

Resolution 2024-1-1
2024 ALGOP Winter Meeting

Resolution Calling for the Alabama Legislature to Pass a Bill to Give the Governor the Authority to Appoint the State Chief Medical Officer

WHEREAS, the appointment process for The State Chief Health Officer plays a crucial role in ensuring qualified and committed leadership within the state's Public Health Department; and

WHEREAS, the state of Alabama currently appoints the State Chief Medical Officer through the State Health Committee, leaving the appointment process subject to the discretion of the committee's practices; and

WHEREAS, Alabama is the only state in the country where the state health officer is not answerable to the people but is selected by MASA (Medical Association of the State of Alabama)/State Board of Health ([AL Code 2021 – Section 22-2-1](#)).and serves at the pleasure of the Committee on Public Health, which is made up of medical professionals not appointed or approved by either the governor or the legislature; and

WHEREAS, granting the Governor the authority to appoint the State Health Medical Officer would align with the practices of a majority of states, where the governor typically selects a candidate who demonstrates expertise in public health and a dedication to enhancing the well-being of the state's populace; and

WHEREAS, vesting the Governor with the authority to appoint the State Chief Medical Officer would facilitate effective collaboration and coordination between the executive branch and the public health department, promoting swift decision-making and implementation of public health initiatives; and

WHEREAS, a clear appointment process would enhance accountability by ensuring that the State Chief Medical Officer is directly accountable to the governor, who is ultimately accountable to the people of Alabama; and

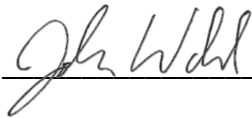
WHEREAS, it is essential to maintain the integrity and expertise of the State Health Officer role to effectively address public health emergencies, such as disease outbreaks, natural disasters, and other health crises;

NOW, THEREFORE, BE IT RESOLVED that the members of the Alabama Republican Executive Committee call upon the Alabama Legislature to pass a bill that amends the current appointment process for the State Chief Medical Officer, granting the governor the authority to make the appointment, ensuring a consistent and merit-based process for selecting qualified individuals for this crucial position; and

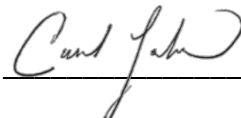
BE IT FURTHER RESOLVED that this bill should outline the qualifications and criteria for the State Chief Medical Officer, emphasizing a strong background in public health and a commitment to addressing the health needs of Alabama's residents; and

BE IT FURTHER RESOLVED that the bill should provide clarity regarding the term of office for the State Chief Medical Officer, whether it be a fixed term or at the pleasure of the governor, ensuring stability and effective leadership within the state's public health department; and

BE IT FURTHER RESOLVED that this resolution shall be transmitted to the members of the Alabama Legislature, urging them to support and enact a bill, thereby providing a structured and accountable process for appointing the State Chief Medical Officer, which will contribute to the improved health and well-being of Alabama's residents.



John Wahl
Chairman
Alabama Republican Party



Carol Jahns
Secretary
Alabama Republican Party

Submitted by Ashley Hilburn, St. Clair County; Co-sponsor Jeana Boggs, Tallapoosa County.

Resolution 2024-1-2
2024 ALGOP Winter Meeting

Asking our House and Senate Republicans to repeal § 13A-12-200.10, which exempts public libraries from criminal provisions of the Alabama Anti-Obscenity Enforcement Act

WHEREAS, Alabama Code §13A-12-200.5 (1) of the Anti-Obscenity Act provides: “[i]t shall be unlawful for any person to knowingly or recklessly distribute to a minor, or offer or agree to distribute to a minor any material which is harmful to minors;” and

WHEREAS, material that is “harmful to minors” is defined in Alabama Code § 13A-12- 200.1(11) as follows: “The term means:

- a. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors; and
- b. The material **depicts or describes sexual conduct**, breast nudity or genital nudity, in a way which is **patently offensive to prevailing standards in the adult community with respect to what is suitable for minors**; and
- c. A reasonable person would find that the material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.”; and

WHEREAS, Governor Kay Ivey, state legislators, the Alabama Public Library Service and numerous city and town councils and local library boards have heard from their constituents, and been presented with testimony, public comment, reports, and excerpts from books clearly demonstrating the plethora of books and other materials in public libraries and in school libraries throughout the state that meet all three elements of what constitutes material that is “harmful to minors” under Alabama law; and

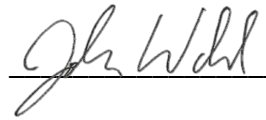
WHEREAS, such libraries and their agents have distributed or made available those materials to minors and have admittedly continued to offer such materials to minors, even after they were put on notice of the obscene nature of the books and materials, and hence, many appear to be in violation of Ala. Code § 13A-12-200.5(1); and

