



LAWS OF ALASKA

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Source

SCS CSHB 151(FIN)

Chapter No.

AN ACT

Relating to a special audit; relating to the duties of the Department of Health and Social Services; relating to training and workload standards for employees of the Department of Health and Social Services and providing immunity from damages related to those standards; relating to foster care home licensing; relating to civil and criminal history background checks for foster care licensing and payments; relating to placement of a child in need of aid; relating to the rights and responsibilities of foster parents; relating to completed investigations of reports of harm to a child; requiring the Department of Health and Social Services to provide information to a child or person released from the department's custody; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to a special audit; relating to the duties of the Department of Health and Social
2 Services; relating to training and workload standards for employees of the Department of
3 Health and Social Services and providing immunity from damages related to those standards;
4 relating to foster care home licensing; relating to civil and criminal history background checks
5 for foster care licensing and payments; relating to placement of a child in need of aid; relating
6 to the rights and responsibilities of foster parents; relating to completed investigations of
7 reports of harm to a child; requiring the Department of Health and Social Services to provide
8 information to a child or person released from the department's custody; and providing for an
9 effective date.

10 _____
11 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
12 to read:

1 SHORT TITLE. This Act may be known as the Children Deserve a Loving Home Act.

2 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 LEGISLATIVE INTENT. It is the intent of the legislature that the division of the
5 Department of Health and Social Services with responsibility over the custody of children, in
6 accepting the additional resources made available to the division under this Act, be subject to
7 and agree to cooperate with a special audit conducted under AS 24.20.281, as approved by the
8 Legislative Budget and Audit Committee, to begin within one year after the effective date of
9 secs. 1 - 22 and 24 of this Act.

10 * **Sec. 3.** AS 47.05.065 is amended to read:

11 **Sec. 47.05.065. Legislative findings related to children.** The legislature finds
12 that

13 (1) parents have the following rights and responsibilities relating to the
14 care and control of their child while the child is a minor:

15 (A) the responsibility to provide the child with food, clothing,
16 shelter, education, and medical care;

17 (B) the right and responsibility to protect, nurture, train, and
18 discipline the child, including the right to direct the child's medical care and
19 the right to exercise reasonable corporal discipline;

20 (C) the right to determine where and with whom the child shall
21 live;

22 (D) the right and responsibility to make decisions of legal or
23 financial significance concerning the child;

24 (E) the right to obtain representation for the child in legal
25 actions; and

26 (F) the responsibility to provide special safeguards and care,
27 including appropriate prenatal and postnatal protection for the child;

28 (2) it is the policy of the state to strengthen families and to protect
29 children from child abuse and neglect; the state recognizes that, in some cases,
30 protection of a child may require removal of the child from the child's home; however,

31 (A) except in those cases involving serious risk to a child's

1 health or safety, the Department of Health and Social Services should provide
2 time-limited family support services to the child and the child's family in order
3 to offer parents the opportunity to remedy parental conduct or conditions in the
4 home that placed the child at risk of harm so that a child may return home
5 safely and permanently; and

6 (B) the state also recognizes that when a child is removed from
7 the home, visitation between the child and the child's parents or guardian and
8 family members reduces the trauma for the child and enhances the likelihood
9 that the child will be able to return home; therefore, whenever a child is
10 removed from the parental home, the Department of Health and Social
11 Services should encourage frequent, regular, and reasonable visitation of the
12 child with the child's parent or guardian and family members;

13 (3) it is the policy of the state to recognize that, when a child is a ward
14 of the state, the child is entitled to reasonable safety, adequate care, and adequate
15 treatment and that the Department of Health and Social Services as legal custodian and
16 the child's guardian ad litem as guardian of the child's best interests and their agents
17 and assignees, each should make reasonable efforts to ensure that the child is provided
18 with reasonable safety, adequate care, and adequate treatment for the duration of time
19 that the child is a ward of the state;

20 (4) it is in the best interests of a child who has been removed from the
21 child's own home for the state to apply the following principles in resolving the
22 situation:

