



**HB 76**  
**Extending COVID-19 Disaster Emergency**  
**Sectional Analysis - Version 32-GH 1011\B**

**Section 1: Findings**

Establishes legislative findings pertaining to the consequences for residents of the state and the state's economy due to the outbreak of COVID-19. The Legislature finds that it is in the best interest of the state to take appropriate steps to continue to contain the spread of COVID-19 and to distribute COVID-19 vaccines statewide and to take appropriate steps to limit further harm to the state's economy, enable displaced workers in the state to return to work, and to allow students in the state to rejoin in-person classes.

**Section 2: Extension of Disaster Emergency**

Extends the Public Health Disaster Emergency issued on January 15, 2021 to September 30, 2021.

Provides that the Commissioner of the Department of Health & Social Services (DHSS) may certify to the Governor that there is no longer a present outbreak of COVID-19 or a credible threat of an imminent outbreak and upon receiving, shall submit a proclamation to the Legislature that indicates that the public health disaster emergency no longer exists.

**Section 3: Financing Plan**

1. Appropriations made in Section 8 of HB 206 (Ch.2, SLA 2020)
2. Appropriations made in Section 10 of HB 234 (Ch. 7, SLA 2020)
3. Appropriations made in Section 28 of HB 205 (Ch. 8, SLA 2020) – of federal receipts received during FY 2021 for Medicaid Services and federal receipts received for responding to the public health disaster emergency
4. Appropriations made in Section 38 of HB 205 (Ch. 8, SLA 2020) to the Disaster Relief Fund
5. Appropriations made in Section 37(a) of HB 205 (Ch. 8, SLA 2020) excess federal receipts received during FY 2021
6. The authorization for expenditure of federal CARES Act receipts that were ratified in HB 313 (Ch. 32, SLA 2020)
7. Federal receipts received by any state agency for purposes of mitigating the public health disaster emergency that may be requested to include in an appropriation bill if the Legislature is in session, or using the process proscribed under AS 26.23.020(k)(2) if the Legislature is not in session
8. Any future appropriations made for FY 2021 and FY 2022
9. The Governor may not spend more than \$10 million from the Disaster Relief Fund for the emergency declared on January 15, 2021 and extended to September 30, 2021

Provides that expenditure of state funds to address the effects of the declaration of a public health disaster emergency is limited to the expenditure authority identified in this finance plan, notwithstanding AS 26.23.050(b).

#### **Section 4: Report to the Legislature**

Requires the Office of Management and Budget to submit a monthly report to the Legislative Finance Division that lists the total expenditures incurred by the State in its response to the public health emergency disaster including expenditures aimed at mitigating, preventing, and controlling COVID-19.

The report will include cumulative expenses incurred since March 11, 2020, the date the Governor issued an initial declaration of a public health disaster emergency. This section further provides for a final report due to the Legislative Finance Division no later than November 30, 2021 or 60 days after the Governor determines that a public health disaster emergency no longer exists, whichever is earlier.

#### **Section 5: Professional and Occupational Licensing**

Provides that a professional or occupational licensing board, or the Director of Corporations, Business and Professional Licensing (CBPL):

1. May not increase licensing fees during the public health disaster emergency declaration;
2. May grant a license, permit or certificate on an expedited basis, if an individual holds a corresponding license, permit, or certificate in good standing in another jurisdiction. A license expedited under this section, expires September 30, 2021 or on the date that the Governor determines a public health disaster emergency no longer exists;
3. May temporarily waive or modify continuing education requirements for licensees who need to renew a professional license permit or certificate in calendar year 2021;
4. May require an individual who receives a license, permit, or certificate under this section to arrange and agree to supervision by an individual who holds a license, permit or certificate in good standing for an applicable profession or by an administrator of facility licensed under AS 47.32.

Further, this section provides that a licensed professional seeking or holding an expedited license, permit or certificate under this section who travels to Alaska from outside of Alaska, must comply with travel restriction orders or guidelines recommended by CDC, federal HHS and that are in effect when the individual travels.

#### **Section 6: Telehealth and Telemedicine**

Allows for a health care provider licensed, permitted or certified in another jurisdiction to practice telehealth in Alaska, without first conducting an in-person physical examination or being licensed in Alaska. The telehealth services provided must be within a provider's authorized scope of practice. If the provider determines that the encounter will extend beyond the scope of practice or services, the provider must notify the patient and recommend that the patient contact a health care provider licensed in Alaska. The health care provider cannot charge unreasonable fees and the fees must be consistent with the ordinary fees charged for that service and may not be more than 5% above the ordinary fees typically charged.

#### **Section 7: Fingerprinting**

DCCED shall coordinate with DHSS and DPS to expedite the process for licensing for certain license applicants to submit fingerprints.

#### **Section 8: Meeting of Shareholders; Notice of Shareholder Meetings**

Allows for meetings of shareholders, shareholders of Native corporations, and members of a nonprofit corporation, to be held by electronic communication, in compliance with guidelines adopted by the each of the type of entities board of directors.

**Section 9: Charitable Gaming Online Ticket Sales**

Allows for certain charitable gaming activities to be conducted online during the public health disaster emergency declared by the Governor on January 15, 2021 and extended by this Act. Permittees and operators may sell tickets and draw the winning ticket online for a raffle or lottery, dog mushers' contest, derby, or a type of classic. The seller must verify that the purchaser is of legal age to purchase, physically present in Alaska, and not within an area where charitable gaming is prohibited. The Department of Revenue is responsible for establishing standards for online ticket sales.

**Section 10: Informed Consent for COVID-19 Vaccines**

Provides that a health care provider may not administer a COVID-19 vaccine to an individual without first obtaining the informed consent of the individual, or the parent or guardian of a minor child.

**Section 11: Personal Objections to the Administration of COVID-19 Vaccines**

Provides that an individual may object to the administration of a COVID-19 vaccine based on religious, medical or other grounds. A parent or guardian of a minor child may object to the administration of the COVID-19 vaccine to the minor child based on religious, medical or other grounds. Further provides that a persona may not be required to provide justification or documentation to support an individual's decision to decline to receive the COVID-19 vaccine.

**Section 12: Civil Liability**

Provides that a person may not be held liability for an action taken on or after February 14, 2021 and before the effective date of this Act, that does or does not comply with an order, proclamation, or declaration adopted by the Governor to respond to a public health disaster emergency, as extended by Section 2.

**Section 13: Amends Section 37, Chapter 10, SLA 2020**

Repeals Section 29 of SB 241 Purchase of seafood for distribution, effective March 11, 2021. Repeals Section 31 of SB 241 Tolling of Office of Administrative Hearings, effective March 11, 2021. SB 241 provided a sunset date for these sections of March 11, 2021.

**Section 14: Repeals sections of SB 241**

Repeals Section 25 – Witnessing of will signing by videoconference; Section 26 Unfair or deceptive trade practices; and Section 28 State access to federal education stabilization funds on March 15, 2021. SB 241 provided a sunset date for these sections of March 11, 2021.

**Section 15: Repeals Sections of this Act**

**Sections 1 – 3 and Sections 5-12** of this Act are repealed on the earlier of September 30, 2021 or when the Governor determines a public health disaster emergency no longer exists.

**Section 16: Effective Date**

If this Act take effect after February 14, 2021, the sections are retroactive to February 14, 2021.

**Section 17: Effective Date**

The underlying bill has an immediate effective date clause.