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SB 8 - REPEAL CERTIFICATE OF NEED PROGRAM Sectional Analysis

Sections 1-3: AS 12.25.030(e) & AS 12.55.155(c)(36)

PAGE 1, LINE 4 - PAGE 2, LINE 4:

Makes conforming amendments to AS 18.20.400 and AS 18.20.499 to eliminate references to AS 18.07.111, which is repealed under sections 9 and 10 of the bill.

Section 4: AS 18.20.400(c)

PAGE 2, LINE 8 – PAGE 4, LINE 10:

Makes a conforming amendment to AS 18.26.220 by removing references to repealed sections of law.

Section 5: AS 18.20.400

PAGE 4, LINES 11 - 23:

Makes a conforming amendment to AS 18.20.200(c)(7)(A)(i), which defines a “residential psychiatric treatment center” licensed by the Department of Family and Community Services.

Section 6: AS 18.20.499(2)

PAGE 4, LINE 24 – PAGE 5, LINE 5:

Makes conforming amendments to AS 18.20.499(2) to eliminate references to AS 18.07.111, which is repealed under sections 9 and 10 of the bill.

Section 7: AS 18.26.220

PAGE 5, LINES 6 – 16:

Repeals a section of uncodified law, section 4, chapter 275, SLA 1976, which provided a transition to allow medical facilities in existence or under construction before July 1, 1976 to obtain a certificate of need.

Section 8: AS 18.35.399(9)

PAGE 5, LINES 17 - 29:

Makes a conforming amendment that removes the reference to the “certificate of need” statute AS 18.07.111, and replaces it with the updated statute reference under AS 18.20.400 (d), “Definitions”.

Section 9: AS 18.07.021 - 18.07.111; AS 21.86.030(c)(1); AS 44.64.030(a)(18); and AS 47.80.140(b)

PAGE 5, LINE 30 – PAGE 6, LINE 1:

Repeals all of AS 18.07, which describes the certificate of need program for health care facilities, and AS 21.86.030(c)(1), AS 44.64.030(a)(18), and AS 47.80.140(b), which also relate to the certificate of need program.

Section 10: Section 4, ch. 275, SLA 1976, is repealed:

PAGE 6, LINE 2:

Repeals section 4, chapter 275, SLA 1976.

Section 11: Certificate of Need; Applicability:

PAGE 6, LINE 3 – LINE 8:

Amends uncodified law and provides that the Department of Health may not take action on or after the effective date of sections 1- 11 to revoke, enforce, or modify a certificate of need issued to a health care facility before the effective date of sections 1-11 of this Act.

Section 12:

PAGE 6, LINES 9 - LINE 14:

Amends uncodified law by adding a new subsection that directs the Department of Family and Community Services to create necessary regulations by July 1, 2025, to implement the changes made by this Act by, but not before the effective date of sections 1-11 of the Act.

Section 13:

PAGE 6, LINE 15:

States that section 12 of this Act takes effect immediately under AS 01.10.070(c).

Section 14:

PAGE 6, LINE 16:

States that, except as provided in section 13 of this Act, this Act takes effect July 1, 2026.