23 (A) the child should be placed in a safe, secure, and stable
24 environment;

25 (B) the child should not be moved unnecessarily;

26 (C) a planning process should be followed to lead to permanent
27 placement of the child;

28 (D) every effort should be made to encourage psychological
29 attachment between the adult caregiver and the child;

30 (E) frequent, regular, and reasonable visitation with the parent
31 or guardian and family members should be encouraged; [AND]

1 (F) parents and guardians must actively participate in family
2 support services so as to facilitate the child's being able to remain in the home;
3 when children are removed from the home, the parents and guardians must
4 actively participate in family support services to make return of their children
5 to the home possible; **and**

6 **(G) to the extent practicable, the Department of Health and**
7 **Social Services should enable a child's contact with previous out-of-home**
8 **caregivers when appropriate and in the best interests of the child;**

9 (5) numerous studies establish that

10 (A) children undergo a critical attachment process before the
11 time they reach six years of age;

12 (B) a child who has not attached with an adult caregiver during
13 this critical stage will suffer significant emotional damage that frequently leads
14 to chronic psychological problems and antisocial behavior when the child
15 reaches adolescence and adulthood; and

16 (C) it is important to provide for an expedited placement
17 procedure to ensure that all children, especially those under the age of six
18 years, who have been removed from their homes are placed in permanent
19 homes expeditiously.

20 * **Sec. 4.** AS 47.05.310(c) is amended to read:

21 (c) **Except as provided in (f) of this section, the** [THE] department may not
22 issue or renew a license or certification for an entity if an individual is applying for a
23 license, license renewal, certification, or certification renewal for the entity and that

24 (1) individual has been found by a court or agency of this or another
25 jurisdiction to have neglected, abused, or exploited a child or vulnerable adult under
26 AS 47.10, AS 47.24, or AS 47.62 or a substantially similar provision in another
27 jurisdiction, or to have committed medical assistance fraud under AS 47.05.210 or a
28 substantially similar provision in another jurisdiction; or

29 (2) individual's name appears on the centralized registry established
30 under AS 47.05.330 or a similar registry of this state or another jurisdiction.

31 * **Sec. 5.** AS 47.05.310(i) is amended to read:

1 (i) **Except as provided in (l) of this section, for** [FOR] purposes of (b) and
2 (c) of this section, in place of nonissuance or nonrenewal of a license or certification,
3 an entity or individual service provider that is not required to be licensed or certified
4 by the department or a person wishing to become an entity or individual service
5 provider that is not required to be licensed or certified by the department is instead
6 ineligible to receive a payment, in whole or in part, from the department to provide for
7 the health, safety, and welfare of persons who are served by the programs
8 administered by the department if the entity, individual service provider, or person

9 (1) is in violation of (a) of this section or would be in violation based
10 on information received by the department as part of an application, approval, or
11 selection process;

12 (2) has been found by a court or agency of this or another jurisdiction
13 to have neglected, abused, or exploited a child or vulnerable adult under AS 47.10,
14 AS 47.24, or AS 47.62 or a substantially similar provision in another jurisdiction, or to
15 have committed medical assistance fraud under AS 47.05.210 or a substantially
16 similar provision in another jurisdiction; or

17 (3) appears on the centralized registry established under AS 47.05.330
18 or a similar registry of this state or another jurisdiction.

19 * **Sec. 6.** AS 47.05.310(k) is amended by adding new paragraphs to read:

20 (4) "adult family member" has the meaning given in AS 47.10.990;

21 (5) "foster home" has the meaning given in AS 47.32.900.

22 * **Sec. 7.** AS 47.05.310 is amended by adding a new subsection to read:

23 (l) The department may issue or renew a foster home license under AS 47.32
24 or provide payments under AS 47.14.100(b) or (d) to an entity, individual service
25 provider, or person if the applicant or a person who resides in the home is barred from
26 licensure or payment under (c), (i)(2), or (i)(3) of this section and

27 (1) a person in the home is an adult family member or family friend of
28 a child in the custody or supervision of the state under AS 47.10;

29 (2) the department finds that placing the child with the entity,
30 individual service provider, or person is in the best interests of the child; and

31 (3) the conduct that is the basis of the finding under (c), (i)(2), or (i)(3)

1 of this section occurred at least 10 years before the date the department receives the
2 application for licensure or renewal or makes a payment to the entity, individual
3 service provider, or person.

