



LAWS OF ALASKA

1989

Source

CSHB 70(Fin)

Chapter No.

45

AN ACT

Extending the termination date of the Board of Pharmacy; relating to substitution of generic drugs that are therapeutically equivalent; relating to pharmaceutical medical assistance for needy persons; changing the order of priority for eliminating medical assistance coverage for certain services; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 14

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: May 26, 1989
Actual Effective Date: Sections 1 and 3 - 5 take effect
July 1, 1989; section 2 is conditional

AN ACT

Extending the termination date of the Board of Pharmacy; relating to substitution of generic drugs that are therapeutically equivalent; relating to pharmaceutical medical assistance for needy persons; changing the order of priority for eliminating medical assistance coverage for certain services; and providing for an effective date.

* Section 1. AS 08.03.010(c)(4) is amended to read:

(4) Board of Pharmacy (AS 08.80.010) -- June 30, 1993 [1989].

* Sec. 2. AS 08.80.460(b) is repealed and reenacted to read:

(b) A person who violates AS 08.80.295 is guilty of a violation.

* Sec. 3. AS 47.07.030(b) is amended to read:

(b) In addition to the mandatory services specified in (a) of this section, the department may offer only the following optional services: case management and nutrition services for pregnant women; personal care services in a recipient's home; emergency hospital services; long-term care noninstitutional services; medical supplies and equipment; clinic services; inpatient psychiatric facility services for individuals age 65 or older and individuals under age 21; prescribed drugs; physical therapy; occupational therapy; chiropractic services; treatment of speech, hearing, and language disorders; adult dental services; prosthetic devices and eyeglasses; optometrists'

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services; intermediate care facility services, including intermediate care facility services for the mentally retarded; skilled nursing facility services for individuals under age 21; and reasonable transportation to and from the point of medical care.

* Sec. 4. AS 47.07.035 is amended to read:

Sec. 47.07.035. PRIORITY OF MEDICAL ASSISTANCE. If the department finds that the cost of medical assistance for all persons eligible under this chapter will exceed the amount allocated in the state budget for that assistance for the fiscal year, the department shall eliminate coverage for optional medical services and optionally eligible groups of individuals in the following order:

- (1) chiropractic services;
- (2) adult dental services;
- (3) emergency hospital services;
- (4) treatment of speech, hearing, and language disorders;
- (5) optometrists' services and eyeglasses;
- (6) occupational therapy;
- (7) prosthetic devices;
- (8) medical supplies and equipment;
- (9) clinic services;
- (10) physical therapy;
- (11) personal care services in a recipient's home;
- (12) prescribed drugs;
- (13) long-term care noninstitutional services;
- (14) [(13)] inpatient psychiatric facility services;
- (15) [(14)] intermediate care facility services for the mentally retarded;
- (16) [(15)] intermediate care facility services;
- (17) [(16)] pregnant women, and children five years of age

or younger, with a household income that does not exceed 100 percent of the federal poverty level;

(18) [(17)] individuals under age 21 who are not eligible for benefits under the federal aid to families with dependent children program because they are not deprived of one or more of their natural or adoptive parents;

(19) [(18)] skilled nursing facility services for persons under age 21;

(20) [(19)] aged, blind, and disabled individuals who, because they do not meet the income requirements, do not receive supplemental security income under Title XVI of the Social Security Act, but who are eligible, or would be eligible if they were not in a skilled nursing facility or intermediate care facility, to receive an optional state supplementary payment;

(21) [(20)] individuals in a hospital, skilled nursing facility, or intermediate care facility whose income while in the facility does not exceed 300 percent of the supplemental security income benefit rate under Title XVI of the Social Security Act, but who, because of income, are not eligible for the optional state supplementary payment;

(22) [(21)] individuals under age 21 under supervision of the department, for whom maintenance is being paid in whole or in part from public money and who are in foster homes or private child-care institutions.

* Sec. 5. AS 47.07 is amended by adding a new section to read:

Sec. 47.07.065. PAYMENT FOR PRESCRIBED DRUGS. The department shall pay for prescribed drugs under AS 47.07.030(b) under regulations adopted by the commissioner in conformity with applicable federal regulations.

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1 * Sec. 6. Section 2 of this Act takes effect January 1, 1990, unless by
2 that date the director of the division of occupational licensing has certi-
3 fied to the revisor of statutes that the Board of Pharmacy has adopted
4 regulations establishing the schedule of civil fines required under AS 08.-
5 80.460(b).

6 * Sec. 7. Sections 1 and 3 - 5 of this Act take effect July 1, 1989.
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