

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 rule is a correct copy as promulgated and adopted on the 4<sup>th</sup> day of August, 2020.

AGENCY NAME: Alabama Medicaid Agency

RULE NO. AND TITLE: 560-X-1-.22ER Declaration of Emergency Plan of Action to Protect Public Health and Welfare

EFFECTIVE DATE OF RULE: August 4, 2020

EXPIRATION DATE (If less than 120 days): October 14, 2020

NATURE OF EMERGENCY:

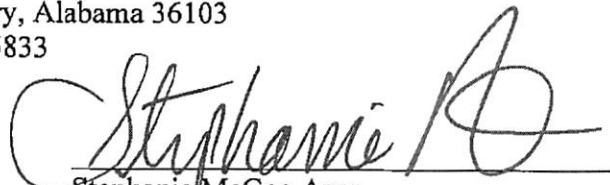
The above-referenced rule is being added to allow the Medicaid Agency, under a state of emergency proclamation, to lessen the restrictions placed upon Medicaid providers when it is necessary to protect the public health and welfare of the citizens of Alabama.

STATUTORY AUTHORITY: Ala. Code Section 41-22-1 et. seq.

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS  YES  NO

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

Administrative Secretary  
Alabama Medicaid Agency  
501 Dexter Avenue  
Montgomery, Alabama 36103  
(334) 242-5833

  
Stephanie McGee Azar  
Commissioner

REC'D & FILED

AUG 4 2020

LEGISLATIVE SVC AGENCY

**Rule No. 560-X-1-22ER Declaration of Emergency Plan of Action to Protect Public Health and Welfare**

When the State of Alabama is under a state of emergency proclamation, it may be necessary, in order to protect the public health and welfare of the citizens of Alabama, for the Medicaid Agency to implement procedures that will contradict, and therefore supersede, promulgated rules utilizing the Alabama Medicaid Agency provider ALERT system.

The Provider ALERT must state the affected rule and have an explanation as to why it is superseding the rule. It must specifically relate the reason to the emergency proclamation and must have an end date not to exceed 60 days, unless ended earlier by the termination of the state of emergency.

Any ALERT issued pursuant to this rule shall control regarding the specific service(s) described in said ALERT. The extension of the state of emergency proclamation does not serve to extend any ALERT issued under this rule and the Commissioner of Medicaid shall have discretion to end any ALERT issued under this rule at any time before the state of emergency ends.

The intent of this rule is to allow the Medicaid Agency to lessen the restrictions placed upon Medicaid providers when it is necessary to protect the public health and welfare of the citizens of Alabama. This rule shall not be utilized to increase restrictions placed upon Medicaid providers by this Administrative Code.

**Author:** Stephanie Lindsay, Administrator, Administrative Procedures Office.

**Statutory Authority:** Ala. Code Section 41-22-1 et. seq.

**History:** Emergency rule filed and effective August 4, 2020.