

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

April 10, 2015

1:32 p.m.

MEMBERS PRESENT

Senator Bert Stedman, Chair
Senator Cathy Giessel, Vice Chair
Senator Bill Stoltze
Senator Johnny Ellis

MEMBERS ABSENT

Senator Pete Kelly

COMMITTEE CALENDAR

SENATE BILL NO. 78

"An Act relating to medical assistance reform measures; relating to eligibility for medical assistance coverage; relating to medical assistance cost containment measures by the Department of Health and Social Services; and providing for an effective date."

- MOVED SB 78 OUT OF COMMITTEE

SENATE BILL NO. 74

"An Act relating to permanent fund dividends; relating to a medical assistance reform program; establishing a personal health savings account program for medical assistance recipients; relating to the duties of the Department of Health and Social Services; establishing medical assistance demonstration projects; and relating to a study by the Department of Health and Social Services."

- MOVED CSSB 74(HSS) OUT OF COMMITTEE

SENATE BILL NO. 90

"An Act relating to the purchase of durable medical equipment under Medicaid; and providing for an effective date."

- MOVED SB 90 OUT OF COMMITTEE

SENATE BILL NO. 53

"An Act relating to advanced practice registered nursing; relating to certified direct- entry midwifery; and providing for an effective date."

- MOVED SB 53 OUT OF COMMITTEE

HOUSE BILL NO. 4

"An Act relating to automated external defibrillators."

- MOVED HB 4 OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 8(JUD) AM

"An Act relating to powers of attorney and other substitute decision-making documents; relating to the uniform probate code; relating to notaries public; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 72

"An Act relating to caregivers of patients after release or departure from a hospital; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 78

SHORT TITLE: MEDICAL ASSISTANCE COVERAGE; REFORM

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

03/18/15	(S)	READ THE FIRST TIME - REFERRALS
03/18/15	(S)	HSS, FIN
03/30/15	(S)	HSS AT 1:30 PM BUTROVICH 205
03/30/15	(S)	Heard & Held
03/30/15	(S)	MINUTE(HSS)
04/01/15	(S)	HSS AT 1:30 PM BUTROVICH 205
04/01/15	(S)	Heard & Held
04/01/15	(S)	MINUTE(HSS)
04/03/15	(S)	HSS AT 1:30 PM BUTROVICH 205
04/03/15	(S)	-- Testimony <Invitation Only> --
04/10/15	(S)	HSS AT 1:30 PM BUTROVICH 205

BILL: SB 74

SHORT TITLE: MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES

SPONSOR(S): SENATOR(S) KELLY

03/13/15 (S) READ THE FIRST TIME - REFERRALS
 03/13/15 (S) HSS, STA, FIN
 03/13/15 (S) HSS AT 1:30 PM BUTROVICH 205
 03/13/15 (S) -- MEETING CANCELED --
 03/23/15 (S) HSS AT 1:30 PM BUTROVICH 205
 03/23/15 (S) Heard & Held
 03/23/15 (S) MINUTE(HSS)
 04/01/15 (S) HSS AT 1:30 PM BUTROVICH 205
 04/01/15 (S) Heard & Held
 04/01/15 (S) MINUTE(HSS)
 04/02/15 (S) STA AT 9:00 AM BUTROVICH 205
 04/02/15 (S) <Pending Referral>
 04/03/15 (S) HSS AT 1:30 PM BUTROVICH 205
 04/03/15 (S) -- MEETING CANCELED --
 04/08/15 (S) HSS AT 1:30 PM BUTROVICH 205
 04/08/15 (S) Heard & Held
 04/08/15 (S) MINUTE(HSS)

BILL: SB 90

SHORT TITLE: MEDICAID: USED DURABLE MEDICAL EQUIPMENT
 SPONSOR(s): SENATOR(s) STOLTZE

03/25/15 (S) READ THE FIRST TIME - REFERRALS
 03/25/15 (S) HSS, FIN
 04/08/15 (S) HSS AT 1:30 PM BUTROVICH 205
 04/08/15 (S) Heard & Held
 04/08/15 (S) MINUTE(HSS)

