

HOUSE BILL NO. 369

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/28/98

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to Medicaid coverage for certain eligible children and pregnant
2 women; relating to primary care case management and managed care services
3 as optional services and to premiums and cost-sharing contributions under the
4 Medicaid program; establishing the Healthy Families Alaska program; and
5 providing for an effective date."

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

7 * **Section 1.** AS 47.07.020(b) is amended by adding new paragraphs to read:

8 (12) persons under age 19 who are not covered under (a) of this section
9 and whose household income does not exceed 200 percent of the federal poverty line
10 as defined by the federal office of management and budget and revised under
11 42 U.S.C. 9902(2);

12 (13) pregnant women who are not covered under (a) of this section and
13 whose household income does not exceed 200 percent of the federal poverty line as

1 defined by the federal office of management and budget and revised under
2 42 U.S.C. 9902(2).

3 * **Sec. 2.** AS 47.07.020 is amended by adding a new subsection to read:

4 (i) The department may allow a person under 19 years of age who is
5 determined to be eligible for benefits under this chapter to remain eligible for those
6 benefits for up to 11 calendar months following the month that the person is
7 determined eligible for benefits or until the person is 19 years old, whichever occurs
8 earlier.

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

10 (b) In addition to the mandatory services specified in (a) of this section **and**
11 **the services provided under (d) of this section**, the department may offer only the
12 following optional services: case management and nutrition services for pregnant
13 women; personal care services in a recipient's home; emergency hospital services;
14 long-term care noninstitutional services; medical supplies and equipment; advanced
15 nurse practitioner services; clinic services; rehabilitative services for substance abusers
16 and emotionally disturbed or chronically mentally ill adults; targeted case management
17 services for substance abusers, chronically mentally ill adults, and severely emotionally
18 disturbed persons under the age of 21; **targeted case management services for**
19 **pregnant women and for children under the age of five; comprehensive**
20 **pregnancy-related services**; inpatient psychiatric facility services for individuals age
21 65 or older and individuals under age 21; psychologists' services; clinical social
22 workers' services; midwife services; prescribed drugs; physical therapy; occupational
23 therapy; chiropractic services; low-dose mammography screening, as defined in
24 AS 21.42.375(e); hospice care; treatment of speech, hearing, and language disorders;
25 adult dental services; prosthetic devices and eyeglasses; optometrists' services;
26 intermediate care facility services, including intermediate care facility services for the
27 mentally retarded; skilled nursing facility services for individuals under age 21; and
28 reasonable transportation to and from the point of medical care.

29 * **Sec. 4.** AS 47.07.030(d) is repealed and reenacted to read:

30 (d) The department may establish as optional services a primary care case
31 management system or a managed care organization contract in which certain eligible

1 individuals are required to enroll and seek approval from a case manager or the
 2 managed care organization before receiving certain services. The department shall
 3 establish enrollment criteria and determine eligibility for services consistent with
 4 federal and state law.

5 * **Sec. 5.** AS 47.07.042(a) is amended to read:

6 (a) Except as provided in (b) - (d) [(b) AND (c)] of this section, the state plan
 7 developed under AS 47.07.040 shall impose deductible, coinsurance, and copayment
 8 requirements [OR SIMILAR CHARGES] on persons eligible for assistance under this
 9 chapter to the maximum extent allowed under federal law and regulations. The plan
 10 must provide that health care providers shall collect the allowable charge. The
 11 department shall reduce payments to each provider by the amount of the allowable
 12 charge. A provider may not deny services because a recipient is unable to share costs,
 13 but an inability to share costs imposed under this section does not relieve the recipient
 14 of liability for the costs.

15 * **Sec. 6.** AS 47.07.042 is amended by adding a new subsection to read:

16 (d) In addition to the requirements established under (a) and (b) of this section,
 17 the department may require premiums or cost-sharing contributions from recipients
 18 who are eligible for benefits under AS 47.07.020(b)(12) or (13) and whose household
 19 income is between 150 and 200 percent of the federal poverty line. If the department
 20 requires premiums or cost-sharing contributions under this subsection, the department

21 (1) shall adopt in regulation a sliding scale for those premiums or
 22 contributions based on household income;

23 (2) may not exceed the maximums allowed under federal law; and

24 (3) shall implement a system by which the department or its designee
 25 collects those premiums or contributions.

26 * **Sec. 7.** AS 47.07.900(19) is amended to read:

27 (19) "targeted case management services" means case management
 28 services

29 (A) for substance abusers, chronically mentally ill adults, and
 30 severely emotionally disturbed persons under age 21 that are provided by

31 (i)[(A)] a drug or alcohol treatment center that is funded

1 with a grant under AS 47.30.475; or

2 (ii)[(B)] an outpatient community mental health clinic
3 that has a contract to provide community mental health services under
4 AS 47.30.520 - 47.30.620; or

5 (B) that will assist pregnant women and families of children
6 under the age of five in gaining access to needed medical, social,
7 educational, or other services under AS 47.19.

