

**SENATE BILL NO. 78 am H**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY SENATORS GREEN, Ben Stevens, Therriault, Bunde, Cowdery, Dyson, Ogan, Seekins, Taylor, Wagoner, Wilken**

**REPRESENTATIVES Lynn, Wilson, Samuels, Anderson, Meyer, Heinze**

**Amended: 3/28/03  
Introduced: 2/21/03**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to an optional group of persons eligible for medical assistance who**  
2 **require treatment for breast and cervical cancer; relating to cost sharing by those**  
3 **recipients under the medical assistance program; and providing for an effective date."**

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

5 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 LEGISLATIVE INTENT. It is the legislature's intent that AS 47.07.020(b)(15),  
8 enacted by sec. 2 of this Act, take effect regardless of whether AS 47.07.042(e), enacted by  
9 sec. 3 of this Act, can be implemented under the federal laws that exist on the effective date of  
10 this Act and that the provisions of AS 47.07.042(e) be implemented by the Department of  
11 Health and Social Services only when implementation of those provisions would comply with  
12 federal law.

13 \* **Sec. 2.** AS 47.07.020(b) is amended by adding a new paragraph to read:

14 (15) persons who have been diagnosed with breast or cervical cancer

1 and who are eligible for coverage under 42 U.S.C. 1396a(a)(10)(A)(ii)(XVIII).

2 \* **Sec. 3.** AS 47.07.042 is amended by adding a new subsection to read:

3 (e) Except as provided in (c) of this section and notwithstanding (b) of this  
4 section, the department may require premiums and other cost-sharing contributions  
5 from recipients who are eligible for assistance under AS 47.07.020(b)(15) to the  
6 maximum extent allowed by federal law. If the department requires premiums or  
7 other cost-sharing contributions under this subsection, the department shall

8 (1) adopt in regulation a sliding scale for those premiums or  
9 contributions based on household income; and

10 (2) implement a system by which the department or its designee  
11 collects the premiums or other cost-sharing contributions.

12 \* **Sec. 4.** Section 1, ch. 33, SLA 2001, is repealed.

13 \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
14 read:

15 TRANSITION: CONTINUED ELIGIBILITY FOR CURRENT RECIPIENTS. A  
16 person who applied, and was determined eligible, for medical assistance under sec. 1, ch. 33,  
17 SLA 2001, may continue to receive that medical assistance under AS 47.07.020(b)(15),  
18 enacted by sec. 2 of this Act, without reapplying for an eligibility determination under  
19 AS 47.07.020(b)(15), enacted by sec. 2 of this Act, so long as the person remains eligible for  
20 that assistance under AS 47.07.020(b)(15), enacted by sec. 2 of this Act.

21 \* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to  
22 read:

23 TRANSITION: REGULATIONS. To the extent the regulations are not inconsistent  
24 with this Act, regulations relating to the optional group of persons eligible for medical  
25 assistance who require treatment for breast or cervical cancer adopted by the Department of  
26 Health and Social Services and in effect before the effective date of this section remain in  
27 effect as valid regulations implementing this Act. The Department of Health and Social  
28 Services may administer and enforce those previously adopted regulations relating to this  
29 optional group.

30 \* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to  
31 read:

1           TRANSITION. State plan provisions adopted under AS 47.07.042(a) - (c) and  
2 approved by the federal government apply to persons who are eligible for assistance under  
3 AS 47.07.020(b)(15), enacted by sec. 2 of this Act, until conflicting state plan amendments  
4 are adopted under AS 47.07.042(e), enacted by sec. 3 of this Act, and are approved by the  
5 federal government.  
6       \* **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).