

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

February 24, 2005

3:06 p.m.

MEMBERS PRESENT

Representative Peggy Wilson, Chair
Representative Paul Seaton, Vice Chair
Representative Tom Anderson
Representative Vic Kohring
Representative Lesil McGuire
Representative Sharon Cissna
Representative Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 120

"An Act relating to safety devices and sharp instruments for the prevention of the spread of bloodborne pathogens in health care employees; and providing for an effective date."

- MOVED HB 120 OUT OF COMMITTEE

SENATE BILL NO. 42

"An Act extending the reporting date for and the termination date of the Task Force on Naturopathic Scope of Practice; and providing for an effective date."

- MOVED SB 42 OUT OF COMMITTEE

HOUSE BILL NO. 69

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

- MOVED HB 69 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 120

SHORT TITLE: HEALTH CARE EMPLOYEE PROTECTION

SPONSOR(S): REPRESENTATIVE(S) WILSON

02/02/05 (H) READ THE FIRST TIME - REFERRALS
02/02/05 (H) HES, L&C
02/24/05 (H) HES AT 3:00 PM CAPITOL 106

BILL: SB 42

SHORT TITLE: NATUROPATHIC MEDICINE TASK FORCE

SPONSOR(S): SENATOR(S) SEEKINS

01/11/05 (S) PREFILE RELEASED 1/07/05
01/11/05 (S) READ THE FIRST TIME - REFERRALS
01/11/05 (S) L&C, FIN
01/27/05 (S) L&C AT 1:30 PM BELTZ 211
01/27/05 (S) Moved SB 42 Out of Committee
01/27/05 (S) MINUTE(L&C)
01/31/05 (S) L&C RPT 3DP 1NR
01/31/05 (S) DP: BUNDE, SEEKINS, STEVENS B
01/31/05 (S) NR: ELLIS
01/31/05 (S) FIN REFERRAL WAIVED
02/10/05 (S) TRANSMITTED TO (H)
02/10/05 (S) VERSION: SB 42
02/14/05 (H) READ THE FIRST TIME - REFERRALS
02/14/05 (H) HES, FIN
02/24/05 (H) HES AT 3:00 PM CAPITOL 106

BILL: HB 69

SHORT TITLE: PUBLIC ASSISTANCE PROGRAMS

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/12/05 (H) READ THE FIRST TIME - REFERRALS
01/12/05 (H) CRA, HES, FIN
02/03/05 (H) CRA AT 8:00 AM CAPITOL 124
02/03/05 (H) Moved Out of Committee
02/03/05 (H) MINUTE(CRA)
02/04/05 (H) CRA RPT 7DP
02/04/05 (H) DP: CISSNA, NEUMAN, KOTT, SALMON,
LEDOUX, OLSON, THOMAS
02/24/05 (H) HES AT 3:00 PM CAPITOL 106

WITNESS REGISTER

CAMILLE SOLEIL, Director

Alaska Nurses Association
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 120.

GREY MITCHELL, Director
Labor Standards and Safety Division
Department of Labor & Workforce Development
Juneau, Alaska
POSITION STATEMENT: Testified in support of HB 120.

JOE MICHEL, Staff
to Senator Ralph Seekins
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented SB 42 on behalf of Senator
Seekins.

WAYNE ADERHOLD
Homer, Alaska
POSITION STATEMENT: Testified in support of SB 42.

KATHARINE FARNHAM, Director
Division of Public Assistance
Department of Health and Social Services
Juneau, Alaska
POSITION STATEMENT: Presented "Native Family Assistance
Program: Report to the Alaska Legislature on the Pilot
Projects." Testified in support of HB 69.

DEAN GEORGE, Coordinator
Temporary Assistance for Needy Families, TANF
Tlingit-Haida Central Council
Juneau, Alaska
POSITION STATEMENT: Testified in support of HB 69.

MOLLY MERRITT-DUREN, Director
Employment and Training Services
Cook Inlet Tribal Council
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 69.

DON SHIRCEL, Director
Family Services
Tanana Chiefs Conference
Fairbanks, Alaska
POSITION STATEMENT: Testified in support of HB 69.

