

# ALASKA STATE LEGISLATURE

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### HB 215 DHSS: Public Health Fees Version: 30-LS0673\D 30<sup>th</sup> Legislature

#### Amendment D.3 Explanation

After clarification with the Dept. of Health & Social Services (DHSS) and the Department of Law it was determined that only listing AS 18.05.010 (as the services for which DHSS could create fees) was limiting for public health. AS 18.05.010 is limited to DHSS duties under AS 18.05, 18.09, and AS 18.15.355 – 18.15.395, but public health provides additional services under other areas of AS 18. For example, if public health were to get a request to provide data collection services under AS 18.08 (Emergency Medical Services), they would not be able to charge fees for that service. This amendment corrects this issue.

#### **Amendment page 1, line 1-23 to page 2, line 1-2: changes how public health is listed under AS 37.05.146 (c)**

AS 37.05.146 (c) is the definition list of designated general fund program receipts and non-general fund program receipts that are accounted for separately, and appropriations from these program receipts are not made from the unrestricted general fund. In HB215 ver D, public health programs under AS 18.05.010 were added to the list as number (90). For reasons noted above, this amendment broadens (90) by replacing AS 18.05.010 with the language: “other public health programs and services” (Amendment-line 16). Note: the specific public health programs and services for which DHSS may establish fees are specified under AS 44.29.022 (a).

In addition, because the list under (c) includes programs and services from many different departments it was determined that the statute could be made clearer by consolidating other DHSS programs and services along with public health under (90). From the current list of 89 program receipts the following would move under (90):

- current #42 would become (90) (A)
- #59 becomes (B)
- #60 becomes (C)
- #61 becomes (D)
- #62, 63, 65, 66 becomes (E)
- #64 becomes (F)
- #67 is now (G)
- #71 is now (H)
- #88 is now (I)

**Amendment page 2, line 4-6:** adds AS 44.29.020 (a)(14) to AS 44.29.022 (a) Fees for department services

This will allow public health the option to establish fees for services and programs it provides through its tobacco control programs under AS44.29.020(a)(14).

**Amendment page 2, line 8-10:** replaces AS 18.05.010 with AS 18 under AS 44.29.022 (a)

As stated previously, only listing AS 18.05.010 under AS 44.29.022 (a) was limiting and did not encompass all the public health services that DHSS provides and for which they could develop fees. While there are other departments also listed within AS 18, language under AS 44.29.022 (a) states that the commissioner of DHSS may only establish fees for services listed under this statute that are provided by DHSS.

**Amendment page 2, line 12-16:** repeals statues moved to new subsection AS 37.05.146 (c) (90)

As noted above, these statues were moved under (90) to help consolidate DHSS programs under one subsection.