

# 34<sup>TH</sup> ALASKA STATE LEGISLATURE

## Session

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## Interim

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House Judiciary Committee, Chair

House Military and Veterans'  
Affairs, Committee Co-chair

Joint Armed Services Committee,  
Co-chair

House Health and Social Services  
Committee

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## REPRESENTATIVE ANDREW GRAY

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### House Bill 36 (34-LS0358\N)

### Sectional Analysis

February 28, 2025

#### Section 1

Non substantive statutory construction

#### Section 2

Defines “acute psychiatric hospital” as suggested in Kwinhagak v State of Alaska

Defines “contemporaneous two-way video conference” to expedite due process

#### Section 3

New subsection

- e) Allows the State to place child in an acute hospital if it’s the least restrictive option, the child is gravely disabled/mentally ill and placement would improve the condition of the child with treatment or deteriorate the condition of the child without treatment.
- f) Requires all parties of the case to be notified of placement within 24 hours
- g) Requires a court review of placement within 7 days. Gives the court the option to extend the court review up to 14 days if necessary to secure attendance of case participants. Allows for contemporaneous two-way video conferencing.
- h) Requires case review each 30 days or by a “good-cause” request by the child or interested party.

#### Section 4

Adds “The number of children placed in residential facilities providing care for children outside the state” to the required annual report to the Legislature on employee recruitment and retention, including a five year plan, for the division.

#### Section 5

Amends Court Rule 12.1 (b) Alaska Child in Need of Aid Rules of Procedure to mandate the court appointment of an attorney for a child who has been placed in an acute psychiatric hospital.

