

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Alabama Department of Senior Services
Rule No. 70-x-1-04
Rule Title: Department Duties Under Cooperative Agreements with Other State Agencies
_____ New _____ x _____ 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? n/a

Are all facets 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 Section 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 Emily T. Marshall
Date July 19, 2018

(DATE FILED)
(STAMP)

(Agency Name)
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Senior Services

RULE NO. & TITLE: 70-x-1-.04 Department Duties Under Cooperative Agreements with Other State Agencies


INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: This amendment will remove a reference to a previous version of the Older Americans Act and replace it with "as amended."

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or oral comments may be submitted to the Alabama Department of Senior Services, 201 Monroe Street, Suite 350, PO Box 301851, Montgomery Alabama 36130-1851. Agency business hours are 8:00 AM to 5:00 PM Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written/Oral comments concerning this change must be received by ADSS no later than September 5, 2018.

CONTACT PERSON AT AGENCY: Emily Marsal, General Counsel, Alabama Department of Senior Services, 201 Monroe Street, Suite 350, PO Box 301851, Montgomery, Alabama 36130-1851.



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

70-X-1-.04 Department Duties Under Cooperative Agreements with Other State Agencies.

(1) The Department shall follow applicable rules and regulations of state agencies for programs administered by the Department (e.g. Home and Community Based Services for the Elderly and Disabled Waiver Program).

Author: Irene B. Collins, Commissioner

Statutory Authority: Code of Ala. 1975, §§ 38-3-1 to 38-3-9 (Act 2008-39), Older Americans Act of 1965, as amended (~~Public Law 109-365~~), 45 C.F.R. § 1321, Code of Ala. 1975, §§ 41-22-1 to 41-22-27

History: Filed May 20, 1992. Repealed and New Rule:
Filed June 5, 2009; effective July 10, 2009. Amended: Filed
July 16, 2018.