ACTION NARRATIVE

CHAIR PEGGY WILSON called the House Health, Education and Social Services Standing Committee meeting to order at [3:06:29 PM](#). Representatives Seaton, Cissna, Gardner, and Kohring were present at the call to order. Representatives Anderson and McGuire arrived as the meeting was in progress.

HB 120-HEALTH CARE EMPLOYEE PROTECTION

CHAIR WILSON announced that the first order of business would be HOUSE BILL NO. 120 "An Act relating to safety devices and sharp instruments for the prevention of the spread of bloodborne pathogens in health care employees; and providing for an effective date."

CHAIR WILSON passed the gavel to Vice Chair Seaton.

[3:08:09 PM](#)

CHAIR WILSON, sponsor to HB 120, stated that HB 120 brings Alaska standards into compliance with federal standards concerning bloodborne pathogen protection. She related that Alaska's laws are in compliance with federal standards except concerning doctor offices with less than 25 people. At the time, she said, "we were thinking that maybe that was an area that it would cost too much for people ... we were kind of being worried about small businesses and so, that's why they weren't included at the time. Since then, we have learned so much more about bloodborne pathogens and the possibility of not only the patients, but the workers themselves, getting AIDS, hepatitis, or some type of blood disease ... all of the offices are in compliance with it anyway, this is just a way to get our statutes into compliance with it." She said that the passing of HB 120 will bring Alaska into compliance with federal standards, secure federal grant funds, and will clarify the standard practices for employees in doctor offices.

REPRESENTATIVE KOHRING inquired as to the number of medical establishments affected by this bill.

CHAIR WILSON said that dental offices across the state, small doctor's offices, and veterinarians are affected.

REPRESENTATIVE KOHRING asked if anyone in the medical community objects to this legislation.

CHAIR WILSON stated that she is not aware of anyone who objects to this legislation.

REPRESENTATIVE KOHRING inquired as to the necessity of this legislation, if everyone is in compliance.

CHAIR WILSON pointed out that legislation is necessary for two reasons: specific grant availability, and clarification on the interpretation of the standards.

[3:12:11 PM](#)

REPRESENTATIVE GARDNER inquired as to sponsor statement of HB 120 repealing two exemptions, one referring to intra-oral procedures and the other referring to health care facilities with less than 25 employees.

CHAIR WILSON directed Representative Gardner to the Sectional Analysis of HB 120; she explained that Section 2 exempts employers with fewer than 25 full-time employees.

CAMILLE SOLEIL, Executive Director, Alaska Nurses Association, (ANA), stated that the ANA supports HB 120. She explained that the standards laid out in the statute, with the clarification of this bill, provide clear and consistent protection for both patients and health care workers.

GREY MITCHELL, Director, Labor Standards and Safety Division, Department of Labor and Workforce Development, stated that he directs the Occupational Safety and Health Program for Alaska and that this program operates under a special jurisdiction from the federal government. He explained that based on the Occupational Safety and Health Act of 1970, states can apply for and receive a special jurisdiction to cover occupational safety and health within their state. The catch, he said, is that when a state does apply for that, they have to agree to maintain standards that are at least as effective as federal standards. He said that the federal Occupational Safety & Health Administration, (OSHA), came out with a broad set of bloodborne pathogen protection standards that force the revision of state requirements. He stated that the [Department of Labor & Workforce Development] strongly supports HB 120.

VICE CHAIR SEATON inquired as to coverage for dentists under HB 120.

MR. MITCHELL stated that the federal standards were adopted under a separate statute. He explained that [Alaskan] statute "18.60.020" allows for the adoption of federal regulations and the [Department of Labor & Workforce Development] has adopted the federal guidelines on bloodborne pathogens. He said that the state law conflicts with the adopted federal standards. The dentists, he related, are complying with the federal standards, because of the liabilities associated.

REPRESENTATIVE CISSNA asked what other bloodborne pathogens are included in this legislation.

MR. MITCHELL said that hepatitis and sexually transmitted diseases are higher in Alaska than in other states. He said that it makes sense to make sure that the protections are in place [through legislation] for health care businesses dealing with blood, needles, and cutting instruments that may have been contaminated. He continued:

[this bill] maintains our Alaska program, which in our conversations with the dental society ... was one of their concerns ... they wanted to make sure that the Alaska Occupational Safety and Health Program maintained jurisdiction in Alaska ... right now, you can get a hearing in front of a group of people who are Alaskans, in Alaska, on an issue that you might dispute. If federal OSHA was to take over, you'd have to go down to Seattle, or San Francisco to have a hearing on an issue that you disputed ... there is a lot of support behind keeping the program in Alaska.

