AN ACT

Relating to program receipts; and relating to fees for services provided by the Department of Health and Social Services.

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

THE ACT FOLLOWS ON PAGE 1
AN ACT

Relating to program receipts; and relating to fees for services provided by the Department of Health and Social Services.

*Section 1.* AS 37.05.146(c) is amended by adding a new paragraph to read:

(90) the following fees, receipts, income, and monetary recoveries collected by the Department of Health and Social Services:

(A) receipts of the Department of Health and Social Services, Bureau of Vital Statistics;

(B) monetary recoveries of Medicaid expenditures from recipients, third parties, and providers under AS 47;

(C) the state's share of overpayments collected under AS 47.05.080;

(D) income received from a state or federal agency for children in foster care under AS 47.14.100;
(E) fees received or collected under AS 44.29.022 for nursing and planning services provided at health centers, genetic screening clinics and specialty clinics, the certification of x-ray machines, the alcohol safety action program, and other public health programs and services;

(F) fees received under AS 18.08.080 for the certification of emergency medical technicians, emergency medical dispatchers, and emergency medical technician instructors;

(G) fees received under AS 47.32;

(H) the state's share of child support collections for reimbursement of the cost of the Alaska temporary assistance program as provided under AS 25.27.120, 25.27.130, and AS 47.27.040; and

(I) monetary recoveries under AS 09.58 (Alaska Medical Assistance False Claim and Reporting Act).

* Sec. 2. AS 44.29.022(a) is amended to read:

(a) The commissioner of health and social services may establish by regulation a schedule of reasonable fees for services provided by the Department of Health and Social Services under AS 44.29.020(a)(1) - (8) and (14) [AS 44.29.020(a)(1) - (8)], AS 47.10, AS 47.12, AS 47.14, AS 47.30.655 - 47.30.910, and AS 47.80.100 - 47.80.170 and for the administration of public health programs under AS 18. The fee established for a service may not exceed the actual cost of providing the service. The commissioner may define or establish the "actual cost of providing a service" by regulation. The Department of Health and Social Services shall charge and collect the fees established under this subsection. The department may waive collection of a fee upon a finding that collection is not economically feasible or in the public interest.

* Sec. 3. AS 44.29.022 is amended by adding a new subsection to read:

(e) The commissioner of health and social services shall consult with stakeholders regarding the reasonableness of fees when developing a schedule of reasonable fees under (a) of this section for services under AS 44.29.020(a)(14) or programs under AS 18 for which there is no regulation in effect establishing a schedule of reasonable fees. The consultation must include at least one public meeting
and must occur before the commissioner provides notice of proposed action under AS 44.62.190. The commissioner shall provide notice of the public meeting at least 30 days before the meeting in the same manner as required under AS 44.62.190(a) for a notice of proposed action.

* Sec. 4. AS 37.05.146(c)(42), 37.05.146(c)(59), 37.05.146(c)(60), 37.05.146(c)(61), 37.05.146(c)(62), 37.05.146(c)(63), 37.05.146(c)(64), 37.05.146(c)(65), 37.05.146(c)(66), 37.05.146(c)(67), 37.05.146(c)(71), and 37.05.146(c)(88) are repealed.