4 * **Sec. 8.** AS 47.10.080(s) is amended to read:

5 (s) The department may transfer a child, in the child's best interests, from one
6 placement setting to another, and the child, the child's parents or guardian, the child's
7 foster parents or out-of-home caregiver, the child's guardian ad litem, the child's
8 attorney, and the child's tribe are entitled to advance notice of a nonemergency
9 transfer. A party opposed to the proposed transfer may request a hearing and must
10 prove by clear and convincing evidence that the transfer would be contrary to the best
11 interests of the child for the court to deny the transfer. A foster parent or out-of-home
12 caregiver who requests a nonemergency change in placement of the child shall provide
13 the department with reasonable advance notice of the requested change. When the
14 department transfers a child from one out-of-home placement to another, the
15 department shall search for an appropriate placement with an adult family member or
16 a family friend who meets the foster care licensing requirements established by the
17 department. **A supervisor at the department shall certify in writing in the case file**
18 **whether the department has searched for an appropriate placement with an**
19 **adult family member or family friend. If the department has not complied with**
20 **the search requirements under this subsection, the supervisor shall work to**
21 **ensure that the department completes the search in the shortest time feasible.**

22 * **Sec. 9.** AS 47.10.084 is amended by adding a new subsection to read:

23 (d) When the child is placed in foster care, the foster parent has the right and
24 responsibility to use a reasonable and prudent parent standard to make decisions
25 relating to the child. The foster parent may make decisions under (a) or (b) of this
26 section that include decisions relating to the child's participation in age-appropriate or
27 developmentally appropriate activities, including travel, sports, field trips, overnight
28 activities, and extracurricular, enrichment, cultural, and social activities. The
29 department shall provide foster parents with training regarding the reasonable and
30 prudent parent standard. In this subsection, "reasonable and prudent parent standard"
31 means a standard characterized by careful and sensible decisions to maintain the

1 health, safety, and best interests of the child while encouraging the emotional and
2 developmental growth of the child.

3 * **Sec. 10.** AS 47.10.086 is amended by adding a new subsection to read:

4 (h) The department shall engage a child who is 14 years of age or older in the
5 development or revision of a case plan, permanency goal, or alternative permanency
6 plan for the child. The department shall also allow the child to select not more than
7 two adults to participate in the development or revision of the plan in addition to the
8 child's foster parents or department employees who are supervising the care of the
9 child. The department may reject an adult selected by the child if the department has
10 good cause to believe that the adult will not act in the best interests of the child. If the
11 department rejects an adult, the child may select another adult. The child may
12 designate one of the adults to be the child's advisor, and the advisor may advocate for
13 the child.

14 * **Sec. 11.** AS 47.10.093(a) is amended to read:

15 (a) Except as permitted in AS 47.10.092, [AND IN] (b) - (g) and (i) - (l) of
16 this section, **and AS 47.17.030(g)**, all information and social records pertaining to a
17 child who is subject to this chapter or AS 47.17 prepared by or in the possession of a
18 federal, state, or municipal agency or employee in the discharge of the agency's or
19 employee's official duty are privileged and may not be disclosed directly or indirectly
20 to anyone without a court order.