[3:20:24 PM](#)

REPRESENTATIVE KOHRING moved to report HB 120 out of committee with individual recommendations and the accompanying "zero" fiscal notes. There being no objection, HB 120 was reported from the House Health, Education and Social Services Standing Committee.

[VICE CHAIR SEATON passed the gavel back to Chair Wilson.]

SB 42-NATUROPATHIC MEDICINE TASK FORCE

[3:21:05 PM](#)

CHAIR WILSON announced that the next order of business would be SENATE BILL NO. 42 "An Act extending the reporting date for and

the termination date of the Task Force on Naturopathic Scope of Practice; and providing for an effective date."

JOE MICHEL, Staff to Senator Ralph Seekins, Alaska State Legislature, presented the sponsor statement for SB 42 on behalf of Senator Seekins, and stated that this bill extends the reporting date for the termination and [progress] report from the naturopathic task force. He explained:

[Senate Bill 42] is an extension of [Senate Bill 306] which was a product of the Twenty-Third Alaska State Legislature ... and established a task force to study the scope of practice of naturopathic medicine. By statute, the task force was charged with addressing the following six things: the comparable level of education and training of naturopaths and medical doctors, the appropriate scope of practice relating to the use of legend or prescription drugs by naturopaths, the appropriate scope of practice for non-pharmacological treatments by naturopaths including minor surgeries, the structure and operations of collaborative protocols and agreements, issues relating to joint liability between collaborating practitioners and any other issues determined to be relevant by the members of the naturopathic task force. The task force was to have nine members ... and we've met four times ... since the task force has been formed. It was to be comprised of one Alaska state senator, one Alaska state representative, a member of the Alaska State Medical Association, a member of the Alaska Pharmacists Association, a member of the Alaska State Medical Board, a member representing nurse practitioners, an employee of the Department of Community and Economic Development (Division of Occupational Licensing) and two members who are licensed to practice naturopathic medicine in the state of Alaska. The task force was unable to complete it's business within the time parameter specified in SB 306, consequently, SB 42 extends the task force's charge into 2005. SB 42 is identical to the previous bill, SB 306, except for the report and termination dates have been changed to December 1, 2005 and February 1, 2006, respectively.

[3:24:03 PM](#)

REPRESENTATIVE GARDNER inquired as to the definition of the word "legend" on page 1, line 11 of SB 42.

MR. MICHEL stated that the word correlates with prescription drugs and the different levels of prescription drugs that are allowed.

REPRESENTATIVE GARDNER questioned how "legend" differs in meaning from the prescription drugs.

MR. MICHEL said that he did not know.

REPRESENTATIVE GARDNER inquired as to the task force committee meeting schedule.

MR. MICHEL stated the task force was not officially formed until late November of last year. He said that the task force met once before the New Year, and three times in Juneau via teleconference.

[3:25:49 PM](#)

WAYNE ADERHOLD stated that he urges the passing of SB 42 and extension of the naturopathic task force for the benefit of constituents. He said that the naturopathic task force recently submitted a reasonable proposal for dealing with prescriptive rights and Senator Seekins is facilitating careful and complete examinations of all pertinent issues. He said:

I, and a growing number of Alaskans, rely on naturopathic physicians for a large and increasing portion of my health care ... they clearly adhere to the foundation of medicine ... there is a lot at stake for the Alaskan consumers on the outcome of this task force and the resulting legislation. I can document a number of incidents over the past few years where the provisions of the proposed changes and privileges for naturopathic physicians would have benefited me directly, both from a health care and an economic standpoint. Please do not lose sight of the fact that this is largely a consumer issue.

REPRESENTATIVE SEATON commented that he supports extending the timelines for the task force.

CHAIR WILSON said that she supports giving the task force more time. She mentioned that there is a zero fiscal note attached to SB 42.

