

CONFERENCE CS FOR SENATE BILL NO. 345

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE CONFERENCE COMMITTEE

Offered: 5/14/02

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to correspondence study programs; relating to funding the Alaska**
2 **Challenge Youth Academy program; relating to medical assistance for rehabilitative**
3 **services for certain children with disabilities; relating to agreements to pay medical**
4 **assistance for covered services paid for or furnished to eligible children with disabilities**
5 **by a school district; and providing for an effective date."**

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * **Section 1.** AS 14.07.050 is amended to read:

8 **Sec. 14.07.050. Selection of textbooks.** Textbooks for use in the public
9 schools of the state, including a district offered statewide correspondence study
10 program, shall be selected by district boards for district schools. Nothing in this
11 section precludes a correspondence study student, or the parent or guardian of a
12 correspondence study student, from privately obtaining or using textbooks or
13 curriculum material not provided by the school district.

1 * **Sec. 2.** AS 14.08.111(9) is amended to read:

2 (9) establish procedures for the review and selection of all textbooks
3 and instructional materials, including textbooks and curriculum materials for
4 statewide correspondence programs, before they are introduced into the school
5 curriculum; the review includes a review for violations of AS 14.18.060; nothing in
6 this paragraph precludes a correspondence study student, or the parent or
7 guardian of a correspondence study student, from privately obtaining or using
8 textbooks or curriculum material not provided by the school district;

9 * **Sec. 3.** AS 14.14.090(7) is amended to read:

10 (7) establish procedures for the review and selection of all textbooks
11 and instructional materials, including textbooks and curriculum materials for
12 statewide correspondence programs, before they are introduced into the school
13 curriculum; the review includes a review for violations of AS 14.18.060; nothing in
14 this paragraph precludes a correspondence study student, or the parent or
15 guardian of a correspondence study student, from privately obtaining or using
16 textbooks or curriculum material not provided by the school district;

17 * **Sec. 4.** AS 14.30 is amended by adding a new section to read:

18 **Sec. 14.30.740. Funding for Alaska Challenge Youth Academy program.**

19 (a) Each fiscal year, the department shall allocate funding for the Alaska Challenge
20 Youth Academy program in an amount equal to the base student allocation multiplied
21 by seven for each residential student and the base student allocation multiplied by 6/10
22 for each nonresidential student, minus the amount received by the program in federal
23 matching grant funds. The determination of the number of residential and
24 nonresidential students shall be made by the department on October 1 of the prior
25 year.

26 (b) In this section,

27 (1) "base student allocation" means the amount established under
28 AS 14.17.470;

29 (2) "nonresidential student" means a student who receives services but
30 does not reside at the program site;

31 (3) "program" means the Alaska Challenge Youth Academy program;

(4) "residential student" means a student who resides at the program site.

* **Sec. 5.** AS 47.07.030(b) is amended to read:

(b) In addition to the mandatory services specified in (a) of this section and the services provided under (d) of this section, the department may offer only the following optional services: case management and nutrition services for pregnant women; personal care services in a recipient's home; emergency hospital services; long-term care noninstitutional services; medical supplies and equipment; advanced nurse practitioner services; clinic services; rehabilitative services for children eligible for services under AS 47.07.063, substance abusers, and emotionally disturbed or chronically mentally ill adults; targeted case management services for substance abusers, chronically mentally ill adults, and severely emotionally disturbed persons under the age of 21; inpatient psychiatric facility services for individuals age 65 or older and individuals under age 21; psychologists' services; clinical social workers' services; midwife services; prescribed drugs; physical therapy; occupational therapy; chiropractic services; low-dose mammography screening, as defined in AS 21.42.375(e); hospice care; treatment of speech, hearing, and language disorders; adult dental services; prosthetic devices and eyeglasses; optometrists' services; intermediate care facility services, including intermediate care facility services for the mentally retarded; skilled nursing facility services for individuals under age 21; and reasonable transportation to and from the point of medical care.

* **Sec. 6.** AS 47.07 is amended by adding a new section to read:

Sec. 47.07.063. Payment for certain services furnished or paid for by a school district. (a) The department may pay medical assistance under this chapter to a school district on behalf of an eligible child with a disability for services covered under this chapter that are furnished or paid for by the school district if

(1) the school district and the department have entered into an agreement requiring the school district to reimburse the department for any state financial share required by the federal government;

(2) the services are

(A) included in the child's individualized education program

1 developed under AS 14.30.278; and

2 (B) otherwise eligible for reimbursement under this chapter;

3 (3) the child is a child with a disability who

4 (A) is eligible for medical assistance under this chapter for the
5 services; and

6 (B) complies with all applicable provisions of this chapter for
7 that assistance;

8 (4) the school district fully complies with billing, auditing, and
9 reporting required under the approved state plan described in AS 47.07.040;

10 (5) reimbursement of payment for the services under this section does
11 not exceed reimbursement allowable for the services under this chapter; and

12 (6) all other requirements of federal and state law are met.

13 (b) Notwithstanding any contrary provision of state law, the school district
14 shall allow the department access to medical, financial, and other records of the child
15 that are in the possession of the school district in order to verify eligibility for services
16 under this chapter. The department shall keep information received under this
17 subsection confidential to the same extent as the school district is required to keep the
18 information confidential under law.

19 (c) The department may adopt regulations to carry out this section.

20 (d) In this section, unless the context otherwise requires,

21 (1) "child with a disability" has the meaning given in AS 14.30.350;

22 (2) "school district" has the meaning given the term "district" in
23 AS 14.17.990, but includes a state boarding school established under AS 14.16.010.

24 * **Sec. 7.** The uncoded law of the State of Alaska is amended by adding a new section to
25 read:

26 TRANSITION: REGULATIONS. The Department of Health and Social Services
27 and the state Board of Education and Early Development may proceed to adopt regulations
28 necessary to carry out the changes made by this Act in their respective areas of jurisdiction.
29 The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
30 effective date of the statutory change implemented by the regulations.

31 * **Sec. 8.** Section 7 of this Act takes effect immediately under AS 01.10.070(c).

1 * **Sec. 9.** Sections 4 - 6 of this Act take effect July 1, 2002.