

**HOUSE BILL NO. 299**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE OGAN**

**Introduced: 1/21/00**

**Referred: State Affairs, Health, Education and Social Services, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to rates charged in a Pioneers' Home."**

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

3 \* **Section 1.** AS 47.55.020(b) is amended to read:

4 (b) Every person admitted to the Pioneers' Home who receives income from  
5 any source in excess of \$100 per month may be required by the Department of  
6 Administration to pay the excess to the department immediately upon receipt of the  
7 money in payment, or part payment, of the cost of the person's care. However, the  
8 department may not require in any month the payment of an amount greater than the  
9 monthly rate set under **AS 47.55.030(f) plus ancillary charges prescribed under**  
10 **AS 47.55.030(b)** except to satisfy an indebtedness incurred under AS 47.55.070. The  
11 department may not evict a person from the Pioneers' Home if the income and assets  
12 of the person are insufficient to pay the monthly rate set under **AS 47.55.030(f) plus**  
13 **ancillary charges prescribed under** AS 47.55.030(b) and the person is otherwise in  
14 compliance with requirements under this chapter.

15 \* **Sec. 2.** AS 47.55.020(e) is amended to read:

1 (e) Notwithstanding AS 47.55.070 and (b) of this section, a resident whose  
2 income and assets are insufficient to pay the monthly rate set under **AS 47.55.030(f)**  
3 **and the ancillary charges set under** AS 47.55.030(b) qualifies for payment assistance  
4 if the resident is otherwise in compliance with requirements under this chapter. The  
5 amount of payment assistance shall equal the amount needed, when added to other  
6 income and assets of the resident, to pay the monthly rate set under **AS 47.55.030(f)**  
7 **and the ancillary charges set under** AS 47.55.030(b). Payment assistance received  
8 by a resident is a debt to the state. In determining the amount of payment assistance  
9 for which a resident qualifies, the following income and assets of a Pioneers' Home  
10 resident shall be disregarded:

11 (1) income from any source in an amount equal to at least \$100 per  
12 month as established by regulation of the Department of Administration;

13 (2) the following assets received under 43 U.S.C. 1601 - 1629e (Alaska  
14 Native Claims Settlement Act):

15 (A) cash dividends and other income equal to at least \$2,000  
16 as established by regulation of the Department of Administration;

17 (B) stock;

18 (C) noncash dividends from stock; and

19 (D) land;

20 (3) a permanent fund dividend issued under AS 43.23;

21 (4) veterans' benefits paid under 38 U.S.C. 1114;

22 (5) compensation to volunteers under the federal retired and senior  
23 volunteers (42 U.S.C. 5001), foster grandparents (42 U.S.C. 5011), and senior  
24 companion (42 U.S.C. 5013) programs made in accordance with 42 U.S.C. 5044(f);

25 (6) federal World War II restitution payments made under 50 U.S.C.  
26 1989b-4 and c-5;

27 (7) payments under AS 18.67 (crime victim compensation);

28 (8) an amount determined by regulation of the Department of  
29 Administration sufficient for burial expenses of the resident, the resident's spouse, and  
30 dependents of the resident;

31 (9) real property being used as the primary residence of the resident's

1 spouse or a dependent of the resident;

2 (10) other real or personal property equal to at least a total value of  
3 \$5,000 as established by regulation of the Department of Administration.

4 \* **Sec. 3.** AS 47.55.030(a) is amended to read:

5 (a) A person eligible for admission under AS 47.55.020 may on application  
6 be admitted to the home upon the person's agreement to pay to the state each month  
7 **the applicable** [AN] amount **specified in (f) of this section in addition to ancillary**  
8 **charges that may be prescribed by** the Department of Administration **under (b) of**  
9 **this section** [CONSIDERS SUFFICIENT TO COMPENSATE THE STATE FOR THE  
10 COST OF CARE AND SUPPORT OF THE PERSON AT THE HOME]. When this  
11 agreement is entered into, the Department of Administration may require security for  
12 the payments.

