

**ALASKA STATE LEGISLATURE
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES
STANDING COMMITTEE**

March 13, 2001
4:02 p.m.

MEMBERS PRESENT

Representative Fred Dyson, Chair
Representative Peggy Wilson, Vice Chair
Representative John Coghill
Representative Gary Stevens
Representative Vic Kohring
Representative Sharon Cissna
Representative Reggie Joule

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE CONCURRENT RESOLUTION NO. 7
Relating to proclaiming April 2001 as Sexual Assault Awareness Month.

- MOVED CSHCR 7(HES) OUT OF COMMITTEE

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76
"An Act authorizing the commissioner of health and social services to provide for the design and construction of psychiatric treatment facilities to replace the facilities of the Alaska Psychiatric Institute."

- HEARD AND HELD

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 77
"An Act relating to appropriations for the design and construction of a replacement facility or facilities for the Alaska Psychiatric Institute and for a grant to study the feasibility of locating certain health programs at the site of the Alaska Psychiatric Institute; and providing for an effective date."

- HEARD AND HELD

HOUSE BILL NO. 130

"An Act relating to the issuance of certificates of participation to finance demolition of all or part of the existing facility known as the Alaska Psychiatric Institute and construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into, and the issuance of certificates of participation in, a lease-purchase agreement for demolition of all or part of the existing facility known as the Alaska Psychiatric Institute and construction of a new facility to be known as the Alaska Psychiatric Institute; and providing for an effective date."

- HEARD AND HELD

PREVIOUS ACTION

BILL: HCR 7

SHORT TITLE: APRIL 2001 SEXUAL ASSAULT AWARENESS MONTH

SPONSOR(S): REPRESENTATIVE(S) MEYER

Jrn-Date	Jrn-Page		Action
02/23/01	0409	(H)	READ THE FIRST TIME - REFERRALS
02/23/01	0409	(H)	HES
03/13/01		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 76

SHORT TITLE: NEW FACILITIES FOR API

SPONSOR(S): REPRESENTATIVE(S) ROKEBERG

Jrn-Date	Jrn-Page		Action
01/19/01	0128	(H)	READ THE FIRST TIME - REFERRALS
01/19/01	0128	(H)	HES, FIN
02/14/01	0316	(H)	SPONSOR SUBSTITUTE INTRODUCED
02/14/01	0316	(H)	READ THE FIRST TIME - REFERRALS
02/14/01	0316	(H)	HES, FIN
02/14/01	0316	(H)	REFERRED TO HES
03/13/01		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 77

SHORT TITLE: APPROP: REPLACEMENT OF API

SPONSOR(S): REPRESENTATIVE(S) ROKEBERG

Jrn-Date	Jrn-Page		Action
01/19/01	0129	(H)	READ THE FIRST TIME -

			REFERRALS
01/19/01	0129	(H)	HES, FIN
02/14/01	0317	(H)	SPONSOR SUBSTITUTE INTRODUCED
02/14/01	0317	(H)	READ THE FIRST TIME - REFERRALS
02/14/01	0317	(H)	HES, FIN
02/14/01	0317	(H)	REFERRED TO HES
03/13/01		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 130

SHORT TITLE:C.O.P.S FOR API DEMOLITION/CONSTRUCTION
 SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
02/16/01	0344	(H)	READ THE FIRST TIME - REFERRALS
02/16/01	0345	(H)	HES, FIN
02/16/01	0345	(H)	FN1: (REV)
02/16/01	0345	(H)	GOVERNOR'S TRANSMITTAL LETTER
02/16/01	0345	(H)	REFERRED TO HES
03/13/01		(H)	HES AT 3:00 PM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE KEVIN MEYER
 Alaska State Legislature
 Capitol Building, Room 110
 Juneau, Alaska 99801
 POSITION STATEMENT: Sponsor of HCR 7.

LAUREE HUGONIN, Director
 Alaska Network on Domestic Violence and Sexual Assault
 130 Seward Street
 Juneau, Alaska 99801
 POSITION STATEMENT: Testified in support of HCR 7.

REPRESENTATIVE NORMAN ROKEBERG
 Alaska State Legislature
 Capitol Building, Room 118
 Juneau, Alaska 99801
 POSITION STATEMENT: Testified as sponsor of SSHB 76 and SSHB 77.

