

CS FOR SENATE BILL NO. 201(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 2/6/04

Referred: Rules

Sponsor(s): SENATE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to home care and respite care; and providing for an effective date."**

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

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

4 (a) State money may not be used for a home care provider unless **criminal**
5 **history record information as permitted by P.L. 105-277 and AS 12.62 is**
6 **[RECORDS UNDER AS 12.62.035(a) ARE]** requested for the provider within 10
7 business days after the provider is hired to provide the care and are reviewed within
8 five business days after they are received. The department shall require the grantee or
9 contractor to do the records request and review required under this subsection for a
10 home care provider employed by a person who has a grant or contract from the
11 department to provide home care services.

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

13 (h) The department may not pay for respite care, as defined in (d) of this
14 section, unless the department or the entity that has contracted with the department to
15 provide the respite care requests **criminal history record information as permitted**

1 **by P.L. 105-277 and AS 12.62** [RECORDS UNDER AS 12.62.035(a)] for the
2 individual who provides the respite care within 10 business days after the individual is
3 hired to provide respite care and reviews the records within five business days after
4 receiving them.

5 * **Sec. 3.** 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 history record information as permitted by P.L. 105-**
9 **277 and AS 12.62** [RECORDS UNDER AS 12.62.035(a)] for the individual who will
10 provide the services within 10 business days after the individual is hired to provide the
11 services and review the records within five business days after receiving them.

12 * **Sec. 4.** AS 47.65.100(e) is amended to read:

13 (e) The commission may not award a grant under this section for family
14 respite care services or for adult day care services that include home care services
15 unless the grantee has agreed to request **criminal history record information as**
16 **permitted by P.L. 105-277 AS 12.62** [RECORDS UNDER AS 12.62.035(a)] for the
17 individual who will provide the services within 10 business days after the individual is
18 hired to provide the services and review the records within five business days after
19 receiving them.

20 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).