

HOUSE BILL NO. 350

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE VAZQUEZ

Introduced: 2/24/16
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to Alaska Pioneers' Homes and Alaska Veterans' Homes; and relating**
2 **to the duties of the Department of Health and Social Services."**

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

4 *** Section 1.** AS 47.05.080(a) is repealed and reenacted to read:

5 (a) Except for overpayments recovered under AS 47.07 that cover the value of
6 services paid from federal sources, benefit overpayments collected by the department
7 in administering the following programs shall be remitted to the Department of
8 Revenue under AS 37.10.050(a):

- 9 (1) AS 47.07 (medical assistance);
10 (2) AS 47.25.120 - 47.25.300 (general relief assistance program);
11 (3) AS 47.25.430 - 47.25.615 (adult public assistance);
12 (4) AS 47.25.975 - 47.25.990 (food stamp program);
13 (5) AS 47.27 (Alaska temporary assistance program);
14 (6) AS 47.45.020(c) and (d) (payments and payment assistance for a

1 person admitted to the Alaska Pioneers' Home or the Alaska Veterans' Home).

2 * **Sec. 2.** AS 47.55.010(c) is amended to read:

3 (c) The department shall

4 (1) cooperate with the federal government in matters pertaining to the
5 welfare of Alaska pioneers and of veterans who reside in the homes operated under
6 this chapter, make the reports in the form and containing the information the federal
7 government from time to time desires, and accept money and prescription drug
8 benefits allotted by the federal government, its agencies, or its instrumentalities in
9 establishing, extending, and strengthening services for pioneers and veterans who
10 reside in a home operated under this chapter;

11 (2) adopt regulations necessary to conduct business and to carry out
12 the provisions of this chapter, require bonds and undertakings from persons employed
13 by a home as in its judgment are necessary, and pay the premiums on them, and
14 establish regional and local offices and the advisory groups that are necessary or
15 considered expedient to carry out or assist in carrying out a duty or authority assigned
16 to it;

17 (3) perform all executive or administrative duties necessary and
18 advisable to carry out the purpose of this chapter, including the power to make
19 contracts and to make disbursements on vouchers against appropriations for the
20 purpose of this chapter, within the limit of appropriations available;

21 (4) study the needs of pioneers and veterans of this state who reside in
22 the homes operated under this chapter and submit recommendations for new
23 regulations and proposed legislation;

24 **(5) manage all billing functions for the homes operated under this**
25 **chapter through a centralized system;**

26 **(6) starting in 2016, and every four years thereafter, review**
27 **staffing levels at homes operated under this chapter to identify ways to reduce**
28 **staff to resident ratios to a ratio consistent with other state-operated assisted**
29 **living facilities; in the review required under this paragraph, the department**
30 **shall take into account variations in care models at assisted living facilities and**
31 **homes operated under this chapter;**

1 (7) starting in 2016, and every four years thereafter, review the
 2 monthly cost of providing care for each resident, including administrative costs,
 3 costs for maintenance staff, travel costs, and other expenses; the department shall
 4 use the review to identify opportunities to reduce waste and inefficiencies;

5 (8) identify and explore opportunities to reduce costs by sharing
 6 administrative functions with other state-operated facilities, including juvenile
 7 facilities and the Alaska Psychiatric Institute;

8 (9) annually, on or before the first Monday in January, deliver a
 9 report to the senate secretary and the chief clerk of the house of representatives
 10 and notify the legislature that the report is available; the report must describe

11 (A) the department's reviews and efforts to reduce costs
 12 under (5) - (8) of this subsection;

13 (B) revenue received through leases under (e) of this
 14 section;

15 (C) efforts to recover overpayments;

16 (D) revenue received from application fees and deposits
 17 under AS 47.55.030(f);

18 (E) efforts to pursue payment from private sources under
 19 AS 47.55.075; and

20 (F) actions taken to comply with audits conducted by the
 21 division of legislative audit.

22 * **Sec. 3.** AS 47.55.010(e) is amended to read:

23 (e) The department may engage in activities directed to increase revenue from
 24 a home. These activities may include the lease of excess bed or floor space, up to 50
 25 percent of the total floor space in a home, or lease of space or buildings that are not in
 26 use or are underutilized. **The department may only lease space in a home or a**
 27 **building if the department**

28 **(1) negotiates the lease in coordination with the Department of**
 29 **Administration; and**

30 **(2) charges a rate that covers, at a minimum, the cost of general**
 31 **maintenance, utilities, and janitorial services for the leased space or building.**

1 * **Sec. 4.** AS 47.55.020(e) is amended to read:

2 (e) As a condition for receipt of payment assistance under (d) of this section,
3 the department, under regulations adopted by the department, **shall** [MAY] require a
4 person to apply for other state or federally sponsored programs that may reduce the
5 amount of the payment assistance. **The department shall require the person to**
6 **submit to the department a copy of the person's application for medical**
7 **assistance coverage under AS 47.07 and the decision letter the person receives**
8 **regarding the application.**

9 * **Sec. 5.** AS 47.55.030(a) is amended to read:

10 (a) A person eligible for admission under AS 47.55.020 may, on application,
11 be admitted to the Alaska Pioneers' Home or the Alaska Veterans' Home upon the
12 person's agreement to pay to the state each month an amount the department considers
13 sufficient to compensate the state for the cost of care and support of the person at the
14 home. When this agreement is entered into, the department may require security for
15 the payments **and shall require the person to disclose information relating to any**
16 **private insurance or life insurance policy that may cover the cost of care.**

17 * **Sec. 6.** AS 47.55.030 is amended by adding a new subsection to read:

18 (f) The department shall require applicants to pay a fee to apply for admission
19 to a home, and a deposit to remain on an active or inactive waiting list for admission
20 to a home. The department shall adopt regulations establishing the fees and deposits
21 and a procedure to allow a person who meets eligibility criteria established by the
22 department to apply for a waiver of the fee or deposit required under this subsection.

23 * **Sec. 7.** AS 47.55 is amended by adding a new section to read:

24 **Sec. 47.55.075. Private payments.** The department shall, in addition to
25 pursuing recovery and enforcement of claims under AS 47.55.070 - 47.55.095,
26 aggressively pursue payment from private insurance to cover the cost of caring for a
27 resident of a home.