

CS FOR HOUSE BILL NO. 96(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/3/19

Referred: Health and Social Services

Sponsor(s): REPRESENTATIVES FIELDS, Josephson, Tuck, Ortiz, Drummond, Shaw, Spohnholz, Story

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to Alaska Pioneers' Home and Alaska Veterans' Home rates and**
2 **services."**

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

4 *** Section 1.** AS 47.55.020(b) is amended to read:

5 (b) Every person admitted to a home who receives income from any source in
6 excess of \$200 a month shall be required by the department to pay the excess to the
7 department immediately upon receipt of the money in payment, or part payment, of
8 the cost of the person's care. However, the department may not require in any month
9 the payment of an amount greater than the monthly **or daily rates** [RATE] set under
10 **AS 47.55.030(f) plus charges under** AS 47.55.030(b) except to satisfy indebtedness
11 incurred under AS 47.55.070. The department may not evict a person from a home if
12 the income and assets of the person are insufficient to pay the monthly **or daily rates**
13 [RATE] set under **AS 47.55.030(f) plus charges under** AS 47.55.030(b) and the
14 person is otherwise in compliance with requirements under this chapter.

1 * **Sec. 2.** AS 47.55.020(d) is amended to read:

2 (d) Notwithstanding AS 47.55.070 and (b) of this section, a resident of a home
 3 whose income, assets, and other resources are insufficient to pay the monthly **or daily**
 4 **rates** [RATE] set under **AS 47.55.030(f) plus charges under** AS 47.55.030(b), and
 5 who does not have private insurance to cover the cost of care, qualifies for payment
 6 assistance if the resident is otherwise in compliance with requirements under this
 7 chapter. The amount of payment assistance equals the amount needed, when added to
 8 other income and assets of the resident, to pay the monthly **or daily rates** [RATE] set
 9 under **AS 47.55.030(f) plus charges under** AS 47.55.030(b). Payment assistance
 10 received by a home resident is a debt to the state. In determining the amount of
 11 payment assistance for which a home resident qualifies, the following income, assets,
 12 and other resources of the resident shall be disregarded:

13 (1) income from any source in an amount up to \$200 a month as
 14 established by the department by regulation;

15 (2) the following assets received under 43 U.S.C. 1601 et seq. (Alaska
 16 Native Claims Settlement Act):

17 (A) cash dividends and other income equal to at least \$2,000 as
 18 established by the department by regulation;

19 (B) stock;

20 (C) noncash dividends from stock; and

21 (D) land;

22 (3) a permanent fund dividend issued under AS 43.23;

23 (4) compensation to volunteers under the federal retired and senior
 24 volunteers (42 U.S.C. 5001), foster grandparents (42 U.S.C. 5011), and senior
 25 companion (42 U.S.C. 5013) programs made in accordance with 42 U.S.C. 5044(f);

26 (5) federal World War II restitution payments made under 50 U.S.C.
 27 App. 1989b-4 and c-5;

28 (6) payments under AS 18.67 (Violent Crimes Compensation Board);

29 (7) an amount, determined by the department by regulation, that is
 30 sufficient for burial expenses of the resident, the resident's spouse, and dependents of
 31 the resident;

1 (8) real property being used as the primary residence of the resident's
2 spouse or a dependent of the resident;

3 (9) other real or personal property equal to at least a total value of up
4 to \$10,000 as established by the department by regulation;

5 (10) federal payments that are excluded by law from income for
6 federal assistance purposes.

7 * **Sec. 3.** AS 47.55.030(a) is amended to read:

8 (a) A person eligible for admission under AS 47.55.020 may, on application,
9 be admitted to the Alaska Pioneers' Home or the Alaska Veterans' Home upon the
10 person's agreement to pay to the state **the applicable** [EACH MONTH AN] amount
11 **specified in (f) of this section plus charges under (b) of this section** [THE
12 DEPARTMENT CONSIDERS SUFFICIENT TO COMPENSATE THE STATE FOR
13 THE COST OF CARE AND SUPPORT OF THE PERSON AT THE HOME]. When
14 this agreement is entered into, the department may require security for the payments.

15 * **Sec. 4.** AS 47.55.030(b) is repealed and reenacted to read:

16 (b) The department may charge a home resident reasonable fees to cover the
17 cost of supplies, medication, equipment, and services provided to the home resident
18 that are not included in the monthly or daily rates specified in (f) of this section.

19 * **Sec. 5.** AS 47.55.030 is amended by adding new subsections to read:

20 (f) Except as provided in (b) and (g) of this section, the department may
21 charge a home resident a monthly or daily rate of not more than

22 (1) \$3,100 a month for the provision of housing, meals, emergency
23 assistance, and recreation;

24 (2) \$6,090 a month for the provision of housing, meals, emergency
25 assistance, medication administration, health-related services, recreation, and
26 intermittent assistance with activities of daily living;

27 (3) \$8,833 a month for the provision of housing, meals, emergency
28 assistance, medication administration, health-related services, recreation, and
29 extensive assistance with activities of daily living;

30 (4) \$10,000 a month for the provision of housing, meals, emergency
31 assistance, medication administration, medication management, health-related

1 services, recreation, assistance with activities of daily living and nursing services for
2 24 hours a day, and intermittent behavior management;

3 (5) a monthly rate the department considers sufficient to compensate
4 the state for the cost of care and support of the person at the home for the provision of
5 housing, meals, emergency assistance, medication administration, medication
6 management, health-related services, recreation, assistance with activities of daily
7 living and nursing services for 24 hours a day, and extensive behavior management;

8 (6) \$70 a day for services provided in a home to a recipient who
9 requires the provision of housing, meals, emergency assistance, medication
10 administration, health-related services, recreation, and extensive assistance with
11 activities of daily living for up to eight hours a day between 6:00 a.m. and 6:00 p.m.,
12 including meals scheduled during the period the recipient is receiving the services;

13 (7) \$100 a day for room and board provided in a home to a recipient
14 who requires the provision of housing, meals, emergency assistance, medication
15 administration, health-related services, recreation, and extensive assistance with
16 activities of daily living for 24 hours a day for up to 14 consecutive days.

17 (g) Not later than 90 days after social security benefits are increased under 42
18 U.S.C. 415(i) of the Social Security Act, the department shall adjust the monthly and
19 daily rates in (f) of this section by a percentage equal to the percentage increase in the
20 cost-of-living adjustment provided for the social security benefits. The department
21 may not make any other changes to the rates in (f) of this section.

22 * **Sec. 6.** AS 47.55.070 is amended to read:

23 **Sec. 47.55.070. Indebtedness of home resident to state.** The following
24 expenses incurred for an Alaska Pioneers' Home or Alaska Veterans' Home resident
25 under this chapter and not recoverable from a collateral source are a debt of the
26 resident to the state and may be recovered during the life of the resident:

27 (1) costs of standard or nursing care provided in the home each month
28 to the resident not exceeding the **rates and charges** [RATE] established [BY THE
29 DEPARTMENT] under AS 47.55.030, with credit given for any amounts paid by or
30 collected from the resident;

31 (2) allowances paid under AS 47.55.020(c);

1 (3) arrearages in fees for television and telephone services provided in
2 the home; and

3 (4) costs of prescription medicine.

4 * **Sec. 7.** AS 47.55.030(c) and 47.55.030(d) are repealed.