BILL: SB 53

SHORT TITLE: ADVANCED PRACTICE REGISTERED NURSES
 SPONSOR(s): SENATOR(s) GIESSEL

02/18/15 (S) READ THE FIRST TIME - REFERRALS
 02/18/15 (S) L&C, HSS
 03/10/15 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/10/15 (S) Heard & Held
 03/10/15 (S) MINUTE(L&C)
 03/12/15 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 03/12/15 (S) Moved SB 53 Out of Committee
 03/12/15 (S) MINUTE(L&C)
 03/13/15 (S) L&C RPT 4DP 1NR
 03/13/15 (S) DP: COSTELLO, GIESSEL, MEYER, STEVENS
 03/13/15 (S) NR: ELLIS
 04/08/15 (S) HSS AT 1:30 PM BUTROVICH 205
 04/08/15 (S) Heard & Held
 04/08/15 (S) MINUTE(HSS)

BILL: HB 4

SHORT TITLE: AUTOMATED EXTERNAL DEFIBRILLATOR

SPONSOR(S): REPRESENTATIVE(S) WILSON

01/21/15 (H) PREFILE RELEASED 1/9/15
01/21/15 (H) READ THE FIRST TIME - REFERRALS
01/21/15 (H) JUD
02/04/15 (H) JUD AT 1:00 PM CAPITOL 120
02/04/15 (H) Moved HB 4 Out of Committee
02/04/15 (H) MINUTE(JUD)
02/06/15 (H) JUD RPT 4DP 1NR
02/06/15 (H) DP: KELLER, MILLETT, CLAMAN, LEDOUX
02/06/15 (H) NR: GRUENBERG
02/11/15 (H) TRANSMITTED TO (S)
02/11/15 (H) VERSION: HB 4
02/13/15 (S) READ THE FIRST TIME - REFERRALS
02/13/15 (S) HSS, JUD
04/08/15 (S) HSS AT 1:30 PM BUTROVICH 205
04/08/15 (S) Heard & Held
04/08/15 (S) MINUTE(HSS)

BILL: HB 8

SHORT TITLE: POWERS OF ATTORNEY

SPONSOR(S): REPRESENTATIVE(S) HUGHES

01/21/15 (H) PREFILE RELEASED 1/9/15
01/21/15 (H) READ THE FIRST TIME - REFERRALS
01/21/15 (H) JUD
02/13/15 (H) JUD AT 1:00 PM CAPITOL 120
02/13/15 (H) Heard & Held
02/13/15 (H) MINUTE(JUD)
02/23/15 (H) JUD AT 1:00 PM CAPITOL 120
02/23/15 (H) Moved CSHB 8(JUD) Out of Committee
02/23/15 (H) MINUTE(JUD)
02/25/15 (H) JUD RPT CS(JUD) 2DP 4NR
02/25/15 (H) DP: LYNN, KELLER
02/25/15 (H) NR: MILLETT, CLAMAN, GRUENBERG, FOSTER
03/09/15 (H) TRANSMITTED TO (S)
03/09/15 (H) VERSION: CSHB 8(JUD) AM
03/11/15 (S) READ THE FIRST TIME - REFERRALS
03/11/15 (S) HSS, JUD
04/10/15 (S) HSS AT 1:30 PM BUTROVICH 205

BILL: SB 72

SHORT TITLE: DESIGNATED CAREGIVERS FOR PATIENTS

SPONSOR(S): SENATOR(S) GIESSEL

03/11/15 (S) READ THE FIRST TIME - REFERRALS
03/11/15 (S) HSS, L&C
04/10/15 (S) HSS AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

REPRESENTATIVE SHELLEY HUGHES
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 8.

GINGER BLAISDELL, Staff
Representative Shelley Hughes
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Explained the sectional analysis of HB 8 on behalf of the sponsor.

THERESA HOPE, State Long-term Care Ombudsman
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 8.