WHEREAS, there is a provision in the Alabama Code which exempts public libraries and public school libraries from criminal prosecution for violations of the Anti-Obscenity law, Ala. Code § 13A-12-200.10, which states: “The criminal provisions of this division shall not apply to bona fide public libraries, or public school or college or university libraries, or their employees or agents acting on behalf of the legitimate educational purposes of such public libraries, or public school or college or university libraries.”; and

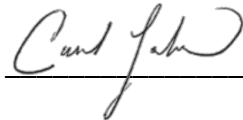
WHEREAS, there is a pressing need to protect minors from the mental, emotional and psychological harm caused by being exposed to material that is unsuitable for minors as defined under the Alabama Anti-Obscenity law set forth above; and

WHEREAS, the exemption for public libraries, their employees or agents should no longer be applicable due to the failure and refusal of many public libraries to see to it that they do not distribute or provide access to material harmful to minors;

NOW THEREFORE, BE IT RESOLVED that we, the Alabama Republican Party, call upon our House and Senate Republicans to immediately repeal § 13A-12-200.10, which exempts public libraries from the criminal provisions of the Alabama Anti-Obscenity Enforcement Act.



John Wahl
Chairman
Alabama Republican Party



Carol Jahns
Secretary
Alabama Republican Party

Submitted by Donna Cude, Jefferson County. Co-sponsored by Jack Green, Baldwin County; Andrew Sorrell, Colbert County; Cathi Bradford, Cullman County; Sheila Banister, Limestone County; Jesse Hockett, Morgan County; Iva Hendon, Walker County; Jessica Johnson, Walker County; and Denise Harper, Walker County; Jeana Boggs, Tallapoosa County.

**Resolution 2024-1-4
2024 ALGOP Winter Meeting**

RESOLUTION URGING LEGISLATIVE OVERSIGHT OF LONG TERM CARE INSURERS

WHEREAS, it is beyond dispute that scamming is a billion dollar industry in the United States; and

WHEREAS, the Alabama legislature has specifically found *“that the business of insurance involves many transactions that have potential for fraud, abuse, and other illegal activities.”* (* Section 27-12A-1.1, Alabama Code); and

WHEREAS, the marketing of Long Term Care insurance (LTC) targets elderly citizens; and

WHEREAS, the Alabama Department of Insurance (DOI) does not have authority to approve or disapprove premium rate increases by LTC insurers; and

WHEREAS, insurers of LTC policies are merely requested by the DOI to file their proposed rate revisions for information purposes; and

WHEREAS, one LTC insurer is known to have increased its annual premium four times for a total of 135.24% since issuance of a 2003 policy, and has announced an intent to increase an additional 62.63%; and

WHEREAS, many elderly insureds are unable to pay the increased premiums and are forced to allow their policies to lapse – resulting in a boon to the insurer; and

WHEREAS, with each increase in premium, the insurer allows its elderly insureds to accept reduced benefits in lieu of paying the increased premium – another boon to the insurer; and

WHEREAS, buried in small print in its promotional material and policies, carefully crafted language allowing unrestricted premium increases is deceptive and denies prospective purchasers the full and fair disclosure contemplated by Section 27-19-105, Code of Alabama, and amounts to deceptive sales practices; and

WHEREAS, since no oversight is provided to protect the public, it is likely that all LTC insurers operate in a similar fashion; and

WHEREAS, the Alabama DOI should have the authority and the duty to independently investigate asserted justifications for premium increases, and to deny them when compelling justification is not found to exist.

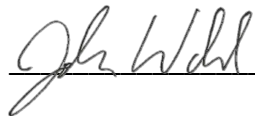
NOW THEREFORE, BE IT RESOLVED, that the Alabama Republican Executive Committee urges the Alabama legislature to enact legislation requiring LTC insurers to give prospective

purchasers full and fair disclosure of the circumstances that may justify future premium increases, such disclosures to be evidenced by **ENLARGED BOLD PRINT** to be initialed for understanding by prospective purchasers.

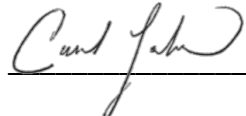
BE IT FURTHER RESOLVED, that the Alabama Republican Executive Committee urges the Alabama legislature to enact legislation authorizing and directing the Commissioner of the Alabama Department of Insurance to independently investigate alleged justifications for premium increases asserted by LTC insurers and, where compelling evidence is not found, to prohibit an increase.

BE IT FURTHER RESOLVED, that the Alabama Republican Executive Committee urges the Alabama legislature to enact legislation providing for harsh civil and criminal penalties for deceptive marketing practices, or other business practices by LTC insurers found to be deceptive.

BE IT FURTHER RESOLVED, that a copy of this resolution, once adopted, be forwarded to the Governor of the State of Alabama, the President pro Tempore of the Alabama Senate, the Speaker of the Alabama House of Representatives, and to each Republican member of the Alabama Senate and the Alabama House of Representatives.



John Wahl
Chairman
Alabama Republican Party



Carol Jahns
Secretary
Alabama Republican Party

Submitted by: C. E. Isom, Calhoun County