

A M E N D M E N T

OFFERED IN THE HOUSE
TO: HB 148

BY REPRESENTATIVE SEATON

1 Page 2, line 13, following "program":

2 Insert ";

3 (4) the Department of Health and Social Services shall establish prevention of
4 disease as a primary model of health care in the state, as requested by the legislature in
5 Legislative Resolve 16 of the Twenty-Seventh Alaska State Legislature"

6

7 Page 2, following line 16:

8 Insert a new bill section to read:

9 **** Sec. 3.** AS 47.05.010 is amended to read:

10 **Sec. 47.05.010. Duties of department.** The Department of Health and Social
11 Services shall

12 (1) administer adult public assistance, the Alaska temporary assistance
13 program, and all other assistance programs, and receive and spend money made
14 available to it;

15 (2) adopt regulations necessary for the conduct of its business and for
16 carrying out federal and state laws granting adult public assistance, temporary cash
17 assistance, diversion payments, or self-sufficiency services for needy families under
18 the Alaska temporary assistance program, and other assistance;

19 (3) establish minimum standards for personnel employed by the
20 department and adopt necessary regulations to maintain those standards;

21 (4) require those bonds and undertakings from persons employed by it
22 that, in its judgment, are necessary, and pay the premiums on them;

23 (5) cooperate with the federal government in matters of mutual

1 concern pertaining to adult public assistance, the Alaska temporary assistance
2 program, and other forms of public assistance;

3 (6) make the reports, in the form and containing the information, that
4 the federal government from time to time requires;

5 (7) cooperate with the federal government, its agencies, or
6 instrumentalities in establishing, extending, and strengthening services for the
7 protection and care of homeless, dependent, and neglected children in danger of
8 becoming delinquent, and receive and expend funds available to the department by the
9 federal government, the state, or its political subdivisions for that purpose;

10 (8) cooperate with the federal government in adopting state plans to
11 make the state eligible for federal matching in appropriate categories of assistance, and
12 in all matters of mutual concern, including adoption of the methods of administration
13 that are found by the federal government to be necessary for the efficient operation of
14 welfare programs;

15 (9) adopt regulations, not inconsistent with law, defining need,
16 prescribing the conditions of eligibility for assistance, and establishing standards for
17 determining the amount of assistance that an eligible person is entitled to receive; the
18 amount of the assistance is sufficient when, added to all other income and resources
19 available to an individual, it provides the individual with a reasonable subsistence
20 compatible with health and well-being; an individual who meets the requirements for
21 eligibility for assistance shall be granted the assistance promptly upon application for
22 it;

23 (10) grant to a person claiming or receiving assistance and who is
24 aggrieved because of the department's action or failure to act, reasonable notice and an
25 opportunity for a fair hearing by the office of administrative hearings (AS 44.64.010),
26 and the department shall adopt regulations relative to this;

27 (11) enter into reciprocal agreements with other states relative to
28 public assistance, welfare services, and institutional care that are considered advisable;

29 (12) establish the requirements of residence for public assistance,
30 welfare services, and institutional care that are considered advisable, subject to the
31 limitations of other laws of the state, or law or regulation imposed as conditions for

1 federal financial participation;

2 (13) establish the divisions and local offices that are considered
3 necessary or expedient to carry out a duty or authority assigned to it and appoint and
4 employ the assistants and personnel that are necessary to carry on the work of the
5 divisions and offices, and fix the compensation of the assistants or employees, except
6 that a person engaged in business as a retail vendor of general merchandise, or a
7 member of the immediate family of a person who is so engaged, may not serve as an
8 acting, temporary, or permanent local agent of the department, unless the
9 commissioner of health and social services certifies in writing to the governor, with
10 relation to a particular community, that no other qualified person is available in the
11 community to serve as local welfare agent; for the purposes of this paragraph, a
12 "member of the immediate family" includes a spouse, child, parent, brother, sister,
13 parent-in-law, brother-in-law, or sister-in-law;

14 (14) provide education and health-related services and referrals
15 designed to reduce the number of out-of-wedlock pregnancies and the number of
16 induced pregnancy terminations in the state;

17 (15) investigate reports of abuse, neglect, or misappropriation of
18 property by certified nurse aides in facilities licensed by the department under
19 AS 47.32;

20 (16) establish state policy relating to and administer federal programs
21 subject to state control as provided under 42 U.S.C. 3001 - 3058ee (Older Americans
22 Act of 1965), as amended, and related federal regulations;

23 (17) administer the older Alaskans service grants under AS 47.65.010 -
24 47.65.050 and the adult day care and family respite care grants under AS 47.65.100;

25 **(18) establish guidelines for medical assistance providers to develop**
26 **health care delivery models that encourage adequate nutrition and disease**
27 **prevention.**"

28
29 Renumber the following bill sections accordingly.

30
31 Page 9, line 12:

1 Delete "sec. 10"

2 Insert "sec. 11"

3

4 Page 9, line 17:

5 Delete "10"

6 Insert "11"

7

8 Page 9, line 23:

9 Delete "Sections 13 and 14"

10 Insert "Sections 14 and 15"

11

12 Page 9, line 24:

13 Delete "by sec. 16"

14 Insert "in sec. 17"