DEBORAH BEHR, Chair
Alaska Uniform Law Commission
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 8.

MARIE DARLIN
AARP of Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 8.

DENISE DANIELLO, Executive Director
Alaska Commission on Aging

POSITION STATEMENT: Testified in support of HB 8 and SB 72.

JANE CONWAY, Staff
Senator Cathy Giessel
Alaska State Legislature

POSITION STATEMENT: Explained the sectional analysis of SB 72 on behalf of the sponsor.

ANN LOVEJOY
Mountain Pacific Improvement
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 72.

DEBBY RETHERFORD, representing herself
Mat-Su, Alaska

POSITION STATEMENT: Testified in support of SB 72.

VICTORIA MARTIN, representing herself
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 72.

TERRY SNYDER, State President
AARP

Palmer, Alaska

POSITION STATEMENT: Testified in support of SB 72.

ED ZASTROW, representing himself
Ketchikan, Alaska

POSITION STATEMENT: Testified in support of SB 72.

KEN HELANDER, Advocacy Director
AARP Alaska

Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 72.

BECKY HULTBERG, CEO
Alaska State Hospital and Nursing Home Association
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 72.

ACTION NARRATIVE

[1:32:25 PM](#)

CHAIR BERT STEDMAN called the Senate Health and Social Services Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Ellis, Stoltze, Giessel, and Chair Stedman.

SB 78-MEDICAL ASSISTANCE COVERAGE; REFORM

[1:33:43 PM](#)

CHAIR STEDMAN announced that the first order of business would be SB 78.

SENATOR GIESSEL moved to report SB 78 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

SENATOR STOLTZE commented that the bill would be accompanied by cost containment reform measures.

SB 74-MEDICAID REFORM/PFD/HSAS/ER USE/STUDIES

[1:34:24 PM](#)

CHAIR STEDMAN announced the consideration of SB 74.

[1:34:32 PM](#)

SENATOR GIESSEL moved to report CSSB 74(HSS) from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

SB 90-MEDICAID: USED DURABLE MEDICAL EQUIPMENT

[1:34:58 PM](#)

CHAIR STEDMAN announced the consideration of SB 90.

SENATOR STOLTZE moved to report SB 90 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

SB 53-ADVANCED PRACTICE REGISTERED NURSES

[1:35:17 PM](#)

CHAIR STEDMAN announced the consideration of SB 53.

SENATOR GIESSEL moved to report SB 53 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

HB 4

HB 4-AUTOMATED EXTERNAL DEFIBRILLATOR

[1:35:37 PM](#)

CHAIR STEDMAN announced the consideration of HB 4.

SENATOR GIESSEL moved to report HB 4 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

CHAIR STEDMAN noted previous public hearings for all five bills. He thanked the committee for their work.

[1:36:43 PM](#)

At ease

[1:39:04 PM](#)

CHAIR STEDMAN brought the meeting back to order.

HB 8-POWERS OF ATTORNEY

[1:39:39 PM](#)

CHAIR STEDMAN announced the consideration of HB 8.

[1:39:47 PM](#)

REPRESENTATIVE SHELLEY HUGHES, Alaska State Legislature, sponsor of HB 8, related that the bill has approval by AARP and the Association of Mature Americans. She shared stories of financial scams that targeted vulnerable adults due to problems with the Power of Attorney. Last year there were more than 600 allegations of financial exploitation in Alaska as reported by Adult Protective Services, the Office of Long-Term Care Ombudsman, and the Office of Public Advocacy and Elder Fraud Unit. She shared statistics related to Power of Attorney abuse.

She stated that HB 8 strengthens Alaska's existing Power of Attorney statutes by clarifying the responsibilities of the person receiving the Power of Attorney and approving the form itself. The statute remains customized for Alaska and aligns some of the wording with other states, which is helpful in this day and age.