21 * **Sec. 12.** AS 47.10.093(b) is amended to read:

22 (b) A state or municipal agency or employee shall disclose appropriate
23 confidential information regarding a case to

24 (1) a guardian ad litem appointed by the court;

25 (2) a person or an agency requested by the department or the child's
26 legal custodian to provide consultation or services for a child who is subject to the
27 jurisdiction of the court under AS 47.10.010 as necessary to enable the provision of
28 the consultation or services;

29 (3) an out-of-home care provider as necessary to enable the out-of-
30 home care provider to provide appropriate care to the child, to protect the safety of the
31 child, and to protect the safety and property of family members and visitors of the out-

1 of-home care provider;

2 (4) a school official as necessary to enable the school to provide
3 appropriate counseling and support services to a child who is the subject of the case, to
4 protect the safety of the child, and to protect the safety of school students and staff;

5 (5) a governmental agency as necessary to obtain that agency's
6 assistance for the department in its investigation or to obtain physical custody of a
7 child;

8 (6) a law enforcement agency of this state or another jurisdiction as
9 necessary for the protection of any child or for actions by that agency to protect the
10 public safety;

11 (7) a member of a multidisciplinary child protection team created
12 under AS 47.14.300 as necessary for the performance of the member's duties;

13 (8) the state medical examiner under AS 12.65 as necessary for the
14 performance of the duties of the state medical examiner;

15 (9) a person who has made a report of harm as required by
16 AS 47.17.020 to inform the person that the investigation was completed and of action
17 taken to protect the child who was the subject of the report;

18 (10) the child support services agency established in AS 25.27.010 as
19 necessary to establish and collect child support for a child who is a child in need of aid
20 under this chapter;

21 (11) a parent, guardian, or caregiver of a child or an entity responsible
22 for ensuring the safety of children as necessary to protect the safety of a child;

23 (12) a review panel established by the department for the purpose of
24 reviewing the actions taken by the department in a specific case;

25 (13) the University of Alaska under the Alaska higher education
26 savings program for children established under AS 47.14.400, but only to the extent
27 that the information is necessary to support the program and only if the information
28 released is maintained as a confidential record by the University of Alaska;

29 (14) a child placement agency licensed under AS 47.32 as necessary to
30 provide services for a child who is the subject of the case; [AND]

31 (15) a state or municipal agency of this state or another jurisdiction

1 that is responsible for delinquent minors, as may be necessary for the administration of
2 services, protection, rehabilitation, or supervision of a child or for actions by the
3 agency to protect the public safety; however, a court may review an objection made to
4 a disclosure under this paragraph; the person objecting to the disclosure bears the
5 burden of establishing by a preponderance of the evidence that disclosure is not in the
6 child's best interest; **and**

7 **(16) a sibling of a child who is the subject of the case to allow the**
8 **siblings to contact each other if it is in the best interests of the child to maintain**
9 **contact; in this paragraph, "sibling" means an adult or minor who is related to**
10 **the child who is the subject of the case by blood, adoption, or marriage as a child**
11 **of one or both of the parents of the child who is the subject of the case; a sibling**
12 **who is adopted by a person other than the parent of the child who is the subject**
13 **of the case remains a sibling of the child.**

14 * Sec. 13. AS 47.10.142(i) is amended to read:

15 (i) When the department takes emergency custody of a child under this section
16 or a court orders a child committed to the department for temporary placement under
17 this section, the department shall, to the extent feasible and consistent with the best
18 interests of the child, place the child according to the criteria specified under
19 AS 47.14.100(e). **A supervisor at the department shall certify in writing in the**
20 **case file whether the department has searched for an appropriate placement with**
21 **an adult family member or family friend. If the department has not complied**
22 **with the search requirements under this subsection, the supervisor shall work to**
23 **ensure that the department completes the search in the shortest time feasible if it**
24 **is consistent with the best interests of the child.**

25 * Sec. 14. AS 47.14.100(e) is amended to read:

26 (e) When a child is removed from a parent's home, the department shall
27 **search for an appropriate placement with an adult family member or family**
28 **friend. A supervisor at the department shall certify in writing in the case file**
29 **whether the department has searched for an appropriate placement with an**
30 **adult family member or family friend. If the department has not complied with**
31 **the search requirements under this subsection, the supervisor shall work to**

1 **ensure that the department completes the search in the shortest time feasible. The**
2 **department shall** place the child, in the absence of clear and convincing evidence of
3 good cause to the contrary,

4 (1) in the least restrictive setting that most closely approximates a
5 family and that meets the child's special needs, if any;

6 (2) within reasonable proximity to the child's home, taking into
7 account any special needs of the child and the preferences of the child or parent;

8 (3) with, in the following order of preference,

9 (A) an adult family member;

10 (B) a family friend who meets the foster care licensing
11 requirements established by the department;

12 (C) a licensed foster home that is not an adult family member
13 or family friend;

14 (D) an institution for children that has a program suitable to
15 meet the child's needs.