REPRESENTATIVE CISSNA stated that she remembered hearing how necessary a task force was in the past, and that it seems as though [SB 42] should be given a chance.

3:29:01 PM

REPRESENTATIVE SEATON moved to report SB 42 out of committee with individual recommendations and the accompanying "zero" fiscal note. There being no objection, SB 42 was reported from the House Health, Education and Social Services Standing Committee.

HB 69-PUBLIC ASSISTANCE PROGRAM

CHAIR WILSON announced that the final order of business would be HOUSE BILL NO. 69 "An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

KATHARINE FARNHAM, Director, Division of Public Assistance, (Division), Department of Health and Social Services, stated that she and the Division support HB 69. She explained that the Native Family Assistance Program, (NFAP), is a state complement to tribal temporary assistance programs. She continued:

Federal law has allowed, since 1996, tribal programs to get direct federal block grants for public assistance. For those programs to be fair and equitable, in the same way the state would have served them, a state supplement in the form of the Native Family Assistance Program grants has been offered. In the legislature in 2000, the legislature chose to go ahead and pass this program, however, to put a "sunset" on it for June of '05 ... to request that a report be written to evaluate how successful the program may have been and ... to limit it to only 4 of the 13 federally authorized entities. 13 entities

were authorized by the federal Welfare Reform Act and those were the 12 Native regional non-profits and Metlakatla. In the bill passed in 2000, that was restricted to Tanana Chief's Conference, Association of Village Council Presidents, Tlingit and Haida and Metlakatla ... 3 of them have been ... operating a Tribal Temporary Assistance for Needy Families, (TANF), program since '99, 2000, or 2001 depending on when they started up. The report ... does include the explanations on the nature of the project, the way that they have been able to take those federal and state programs and be very successful. The whole emphasis on all of these temporary assistance programs is put people to work, people moving from public assistance, to self-sufficiency ... we're pleased with the results of those pilot years and we'd like to see the bill made permanent rather than temporary, and "sunsetting."

The other thing that this bill does is it expands it to the full 13, therefore matching the federal authorities. It's not that all 13 are going to immediately come on board and ask or seek to run a tribal TANF program, however, there are a few ... waiting in support of this expansion and ... those that are in the wings include Cook Inlet Tribal Council. We've been working with them ... we, the [Department of Health and Social Services] and the Division, have been working with Cook Inlet for about 9 months in preparation for them running a tribal TANF program in the Anchorage area ... for all Alaska Natives and American Indians in the Anchorage area ... that would be a significant, new tribal TANF partner ... and takes a little over 700 cases from the State of Alaska and puts them with Cook Inlet. This is not completely new to Cook Inlet ... they have been a contractor for the state on the case management aspects of this work for a number of years and been highly successful. The fiscal note, attached to this bill, pertains to the Cook Inlet addition. The rest of the budget is already in the fiscal year '06 governor's budget, which would assume continuation for the three existing programs ... later in '06, we anticipate discussions with two other smaller, Native regional organizations because they've expressed their interest formally with the federal government and ourselves ... Bristol Bay Native Association and

Maniilaq. The two of those together are relatively small so they are not that significant and at this point too early in the planning stages to know when and if that will ever take effect, as compared to Cook Inlet.

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REPRESENTATIVE SEATON referred to fiscal note 3, showing a general fund (GF) match of \$3,685,000, and asked, "is most of this state GF match?"

MS. FARNHAM said that when the TANF program for residents is run as a state program, there is a maintenance of effort, which is general fund match. She pointed out, "when it becomes a tribal program, and we can ... give them some state monies, we can also count that as "maintenance of effort" for the statewide program ... it was general fund when we were running the state program and, yes, the Native Family Assistance Program is funded by general fund, and it does count as our "maintenance of effort"."

In response to Chair Wilson's comment, Ms. Farnham stated that the general fund portion is being moved from the temporary assistance component to the Native Family Assistance component. She highlighted a summary on the bottom of all four fiscal notes:

the tribal assistance total of \$4,000,093 ... it's got two components: a general fund and an interagency piece ... that's an addition in tribal assistance but that's also a reduction in the line item above ATAP (Alaska Temporary Assistance Program). There's other ATAP reductions but they're inside there, the amount of general fund that used to go to ATAP for Cook Inlet Families, now goes to Cook Inlet.