She noted new terminology in the bill - the principal, or the person granting the Power of Attorney, and the agent, the person who is granted the Power of Attorney. There is also a new definition for "signing." The current form instructs the principal to assign everything to the agent unless specifically crossing out items. The bill changes that so the principal must mark yes or no for every category. The bill separates out a special section of items deemed "hot powers," more significant than routine financial actions. There is a new section on judicial relief allowing a list of qualified persons who can petition the court to review the agent's conduct. There is also a new section about substitute decision-making documents, which allows for recognition of documents between states on a temporary basis.

She concluded that HB 8 allows better definitions, clarifies areas of concern, and will help the principal make better decisions when it comes to assigning these important responsibilities of their finances and property to someone. She said the bill will strengthen existing statutes to better protect vulnerable adults and to better guide those who help care for them.

GINGER BLAISDELL, Staff, Representative Shelley Hughes, Alaska State Legislature, explained the sectional analysis of HB 8 on behalf of the sponsor. She explained version N.A of the bill:

Section 1 replaces the current definition of an "agent."

Section 2 corrects the definition of "state" by including the United States Virgin Islands.

Section 3 adds new definitions for "durable", "electronic", "power of attorney", "principal", "record", and "sign, as they pertain to the Act.

Section 4 states that an agent is the person granted powers and the finances belong to the principal. It contains the agent's acceptance and liability and describes the agent's duties. It also pertains to the acceptance and termination of Power of Attorney.

[1:50:49 PM](#)

Section 5 is amended to recognize a Power of Attorney executed in another state.

Section 6 edits the actual form of the Power of Attorney (POA) and requires the principal to mark a box in each category and provides optional grant of specific authority to create, amend, revoke, or terminate a trust; make a gift; create or change beneficiaries; or revoke a transfer on a death deed. It also deals with how a notary can witness a signature.

Section 7 adds additional optional provisions.

[1:55:06 PM](#)

Section 8 deals with the applicability of provisions.

CHAIR STEDMAN requested further clarification of Section 7 regarding the notary provision.

REPRESENTATIVE HUGHES commented that the provision only applies to the notary's signing of this document.

CHAIR STEDMAN said he has concerns about it.

MS. BLAISDELL said that the notary provision was brought to attention by the Office of Public Advocacy.

[1:56:34 PM](#)

She continued:

Sections 9 - 11 removes the option to revoke, create, or modify a trust and includes it in a separate selection on the POA form.

Section 12 allows the agent to use credit and debit cards, and electronic transactions.

Section 13 adds additional responsibilities and clarification responsibilities of the agent to manage the affairs of the principal's businesses.

[1:59:02 PM](#)

Section 14 provides for the exercise of investment powers available under a contract of insurance or annuity.

Section 15 repealed section with respect to gifts and replaced with instructions regarding retirement plans.

Section 16 amends the section regarding personal relationships, such as child support under HIPAA rules.

Section 17 amends the section regarding government, military service, or civil service.

[2:02:37 PM](#)

Section 18 is a new subsection that gives specific authority with respect to gift transactions.

Section 19 is amended to relieve an agent of liability for breach of duty unless it was committed dishonestly.

Section 20 replaces the term "disability or incompetence" to "incapacity."

Section 23 addresses judicial relief and allows a number of people to petition the courts to review an agent's actions.

[2:04:04 PM](#)

Section 27 deals with substitute decision-making documents between states.

MS. BLAISDELL concluded that the statute was updated and definitions were brought current. HB 8 provides protection for vulnerable adults and judicial relief.

CHAIR STEDMAN requested an update of the sectional analysis page numbers to version N.A.

REPRESENTATIVE HUGHES noted that HIPAA is related to payment for health care services, not about making health care decisions.

[2:06:14 PM](#)

CHAIR STEDMAN opened public testimony.

[2:06:28 PM](#)

THERESA HOPE, State Long-term Care Ombudsman, testified in support of HB 8. She related that the Ombudsman frequently investigates cases in which family members or others misuse the POA document to exploit vulnerable adults, especially seniors. HB 8 clarifies and updates definitions in the statute and adds important protections. She spoke in favor of the changes made to the POA form. The bill also provides for judicial review when there is suspicion that the POA is being misused and clarifies when the document can be terminated.

