

## Article 01. MENTAL HEALTH TRUST AUTHORITY

### Chapter 47.30 MENTAL HEALTH

**Sec. 47.30.010. [Repealed, Sec. 7 ch 84 SLA 1981].** Repealed or Renumbered

**Sec. 47.30.011. Alaska Mental Health Trust Authority.** (a) The Alaska Mental Health Trust Authority is established as a public corporation of the state within the Department of Revenue.

(b) The purpose of the authority is to ensure an integrated comprehensive mental health program and to administer the office of the long term care ombudsman established in [AS 47.62.010](#).

(c) The authority

(1) shall, as provided in [AS 37.14.009](#), administer the trust established under the Alaska Mental Health Enabling Act of 1956;

(2) may sue and be sued;

(3) may retain the services of independent counsel when, in the judgment of the authority's board of trustees, independent counsel is needed;

(4) shall insure or indemnify and protect the board, a member of the board, or an agent or employee of the authority against financial loss and expense, including reasonable legal fees and costs, arising out of a claim, demand, suit, or judgment by reason of alleged negligence, alleged violation of civil rights, or alleged wrongful act resulting in death or bodily injury to a person or accidental damage to or destruction of property if the board member, agent, or employee, at the time of the occurrence, was acting under the direction of the authority within the course or scope of the duties of the board member, agent, or employee;

(5) shall exercise the powers granted to it under [AS 37.14.041](#), subject to the limitations imposed by [AS 37.14.045](#); and

(6) shall administer the office of the long term care ombudsman established in [AS 47.62.010](#).

(d) The provisions of [AS 44.62.330](#) - 44.62.630 do not apply to the Alaska Mental Health Trust Authority.

**Sec. 47.30.016. Board establishment, membership, quorum, fees, and expenses.** (a) The authority shall be governed by its board of trustees.

(b) The board consists of seven members appointed by the governor and confirmed by the legislature. The members appointed under this subsection shall be appointed

(1) based upon their ability in financial management and investment, in land management, or in services for the beneficiaries of the trust;

(2) after the governor has considered a list of persons prepared by a

panel of six persons who are beneficiaries, or who are the guardians, family members, or representatives of beneficiaries; the panel shall consist of

(A) one person selected by the Alaska Mental Health Board established by [AS 47.30.661](#);

(B) one person selected by the Governor's Council on Disabilities and Special Education;

(C) one person selected by the Advisory Board on Alcoholism and Drug Abuse established by [AS 44.29.100](#);

(D) one person selected by the Alaska Commission on Aging established by [AS 47.45.200](#);

(E) one person selected by the Alaska Native Health Board; and

(F) one person selected by the authority.

(c) A member of the board appointed by the governor under (b) of this section may not

(1) be an officer or employee of the state; or

(2) within the preceding two years or during the member's term of office have an interest in, served on the governing board of, or been employed by an organization that has received, during that same period, money from the mental health trust settlement income account under a grant or contract for services.

(d) A quorum of the board is four members.

(e) A member of the board is entitled to

(1) an honorarium of \$200 for each day or any part of a day spent at a meeting of the board, at a meeting of a subcommittee of the board, or as a representative of the board; and

(2) per diem and travel expenses authorized for boards and commissions under [AS 39.20.180](#).