[3:36:35 PM](#)

REPRESENTATIVE GARDNER inquired as to any negative aspects of the TANF program.

MS. FARNHAM related that there is a need to watch out for organizations taking on all of the responsibilities associated with a Tribal TANF program. She explained that the areas where challenges were observed, pertained to the complexity of the "IT" [Information Technology] systems and federal reporting. She continued:

and some of these organizations did not have a state "IT" department to help them produce perfect reports so the state helped in some early years with some funds for "IT" systems, however, the lessons learned now tell us perhaps a better solution is to allow them to utilize the state system. And, in fact, the Cook Inlet Tribal Council implementation is designed with that in mind, where they actually utilize our technology ... and it works, and we are developing a arrangements to share that system.

MS. FARNHAM said that some of the other existing grantees, specifically Tanana Chiefs, are interested in moving away from their own system to follow the Cook Inlet approach.

REPRESENTATIVE CISSNA inquired as to training for new workers.

MS. FARNHAM stated that the complexities of eligibility determination are significant. The training program is robust, she said, because there are hundreds of staff who need to know intricate details about eligibility; training resources are available to the new start-ups. She explained that the goal with Cook Inlet is, eventually they build their own capacity and on an ongoing basis they can do mentoring and development with knowledgeable staff. She said that there may be policy changes in the future as TANF approaches federal reauthorization.

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REPRESENTATIVE KOHRING questioned if general fund monies support these programs.

MS. FARNHAM stated that the program has a "maintenance of effort" at a statewide level at 75 percent, and that is true of both the state programs and the tribal programs.

In response to Representative Kohring, Ms. Farnham explained that the \$5.7 million in the summary table of the fiscal note is a reduction to general funds. She referred to fiscal note 3:

it shows that the reduction of general funds comes in 2 pieces. The first piece is merely a transfer from our ATAP component over to our tribal assistance, that's a transfer of \$3.685, however, because the federal block grant of the state's does shrink, so too does our "maintenance of effort floor" ... the federal

block grant that moves to Cook Inlet reduces the state's block grant and allows us to lower our maintenance of effort floor and that's the \$2,000,070 reduction ... so, two general fund reductions there of this component, one of which is a true reduction, the other is a transfer ... resulting in a net fiscal impact ... of a \$2,000,000 general fund reduction.

REPRESENTATIVE KOHRING asked what is being done to discourage people from going on welfare and what is the Division doing to encourage those that are on welfare, to get off of it.

MS. FARNHAM said that the Division focuses on employment from the moment a client seeks services. The programs offered include: "job search," subsidized employment with an employer, "work readiness training," and "job club." She explained that the Division is taking some of the money saved from what was used to pay for cash assistance, and reinvesting it as a preventative measure. She said that the Division's funds are invested into the kinds of preventative measures that enable low-income families to avoid public assistance in the first place, with work-readiness related activities.

REPRESENTATIVE KOHRING asked why the program had to be enshrined in law as opposed to replacing the "sunset" date. He opined that the program could be re-evaluated for its effectiveness in another five years.

MS. FARNHAM suggested that it would be wise to enforce a permanent statute comparable to the federal statute. The federal statute is permanent, she said, and it will allow the tribe and the state to continue to receive the temporary assistance federal block grants. She said that the uncertainty associated with the state match does create some unease for some organizations. She explained that the Division has not contemplated what might happen if the state program ended and the federal program continued. In this case, she pointed out, tribal organizations would see a reduction in their available resources and potentially return programs back to the state to run.

REPRESENTATIVE WILSON stated that Alaska is behind all of the other states in the country that have [temporary assistance] programs. She explained that in other states, the numbers of people transitioning off of public assistance and into the workforce have increased and eventually reach a plateau; Alaska is still transitioning and continues to make steady progress.

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MS. FARNHAM stated that one of the reasons that Alaska successfully continues to reduce caseloads is because of the strong community based programs that the tribal organizations offer. She explained that the Division's programs combined with tribal programs have greater flexibility than state programs. She pointed out that Alaska is doing well and is in its third year receiving a high performance bonus for continuing to move families off [of public assistance]. She emphasized that the hardest to serve families require different strategies. She opined that a public assistance program is a viable need on an ongoing basis and making it permanent allows the tribes to understand the stability of their funding in the same way that the state can.

