

**SENATE BILL NO. 41**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL

Introduced: 1/25/99

Referred: Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act making corrective amendments to the Alaska Statutes relating to certain  
2 repealed law as recommended by the revisor of statutes; and providing for an  
3 effective date."

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

5 \* **Section 1.** AS 47.05.017(a) is amended to read:

6 (a) State money may not be used for a home care provider unless **criminal**  
7 **justice information** [RECORDS] under **AS 12.62.160 is** [AS 12.62.035(a) ARE]  
8 requested for the provider within 10 business days after the provider is hired to provide  
9 the care and **is** [ARE] reviewed within five business days after **the criminal justice**  
10 **information is** [THEY ARE] received. The department shall require the grantee or  
11 contractor to do the **criminal justice information** [RECORDS] request and review  
12 required under this subsection for a home care provider employed by a person who has  
13 a grant or contract from the department to provide home care services.

14 \* **Sec. 2.** AS 47.14.100(h) is amended to read:

1 (h) The department may not pay for respite care, as defined in (d) of this  
 2 section, unless the department or the entity that has contracted with the department to  
 3 provide the respite care requests **criminal justice information** [RECORDS] under  
 4 **AS 12.62.160** [AS 12.62.035(a)] for the individual who provides the respite care within  
 5 10 business days after the individual is hired to provide respite care and reviews the  
 6 **criminal justice information** [RECORDS] within five business days after receiving  
 7 **the criminal justice information** [THEM].

8 \* **Sec. 3.** AS 47.35.130(a) is amended to read:

9 (a) In addition to the ground of violation of this chapter or a regulation  
 10 adopted under this chapter, the department may revoke, or decline to renew, a license  
 11 issued under this chapter on one or more of the following grounds:

12 (1) failure to submit a timely and complete renewal application;

13 (2) the indictment or charging by information or complaint, or a  
 14 criminal conviction within the last 10 years, of the licensee or administrator, foster  
 15 parent, member of the licensee's household, regular volunteer, or staff person for

16 (A) a felony;

17 (B) a misdemeanor crime of assault, reckless endangerment,  
 18 contributing to the delinquency of a minor, or misconduct involving a  
 19 controlled substance; or

20 (C) the crime of perjury, as defined in AS 11 or the laws of  
 21 another jurisdiction;

22 (3) the conviction, indictment, presentment, or charging of the licensee  
 23 or an administrator, foster parent, member of the licensee's household, regular  
 24 volunteer, or staff person at any time for a **violation or attempted violation of**  
 25 **AS 11.41.410 - 11.41.470, AS 11.61.110(a)(7), or AS 11.66.100 - 11.66.130; former**  
 26 **AS 11.15.120, 11.15.134, or 11.15.160; former AS 11.40.080, 11.40.110, 11.40.130,**  
 27 **or 11.40.200 - 11.40.420; or the laws of another jurisdiction if the offense would**  
 28 **have been a crime in this state under one of the sections listed in this paragraph**  
 29 **if committed in the state** [SEX CRIME AS DEFINED IN AS 12.62.035];

30 (4) obtaining or attempting to obtain or retain a license under this  
 31 chapter by fraudulent means, misrepresentation, or by submitting false information;

1 (5) failure to correct a violation noted in a report of investigation  
2 provided under AS 47.35.105(c) or 47.35.110(b);

3 (6) failure to comply with a final administrative order issued by the  
4 department under AS 47.35.120.

5 \* **Sec. 4.** AS 47.65.050(b) is amended to read:

6 (b) The commission may not make payments to a sponsor whose program  
7 includes family respite care services or home care services unless the sponsor has  
8 agreed to request **criminal justice information** [RECORDS] under **AS 12.62.160**  
9 [AS 12.62.035(a)] for the individual who will provide the services within 10 business  
10 days after the individual is hired to provide the services and review the **criminal**  
11 **justice information** [RECORDS] within five business days after receiving **the**  
12 **criminal justice information** [THEM].

13 \* **Sec. 5.** AS 47.65.100(e) is amended to read:

14 (e) The commission may not award a grant under this section for family  
15 respite care services or for adult day care services that include home care services  
16 unless the grantee has agreed to request **criminal justice information** [RECORDS]  
17 under **AS 12.62.160** [AS 12.62.035(a)] for the individual who will provide the services  
18 within 10 business days after the individual is hired to provide the services and review  
19 the **criminal justice information** [RECORDS] within five business days after  
20 receiving **the criminal justice information** [THEM].

21 \* **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).