

HB60 OVERVIEW

Short Title: DFCS/DOH: DUTIES/LICENSING/INFO; RUNAWAYS

Working Title: EO 121 Clean Up Bill

Sponsor: Rules Committee by Request of the Governor

Summary: HB60 makes make minor statutory changes to support the continued successful implementation of Executive Order 121 (EO 121).

Background: Executive Order 121 (EO121) to reorganize the Department of Health and Social Services into two departments was introduced on the first day of the 2022 legislative session. The Alaska Constitution Article III, Section 23 authorizes the governor to make changes to the organization of the executive branch.

Executive Orders cannot make substantive changes to programs and may not be amended once introduced. Executive Orders become law 60 days after introduction unless a majority of the Legislature disapproves the EO in joint session.

EO121 became law on March 21, 2022 and went into effect on July 1, 2022.

The bill accomplishes the following:

- Ensures that the new Department of Health and Department of Family and Community Services share information, including confidential protected health information, as necessary to administer programs and serve Alaskans. The necessity of including this provision was identified during consideration of EO121.
- Adds the Commissioner of the Department of Family and Community Services to the advisory board of the Alaska Mental Health Trust. Inclusion of the DFCS commissioner to this role was identified during drafting of EO121, but we removed to avoid making “substantive” changes to programs via the executive order.
- Clarifies statute related to the licensing duties assigned to the former Department of Health and Social Services licensing related to runaway shelters and foster homes. These citations were incorrectly assigned during the drafting of EO 121.

Amendment Explanation: AS 18.65.340(f)(1) defines "department" as "a department of state government listed in AS 44.17.005(2) - (15)". Section 26 of Executive Order 121 amends AS 44.17.005 by adding "Department of Family and Community Services" as paragraph (16).

EO 121 lacked a conforming change to AS 18.65.340(f)(1). Therefore, the Department of Family and Community Services is currently not included in the definition of "department" for purposes of AS 18.65.340.

For more information on HB 60 please contact:

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