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Senate Bill 98
Adult Foster Care for Disabled
Sectional Analysis (Version 32-GS 1708\A)

Section 1: Adds a new section to AS 47.07, Medicaid Assistance for Needy Persons, to declare that the state's policy is to support individuals who are or were in the custody of the state under AS 47.10 (Child in Need of Aid), residing in a licensed foster care home, and eligible for home and community-based waiver services by providing the means for an individual to remain in the same home and with the same families when they are released from state custody after turning 18 years of age.

This section requires the department to make reasonable efforts to implement adult foster care services in a streamlined manner.

This section creates a new section, AS 47.07.048, that sets out the provision of adult foster care services, and requires the department to: assist foster parents with transitioning from a foster care license to an adult foster care home license; pay the cost of maintenance necessary to assure adequate care for an adult foster care recipient through a daily rate set by the department; allow the individual to receive habilitative and rehabilitative care in addition to the adult foster care service; and adopt regulations to implement this section.

Section 2: amends AS 47.32.010(b) to add a new entity, "adult foster care homes," that shall be subject to the centralized licensing functions of the department.

Section 3: adds a new section to AS 47.32 that defines the conditions under which the department may license an adult foster care home. A person may be licensed to operate such a home for a minor when the minor turns 18 if the person holds a license under this chapter to operate a foster home at the time of application; and is providing care for a minor who is, or who was, at the time of turning 18, in the custody of the state and residing in the person's licensed foster care home and was receiving home and community-based waiver services under AS 47.07.045.

This section requires the department to streamline the application process necessary for the person to be approved as an adult foster care home provider and requires that the department approve variances of building code requirements to the extent permitted by state, local, or federal law.

Section 4: amends AS 47.32.900 to add new paragraph (23) defining “adult foster care home” as a residence where an adult head of household provides 24-hour care for not more than two adults for compensation or reimbursement under the adult foster care service; and defines “care” as providing for the physical, mental and social needs of an individual.

Section 5: amends uncodified law by adding a new section that requires the Department of Health and Social Services to submit for approval by the United States Department of Health and Human Services an amendment to the state medical assistance plan, waivers, or an 1115 demonstration waiver as necessary to allow eligible individuals to receive adult foster care services and other long-term care services that are not duplicative.

Section 6: amends uncodified law by adding instructions to the revisor of statutes to give effect to the provisions of this bill by changing “Department Health and Social Services” to “Department of Health” as proposed under the Governor’s Executive Order to reorganize the department, if both the Executive Order and this bill are enacted into law. This section also requests that, if this bill and another bill amending the term “crisis stabilization center” to read “subacute mental health facility” both become law, the revisor of statutes give effect to both changes of terms.