[2:08:53 PM](#)

DEBORAH BEHR, Chair, Alaska Uniform Law Commission, testified in support of HB 8. She noted that page 37, to the end of the bill, is a result of the open public process and is a uniform recognition of Substitute Decision-Making Documents across state lines. She provided an example. She spoke of the advantages of the POA document.

[2:10:45 PM](#)

MARIE DARLIN, AARP of Alaska, testified in support of HB 8. She provided the history of the development of the bill. HB 8 continues the work that was started several years ago - the Advanced Directive bill. She said HB 8 is one more step in the right direction to help protect vulnerable adults. It is a way to try and correct some of the problems related to Power of Attorney.

[2:13:03 PM](#)

DENISE DANIELLO, Executive Director, Alaska Commission on Aging, testified in support of HB 8. She said the bill is important in light of the increasing senior population. She especially liked the fact that the bill conforms to the Unified Power of Attorney Act and makes the law interstate compatible. She said she supports increasing the principal's control regarding decision making. She suggested that there be notification to the public to let them know of these changes.

CHAIR STEDMAN closed public testimony.

SENATOR GIESSEL thanked the sponsor.

CHAIR STEDMAN held HB 8 in committee.

SB 72-DESIGNATED CAREGIVERS FOR PATIENTS

[2:15:58 PM](#)

CHAIR STEDMAN announced the consideration of SB 72.

SENATOR CATHY GIESSEL, Alaska State Legislature, sponsor of SB 72. She read from the sponsor statement:

SB 72 seeks to improve post-discharge health outcomes by improving coordination with designated caregivers, providing training to them on discharge tasks, reducing preventable and costly hospital readmissions and enabling older Alaskans to stay in their own homes longer.

At any given time, around 88,000 Alaskans are providing some type of caregiving services and supports to a loved one, friend or neighbor. Caregivers are increasingly being asked to perform complex nursing and medical tasks - such as dispensing numerous medications, administering injections and providing wound care - often with inadequate skill training.

Caregivers are a critical link in the transitional care for frail adults and those with disabilities; with few exceptions, caregivers are responsible for providing and coordinating much of the care received at home following discharge. Untrained and unsupported caregiving jeopardizes the patient's recovery, as well as often puts the caregiver at risk for their own injury and burnout, frequent symptoms of those caring for others.

SB 72 contains three important provisions: The name of a caregiver is recorded when a loved one is admitted into a hospital facility, if the patient so desires to name a caregiver.

The designated caregiver is notified of the patient's discharge home or transfer to another facility as soon as practicable

The hospital must attempt to consult with the designated caregiver about the discharge plan describing the patient's aftercare needs and offer training to the caregiver for aftercare tasks.

The value of family caregiving in Alaska is valued at over a billion dollars a year...money that would otherwise likely have to come from the state coffers for paid caregiving in the home or in a facility.

Unsupported caregivers are more likely to experience burnout, develop their own health problems, or see their loved one moved into a facility for more expensive care. Most of all, SB 72 will help people continue to live independently at home, and will support the family caregivers who make this possible.

[2:18:48 PM](#)

JANE CONWAY, Staff, Senator Cathy Giessel, Alaska State Legislature, explained the sectional analysis of SB 72 on behalf of the sponsor. She read from the sectional:

Sec. 1: Amends 18.20 by adding a new section:

Article 5: Caregivers of Hospital Patients after Discharge

Sec. 18.20.500 Naming a caregiver. Gives a patient the opportunity to name a caregiver to provide aftercare following discharge and outlines the details of that process.

Section 18.20.510 Release of medical information. This section provides hospital to ask for patient consent to release the patient's medical info to the caregiver. (b) allows for the patient to prohibit the release of the medical records, thereby releasing the hospital from its obligation to notify or inform a caregiver.

Section 18.20.520 Notice to named caregiver. Requires the hospital to notify the named caregiver of the

planned discharge date and time or of a transfer to another facility as soon as it can.

