

Alaska State Legislature

House Education Committee

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House Bill 376

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Sectional Analysis

“An Act relating to early intervention services for certain children; relating to optional services under the medical assistance program; and providing for an effective date.”

Section 1 – Amends AS 47.07.030(b) to add early intervention services for children with developmental delays to the medical services provided by the Alaska Department of Health.

Section 2 – Amends AS 47.20.060 to delete the discretionary authority of the department to serve children under the age of three who are at risk of developmental delays or disabilities. AS 47.20.060 is the statute governing the department's authority to provide quality learning and related early intervention family support services to eligible children under the age of three with developmental delays.

Section 3 – Amends AS 47.20.070(c), which is the statute governing the establishment of the early intervention services program, to delete the mandate for the Department of Health to establish a training program for paraprofessionals who provide services to children under the age of three with developmental delays and disabilities.

Additionally, in Section 3, a new subsection is added requiring the Department of Health to review the conditions that qualify as a disability and make recommendations to the Alaska State Legislature on updating those conditions. The review must be conducted at least every five years, in consultation with medical professionals and the Department of Health's Interagency Coordinating Council.

Section 4 – Amends AS 47.20.080(a), the statute governing eligibility for early intervention services, to stipulate that a child and the child's family are eligible for services if the child is experiencing developmental delay or disability.

Section 5 – Amends AS 47.20.100, the statute governing individualized family service plans, to remove the right of the Department of Health to eliminate coverage for services if there is insufficient funding to provide services to all eligible persons.

Section 6 – Amends AS 47.20.290(4) to change the definition of “developmentally delayed” to align with the federal Individuals with Disabilities in Education Act and to expand eligibility to those children with a developmental delay of at least 25 percent below a chronological or State corrected age or equivalent

standard deviation below age-appropriate norms in one of the identified areas listed in the definition of “developmentally delayed.” The standard is 20 percent for children in two or more of the areas listed.

Section 7 – Repeals and reenacts AS 47.20.290(6) to list the services that qualify as early intervention services. Qualified services include audiology services, health services, medical services, nursing services, nutrition services, occupational therapy, psychological services, special instruction, transportation and related costs, vision, and vision services.

Section 8 – Repeals three sections of state law. AS 47.20.080(b) allows the Department to eliminate coverage if there is insufficient funding. AS 47.20.290(1) is the definition of “additional early intervention services.” The definition is no longer necessary because early intervention services are detailed in Section 7 of this act. AS 47.20.290(2) is the definition of “core early intervention services.” This definition is no longer applicable because the act eliminates “core” services in favor of a broader list of early intervention services.

Section 9 – Adds a new section to uncodified law requiring the Alaska Department of Health to submit a report to the Alaska State Legislature by July 1, 2029, that includes details about how many children in Alaska need early intervention services and the types of services provided. The report must also include the cost to the State of Alaska of providing services and the amount of federal funding received by the state. Additionally, the report must include recommendations for further statutory changes to enhance and expand early intervention services for eligible children under the age of three who have developmental delays or disabilities.

Section 10 – Adds a new section to the uncodified law requiring the Department of Health to amend and resubmit for federal approval the state plan for medical assistance coverage to align with the changes made by this act.

Section 11 – Adds a new section to the uncodified law stipulating that the changes to early intervention services only take effect if the U.S. Department of Health and Human Services approves the amendment to the state plan for medical assistance coverage or determines that approval of the amendments to the state plan is not necessary.

Section 12 – Stipulates that section 1 of this act takes effect, it takes effect on the day after the date on which the United States Department of Health and Human Services approves the amendments to the state plan.

Section 13 – Sets an effective date of July 1, 2026, for this act.