

SENATE BILL NO. 174

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY SENATOR MICCICHE

Introduced: 2/2/18

Referred: Health and Social Services

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Department of Health and Social Services; and**
2 **relating to the administration of programs for persons with physical and mental**
3 **disabilities."**

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

5 * **Section 1.** AS 47.80 is amended by adding a new section to article 3 to read:

6 **Sec. 47.80.095. Legislative findings related to persons with disabilities;**
7 **policy.** (a) The legislature finds that

8 (1) self-direction and autonomy enhance quality of life, support
9 independence, build self-confidence, and generate skills that help people protect
10 themselves from abuse;

11 (2) the people of the state share a vision of a flexible system of support
12 for persons with physical and mental disabilities that allows persons with physical and
13 mental disabilities to participate actively, with assistance based on each person's
14 strengths and abilities, in managing their own support services so that all persons with

1 physical and mental disabilities can achieve a meaningful life in their homes, jobs, and
2 communities; and

3 (3) as a part of this vision, professional staff and support services
4 should be made available to families of persons with physical and mental disabilities
5 throughout the state now and into the future.

6 (b) It is the policy of the state that the department and the legislature consider
7 the vision of support services described in (a) of this section when determining the
8 need for new and existing services for persons with physical and mental disabilities
9 and establishing priorities among those needs. It is also the policy of the state to
10 encourage and enable persons with physical and mental disabilities to participate fully
11 in the social and economic life of the state.

12 (c) Nothing in this section

13 (1) creates a right;

14 (2) supersedes another law relating to eligibility for programs for
15 persons with physical or mental disabilities; or

16 (3) authorizes the department to apply for a waiver under 42 U.S.C.
17 1396n(j) to provide medical assistance payments for self-directed personal assistance
18 services.

19 * Sec. 2. AS 47.80.130(a) is amended to read:

20 (a) The department shall

21 (1) develop budgets and receive and distribute appropriations and
22 funds under this section;

23 (2) adopt regulations regarding standards of services and facilities for
24 persons with disabilities and the quality of services and the process by which services
25 are to be delivered;

26 (3) adopt any other regulations necessary to implement this chapter;

27 (4) provide technical assistance to public and private agencies in
28 planning, developing, and implementing programs to serve persons with disabilities;

29 (5) operate programs and facilities and enter into agreements,
30 contracts, or grants necessary to provide services required under this chapter;

31 (6) take the actions and undertake the obligations that are necessary to

1 participate in federal grant-in-aid programs and accept federal or other financial aid
2 for the study, examination, care, and treatment of persons with disabilities;

3 (7) take a flexible approach to administering programs for persons
4 with disabilities that allows each person to participate actively, with assistance
5 based on the person's strengths and abilities, in managing the person's support
6 services so that the person can achieve a meaningful life in the person's home,
7 job, and community.