RANDALL BURNS, Director
 Alaska Psychiatric Institute
 Division of Mental Health & Developmental Disabilities
 Department of Health & Social Services

2900 Providence Drive
Anchorage, Alaska 99508

POSITION STATEMENT: Testified on HB 130.

JERRY WATKINS, Engineer/Architect
Construction & Operations
Department of Transportation & Public Facilities
PO Box 196900
Anchorage, Alaska 99519

POSITION STATEMENT: Answered questions on HB 130.

ACTION NARRATIVE

TAPE 01-27, SIDE A
Number 0001

CHAIR FRED DYSON called the House Health, Education and Social Services Standing Committee meeting to order at 4:02 p.m. Members present at the call to order were Representatives Dyson, Coghill, Stevens, and Cissna. Representatives Wilson, Kohring, and Joule joined the meeting as it was in progress.

HCR 7-APRIL 2001 SEXUAL ASSAULT AWARENESS MONTH

CHAIR DYSON announced that the first order of business would be HOUSE CONCURRENT RESOLUTION NO. 7, Relating to proclaiming April 2001 as Sexual Assault Awareness Month. [Before the committee, although not formally adopted, was Version F (22-LS0620\F, Utermohle, 2/28/01.)]

Number 0045

REPRESENTATIVE KEVIN MEYER, Alaska State Legislature, sponsor of HCR 7, came forth and stated that he and Representative Guess, cosponsor, thought that a resolution format would help the public to be more aware of the sexual assaults that occur in Alaska. He said HCR 7 recognizes the need for awareness, prevention, and education concerning sexual assault. By observing [Sexual Assault Awareness Month], schools, communities, organizations, individuals, agencies, and businesses are encouraged to educate and work in order to increase the public's awareness of sexual assaults in Alaska. He stated that sexual assault is one of the most violent and underreported crimes in Alaska and that statistics paint a grim picture for the state. The occurrences of rape have been increasing over the past year, and Alaska [experiences a rate] two times higher than the national average. He stressed that

sexual assault affects not only the lives of the victims, but also the families, friends, and communities of the victim.

Number 0170

REPRESENTATIVE MEYER stated that HCR 7 also recognizes and appreciates the dedicated staff and volunteers that provide victims the support and advocacy needed to cope with the trauma. He concluded that it is necessary to work together to prevent sexual assault and make a statement that sexual assault is not acceptable.

Number 0229

REPRESENTATIVE CISSNA stated that HCR 7 is very important. She said it is interesting, having served on the Public Safety Finance Subcommittee for the last three years, that the hardest thing to get level funding for has been the Council on Domestic Violence and Sexual Assault.

REPRESENTATIVE MEYER remarked that funding is hard to get for anything. By bringing this forth as a resolution, the issue is given a little more exposure than if it were just a citation. He recognized that there are a lot of good groups helping with this cause such as the Council on Domestic Violence and Sexual Assault, and STAR (Standing Together Against Rape).

Number 0418

LAUREE HUGONIN, Director, Alaska Network on Domestic Violence and Sexual Assault, came forth to testify in support of HCR 7. She stated that April is marked as sexual assault awareness month in many states across the nation. She said she encourages people to participate in the Take Back the Night marches that will be ongoing and the candlelight ceremonies, which are forums for victims to speak about what has happened to them. She concluded that to be present and witness these testimonies is a powerful and encouraging thing.

CHAIR DYSON inquired as to the number of males that are victims of sexual assault in Alaska.

MS. HUGONIN replied that according to national statistics, before the age of 18 one in six boys will be sexually assaulted and one in four girls. She noted that the number is based on what is reported through the FBI (Federal Bureau of Investigation), which she understands is an underreporting. She

added that there are adult male victims, but Alaska does not keep statistics primarily on gender.

Number 0557

CHAIR DYSON remarked that he finds most of his colleagues are unaware of how many boys are sexually assaulted and molested in Alaska. He made a motion to adopt a conceptual amendment on page 1, after line 7 [of version F] to read: "whereas 40 percent of child sexual assaults reported to Alaska child advocacy centers are males, and male rapes in prison is a significant or profound problem". There being no objection, the conceptual amendment was adopted.

REPRESENTATIVE MEYER remarked that he, Representative Guess, and Representative Croft serve on the Board or Directors of STAR, which advocates for women as well as men.

