

# ALASKA STATE LEGISLATURE

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SB 74 – Explanation of Changes SB 74 version U.A to HCSCSSB 74 (FIN) version T

**Title Changes:** (Pages 1-2, Lines 1-20) Changes to conform with the changes in the bill

**Sec. 1:** (Pages 2-3, Lines 19-8) Adds Telehealth for registered audiologist assistants AS 08.11.080

**Sec. 2:** (Page 3, Lines 13 – 28) Adds Telehealth for licensed speech-language pathologist assistants. AS 08.11.083

**Sec. 3:** (Pages 3-4, Lines 25-9) Adds Telehealth for licensed speech-language pathologist. AS 08.11.085

**Sec. 5:** (Page 5, Line 19-21) Requires a licensed dentist with a federal DEA registration number to register with the PDMP. AS 08.36.070(a).

**Sec. 7:** (Pages 6, Lines 27-29) Requires that a physician with a federal DEA number register with the controlled substance database. AS 08.64.101

**Sec. 10:** (Page 9, Lines 6-8) Requires that an Advanced Nurse Practitioner with a federal DEA number register with the controlled substance database. AS 08.68.100(a)

**Sec. 11:** (Page 9, Lines 14-16) Requires that an Optometrist with a federal DEA number register with the controlled substance database. As 08.72.060(c)

**Sec. 12:** (Page 10, Line 19-21) Requires a licensed pharmacist with a federal DEA number register with the controlled substance database. AS 08.80.030(b)

**Sec. 13:** (Page 10-11, Lines 22-5) Adds Telehealth protections for licensed physical therapists and occupational therapists. AS 08.84.120.

**Sec. 18:** (Page 13, Line 15) Conforming language re: removal of seizure and forfeiture of property.

(Page 13, Lines 20-24) Allows for full reasonable attorney fees and costs in a fraudulent claim

(Page 13, Lines 28-29) Allows for Rule 82 attorney fees for cases that do not involve fraud.

(Page 14, Line 7) Limits liability to the section rather than chapter

(Page 14, Lines 11-12) Adds protection to the principal in a fraud case if their agent acted with intent to deceive the principal.

(Pages 17-18, Lines 30-3) Allows for full reasonable attorney fees and costs in a fraudulent claim. Allows for Rule 82 attorney fees for cases that do not involve fraud.

(Page 19, Lines 16, 22, 24) Conforming amendments.

**Sec. 21:** (Page 22, Lines 1-4) Removes references to the Department of Commerce, Community, and Economic Development. AS 17.30.200(a)

**Sec. 22:** (Page 22-23, Lines 31-2) Adds that if a person picking up a prescription is not the person to whom the drug was prescribed, the pharmacist shall collect their name and date of birth. AS 17.30.200(b)

**Sec 23:** (Page 23, Lines 17-21) Adds that an agent of a practitioner who has access to the PDMP must be licensed or registered or licensed under AS 08.

(Page 23, Lines 23-27) Adds that an agent of a pharmacist that has access to the PDMP must be licensed or registered or licensed under AS 08.

(Page 23, Line 30) removes the word subpoena, so that a search warrant or court order must be obtained for law enforcement to access the PDMP.

(Page 24, Lines 26-27) Allows a practitioner employed by the United States Indian Health Services to access the database. AS 17.30.200(d)

**Sec. 26:** (Page 25, Lines 21 and 24) Removes pharmacists from having to check the PDMP before dispensing.

(Page 25, Lines 21-25) States that the practitioner only, not a pharmacist has to review the database before prescribing or dispensing schedule II or III controlled substance, removing schedule IV.

(Page 26, Lines 4-7) adds to exceptions for reviewing the database before dispensing:

1. 48 hours immediately before, during, or after surgery or a medical procedure.
2. In a hospice or nursing home that has an in-house pharmacy
3. A nonrefillable prescription of a controlled substance in a quantity intended to last not more than three days. AS 17.30.200(h)

**Sec. 27:** (Pages 26-27, Lines 8-3) Sets forth that the Department of Commerce, Community, and Economic Development shall:

1. Assist the pharmacist board and provide necessary staff and equipment to implement the PDMP.
  - Establish fees for registration with the database with a pharmacist or practitioner for operational costs equally among all required to register.
  - Consult with the board to establish fees. AS 17.30.200
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**Sec. 28:** (Page 27, Line 5) deletes monetary recoveries under the Alaska Medical Assistance False Claim and Reporting Act.

(Page 27, Lines 4-18) States the Commissioner of DOC shall apply for medical assistance for prisoners during a period of hospitalization outside of a correctional facility. Allows DOC to obtain necessary information to determine whether a prisoner is eligible for medical assistance and that the information obtained may only be used to apply for assistance. AS 33.30.028

**Sec. 32:** (Page 28, Lines 16-17) adds security provisions to the computerized eligibility verification system. AS 47.05.105

**Sec. 36:** (Page 31) Old Section AS 47.05.260 was deleted having to do with seizures and forfeitures.

(Page 15, Lines 23-27) Adds subsection (15) to the reporting requirements the amount of state funds saved as the result of policy authorizing 100 percent federal funding provide for America Indian and Alaska Native individuals eligible for Medicaid, and estimated savings if the department had fully implemented the changes in policy. AS 47.05.250

**Sec. 38:** (Page 37, Lines 2-4) requests that the Department give continuing cooperation to the grant funded community mental health clinics and drug and alcohol treatment centers that have historically provided care to recipients. AS 47.07.036

**Sec. 39:** (Page 39, Lines 5-6) Amends the coordinated care project to include (9) innovative payment process, including bundled payments or global payments. AS 47.07.038

(Pages 40-41) Amends the Project Review Committee membership.

(Page 41, Line 30) Amends third-party actuary review of demonstration projects from one year to two years.

**Sec. 40:** Reports (Pages 41 -42, Lines 27-9) 30) Adds an additional report to require the Department to prepare, semi-annually a report to the legislature on the Medicaid Management Information System.

**Sec. 43:** (Page 42, Lines 24-30) Amends 47.25.140 which prohibits the ability to receive public assistance benefits while in institutions, like nursing homes or correctional facilities.

**Sec. 46:** (Page 43, Line 11) Repeals section 47.07.076(c),

**Sec. 47:** (Pages 44-45, 30-6) Conforming language regarding attorney fee changes.

**Sec. 50:** Feasibility studies removes section to study privatization of the Alaska Pioneer Homes and select facilities of the division of juvenile justice.

**Sec. 51:** (Pages 48-49, Lines 28-13) Requires a report from medical professionals regarding recommended guidelines for prescribing schedule II controlled substances.