13 \* **Sec. 4.** AS 47.55.030(b) is amended to read:

14 (b) The Department of Administration shall adopt regulations **relating to**  
15 **ancillary charges that may be assessed against a resident** [ESTABLISHING A  
16 MONTHLY RATE FOR THE COMPENSATION A RESIDENT IS TO BE  
17 CHARGED UNDER (a) OF THIS SECTION. THE RATE CHARGED NEED NOT  
18 FULLY COMPENSATE THE STATE FOR THE COST OF CARE AND SUPPORT].  
19 The commissioner of administration shall review the **rates set under (f) of this**  
20 **section and the costs of care for residents of the home** [RATE] each year **for the**  
21 **purpose of making recommendations under AS 47.55.010. Notwithstanding any**  
22 **other provision of this chapter or of AS 44.21, the rates set under (f) of this**  
23 **section may not be changed by regulation.**

24 \* **Sec. 5.** AS 47.55.030 is amended by adding new subsections to read:

25 (f) A person admitted under (a) of this section shall pay a monthly rate as  
26 follows:

- 27 (1) for coordinated services - \$1,340;  
28 (2) for basic assisted living services - \$2,150;  
29 (3) for enhanced assisted living services - \$2,730;  
30 (4) for Alzheimer's disease and related disorders services - \$2,815;  
31 (5) for comprehensive services - \$3,395.

1 (g) In this section,

2 (1) "Alzheimer's disease and related disorders services" means, in  
3 addition to enhanced assisted living services, services as agreed upon and 24-hour  
4 supervision within an environment adapted to supporting the activities of daily living  
5 of persons with Alzheimer's disease and related disorders;

6 (2) "ancillary charges" means monthly charges for the cost of supplies,  
7 medication, equipment, and services beyond those covered by the rate specified in (f)  
8 of this section furnished to a home resident;

9 (3) "basic assisted living services" means the provision of housing,  
10 meals, emergency assistance, opportunities for recreation, and, as agreed upon,  
11 occasional cues and intermittent assistance with activities of daily living, health care,  
12 and recreation, but not including 24-hour supervision;

13 (4) "comprehensive services" means, in addition to the provision of  
14 housing, meals, emergency assistance, and opportunities for recreation, the provision  
15 to residents, as agreed upon, of assistance with activities of daily living, intermittent  
16 health care, 24-hour supervision, and one or more of the following:

17 (A) 24-hour skilled nursing care for up to 45 continuous days  
18 (infirmary services);

19 (B) extensive assistance with activities of daily living;

20 (C) care of the terminally ill;

21 (5) "coordinated services" means the provision of housing, meals,  
22 emergency assistance, and opportunities for recreation;

23 (6) "enhanced assisted living services" means, in addition to the basic  
24 assisted living services, the provision of assistance with activities of daily living and  
25 intermittent health care, as agreed upon, with 24-hour supervision.

26 \* **Sec. 6.** AS 47.55.070(a) is amended to read:

27 (a) The following expenses incurred for a Pioneers' Home resident under this  
28 chapter and not recoverable from a collateral source are a debt of the resident to the  
29 state and may be recovered during the life of the resident:

30 (1) costs of standard or nursing care provided in the Pioneers' Home  
31 each month to the resident not exceeding the **rates and charges** [RATE] established

1 [BY THE DEPARTMENT OF ADMINISTRATION] under AS 47.55.030, with credit  
2 given for any amounts paid by or collected from the resident;

3 (2) allowances paid under AS 47.55.020(c);

4 (3) [REPEALED

5 (4)] arrearages in fees for television and telephone services provided  
6 in the Pioneers' Home;

7 ~~(4)~~ [(5)] prescription medicine [; AND

8 (6) REPEALED].

9 \* **Sec. 7.** AS 47.55.030(c) and 47.55.030(d) are repealed.