Number 0670

REPRESENTATIVE JOULE made a motion to move HCR 7 [version F, 22-LS0620\F, Utermohle, 2/28/01], as amended, from the committee with individual recommendations and attached zero fiscal notes. There being no objection, CSHCR 7(HES) moved from the House Health, Education and Social Services Standing Committee.

HB 76-NEW FACILITIES FOR API
HB 77-APPROP: REPLACEMENT OF API

Number 0750

CHAIR DYSON announced the committee would hear testimony on SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 76, "An Act authorizing the commissioner of health and social services to provide for the design and construction of psychiatric treatment facilities to replace the facilities of the Alaska Psychiatric Institute," and SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 77, "An Act relating to appropriations for the design and construction of a replacement facility or facilities for the Alaska Psychiatric Institute and for a grant to study the feasibility of locating certain health programs at the site of the Alaska Psychiatric Institute; and providing for an effective date."

Number 0815

REPRESENTATIVE NORMAN ROKEBERG, Alaska State Legislature, came forth as sponsor of SSHB 76 and SSHB 77. He stated that this is

a very important issue that faces Alaska, particularly the people of Anchorage. He said he understands the priority to replace the API (Alaska Psychiatric Institute) facility, and he became interested when the deal with Charter North fell through. He stated that he introduced this legislation to discuss not only the replacement of the API facility but also the addition of what had historically been a wing for forensic psychiatric use.

REPRESENTATIVE ROKEBERG mentioned that it was brought to his attention that University of Alaska Anchorage and the Municipality of Anchorage had some preliminary discussion about co-locating some of their facilities with land in the area. He remarked that since real estate is "dear" in that area, it becomes an important issue about what the highest and best values are for property in that particular neighborhood. He added that there have been historic conversations with Providence Hospital, Providence Medical Center, and Alaska Regional Hospital regarding whether they had an interest in participating [jointly in a combined facility] in the Anchorage Area.

Number 1035

REPRESENTATIVE ROKEBERG stated that right now there is the Mike Module unit in an Anchorage correctional facility where the most seriously mentally ill patients in the state are kept. In the Hiland Mountain Correctional Center (for women) there are 19 beds in a unit called Michelle Module. The Taku unit is a ten-bed unit in API primarily for the psychological evaluations of those who are incompetent to stand trial under Title 12. He added that there is a Palmer special-needs facility with 18 beds for those who have one year or less to serve [in prison] and the Spring Creek Correction Center's Echo Module has 65 beds for chronically mentally ill offenders who are serving one year or more [in prison]. He remarked that in total, Alaska's correctional system has 140 beds for those that need mental health treatment. He expressed that he thinks it is a "crying shame" that prisoners who need mental treatment have been neglected. He remarked that with "time served" many of the prisoners in Alaska, almost invariably, will be back out on the street, so it is important to get them treatment.

REPRESENTATIVE ROKEBERG stated that the issues that need to be looked at are: the location of this particular institution, what's the highest and best use of the available land, the scope of the institution, the number of beds, the design, the cost,

and the financing. He remarked that the governor has a similar bill that calls for the appropriations to make up what's currently available, and that recommends certificates of participation, which add an ongoing lease payment on the part of the state in the general fund every year. He added that another issue is the demolition cost of the existing structure.

[HB 76 and HB 77 were held over.]

HB 130-C.O.P.S FOR API DEMOLITION/CONSTRUCTION

The committee's attention was turned to HOUSE BILL NO. 130, "An Act relating to the issuance of certificates of participation to finance demolition of all or part of the existing facility known as the Alaska Psychiatric Institute and construction of a new facility to be known as the Alaska Psychiatric Institute; giving notice of and approving the entry into, and the issuance of certificates of participation in, a lease-purchase agreement for demolition of all or part of the existing facility known as the Alaska Psychiatric Institute and construction of a new facility to be known as the Alaska Psychiatric Institute; and providing for an effective date."

