

APA-1
4/18

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-7-1-.25

Rule Title Fees

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 *Prison Hill* Date 8/18/22

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-.25, Fees

INTENDED ACTION: To amend the current rule.

SUBSTANCE OF PROPOSED ACTION: To remove and replace outdated text and clarify existing text.

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

420-7-1-.25 Fees. Fees to be paid to the Center for Health Statistics shall be as set out in Code of Alabama 1975, § 22-9A-23.

(1) The portion of the fee for a search for or a certified copy of every vital record issued in a local registration district that shall be retained in the local office shall be five twelfths (5/12) of the fee set in Code of Alabama 1975, § 22-9A-23(a)(1). The remainder of the fee shall be forwarded to the State Board of Health for operation and maintenance of the vital records system.

(2) The portion of the fee for each additional certified copy of every vital record issued in a local registration district that shall be retained in the local office shall be one half (1/2) of the fee set in Code of Alabama 1975, § 22-9A-23(a)(2). The remainder of the fee shall be forwarded to the State Board of Health for operation and maintenance of the vital records system.

(3) The fee for any request that involves a search for a particular record to locate a requested document such as an Acknowledgment of Paternity Affidavit, documents filed with a record, or any other documents associated with a record other than a sealed file, shall be at minimum the fee specified in Code of Alabama 1975, § 22-9A-23(a)(1).

(4) The fee for a search that requires opening a sealed file for processing shall be at minimum, the fee specified in Code of Alabama 1975, § 22-9A-23(a)(5).

(5) Appropriate fees for the preparation of statistical research requests shall be determined by the State Registrar but shall, at minimum, cover the cost of staff time for production of the information requested. Additional amounts may be charged to cover the costs of the operation and maintenance of the vital records system used to collect the information provided for the statistical research.

(6) As specified in Code of Alabama 1975, § 22-9A-23(a)(1), fees paid for a search of the records cover the cost for making the search and reporting the findings of that search. Fees for the search are not refundable if a record cannot be located. Instead, an official report of the findings of the search shall be issued in a format determined by the State Registrar.

(7) Unless otherwise specified in the Code of Alabama 1975, and these Rules, fees for special processes such as amendment or correction, new certificate after adoption or ~~paternity~~ parentage determination, delayed certificate, etc. must be paid along with the application for such request and prior to processing such request. Fees paid cover the costs involved for staff time to handle the request and fees are not refundable if the request cannot be completed due to lack of sufficient or adequate documentation as required in the Code of Alabama 1975, and these Rules.

(8) If a court orders an action to be completed to a birth certificate or the law requires an action to be taken to a birth certificate on file in the Center for Health Statistics, that action may be processed prior to receiving the fee for the action. Once the action has been completed, the fee must be paid by the registrant, one of the registrant's parents if the registrant is under 19 years of age, or the legal guardian of the registrant before a certified copy of the record may be issued to any of those individuals.

Author: Dorothy Harshbarger; Nicole Henderson Rushing

Statutory Authority: Code of Alabama, 1975, §22-9A-2, §22-9A-23.

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