34-GS1493\A

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; (5) home health agencies; 11 12 (6) hospices, or agencies providing hospice services or operating 13 hospice programs; 14 (7) hospitals;

2 (9) intermediate care facilities for individuals with an intellectual 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 who are not related to the owner by blood or marriage, or that receives state or federal payment for services regardless of the number of adults served; the Department of Health shall consider a facility to be an assisted living home if the facility 18 (i) provides housing and food services to its residents; 19 (ii) offers to provide or obtain for its residents; 12 (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	1	(8) host care homes;
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. * Sec. 2. AS 47.32.900(2) is amended to read: (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; 12 (iii) offers personal assistance as defined in 12 AS 47.33.990; or 13 (i) a correctional facility; 14 services; 15 (B) does not include 16 (ii) a correctional facility; 17 (ii) an emergency shelt	2	(9) intermediate care facilities for individuals with an intellectual
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28 (iii) a program licensed under AS 47.10.310 for	26	(i) a correctional facility;
	27	(ii) an emergency shelter;
29 runaway minors;	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) ₂	30	(iv) a type of entity listed in AS 47.32.010(b)(6) - (11) ₂
31 <u>(16),</u> or (c)(2);	31	<u>(16),</u> 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.