

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version: HB 52
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB52-DOH-BHA-02-08-2023
Title: NO PATIENT LEFT ALONE ACT
Sponsor: VANCE
Requester: (H) HSS

Department: Department of Health
Appropriation: Behavioral Health
Allocation: Behavioral Health Administration
OMB Component Number: 2665

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Personal Services	300.6		300.6	300.6	300.6	300.6	300.6
Travel	42.0		42.0	42.0	42.0	42.0	42.0
Services	28.0		28.0	28.0	28.0	28.0	28.0
Commodities	8.0		2.0	2.0	2.0	2.0	2.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	378.6	0.0	372.6	372.6	372.6	372.6	372.6

Fund Source (Operating Only)

1002 Fed Rcpts (Fed)	189.3		186.3	186.3	186.3	186.3	186.3
1003 GF/Match (UGF)	189.3		186.3	186.3	186.3	186.3	186.3
Total	378.6	0.0	372.6	372.6	372.6	372.6	372.6

Positions

Full-time	2.0						
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2023) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2024) cost: 0.0 (separate capital appropriation required)

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 07/01/25

Why this fiscal note differs from previous version/comments:

Initial version.

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Division:	Division of Behavioral Health	Date:	02/23/2023 03:52 PM
Approved By:	Josephine Stern, Assistant Commissioner	Date:	02/24/23
Agency:	Department of Health		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

BILL NO. HB052

Analysis

This bill establishes the right of patients or residents in a hospital, nursing facility, assisted living home, behavioral health facility, or hospice care, and recipients of medical services to have a support person of their choosing present at all times during their treatment or stay, and requiring covered health care entities to create, publish, and otherwise make available policies regarding this requirement.

This bill restricts the Department of Health's public authority and limits health care provider authority to exercise discretion appropriate to the setting and circumstance.

This bill includes a wide range of facility types; however, this bill directly impacts the Division of Behavioral Health with the inclusion of residential psychiatric treatment centers – also referred to as psychiatric residential treatment facilities – and adult mental health residential facilities.

The division anticipates that additional staff and travel expenses will be needed to fully implement this bill, including performing additional onsite visitations, reviewing and responding to reported violations, and enforcing penalties.

The division estimates that the promulgation of the associated regulations for psychiatric residential treatment facilities may take up to two years, depending on the complexity of the final regulation package.

To comply with the Code of Federal Regulations (CFR), the Division of Behavioral Health must visit all enrolled psychiatric residential treatment facilities at least once per year when there is a youth in the facility. The division anticipates there will be an increase in the number of support person complaints and that those complaints will need to be investigated. The Division of Behavioral Health currently has one nurse consultant and one mental health clinician who travel more than 60 percent of the time. The division cannot presume that complaints will occur at the same time as a site visit.

Personal Services: One full-time Nurse Consultant 2 (including benefits) in Anchorage: \$170.3 beginning in FY2024. A nurse consultant is required to review medical/clinical components of the chart while onsite, including but not limited to physician orders for as needed medication and seclusion and restraints.

One full-time Mental Health Clinician 3 (including benefits) in Anchorage: \$130.3 beginning in FY2024. A mental health clinician is required to review the required service components of the chart while onsite, including but not limited to individual, group, and family therapy sessions.

Travel: Both new full-time positions will need to travel 10 times a year for a total annually of \$30.0. The nurse consultant and mental health clinician will have to travel together to conduct site visits and investigate each complaint. There are currently 19 enrolled out-of-state psychiatric residential treatment facilities that the department works with and an additional 22 are in the enrollment process.

Additional travel will also be required for two existing positions. The Medicaid Program Specialist 4 and Medicaid Program Specialist 5 positions will both need to travel an additional 4 times annually at \$12.0. It is not anticipated that the Medicaid Program Specialist 4 and the Medicaid Program Specialist 5 will travel to investigate each complaint. Rather the Medicaid Program Specialist 4, as the psychiatric residential treatment facility team supervisor, and the Medicaid Program Specialist 5, as the section manager, will be available to support the nurse consultant and mental health clinician when complaints escalate in type, severity, and/or frequency at a facility.

Services: Office space, phones, reimbursable service agreements for position support \$14.0 for each full-time position, or \$28.0 annually total.

Commodities: Office supplies: Total of \$2.0 for two full-time positions annually.

One-Time Commodities Cost: Computer, software and office equipment : \$6.0 for the two new full time positions. Costs associated with implementing this bill will be paid 50 percent federal and 50 percent GF Match.