of provider is a right of individuals and their families for Medicaid 1915 (c) waivers	22-50-11	0
580-5-30B.01	Definitions	Definitions for Behavior Analyst Licensing	34-5A-1	0
580-5-30B.02	Exemptions From Licensing	Criteria for exemption from licensing	34-5A-2	0
580-5-30B.03	Grounds For Disciplinary Action, Hearings, And Sanctions	Describes the types of conduct that could lead to disciplinary action, the sanctions that may be implemented and the procedure for license reinstatement (para (5)(d), (5)(g))	34-5A-3, 34-5A-7	2
580-5-30B.04	Complaint And Disciplinary Process	Provides the definition of a complaint and the process the board may initiate (para (4) (a-f), (7), (6)(a-d), (7))	34-5A-3	12
580-5-30B.05	Fees	Fees payable to the Alabama Behavior Analyst Licensing Board (para (1)(a)-(c); (2)(a)-(c); (3)(d)-(e), (4)(a)-(c))	34-5A-3; 34-5A-4; 34-5A-5; 34-5A-7	11
580-5-30B.06	Application Procedure For License, Temporary License, And Reciprocity	Process for submitting an application for licensure, temporary licensure, or reciprocity	34-5A-3; 34-5A-4; 34-5A-5; 34-5A-6; 34-5A-7	0
580-5-30B.07	License Expiration, Renewal, And Reinstatement	Provides information regarding licenses being granted for a two year period, and the process to renew and reinstate	34-5A-3; 34-5A-7	0
580-5-30B.08	Notification of Change of Address	Provides time-frame of notifying the board of an address change	34-5A-3	1
580-5-30B.09	Replacement of License	Describes the process for obtaining a certificates	34-5A-3	0
580-9-47.01	Definitions	Minimum rules for providing prevention services to recipients and communities.	Code of Ala. 1975, §22 50 11	0

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580-9-47.02	Personnel	Minimum rules for providing prevention services to recipients and communities.	Code of Ala. 1975, §22 50 11	6
580-9-47.03	Prevention Records	Minimum rules for providing prevention services to recipients and communities.	Code of Ala. 1975, §22 50 11	3
580-9-47.04	Community Planning	Minimum rules for providing prevention services to recipients and communities.	Code of Ala. 1975, §22 50 11	0
580-9-47.05	Prevention Strategies	Minimum rules for providing prevention services to recipients and communities.	Code of Ala. 1975, §22 50 11	0
580-9-47.06	Performance Improvement	Minimum rules for providing prevention services to recipients and communities.	Code of Ala. 1975, §22 50 11	3
580-2-20-.02	Governing Body	Minimum rules for Governing Body presiding over certified MHSU providers.	Code of Ala. 1975, §22 50 11	0
580-2-20-.04	Recipient Protection	Minimum rules for Recipient Protection for all recipients of MHSU services	Code of Ala. 1975, §22 50 11	0
580-2-20-.05	Infection Control	Minimum rules for providers and recipient so MHSU services	Code of Ala. 1975, §22 50 11 and SAMHSA	0
580-2-20-.06	Incident Management	Minimum rules for reporting and investigating critical incidents	Code of Ala. 1975, §22 50 11	0
580-2-20-.07	Performance Improvement	Minimum rules for monitoring performance improvement, utilization review, seclusion and restraint, etc.	Code of Ala. 1975, §22 50 11	0
580-2-20-.08	Recipient Records	Minimum rules for documentation of services provided to recipients of MHSU services	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0
580-2-20-.09	General Clinical Practice	Minimum rules for providing services to recipients of MHSU services.	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0

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Rule Citation	Short Description	Regulatory Text	Statutory Authority	# of Discretionary Regulatory Restrictions
580-2-20-.10	Mental Illness General Outpatient Services	Minimum rules for providing services to recipients of MH services.	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0
580-2-20-.11	Mental Illness Outreach Services	Minimum rules for providing services to recipients of MH services.	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0
580-2-20-.12	Mental Illness Day Services	Minimum rules for providing services to recipients of MH services.	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0
580-2-20-.13	Mental Illness Residential Services	Minimum rules for providing services to recipients of MH services.	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0
580-9-44-.01	Definitions	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0
580-9-44-.03	Substance Abuse Personnel	Minimum rules for Personnel presiding over certified SU providers.	Code of Ala. 1975, §22 50 11, CMS and SAMHSA	0
580-9-44-.14	Level 0.5 Early Intervention	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.15	Level I Outpatient Treatment Program	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11,	0

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			CMS, ASAM and SAMHSA	
580-9-44-.16	Level I-D: Ambulatory Detoxification Without Extended On-Site Monitoring	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.17	Level II.1: Intensive Outpatient Treatment	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.18	Level II.5: Partial Hospitalization Treatment Program	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.19	Level II-D: Ambulatory Detoxification With Extended On-Site Monitoring	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.20	Level III.01: Transitional Residential Program	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.21	Level III.1: Clinically Managed Low Intensity Residential Treatment Program	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.22	Level III.2-D: Clinically Managed Residential Detoxification	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0