16 * **Sec. 15.** AS 47.14.100(i) is amended to read:

17 (i) A child may not be placed with an out-of-home care provider if the
18 department determines that the child can remain safely at home with **an adult family**
19 **member** [ONE PARENT] or guardian **who lives with the child**. In this subsection,
20 "out-of-home care provider" means an agency or person, other than the child's legal
21 parents, with whom a child who is in the custody of the state under
22 AS 47.10.080(c)(1) or (3), 47.10.142, or (c) of this section is currently placed; "agency
23 or person" includes a foster parent, a relative other than a parent, a person who has
24 petitioned for adoption of the child, and a residential child care facility.

25 * **Sec. 16.** AS 47.14.100(r) is amended to read:

26 (r) The department shall make reasonable efforts to place siblings in the same
27 placement if the siblings are residing in the same home when taken into the custody of
28 the department. If siblings are not placed together after reasonable efforts have been
29 made, the case supervisor for the division with responsibility over the custody of
30 children shall document in the file the efforts that were made and the reason separating
31 the siblings for placement purposes is in the best interest of the children. **If it is in the**

1 best interests of the children to maintain contact, the department shall provide
2 each sibling with contact information for the other sibling and encourage the
3 children's caregivers to provide opportunities for contact between the siblings. In

4 this subsection, "sibling" means two or more persons who are related by blood,
5 adoption, or marriage as a child of one or both parents.

6 * **Sec. 17.** AS 47.14 is amended by adding a new section to read:

7 **Sec. 47.14.112. Training and workload standards; reports to legislature.**

8 (a) The department shall implement workload standards and a training program for
9 employees who supervise the care of children committed to the supervision or custody
10 of the department under AS 47.10, work with families to prevent the removal of a
11 child from the child's home under AS 47.10, or investigate reports of harm under
12 AS 47.17. The department shall prepare a staffing report under (b) of this section if the
13 department is unable

14 (1) to employ the number of qualified employees necessary to ensure
15 that

16 (A) the department reasonably and safely minimizes the time a
17 child is not in a permanent living arrangement or under a permanent
18 guardianship;

19 (B) a child is not removed from the child's home when it is
20 possible and in the child's best interest for the department to work with the
21 child's family to prevent the removal of the child from the child's home;

22 (C) each child is placed in a permanent home not more than 24
23 months after the date the child is first removed from the child's home;

24 (2) to meet best practices standards set by the department requiring the
25 employment of mentors for employees who supervise the care of children committed
26 to the supervision or custody of the department under AS 47.10, work with families to
27 prevent the removal of a child from the child's home under AS 47.10, or investigate
28 reports of harm under AS 47.17;

29 (3) for a new employee who supervises the care of a child committed
30 to the supervision or custody of the department under AS 47.10, works with families
31 to prevent the removal of a child from the child's home under AS 47.10, or

1 investigates reports of harm under AS 47.17, to

2 (A) provide a minimum of six weeks of training unless the
3 department finds that the new employee has sufficient experience to justify a
4 shorter training period;

5 (B) limit the employee's workload as follows:

6 (i) before the beginning of an employee's fourth month
7 of work with the department, the employee may supervise not more
8 than six families;

9 (ii) after the beginning of the employee's fourth month
10 of work but before the end of the employee's sixth month of work with
11 the department, the employee may supervise not more than 12 families;

12 (iii) when an employee supervises families in a region
13 where travel distances negatively affect the employee's ability to
14 supervise families and the employee has worked for the department for
15 less than 12 months, the employee may not supervise the maximum
16 number of families provided under (i) and (ii) of this subparagraph; and

17 (4) for an employee, other than a new employee, who supervises the
18 care of children committed to the supervision or custody of the department under
19 AS 47.10, works with families to prevent the removal of a child from the child's home
20 under AS 47.10, or investigates reports of harm under AS 47.17, to ensure that the
21 average statewide caseload is not more than 13 families for each worker.

