



# LAWS OF ALASKA

1993

**Source**

SCS CSHB 67(FIN)(efd fld)

**Chapter No.**

29

**AN ACT**

Relating to eligibility for and payments of public assistance.

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** May 26, 1993  
**Actual Effective Date:** August 24, 1993

AN ACT

1 Relating to eligibility for and payments of public assistance.

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3 \* **Section 1.** AS 47.25.320(a) is amended to read:

4 (a) The department shall determine the amount of assistance for a dependent  
5 child, and the relative with whom the dependent child is living, with regard to the  
6 resources and necessary expenditures of the family and the condition existing in each  
7 case. Assistance is sufficient if, when added to all other income and support available  
8 to the child, the child and relative have reasonable subsistence compatible with  
9 decency and health. However, the amount of assistance may not exceed the following:

10 (1) dependent child living with nonneedy relative: for a dependent  
11 child [UNDER AGE 18] who is living in the home of a nonneedy relative, \$452  
12 [\$200], plus \$102 for [AN ADDITIONAL \$200 FOR THE SECOND CHILD, AND  
13 \$65 A CHILD FOR THE THIRD AND] each additional child;

14 (2) dependent child living with parent:

15 (A) for a parent and one dependent child [UNDER 18], a

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1 maximum of \$821 [\$500];

2 (B) [REPEALED

3 (C)] for each additional dependent child, or for a second  
4 parent, \$102 [UNDER AGE 18, \$65] a month per individual [CHILD];

5 (3) pregnant woman who is otherwise eligible for assistance under this  
6 section, or [ : AN AMOUNT EQUAL TO THE ASSISTANCE RECEIVED BY] a  
7 single-person household that does not consist of a dependent child: \$514 [UNDER  
8 THIS SECTION AS DETERMINED BY THE DEPARTMENT PLUS A SPECIAL  
9 NEEDS ALLOWANCE NOT TO EXCEED \$20] a month.

10 \* Sec. 2. AS 47.25.320(d) is amended to read:

11 (d) If benefits under 42 U.S.C. 1381 - 1383 [42 U.S.C. 1381 - 1385] (Social  
12 Security Act Supplemental Security Income Program) are increased because of an  
13 increase in the cost of living and the legislature has appropriated money  
14 specifically for the purpose of increasing the monetary maximums in (a) of this  
15 section because of the increase in federal benefits, the department shall increase the  
16 monetary maximums in (a) of this section by a percentage equal to the percentage  
17 increase in the benefits under 42 U.S.C. 1381 - 1383; this increase in the monetary  
18 maximums takes effect on the same day that the corresponding federal increase  
19 in benefits under 42 U.S.C. 1381 - 1383 takes effect [42 U.S.C. 1381 - 1385].

20 \* Sec. 3. AS 47.25.320 is amended by adding a new subsection to read:

21 (g) The department may adopt regulations to establish a monthly need standard  
22 for a dependent child and the relative with whom the dependent child is living that  
23 equals or exceeds the monetary maximums set in (a) of this section.

24 \* Sec. 4. AS 47.25.430(b) is amended to read:

25 (b) The department shall determine the amount of assistance with regard to the  
26 resources and needs of the person and the conditions existing in each case. Assistance  
27 shall be in an amount that will provide the applicant with reasonable subsistence  
28 compatible with decency and health in accordance with standards established by the  
29 department and with the standards established under 42 U.S.C. 1381 - 1383 [42 U.S.C.  
30 1381 - 1385] (Title XVI, Social Security Act Supplemental Security Income Program).  
31 Direct payments for medical services and remedial care may not be considered

1 in determining the maximum amount payable. When benefit amounts under 42  
2 U.S.C. 1381 - 1383 [42 U.S.C. 1381 - 1385] are increased as a result of an increase  
3 in the cost of living, the state shall pass along the increase to recipients and shall  
4 increase the amount of the state contribution to recipients, other than those receiving  
5 a personal needs allowance, by a percentage of the state contribution equal to the  
6 percentage increase in the benefit amounts under 42 U.S.C. 1381 - 1383 if the  
7 legislature has appropriated money specifically for the purpose of increasing the  
8 state contribution because of an increase in federal benefit amounts under 42  
9 U.S.C. 1381 - 1383; this increase in the state contribution takes effect on the same  
10 day that the corresponding federal increase in benefits under 42 U.S.C. 1381 -  
11 1383 takes effect [42 U.S.C. 1381 - 1385. DIRECT PAYMENTS FOR MEDICAL  
12 SERVICES AND REMEDIAL CARE MAY NOT BE CONSIDERED IN  
13 DETERMINING THE MAXIMUM AMOUNT PAYABLE].

14 \* Sec. 5. AS 47.25.430 is amended by adding a new subsection to read:

15 (e) Notwithstanding (a) and (b) of this section, the department shall, in a  
16 manner that complies with federal requirements, reduce the maximum state  
17 contribution to recipients otherwise payable on the effective date of this bill section  
18 to the maximum state contribution to recipients that was in effect on January 1, 1992.  
19 On and after the effective date of this bill section, the department shall, in a manner  
20 that complies with federal requirements, calculate the amount of monthly assistance  
21 for a recipient based on the maximum state contribution to recipients in effect on  
22 January 1, 1992, as modified by any increase under (b) of this section.

23 \* Sec. 6. AS 47.25.455 is amended by adding new subsections to read:

24 (c) A person applying for assistance under this section shall, as a condition of  
25 eligibility for assistance, agree to repay the state for assistance granted upon the  
26 person's receipt of a benefit under 42 U.S.C. 1381 - 1383 for a month in which the  
27 person received interim assistance under this section. The monthly repayment required  
28 by this subsection may not exceed the amount of assistance that the person received  
29 under 42 U.S.C. 1381 - 1383 for that month.

30 (d) Beginning the first full month after a person is determined to be eligible  
31 for assistance under 42 U.S.C. 1381 - 1383, the department shall terminate interim

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1 assistance to that person under this section and begin payments to the person under  
2 AS 47.25.430.

3 \* Sec. 7. AS 47.25.320(e) is repealed.

4 \* Sec. 8. TRANSITION FOR REGULATIONS. The Department of Health and Social  
5 Services shall adopt regulations necessary to implement this Act, consistent with federal  
6 requirements. The regulations take effect under AS 44.62 (Administrative Procedure Act), but  
7 not before the effective date of secs. 1 - 7 of this Act.