8 * **Sec. 8.** AS 47.07.900 is amended by adding a new paragraph to read:

9 (20) "comprehensive pregnancy-related services" means all mandatory
10 and optional medical services that

11 (A) are established under AS 47.07.030, even though coverage
12 for the services may have been eliminated under AS 47.07.035;

13 (B) may be greater in amount, duration, or scope than is
14 generally available to other Medicaid recipients, if allowed by AS 47.07 and
15 federal law; and

16 (C) are pregnancy-related or related to any other condition that
17 may complicate the recipient's pregnancy.

18 * **Sec. 9.** AS 47 is amended by adding a new chapter to read:

19 **Chapter 19. Healthy Families Alaska Program.**

20 **Sec. 47.19.010. Purpose.** The purpose of this chapter is to prevent poor
21 childhood outcomes, including abuse and neglect, by making available education and
22 support services to all pregnant women and families of children under the age of five,
23 including newborn infants, by providing early intervention family support services to
24 pregnant women and families eligible under this chapter and facing the greatest
25 challenges.

26 **Sec. 47.19.020. Establishment of program.** (a) The department shall
27 establish a coordinated, comprehensive, statewide Healthy Families Alaska program
28 that provides appropriate prevention and early intervention family support services to
29 pregnant women and families of children under the age of five.

30 (b) The Healthy Families Alaska program shall

31 (1) be centered on the family and focused on individual family needs;

1 (2) serve eligible pregnant women and families who volunteer for the
2 program;

3 (3) provide education and support services to families to reduce the risk
4 of poor childhood outcomes, including child abuse and neglect, and to contribute to
5 positive, healthy, child-rearing practices;

6 (4) provide targeted case management and assist pregnant women and
7 families in accessing needed services;

8 (5) initiate services during pregnancy or as early as possible after the
9 birth of an infant; and

10 (6) continue services to the family for up to three to five years, using
11 criteria defined in regulation to increase or decrease the scope or type of services.

12 (c) Program services shall be provided in a culturally appropriate and
13 collaborative manner by community-based private, nonprofit corporations, including
14 regional Native health corporations; Indian Reorganization Act and traditional councils;
15 municipal governments; or a combination of these entities.

16 **Sec. 47.19.030. Eligibility.** Pregnant women, children under the age of five,
17 and families of children under the age of five are eligible for services under this
18 chapter if they or their families volunteer for the program and are determined to be
19 able to benefit from the services provided under the program.

20 **Sec. 47.19.040. Duties of the department.** The department shall

21 (1) organize and encourage training programs for persons who provide
22 services under this chapter;

23 (2) establish a training program for paraprofessionals who provide
24 services under this chapter;

25 (3) identify and use all appropriate public and private resources
26 available to the state to provide needed services to the families eligible for this
27 program;

28 (4) issue contracts or grants for the provision of services under this
29 chapter;

30 (5) establish a comprehensive system for screening pregnant women
31 and families of children under the age of five who are eligible for services under this

1 chapter;

2 (6) establish the priority of services provided if available money is
3 insufficient to provide services to all persons who are eligible under this chapter;

4 (7) facilitate the coordination among public agencies or service
5 providers supplying services under this program, the resolution of disputes among
6 those agencies or providers about the provision of services under the program, and the
7 determination of financial responsibility of the respective persons for those services;

8 (8) ensure that services under the program are provided in a timely
9 manner pending the resolution of disputes among public agencies or service providers
10 as to the provision of or payment for those services;

11 (9) monitor and evaluate the services provided under the program and
12 establish a system for compiling data on the pregnant women, children, and families
13 in the state who are eligible for services, the numbers being served, and the types of
14 services provided; and

15 (10) adopt regulations necessary to implement or interpret this chapter.

16 **Sec. 47.19.050. Individualized family support plan.** (a) In consultation
17 with, and based on an assessment of, the eligible pregnant woman or the eligible
18 family, a written individualized family support plan shall be developed. The plan shall
19 include

20 (1) a description of the pregnant woman's or family's concerns,
21 priorities, resources, and goals for the child and family; and

22 (2) a description of the specific early intervention services that are
23 planned to help meet the unique needs of the child and the family.

24 (b) The plan required in (a) of this section shall be prepared within 45 days
25 after the initiation of service under the program. The plan shall be reviewed and
26 updated every six months that the pregnant woman, child, or family participates in the
27 program.

28 **Sec. 47.19.050. Confidentiality and access to records.** Medical, social, and
29 other client records received or developed under this chapter are confidential and are
30 not open to inspection, except as provided in regulations of the department to further
31 the purposes of the program or to better coordinate services. Nothing in this section

1 prohibits the department from releasing non-identifying information in aggregate form
2 for research or other purposes.

3 **Sec. 47.19.900. Definitions.** In this chapter

4 (1) "department" means the Department of Health and Social Services;

5 (2) "program" means the Healthy Families Alaska program.

6 * **Sec. 10.** TRANSITION: REGULATIONS. Notwithstanding sec. 12 of this Act, the
7 Department of Health and Social Services may proceed to adopt regulations necessary to
8 implement the changes made by this Act. The regulations take effect under AS 44.62
9 (Administrative Procedure Act), but not before the effective date of secs. 1 - 9 of this Act.

10 * **Sec. 11.** Section 10 of this Act takes effect immediately under AS 01.10.070(c).

11 * **Sec. 12.** Except as provided in sec. 11 of this Act, this Act takes effect July 1, 1998.