



LAWS OF ALASKA

2003

Source

SB 78 am H

Chapter No.

AN ACT

Relating to an optional group of persons eligible for medical assistance who require treatment for breast and cervical cancer; relating to cost sharing by those recipients under the medical assistance program; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to an optional group of persons eligible for medical assistance who require treatment
2 for breast and cervical cancer; relating to cost sharing by those recipients under the medical
3 assistance program; and providing for an effective date.

4
5 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
6 to read:

7 LEGISLATIVE INTENT. It is the legislature's intent that AS 47.07.020(b)(15),
8 enacted by sec. 2 of this Act, take effect regardless of whether AS 47.07.042(e), enacted by
9 sec. 3 of this Act, can be implemented under the federal laws that exist on the effective date of
10 this Act and that the provisions of AS 47.07.042(e) be implemented by the Department of
11 Health and Social Services only when implementation of those provisions would comply with
12 federal law.

13 * **Sec. 2.** AS 47.07.020(b) is amended by adding a new paragraph to read:

14 (15) persons who have been diagnosed with breast or cervical cancer

1 and who are eligible for coverage under 42 U.S.C. 1396a(a)(10)(A)(ii)(XVIII).

2 * **Sec. 3.** AS 47.07.042 is amended by adding a new subsection to read:

3 (e) Except as provided in (c) of this section and notwithstanding (b) of this
4 section, the department may require premiums and other cost-sharing contributions
5 from recipients who are eligible for assistance under AS 47.07.020(b)(15) to the
6 maximum extent allowed by federal law. If the department requires premiums or
7 other cost-sharing contributions under this subsection, the department shall

8 (1) adopt in regulation a sliding scale for those premiums or
9 contributions based on household income; and

10 (2) implement a system by which the department or its designee
11 collects the premiums or other cost-sharing contributions.

12 * **Sec. 4.** Section 1, ch. 33, SLA 2001, is repealed.

13 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
14 read:

15 TRANSITION: CONTINUED ELIGIBILITY FOR CURRENT RECIPIENTS. A
16 person who applied, and was determined eligible, for medical assistance under sec. 1, ch. 33,
17 SLA 2001, may continue to receive that medical assistance under AS 47.07.020(b)(15),
18 enacted by sec. 2 of this Act, without reapplying for an eligibility determination under
19 AS 47.07.020(b)(15), enacted by sec. 2 of this Act, so long as the person remains eligible for
20 that assistance under AS 47.07.020(b)(15), enacted by sec. 2 of this Act.

21 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 TRANSITION: REGULATIONS. To the extent the regulations are not inconsistent
24 with this Act, regulations relating to the optional group of persons eligible for medical
25 assistance who require treatment for breast or cervical cancer adopted by the Department of
26 Health and Social Services and in effect before the effective date of this section remain in
27 effect as valid regulations implementing this Act. The Department of Health and Social
28 Services may administer and enforce those previously adopted regulations relating to this
29 optional group.

30 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 TRANSITION. State plan provisions adopted under AS 47.07.042(a) - (c) and
2 approved by the federal government apply to persons who are eligible for assistance under
3 AS 47.07.020(b)(15), enacted by sec. 2 of this Act, until conflicting state plan amendments
4 are adopted under AS 47.07.042(e), enacted by sec. 3 of this Act, and are approved by the
5 federal government.

6 * **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).