Number 1431

RANDALL BURNS, Director, Alaska Psychiatric Institute (API), Division of Mental Health & Developmental Disabilities, Department of Health & Social Services (DHSS), came forth to testify on HB 130. He stated that the problem is that API has reached the end of its useful life. It contains sprayed on asbestos, which has fallen onto the ceiling tiles and between the walls. He said the utilities are very high [in cost] because of the inefficiencies of the old [mechanical support] systems. The roof is in need of repair, with an estimate of \$650,000 plus costs for the Department of Transportation [and Public Facilities]. He stated that another problem is that API doesn't meet seismic codes. Furthermore, it was not designed as a hospital, and its physical layout is not conducive to patient care and treatment. It was built in 1962, during the Cold War, as a [medical-surgery] hospital. He added that looking for a replacement has been a problem since 1988. He noted that studies have concluded that it would be cheaper to construct a new facility than to abate the asbestos [situation] and make the renovations necessary. MR. Burns said [DHSS] is very interested in finding a resolution to these problems.

Number 1657

MR. BURNS explained that the legislature in 1991, 1992, and 1993 gave a total of \$6.1 million for the design and planning of a new hospital. This was to be a \$65 million, 114-bed facility - 90 beds for civil patients and 24 beds for forensic beds run by the Department of Corrections. However, he said, because Alaska was in a statewide recession in 1994, an appropriation bill of only \$22.8 million was created, putting a limit of 72 beds. He stated that in 1996 API went out to bid, but the bids that came in were millions of dollars short of the construction costs. At that point, API withdrew the project.

Number 1734

MR. BURNS stated that [DHSS], with the Alaska Mental Health Trust Authority (AMHTA) and the Mental Health Board, looked at three options: going ahead with the idea of building, looking at purchasing, or looking at partnering with another hospital. He said that [API] did "hook up" with Providence [Hospital], as one of those three options, and spent a whole year talking about a joint hospital. He remarked that a basic floor plan, budget, and draft report were produced. The only difficulty was that Providence [Hospital] wanted to build [the joint facility] on land to the east of its existing hospital, which is owned by the university. He stated that API approached the [AMHTA], which offered the possibility of doing a land swap with its land and the university's. Unfortunately, he explained, that turned out to be too complex, and in late 1998 [API] withdrew from the idea.

MR. BURNS continued, stating that API then looked at purchasing a replacement facility. He said Charter [North] offered to build an addition onto its hospital and sell [API] one bed more than half of the facility. Alaska Psychiatric Institute would then jointly operate that hospital. By the end on 1998 [Charter North] offered the entire hospital. Alaska Psychiatric Institute, starting in the spring of 1999, entered into intensive negotiations, which took over a year and a half and become complicated when Charter [North] went bankrupt. He added that, ultimately, the major drawback was the neighborhood's objection and Anchorage's planning and zoning commission's unanimous findings that it would not approve [API's] moving to that location because there would be forensic patients, not guilty-by-reason-of-insanity patients, the wards are locked and the patients are there involuntarily. He remarked that in December of last year [API] backed out of that deal.

Number 1877

MR. BURNS stated that the answer is to build the facility that had been planned. He remarked that this could happen now because [AMHTA] recently conveyed to [DHSS] certain [API] parcels of land for this purpose. [He indicated to the committee, through a slide presentation and accompanying handout, the layout of parcels A, B, C, D, and E.] He explained that [AMHTA] is willing to convey to [DHSS] parcels B, C, and D, and wants to develop parcels A and E. The university and Providence Hospital are interested in any land nearby for development.

CHAIR DYSON asked whether the new [facility] would be built after the old one is demolished.

Number 1965

MR. BURNS answered that it is "phased." He continued, explaining that building [API] on this parcel makes sense because it is zoned for this use. [Alaska Psychiatric Institute] is a well-accepted institution in this area and the neighborhood has actually grown up around it. He remarked that [API] is also a teaching hospital, so it makes sense to be located near Anchorage's institution for higher learning. He stated that [API] needs to be located near an acute-care hospital because many of the patients need to be medically cleared before they can be admitted to [API]; also, if there are medical emergencies, the patients need to get to a hospital as quickly as possible. He said the university community council and its residents have been very supportive of API. He mentioned that the Alaska Native Medical Center has stated that it has just completed its ten-year plan and has no intention of building additional psychiatric beds for its hospital; therefore it will be relying on [API] for at least another ten years. Most important, Mr. Burns said, the planning and zoning commission, in its resolution turning down [API's] request to relocate, said it thought [API] should stay where it is.

MR. BURNS stated that building the facility that had been planned would be done through certificates of participation, which would fund both the construction of the hospital and the demolition of "old" API. He explained that HB 130 and SB 96 do the following: build the hospital that was planned in 1996 and reaffirmed in 1998, build a hospital to accommodate 54 to 72 beds, and construct to the additional capacity, given [the state's] current need for inpatient mental health treatment.

