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Glover
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CS FOR HOUSE BILL NO. 215(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

**"An Act relating to program receipts; and relating to fees for services provided by the
Department of Health and Social Services."**

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

*** Section 1.** AS 37.05.146(c) is amended by adding a new paragraph to read:

(90) the following fees, receipts, income, and monetary recoveries
collected by the Department of Health and Social Services:

(A) receipts of the Department of Health and Social Services,
Bureau of Vital Statistics;

(B) monetary recoveries of Medicaid expenditures from
recipients, third parties, and providers under AS 47;

(C) the state's share of overpayments collected under
AS 47.05.080;

(D) income received from a state or federal agency for children
in foster care under AS 47.14.100;

(E) fees received or collected under AS 44.29.022 for nursing and planning services provided at health centers, genetic screening clinics and specialty clinics, the certification of x-ray machines, the alcohol safety action program, and other public health programs and services;

(F) fees received under AS 18.08.080 for the certification of emergency medical technicians, emergency medical dispatchers, and emergency medical technician instructors;

(G) fees received under AS 47.32;

(H) the state's share of child support collections for reimbursement of the cost of the Alaska temporary assistance program as provided under AS 25.27.120, 25.27.130, and AS 47.27.040; and

(I) monetary recoveries under AS 09.58 (Alaska Medical Assistance False Claim and Reporting Act).

* **Sec. 2.** AS 44.29.022(a) is amended to read:

(a) The commissioner of health and social services may establish by regulation a schedule of reasonable fees for services provided by the Department of Health and Social Services under **AS 44.29.020(a)(1) - (8) and (14)** [AS 44.29.020(a)(1) - (8)], AS 47.10, AS 47.12, AS 47.14, AS 47.30.655 - 47.30.910, [AND] AS 47.80.100 - 47.80.170, **and for the administration of public health programs under AS 18.** The fee established for a service may not exceed the actual cost of providing the service. The commissioner may define or establish the "actual cost of providing a service" by regulation. The Department of Health and Social Services shall charge and collect the fees established under this subsection. The department may waive collection of a fee upon a finding that collection is not economically feasible or in the public interest.

* **Sec. 3.** AS 44.29.022 is amended by adding a new subsection to read:

(e) The commissioner of health and social services shall consult with stakeholders regarding the reasonableness of fees when developing a schedule of reasonable fees under (a) of this section for services under AS 44.29.020(a)(14) or programs under AS 18 for which there is no regulation in effect establishing a schedule of reasonable fees. The consultation must include at least one public meeting

1 and must occur before the commissioner provides notice of proposed action under
2 AS 44.62.190. The commissioner shall provide notice of the public meeting at least 30
3 days before the meeting in the same manner as required under AS 44.62.190(a) for a
4 notice of proposed action.

5 * **Sec. 4.** AS 37.05.146(c)(42), 37.05.146(c)(59), 37.05.146(c)(60), 37.05.146(c)(61),
6 37.05.146(c)(62), 37.05.146(c)(63), 37.05.146(c)(64), 37.05.146(c)(65), 37.05.146(c)(66),
7 37.05.146(c)(67), 37.05.146(c)(71), and 37.05.146(c)(88) are repealed.