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580-9-44-.23	Level III.3: Clinically Managed Medium Intensity Residential Treatment Program For Adults	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.24	Level III.5: Clinically Managed Medium Intensity Residential Treatment Program For Adolescents	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.25	Level III.5: Clinically Managed High Intensity Residential Treatment Program For Adults	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.26	Level III.7: Medically Monitored Intensive Residential Treatment Program For Adults	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.27	Level III.7: Medically Monitored High Intensity Residential Treatment Program For Adolescents	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.28	Level 3.7-D: Medically Monitored Residential Detoxification Program And Level 3.7-D NTP: Medically Monitored Residential Detoxification Narcotic Treatment Program	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-9-44-.29	Level I-O: Opioid Maintenance Therapy	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11,	0

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			CMS, ASAM and SAMHSA	
580-9-44-.01	Definitions	Minimum rules for providing services to recipients of Prevention services.	Code of Ala. 1975, §22 50 11 and SAMHSA	0
580-9-44-.02	Personnel	Minimum rules for providing services to recipients of Prevention services.	Code of Ala. 1975, §22 50 11 and SAMHSA	6
580-9-44-.03	Prevention Records	Minimum rules for providing services to recipients of Prevention services.	Code of Ala. 1975, §22 50 11 and SAMHSA	3
580-9-44-.04	Community Planning	Minimum rules for providing services to recipients of Prevention services.	Code of Ala. 1975, §22 50 11 and SAMHSA	0
580-9-44-.05	Prevention Strategies	Minimum rules for providing services to recipients of Prevention services.	Code of Ala. 1975, §22 50 11 and SAMHSA	0
580-9-44-.06	Performance Improvement	Minimum rules for providing services to recipients of Prevention services.	Code of Ala. 1975, §22 50 11 and SAMHSA	3
580-2-9-.01	Type of Certification	Provides description of types of certificates providers of mental illness services may become certified to provide.	Code of Ala. 1975, §22 50 11	4
580-2-9.19	Designated Mental Health Facility	Minimum rules for providing services to recipients of MH services for outpatient and inpatient commitments.		0
580-2-9-.20	Consultation and Education	Minimum rules for providing consultation and education to the community regarding mental illness.	Code of Ala. 1975, §22 50 11	0
580-2-9-.23	Child and Adolescent Seclusion and Restraint	Minimum rules for providing services to recipients of MH services who's behaviors are a danger to self or others and may require seclusion or restraint to maintain safe environment for recipient and/or others as a last resort.	Code of Ala. 1975, §22 50 11	0

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580-2-9-.24	Adult Seclusion and Restraint	Minimum rules for providing services to recipients of MH services who's behaviors are a danger to self or others and may require seclusion or restraint to maintain safe environment for recipient and/or others as a last resort.	Code of Ala. 1975, §22 50 11	0
580-2-9-25	Therapeutic Individualized Rehabilitation Services	Minimum rules for providing services to recipients of MH services.	Code of Ala. 1975, §22 50 11	0
580-2-9-.26	Indigent Drug Program	This rule will be repealed as services are no longer certified.	Code of Ala. 1975, §22 50 11	
580-9-40-.01	Governing Body	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11	0
580-9-41	Personnel Management	Minimum rules for providing services to recipients of SU services.	Code of Ala. 1975, §22 50 11, CMS, ASAM and SAMHSA	0
580-2-17	Pharmacy	Minimum rules for providing pharmacy services for indigent drug program. This program no longer exist, reviewing for possible repeal.	Code of Ala. 1975, §22 50 11, CMS, Alabama Board of Pharmacy	All will be repealed no longer utilized.
580-2-4-.01	Statutory Authority	Defines statutory authority of ADMH	Code of Ala. 1975, §22 50 11,	0
580-2-4-.02	Applicability	Defines statutory authority of ADMH	Code of Ala. 1975, §22 50 11,	0

ADMH Division of Mental Health and Substance Use, since 2017, have been reviewing all Mental Health and Substance Abuse Administrative Codes to remove overly restrictive, outdated language to provide regulatory relief to providers of mental health and substance abuse treatment. ADMH Division of Mental Health and Substance Use formed the MHSU Administrative Code/Standards Workgroup in 2017. The MHSU Administrative Code/Standards Workgroup was and is currently comprised of stakeholders across the state and service divisions to include providers of mental health and substance abuse treatment, ADMH Advocacy Office staff, Alabama Department of Advocacy Program (ADAP) staff, Peer Services staff, family members, and employees of ADMH MHSU service divisions. The workgroup met monthly and depending on work being done met bimonthly. The workgroup continues to meet to review all Mental Health and Substance Abuse Administrative Codes. The workgroup established the process of in-depth discussions, and a majority vote is taken to make recommended changes.

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In 2022, ADMH Commissioner established a Regulatory Relief Workgroup to also review all ADMH Administrative Codes identified by stakeholders as being overly restrictive to give regulatory relief to address critical workforce shortages. This workgroup continues to meet monthly to discuss workforce issues and regulatory relief.

ADMH MHSU Office of Prevention Services will begin review of their Administrative Code 580-9-47 beginning August 9, 2023 with Prevention Services stakeholders to update this Administrative Code to eliminate overly restrictive, outdated language.