22 (b) A staffing report prepared as a result of the department's inability to meet
23 the training and workload standards in (a) of this section must be included in the
24 department's annual report to the legislature required under AS 18.05.020. The
25 department shall explain in the staffing report the reasons the department has not been
26 able to meet the standards and provide the following information:

27 (1) the number of employees who vacated positions during the
28 reporting period;

29 (2) the number of funded positions that are vacant;

30 (3) a description of efforts made to recruit and retain employees;

31 (4) if the department determines additional employee positions are

1 necessary to meet the standards, the number and cost of the additional positions;

2 (5) if the department determines additional funding is necessary to
3 meet the standards, the amount and purpose of the additional funding; and

4 (6) the effects on a child and the child's family of the department's
5 inability to meet the standards.

6 (c) Notwithstanding any other provision of this section, the department is
7 immune from suit under this section if the department was unable to meet the
8 workload standards and adjusted workload standards because of a lack of sufficient
9 appropriations or because the department's efforts to recruit or retain employees did
10 not result in an adequate number of qualified applicants to meet the workload
11 standards, as outlined in the staffing report.

12 (d) The division of the department with responsibility over the custody of
13 children shall prepare and make available to the legislature an annual report on
14 employee recruitment and retention, including a five-year plan, for the division. Not
15 later than November 15 of each year, the department shall deliver the report to the
16 senate secretary and the chief clerk of the house of representatives and notify the
17 legislature that the report is available. The report prepared under this subsection is
18 separate from the annual report to the legislature required under AS 18.05.020 and
19 must include, for the previous 12 months,

20 (1) the number of frontline social workers employed by the division,
21 the annual average turnover rate of the workers, and the average caseload of the
22 workers on January 1 and July 1 of that year;

23 (2) the number of children removed from their homes;

24 (3) the achievement of success measured by the following:

25 (A) rate of family reunification;

26 (B) average length of time children spent in custody of the
27 department;

28 (C) rate of placement with an adult family member or family
29 friend;

30 (D) number of children placed in a permanent living
31 arrangement with a guardian or biological or adoptive parent;

1 (E) number of children released from the custody of the
2 department;

3 (4) if the department has met or exceeded the caseload standards under
4 this chapter and, if the standards were exceeded, the number of caseworker positions
5 in the division that could be eliminated and the amount of funding that could be
6 reduced while continuing to meet but not routinely exceed the caseload standards;

7 (5) the performance of the department on federal benchmarks focused
8 on the safety, well-being, and permanent placements of foster children compared with
9 the previous five years.

10 * **Sec. 18.** AS 47.14.115 is amended by adding a new subsection to read:

11 (b) If the department determines that it is in the best interests of a child in the
12 custody of the department to place the child with an adult family member who does
13 not have a foster care home license under AS 47.32, the department shall assist the
14 adult family member in obtaining a license, including assisting the adult family
15 member with obtaining any variances necessary to obtain the license, so that the
16 family member is eligible for payments under AS 47.14.100(b) and (d).

17 * **Sec. 19.** AS 47.17.030 is amended by adding a new subsection to read:

18 (g) When the department or a local government health or social services
19 agency (1) completes an investigation of a report of harm concerning a child, (2)
20 determines, based on the investigation findings, that department or local agency
21 services to protect the child are not required, and (3) identifies an appropriate
22 community organization that will actively reach out to families to provide needed
23 support services, the department or local government health or social services agency
24 shall seek the written consent of the child's parent or guardian to refer the family to the
25 community organization. If the parent or guardian consents to the referral, the
26 department or local government health or social services agency shall refer the parent
27 or guardian to the community organization identified by the department. If the child
28 has more than one parent or guardian and only one parent or guardian consents to the
29 referral, the department or local government health or social services agency shall
30 refer the parent or guardian who consents to the community organization but may not
31 provide information to the community organization concerning the parent or guardian

1 who does not consent to the referral. A community organization that receives
2 information from the department or a local government health or social services
3 agency under this subsection may not disclose the information to a person who is not
4 authorized by law to receive it.

