APA-4

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c)(2)a. and b.

I certify that the attached emergency (amendment, new rule, new chapter, repeal or adoption by reference) is a correct copy as promulgated and adopted on the 25th day of March, 2020.

AGENCY NAME: Department of Human Resources

RULE NO. AND TITLE: 660-5-41-.05-.01ER Caseworker Visits and Case Plans

EFFECTIVE DATE OF RULE: March 25, 2020

EXPIRATION DATE (If less than 120 days): Removal of Governor Kay Ivey's Declaration of State of Emergency March 13, 2020, relating to the COVID-19 health emergency or 120 days, whichever is sooner

NATURE OF EMERGENCY: Due to the 2020 COVID-19 health emergency, to protect adults in need of protective services, it is necessary to modify the face to face contact requirements for case workers with regard to monthly visits, case plans and case plan reviews in adult protective services cases.

STATUTORY AUTHORITY: *Code of Alabama 1975*, § 38-9-1 *et seq.*

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS ___ YES _X_ NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

Gail M. Grobe, AP Secretary
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334-242-9330

REC'D & FILED

MAR 25 2020

LEGISLATIVE SVC AGENCY

Nancy T. Buckner
Commissioner

FILING DATE

(For APA Use Only)

ALABAMA DEPARTMENT OF HUMAN RESOURCES SOCIAL SERVICES DIVISION
ADMINISTRATIVE CODE

CHAPTER 660-5-41 PROTECTIVE SERVICES FOR ADULTS

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660-5-41-.05-.01 ER Caseworker Visits and Case Plans

(1) Preamble. On March 13, 2020, the Governor of the State of Alabama declared the existence of a state public health emergency based on the appearance of the 2019 novel coronavirus also known as COVID-19. On March 18, 2020, the Governor proclaimed the existence of conditions that warrant implementation of extraordinary measures and relief during the state emergency to guard public health and protect human life. Caseworkers are required to have in-person contact for monthly visits, case plans and case plan reviews for adult protective services cases pursuant to Alabama Department of Human Resources' policy Chapter 1 Section A and Chapter 1 Section C.

(2) Due to current health challenges, the Alabama Department of Human Resources found it necessary to modify policy and to temporarily suspend monthly visits for the months of April and May 2020, while still also permitting the option to make contact as needed via videoconferencing and teleconferencing. In addition, the Alabama Department of Human Resources will allow caseworkers to conduct case plans, and case plan reviews with clients via video conferencing or teleconference with adults in need of protective services, who are receiving ongoing services, until the removal of Governor Kay Ivey's Declaration of State of Emergency March 13, 2020, relating to the COVID-19 health emergency or 120 days, whichever is sooner.

(3) If video conferencing or teleconferencing is unavailable, an in-person visit should be completed using social distancing and other preventative measures as needed. The waiver to suspend the in-person requirement should be documented in the family's case record.

Author: Alabama Department of Human Resources

Statutory Authority: Code of Alabama 1975, § 38-9-1 et seq.

History: Emergency New Rule Pursuant to Governor Kay Ivey's Declaration of State of Emergency March 13, 2020, Approved: March 24, 2020. Effective Date of Emergency Rule: March 25, 2020.