Section 18.20.530 Caregiver not obligated. This section says that if a person is named by the patient as the caregiver, that person has the right to refuse the designation.

Section 18.20.540 Discharge plan. Requires the hospital to prepare a discharge plan for the patient and assesses the named caregiver's skills to provide the prescribed aftercare to the patient. It outlines what needs to be included in the discharge plan and provides a hospital contact or hospital contractor contact who can answer questions the caregiver might have.

Section 18.20.550 Caregiver instruction. Requires a hospital or hospital contractor to instruct a named caregiver on the tasks outlined in discharge plan for aftercare. The section outlines the various means by which this can be done and that the instruction must be culturally sensitive and comply with federal law. It requires that the training be done before the discharge if possible, unless that would delay the discharge; in that event the training can take place as soon as possible after the patient's discharge.

Section 18.20.560 Recording obligations. This section outlines what must be recorded in the patient's medical record.

Section 18.20.565 No delay of discharge or transfer. This section states that the required caregiver instruction cannot delay a patient's discharge or transfer to another facility.

Section 18.20.570 Construction of provisions. States that the provisions of this bill do not create a liability for the hospital, a hospital contractor or

employee for their performance or non-performance of tasks.

Section 18.20.580 Coordination with other authority. The provisions in this bill do not override the duties of an agent under an advance health care directive or the powers or duties of a legal guardian.

Section 18.20.585 Regulations. Gives the Department of Health and Social Services the authority to write regulations to carry out the provisions of this bill.

Section 18.20.590 Definitions. Provides 10 definitions of terms used in the bill.

Sec. 2 Adds a new section that gives the Department of Health and Social Services the authority to adopt regulations necessary to implement the provisions of the bill and that the regulations will take effect on January 1, 2016.

Sec. 3 Allows the Department to begin the regulation process immediately

Sec. 4 Provisions of the bill are effective on January 1, 2016.

[2:23:16 PM](#)

CHAIR STEDMAN opened public testimony.

[2:23:48 PM](#)

ANN LOVEJOY, Mountain Pacific Improvement (MPI), testified in support of SB 72. She related that MPI is a quality improvement organization for Alaska and is under contract with the Centers for Medicare and Medicaid. She listed the reasons MPI supports the bill - it is beneficial for people and for the health industry. It benefits people who are discharged from the hospital without clear roles and responsibilities for who will deliver their aftercare. She said one of the drivers for high readmission rates and for very poor health outcomes is that individuals do not receive the necessary aftercare. Secondly, readmission is a very important issue because the industry is receiving negative payment adjustments, or penalties, for

excessively high rates of readmissions. If a hospital took the extra time to educate the caregiver, the readmissions rates would go down. Another benefit to the industry is that their accreditation would be assured. The bill does not mandate what the caregiver education says, it just says the education must be done.

[2:27:10 PM](#)

DEBBY RETHERFORD, representing herself, testified in support of SB 72. She said she has personal experience with being a caregiver of a senior relative. She stressed how important this bill is because it requires the hospital to provide the caregiver with instructions.

[2:30:29 PM](#)

VICTORIA MARTIN, representing herself, testified in support of SB 72. She shared a personal experience as a caregiver who was given no instructions after a patient was discharged. She said it was important for the hospital to provide the information for a discharge plan. She said she does not want to see another person go through what she had to.

[2:33:38 PM](#)

TERRY SNYDER, State President, AARP, testified in support of SB 72. She suggested that everyone will be a caregiver at some time during their lives. She shared that 65 percent of older persons with long-term care needs will need to be cared for by family and friends, the majority of whom are women. She said it is essential that the caregiver and the patient are given instructions for a discharge plan with successful outcomes. The state must develop methods for Alaskans to be caregivers at home and avoid costly readmissions. The bill will benefit Alaskans of all ages and will save money.

