

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: _____
 (H) Publish Date: _____
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction): _____

Title JUDICIAL OVERSIGHT OF ADMINISTRATIVE PROCEDURES
 RDU Health Care Services
 Component Hearings and Appeals

Sponsor HOUSE (STA)
 Requester HOUSE (JUD)

Component No. 1434

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual	*	*	*>	*	*	*
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match	*	*	*	*	*	*
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would allow parties involved in the administrative hearing and appeals process judicial relief if a party to the proceeding has satisfied all procedural requirements up to the time relief is sought, a state agency unreasonably delays the administrative process, and that delay causes significant and irreparable damage.

HB 533 would circumvent the federal requirements set forth for the Medicaid Program, Temporary Assistance Program, and Food Stamps Program. 7 CFR 273.15 (Food Stamps), 42 CFR 431.200-250 (Medicaid Program), 45 CFR 205.10(Temporary Assistance) requires this

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 Division Health Care Services Date/Time 03/13/2004
 Approved by: Joel S. Gilbertson, Commissioner Date 03/23/2004
 Agency Department of Health and Social Services

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ANALYSIS CONTINUATION

state to provide a fair hearing through the administrative process. These federal regulations require the fair hearing process to be complete within 90 days from the date a person requests a hearing, and in some cases regarding food stamps, within 60 days.

Because federal law provides required completion dates, this bill has no fiscal impact on Health Care Services Hearings and Appeals.