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HB360
SECTIONAL ANALYSIS

Section 1 amends AS 44.29 by adding new sections to it and various aspects of the Home Care Employment Standards Advisory Board. Thus,

Sec. 44.29.900. Home Care Employment Standards Advisory Board. This section is added to establish the advisory board on Home Care Employment Standards in Alaska.

Sec. 44.29.905. Composition of the board. This section elaborates on the composition of the board which will consist of a chair and 10 voting members. The section clarifies how many members should be sought from each represented group or institution. The members will be appointed by the Commissioner of Health after solicitation of applications. Thus,

- Commissioner of Health or commissioner's designee
- Commissioner of Labor and workforce development (or the commissioner's designee)
- Three members representing personal care agencies (with variance in terms of size, services provided and geographical location)
- Three members who are personal care assistants enrolled with the department or their labor representatives
- A representative of the Alaska Commission on Aging or another organization that represents seniors in the state
- A representative of the Governor's Council on Disabilities and Special Education another organization that represents people with disabilities in the state
- A person who receives, or represents persons who receive, personal care services

Sec. 44.29.910. Term of office, vacancies, removal. This section explains how the members of the board appointed in AS 44.29.905(2)(B) will serve and establishes how long they shall serve, options for reappointment and how vacancies will be filled.

Sec. 44.29.915. Meetings. The section establishes the duty of the chair to call for meetings of the board with regularity and as needed. It also establishes that the board should meet at least three

times each year and hold additional meetings as often as necessary to accomplish its duties. At every meeting, the Board will provide space for public testimony.

*Sec. 44.29.920. **Quorum.*** The section clarifies that a majority of the members of the Board constitute a quorum in a meeting of the board for it to transact its official business, and to approve any recommendations of the Board.

*Sec. 44.29.925. **Compensation.*** This section refers to established rules under AS 39.20.180 to guide compensation of members of the board through per diem and expenses reimbursement. Other than that, members of the Board will not receive compensation.

*Sec. 44.29.930. **Powers and duties.*** This section establishes the duties and powers of the board which include advising and consulting the department on rates for various services including personal care services, hourly respite services, and chore services as well as investigating employment issues and concerns including wages, working conditions and workforce development and making recommendations. This section also gives powers to the board to administer oaths, issue subpoenas, compel the attendance of a witness, and call a state agency to give full cooperation to the Board by collecting and providing information and testimony.

*Sec. 44.29.935 **Biennial report.*** The section requires the board to submit a written report biennially to the Commissioner. The Commissioner is mandated to review with the aim of accepting or rejecting findings and recommendations and to give guidance and a way forward depending on circumstances.

*Sec. 44.29.940. **Publication of reports.*** This section mandates the publication of the reports on July 1 each year and the reports must be publicly accessible. The section also elaborates on what shall be included in the published reports.

*Sec. 44.29.945. **Definitions.*** This section specifies the definitions of all the terms used in the sections above i.e. AS 44.29.900 - 44.29.945 including those that relate to Section 1915(c) of the Social Security Act (42 U.S.C. § 1396n(c))

Section 2 amends by adding a new section establishing when the board should be appointed, that the first meeting should be held on or before October 1, 2024, and the issues to be investigated for the preliminary report which will be presented at the first meeting.

Section 3 amends AS 44.29.940 to add a new section establishing the date for preliminary publication of the publication to be no later than July 1, 2025

Section 4 establishes that the Act will take effect July 1, 2024.