Number 2090

CHAIR DYSON asked what his sense is of the need for the forensic beds.

MR. BURNS answered that he believes it is necessary to not proceed and complicate this project with the question of whether or not the neighborhood would accept a significant addition of forensic beds to this hospital. In the current hospital there are ten beds, but those individuals, for the most part, have just been accused of a crime and are being evaluated as to their competency to stand trial. He clarified that there is nobody in the hospital that has been found guilty. Five patients have been found not guilty by reason of insanity, and there is a group that comes through the hospital regularly for evaluations through a court order.

CHAIR DYSON asked if those [patients] are in secure portions of the facility.

MR. BURNS replied that all of the units are locked, but [these patients] are in a more secure unit than any of the others.

CHAIR DYSON asked if the neighborhood knows this.

MR. BURNS responded that [the neighborhood] is used to it, but have commented that they are concerned about the addition of forensic beds.

Number 2213

CHAIR DYSON asked if it is advantageous for the state to have the incarcerated mental health patients in a single facility.

MR. BURNS replied that from a mental health and a health perspective, a prison environment is not conducive to the treatment of mentally ill individuals.

Number 2270

REPRESENTATIVE JOULE remarked that major maintenance and replacement of the Department of Education [and Early Development] go through a priority listing, particular for schools. He asked Jerry Watkins if there is such a thing for public facilities, where by state-owned property is looked at and the maintenance and replacement needs are ranked.

JERRY WATKINS, Engineer/Architect, Construction & Operations, Department of Transportation and Public Facilities, responded that he thinks Representative Joule is talking about a long-range plan for public facility renewal and replacement. He stated that he does not believe one exists, but there are efforts going on to address that problem.

MR. BURNS continued, stating that HB 130 and SB 96 would maintain the gym and the storage beneath it and demolish the rest. He stated that one of the reasons the demolition is important is it would open up property for other development. He said the total cost is \$58,750,000 for construction and demolition. There is \$22.2 million in the bank because of the money remaining from the [API] project and an appropriation from AMHTA. He clarified that \$36.5 million is remaining to be raised through certification of participation in a lease-purchase agreement.

TAPE 01-27, SIDE B

MR BURNS continued, stating that since there are significant funds, [certifications of participation] would actually lower the lease payments to the state. He added that ultimately, [DHSS] would be paying \$3.7 million annually for 15 years and at the end of that time would own the facility.

Number 2325

MR. BURNS explained that the total construction cost, after adding the "change order reserve," additional architecture and engineering consultants, administration fees, and overall contingency, is \$48 million. He added that there is also cost for demolition and relocation of patients; therefore, t deducting what is in the bank, the total cost that [DHSS] is financing is \$36,550,000.

MR. BURNS stated that in comparison to other projects in Alaska, API's construction cost, at \$36 million is \$.5 million per bed and \$357 a square foot. Elmendorf's was \$1.4 million per bed and \$363 a square foot; Bassett Army Hospital's was \$385 [a square foot];, and Alaska Native Medical Center's was \$1.1 million per bed and \$441 per square foot.

[Mr. Burns offered a slide presentation to the committee of the API site layout.]

Number 2247

MR. BURNS stated that there are two other aspects besides the replacement [of the "old" API]. One is that private alternatives to API hospitalization have been developed in order to increase the ability of the private sector to support these patients in the community. The other aspect is improving the quality of care at API.

MR. BURNS remarked that one of the major problems in Anchorage is the difficulty in knowing where to bring a person who needs treatment. Therefore, [DHSS] is working on a project in conjunction with Providence Hospital, through federal funds, to build a space accommodating a single point of entry. He explained that decisions would be made there regarding appropriate treatment and then the person would be transferred to another facility.

Number 2127

MR. BURNS stated that for those reasons, API is still needed. He remarked that API is a core service of government and provides services that private providers cannot or will not do. He said patients who exceed local private treatment options and people in communities where inpatient treatment is nonexistent would come to API.

MR. BURNS concluded that [DHSS is before the committee] because [personnel] feel they have tried a variety of options but none of them have worked.

[HB 130 was held over.]

Number 2044

ADJOURNMENT

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at 5:00 p.m.