

SENATE BILL NO. 76

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/27/25

Referred: Health and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to complex care residential homes; and providing for an effective**
2 **date."**

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

4 * **Section 1.** AS 47.32.010(b) is amended to read:

5 (b) The following entities are subject to this chapter and regulations adopted
6 under this chapter by the Department of Health:

7 (1) ambulatory surgical centers;

8 (2) assisted living homes;

9 (3) child care facilities;

10 (4) freestanding birth centers;

11 (5) home health agencies;

12 (6) hospices, or agencies providing hospice services or operating
13 hospice programs;

14 (7) hospitals;

- 1 (8) host care homes;
- 2 (9) intermediate care facilities for individuals with an intellectual
- 3 disability or related condition;
- 4 (10) maternity homes;
- 5 (11) nursing facilities;
- 6 (12) residential child care facilities;
- 7 (13) residential psychiatric treatment centers;
- 8 (14) rural health clinics;
- 9 (15) subacute mental health facilities;
- 10 **(16) complex care residential homes.**

11 * **Sec. 2.** AS 47.32.900(2) is amended to read:

12 (2) "assisted living home"

13 (A) means a residential facility that serves three or more adults
 14 who are not related to the owner by blood or marriage, or that receives state or
 15 federal payment for services regardless of the number of adults served; the
 16 Department of Health shall consider a facility to be an assisted living home if
 17 the facility

- 18 (i) provides housing and food services to its residents;
- 19 (ii) offers to provide or obtain for its residents
- 20 assistance with activities of daily living;
- 21 (iii) offers personal assistance as defined in
- 22 AS 47.33.990; or
- 23 (iv) provides or offers any combination of these
- 24 services;

25 (B) does not include

- 26 (i) a correctional facility;
- 27 (ii) an emergency shelter;
- 28 (iii) a program licensed under AS 47.10.310 for
- 29 runaway minors;
- 30 (iv) a type of entity listed in AS 47.32.010(b)(6) - (11),
 31 **(16)**, or (c)(2);

1 * **Sec. 3.** AS 47.32.900(11) is amended to read:

2 (11) "hospital" means a public or private institution or establishment
3 devoted primarily to providing diagnosis, treatment, or care over a continuous period
4 of 24 hours each day for two or more unrelated individuals suffering from illness,
5 physical or mental disease, injury or deformity, or any other condition for which
6 medical or surgical services would be appropriate; "hospital" does not include a
7 frontier extended stay clinic or a complex care residential home;

8 * **Sec. 4.** AS 47.32.900 is amended by adding a new paragraph to read:

9 (22) "complex care residential home" means a residential setting that
10 provides 24-hour multi-disciplinary care on a continuing basis to not more than 15
11 individuals with mental, behavioral, medical, or disability-related needs that require
12 specialized care, services, and monitoring.

13 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
14 read:

15 MEDICAID STATE PLAN; WAIVERS. The Department of Health shall, as
16 necessary for federal approval by the United States Department of Health and Human
17 Services, submit amendments to the state plan for medical assistance coverage or apply for
18 any waivers necessary to implement secs. 1 - 4 of this Act.

19 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 CONDITIONAL EFFECT; NOTIFICATION. (a) Sections 1 - 4 of this Act take effect
22 only if, and to the extent that, the United States Department of Health and Human Services
23 approves, on or before July 1, 2031, waivers or amendments to the state plan submitted under
24 sec. 5 of this Act.

25 (b) The commissioner of health shall notify the revisor of statutes in writing within 30
26 days after the United States Department of Health and Human Services approves the waivers
27 or amendments to the state plan.

28 * **Sec. 7.** If secs. 1 - 4 of this Act take effect, they take effect the day after the United States
29 Department of Health and Human Services approves the waivers or amendments to the state
30 plan submitted under sec. 5 of this Act.