

# ALASKA STATE LEGISLATURE

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## REPRESENTATIVE PETE HIGGINS

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March 7, 2014

### Explanation of changes for CS HB 214 28-LS0869\C

**Section 1:** Unchanged

**Section 2:** AS 44.64.090 is amended by adding a new subsection to read (c) “ The office shall maintain the confidentiality of records pertaining to a mental health grievance appeal filed under AS 47.30.847 except as necessary to conduct the appeal among the parties to the appeal, unless the office has received the prior written consent of the person who filed the grievance”

**Section 3:** AS 47.30.840(a) (5) is amended to include “except as provided in the (14) of this subsection” shall be allowed to have visitors at reasonable times.

(13) Amended by removing, “employed by and clearly identified by an evaluation facility or unit or designated treatment facility or unit”.

(15) was added “has the right to confidentiality of the person’s record unless the person has consented in writing to the release of the records.”

**Section 4:** AS 47.30.847(a) (1) “A telephone call center” replaces 24 hour crisis line.

(3) amended by removing, “to an impartial body designated by the department” to “the office of administrative hearings under AS 44.64.”

(6) amended adding, “by the department”

(7) was added “ maintenance of confidentiality of the grievance records, including the appeal documents and decisions, unless the grievance provides prior written consent to release some or all of the records;

(8) was added, A process for designating a grievance by category as follows.

(A) category 1 for a grievance related to the physical or social environment under the control of the facility or unit;

(B) category 2 for a grievance related to patients’ rights as provided in AS 47.30.825 and AS 47.30.830 and regulations of the department.

(C) category 3 for a grievance that alleges a criminal act.

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Section 4 47.30.847(b)(1) amended removing, “patient records” adding, “ **patient’s record of admission or an administrative file for the patient**”

(b)(3)Amended adding, “**for a category 2 and 3 grievance, delivered to the department with 24 hours**”

Section 4 (b)(4) has been **deleted**.

Sec.4 (c) Amended changing, five “**business**” days to “**calendar**” days a written response to the patient and electronic copy to department. Amended changing, the grievant may request a review by the commissioner within “**five business days**” to “**30 calendar days**”.

Former Sec. 4 (d) has been deleted.

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Sec. 4 (f) amended changing “**quarterly**” report to “**annual**” report.

(f) (1) amended adding, “**category 1,2, and 3**”

Sec.4 (g) amended changing “**biennial**” report to “**annual**” report changed “**type**” to “**category**”

Sec. 5 Unchanged.

Sec.6 added, repealing AS47.30.660(b)(13).