

APA-1
4/18

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-7-1-.05

Rule Title Names of Parents for Registration of Birth

New XXXX Amend Repeal Adopt by Reference

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? 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? No

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 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 §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

P. J. Van Hise

Date

8/13/22

REC'D & FILED

AUG 18 2022

LEGISLATIVE SVC AGENCY

**FORM APA2
10/17**

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

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-7-1-.05, Names of Parents for Registration of Birth

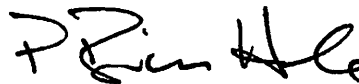
INTENDED ACTION: To amend the current rule.

SUBSTANCE OF PROPOSED ACTION: To remove and replace outdated text in the existing rule.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held on September 15, 2022, at 9:00 a.m., at the RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

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. on October 5, 2022. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Nicole H. Rushing, Center for Health Statistics, Alabama Department of Public Health, P.O. Box 5625, Montgomery, Alabama 36103-5625, Telephone Number: (334) 206-2679.



P. Brian Hale, Agency Secretary

Names of Parents for Registration of Birth

(1) Name of the Mother. The name of the woman who gives birth to the infant shall be entered for birth registration as the mother of the child unless an order from a court of competent jurisdiction issued prior to the birth determines otherwise.

(2) Name of the Father.

(a) Mother married either at time of conception or birth or between conception and birth:

1. As required in Code of Alabama 1975, § 22-9A-7(f), the name of the mother's husband shall be entered as the father of the child unless an order from a court of competent jurisdiction has been issued prior to birth stating that a man other than the mother's husband is the father of the child.

2. If the mother indicates that her husband is not the father of the child and refuses to provide information about her husband to be entered for birth registration, a notation shall be entered indicating that the mother refused to provide the required information.

(b) Mother is not married at the time of either conception or birth or between conception and birth:

1. As required in Code of Alabama 1975, § 22-9A-7(f), the name of the father shall not be entered for birth registration unless the father has been legally established prior to birth through an order from a court of competent jurisdiction or has been established by other legal means such as but not limited to, an Affidavit Acknowledgment of Paternity as provided in Code of Alabama 1975, § 26-17-22.

2. If the father of the child has been legally established prior to birth through an order from a court of competent jurisdiction or has been established by other legal means such as but not limited to, an Affidavit Acknowledgment of Paternity as provided in Code of Alabama 1975, § 26-17-22,

(a) The father's name may be entered for birth registration.

(b) The ~~Affidavit~~ Acknowledgment of Paternity or other legal documents must be sent to the Center for Health Statistics for filing.

Author: Dorothy Harshbarger; Nicole Henderson Rushing

Statutory Authority: Code of Alabama, 1975, §22-9A-2, §22-9A-7, §26-17-22.

History: Repealed and Replaced: Filed June 20, 2007; effective July 25, 2007. Amended: Filed XX-XX-XXXX; effective XX-XX-XXXX.