

**SENATE BILL NO. 345**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

**BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Introduced: 3/4/02**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to medical assistance for rehabilitative services for certain children**  
2 **with disabilities; relating to agreements to pay medical assistance for covered services**  
3 **paid for or furnished to eligible children with disabilities by a school district; and**  
4 **providing for an effective date."**

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

6 **\* Section 1.** AS 47.07.030(b) is amended to read:

7 (b) In addition to the mandatory services specified in (a) of this section and the  
8 services provided under (d) of this section, the department may offer only the  
9 following optional services: case management and nutrition services for pregnant  
10 women; personal care services in a recipient's home; emergency hospital services;  
11 long-term care noninstitutional services; medical supplies and equipment; advanced  
12 nurse practitioner services; clinic services; rehabilitative services for **children eligible**  
13 **for services under AS 47.07.063**, substance abusers, and emotionally disturbed or  
14 chronically mentally ill adults; targeted case management services for substance

1 abusers, chronically mentally ill adults, and severely emotionally disturbed persons  
 2 under the age of 21; inpatient psychiatric facility services for individuals age 65 or  
 3 older and individuals under age 21; psychologists' services; clinical social workers'  
 4 services; midwife services; prescribed drugs; physical therapy; occupational therapy;  
 5 chiropractic services; low-dose mammography screening, as defined in  
 6 AS 21.42.375(e); hospice care; treatment of speech, hearing, and language disorders;  
 7 adult dental services; prosthetic devices and eyeglasses; optometrists' services;  
 8 intermediate care facility services, including intermediate care facility services for the  
 9 mentally retarded; skilled nursing facility services for individuals under age 21; and  
 10 reasonable transportation to and from the point of medical care.

11 \* **Sec. 2.** AS 47.07 is amended by adding a new section to read:

12 **Sec. 47.07.063. Payment for certain services furnished or paid for by a**  
 13 **school district.** (a) The department may pay medical assistance under this chapter to  
 14 a school district on behalf of an eligible child with a disability for services covered  
 15 under this chapter that are furnished or paid for by the school district if

16 (1) the school district and the department have entered into an  
 17 agreement requiring the school district to reimburse the department for any state  
 18 financial share required by the federal government;

19 (2) the services are

20 (A) included in the child's individualized education program  
 21 developed under AS 14.30.278; and

22 (B) otherwise eligible for reimbursement under this chapter;

23 (3) the child is a child with a disability who

24 (A) is eligible for medical assistance under this chapter for the  
 25 services; and

26 (B) complies with all applicable provisions of this chapter for  
 27 that assistance;

28 (4) the school district fully complies with billing, auditing, and  
 29 reporting required under the approved state plan described in AS 47.07.040;

30 (5) reimbursement of payment for the services under this section does  
 31 not exceed reimbursement allowable for the services under this chapter; and

1 (6) all other requirements of federal and state law are met.

2 (b) Notwithstanding any contrary provision of state law, the school district  
3 shall allow the department access to medical, financial, and other records of the child  
4 that are in the possession of the school district in order to verify eligibility for services  
5 under this chapter. The department shall keep information received under this  
6 subsection confidential to the same extent as the school district is required to keep the  
7 information confidential under law.

8 (c) The department may adopt regulations to carry out this section.

9 (d) In this section, unless the context otherwise requires,

10 (1) "child with a disability" has the meaning given in AS 14.30.350;

11 (2) "school district" has the meaning given the term "district" in  
12 AS 14.17.990, but includes a state boarding school established under AS 14.16.010.

13 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
14 read:

15 TRANSITION: REGULATIONS. The Department of Health and Social Services  
16 may proceed to adopt regulations necessary to carry out the changes made by this Act. The  
17 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the  
18 effective date of the statutory change.

19 \* **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

20 \* **Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect July 1, 2002.