5 * **Sec. 20.** AS 47.18.320 is amended by adding a new subsection to read:

6 (d) When an individual 16 years of age or older who has been in state custody
7 under AS 47.10 for at least six months is released from state custody, the department
8 shall, in addition to any training, services, and assistance provided under (a) - (c) of
9 this section, provide the individual with or assist the individual with obtaining the
10 individual's

11 (1) birth certificate; the birth certificate may be an official or certified
12 copy;

13 (2) social security card;

14 (3) health insurance information;

15 (4) medical records;

16 (5) driver's license or identification card; and

17 (6) certificate of degree of Indian or Alaska Native blood, if
18 applicable.

19 * **Sec. 21.** AS 47.32.032 is amended by adding a new subsection to read:

20 (c) To the extent feasible, the department shall approve or deny a foster care
21 home license, including a request for a variance under this section, not more than 45
22 days after the date the department receives the application for a foster care home
23 license. If it is not feasible to approve or deny a foster care home license not more than
24 45 days after receiving the application, a supervisory-level employee may authorize a
25 longer period of time for the decision, but the period must be the shortest period
26 feasible.

27 * **Sec. 22.** The uncodified law of the State of Alaska is amended by adding a new section to
28 read:

29 **APPLICABILITY.** (a) Sections 3, 8 - 10, 12 - 16, 18, and 20 of this Act apply to a
30 child in the custody or under the supervision of the Department of Health and Social Services
31 under AS 47.10 on or after the effective date of secs. 3, 8 - 10, 12 - 16, 18, and 20 of this Act.

(b) Sections 4 - 7 and 21 of this Act apply to applications for a license, license renewal, certification, certification renewal, or payment received by the Department of Health and Social Services on or after the effective date of secs. 4 - 7 and 21 of this Act.

* **Sec. 23.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Health and Social Services may adopt regulations necessary to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law implemented by the regulation.

* **Sec. 24.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: IMPLEMENTATION. The Department of Health and Social Services shall implement all of the provisions of this Act as expeditiously as possible. Notwithstanding this requirement, the Department of Health and Social Services shall, not later than

(1) 90 days after the effective date of secs. 8 - 10 and 13 - 15 of this Act, implement the changes made by AS 47.10.080(s), as amended by sec. 8 of this Act, AS 47.10.084(d), enacted by sec. 9 of this Act, AS 47.10.086(h), enacted by sec. 10 of this Act, AS 47.10.142(i), as amended by sec. 13 of this Act, AS 47.14.100(e), as amended by sec. 14 of this Act, and AS 47.14.100(i), as amended by sec. 15 of this Act;

(2) one year after the effective date of secs. 3 - 7, 12, 16 - 18, 20, and 21 of this Act, implement the changes made by AS 47.05.065, as amended by sec. 3 of this Act, AS 47.05.310(c), as amended by sec. 4 of this Act, AS 47.05.310(i), as amended by sec. 5 of this Act, AS 47.05.310(k), as amended by sec. 6 of this Act, AS 47.05.310(l), enacted by sec. 7 of this Act, AS 47.10.093(b), as amended by sec. 12 of this Act, AS 47.14.100(r), as amended by sec. 16 of this Act, AS 47.14.112(a)(1), (a)(2), (a)(3)(A), and (b), enacted by sec. 17 of this Act, AS 47.14.115(b), enacted by sec. 18 of this Act, AS 47.18.320(d), enacted by sec. 20 of this Act, and AS 47.32.032(c), enacted by sec. 21 of this Act;

(3) two years after the effective date of sec. 17 of this Act, implement the changes made by AS 47.14.112(a)(3)(B) and (a)(4), enacted by sec. 17 of this Act.

* **Sec. 25.** Section 23 of this Act takes effect immediately under AS 01.10.070(c).