[2:36:48 PM](#)

ED ZASTROW, representing himself, testified in support of SB 72. He shared a personal story of his experience with a hospital discharge in Ketchikan. He said the discharge program in Ketchikan is similar to the plan in SB 72. He said his wife, his caregiver, was schooled in how to care for him and they were assisted in how to prepare home accommodations. However, others did not receive the same discharge information and became confused. He opined the bill would address that situation.

[2:39:17 PM](#)

KEN HELANDER, Advocacy Director, AARP Alaska, testified in support of SB 72. He stated that the bill is about caregivers.

He said at any given moment there are about 88,000 family caregivers in Alaska. Over a course of a year, about 128,000 people serve in that role to some degree. This represents over a billion dollars in care that otherwise would have likely been borne by the state.

He referred to an article in the Fairbanks Daily News Minor that covered the annual cost of care report from Genworth Financial, which tracks the costs of long-term care across the country. In the U.S, one year in a nursing home is equal to three years' tuition at a private college. Alaska has the highest average cost of nursing home care in the nation - \$281,415 a year. The degree to which we can support family caregivers, saves families and the state money.

He described a survey by AARP of 800 Alaskans from age 45 and over to hear about their experiences in caregiving. Among the findings, 56 percent identified themselves as being a current or former caregiver; 50 percent said it was likely they would provide care for a friend or family member. The average Alaska caregiver is over 55 and female, who works full or part time, in addition to caregiving for someone over the age of 73. They all face challenges; emotional and financial stress, balancing jobs and caregiving, finding enough rest, difficulty managing medications and medical tasks. There is a need for support for patients living at home, for respite for caregivers, and resources and training for caregivers. Most indicated that there was no instruction after a hospital discharge. They agreed that hospitals should keep families informed of major decisions and the discharge and keep records.

He pointed out that discharged plans are required, but are complex and not clear. Hospitals are aware of the need to improve the transition from hospital to home and some are working hard to do so. He concluded that the bill provides the incentive for all hospitals to do so.

[2:45:25 PM](#)

DENISE DANIELLO, Executive Director, Alaska Commission on Aging, testified in support of SB 72. She stated that it is a very important bill and it contains many important provisions, such as instruction and training. The senior population is growing and will need to rely increasingly more on their family caregivers.

[2:47:25 PM](#)

BECKY HULTBERG, CEO, Alaska State Hospital and Nursing Home Association, testified in opposition to SB 72. She said she is willing to work with the sponsor on the bill. She said she is very concerned about successful transitions from hospital to home. This work is happening well in some places. The bill does not address a lack of caregivers, nor many of the problems of those with chronic diseases. She listed problems with the bill. Setting this in statute does not provide for changes in process, medicine, and technology. There is a great deal of variety in hospitals across Alaska. Imposing the same standards on all-sized hospitals will not work. This bill is setting a fourth level of administrative regulation on a nursing process. The focus should be on patient care and quality, not on resources for keeping records.

[2:51:36 PM](#)

She voiced specific concerns. The hospital is expected to contact and follow up with a caregiver, which is a huge requirement of nurses. It requires hospitals to assess the caregiver's ability to provide aftercare, which could be very challenging for hospitals. There is no explanation of what a hospital's obligation is when the caregiver is incapable. There are concerns about how hospitals will provide instruction "as soon as possible" and a problem with aftercare follow up. It is a problem that hospitals are required to document and instruct caregivers, but caregivers have no accountability to accept that instruction. Language is unclear about who provides the instruction and records information. She pointed out that the electronic health network said it could cost about \$100,000 to capture this information.

[2:54:29 PM](#)

She said the concepts in the bill have been identified by AARP as a priority. She suggested looking at other states to identify how to support the intent of the bill.

[2:55:16 PM](#)

SENATOR STOLTZE asked what the nurses' organizations think.

MS. HULTBERG explained they have only received feedback from their own association's administrative nurses, but not from nurses' associations.

[2:56:20 PM](#)

CHAIR STEDMAN held SB 72 in committee.

[2:56:29 PM](#)

There being nothing further to come before the committee, Chair Stedman adjourned the Senate Health and Social Services Standing Committee at 2:56 p.m.