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REPRESENTATIVE ANDERSON opined that there are not as many incentives to work for many of the recipients and that translates to borough organization bills. He stated:

I think the bill is important in terms of funding and I think your responses were fair, but ... as ... finances wane ... and we're looking at where we spend excess monies, and where are the incentives for jobs ... we think more in the foundational level which is, "why can't we reduce this in half or more," ... regardless of ethnicity, or federal mandates, or owing ... I am glad you recognize, that as legislators, it's good to supplement these with ... success stories ...

REPRESENTATIVE KOHRING noted his overall concern about this legislation. He opined that this is yet another social program, more welfare, more government subsidies, and more taxpayer subsidies. He advocated for a law that would require some repayment for services received by the state. He pointed out that if gainful employment is achieved, then taxpayers could be reimbursed. He inquired as to the development of a program focused on repayment.

MS. FARNHAM clarified that this [TANF] is a federal program and that a repayment program has not been considered at the federal level. She underscored that a simple look at the situation would say that this is another welfare program, but this [program] is saving state dollars. She emphasized that it is a

more efficient approach to providing a necessary service, "while all the time we are putting people into self-sufficient jobs, we are able to take the savings and make sure future families don't end up on welfare."

REPRESENTATIVE SEATON commented that though he understands the reasoning behind trying to reduce [spending], this [HB 69] is one way to reduce money spent and keep the number of state workers at a minimum.

[3:54:20 PM](#)

REPRESENTATIVE CISSNA commented that this was the first time that local groups were allowed to administer [assistance] programs. She said that finally, there is less privatizing and more emphasis on promoting local solutions. She opined that [HB 69] should be celebrated as it demonstrates this change.

MS. FARNHAM stated that the tribal organizations are the first to take on the full scale of temporary assistance from eligibility to case management, to employment, and retention services; they are working well because the people in the local areas know their community, their economy, and their employers better than the Division. She said that she is proud of the success of the Division. She mentioned that it is not just about Native organizations. In the Yukon-Kuskokwim Delta, where the Association of Village Council Presidents has a tribal TANF program, she explained, they run the entire TANF program for the region. She explained that the state is not out there, alongside them, replicating or duplicating; they are serving both Natives and non-Natives. She said that Bristol Bay could develop similarly, because the [tribal organizations] have a much stronger presence in that region, and some are successfully serving the region, not just their shareholders.

[3:57:16 PM](#)

DEAN GEORGE, TANF Coordinator, Tlingit-Haida Central Council, stated that he represents the Central Council and presented the packet entitled, "Testimony on Native Family Assistance Program." He explained that the packet was compiled by Sharon Olsen, Director of Employment & Training for the Central Council Tlingit & Haida Indian Tribes of Alaska. He offered to answer questions.

REPRESENTATIVE CISSNA inquired as to Mr. George's opinion of why local [public assistance] solutions are working more efficiently and accomplishing more than state run programs.

MR. GEORGE stated that as coordinator, he has seen the success of a local presence. He explained that the familiarity and personal contact has brought individuals to the tribe to get needed services when they may not have utilized state services before.

REPRESENTATIVE GARDNER mentioned that in Mr. George's report, the total number of people served drops consistently from one month to the next. She pointed out that the number of people served increases from June to July. She inquired as to why more people would request assistance in the summer.

MR. GEORGE said that there weren't reportable statistics on the number of different reporting elements and many of the statistics were combined into one category. In order to answer the question, he said, it would be necessary to go back and take a look to find out.

[4:02:55 PM](#)

REPRESENTATIVE CISSNA offered that her business was always slow in the summer. She said that jobs are sometimes scarce and there isn't work available.

MR. GEORGE added that the other thing is the [value of] having that familiar face and this might be one of those peaks where some people looked at the tribal TANF program and said, "Now I believe I can get either service or get the service I need."

MOLLY MERRITT-DUREN, Director, Employment and Training Services, Cook Inlet Tribal Council, stated that she is in support of HB 69. She explained that Cook Inlet Tribal Council is a "home away from home" for all Alaska Natives and American Indians that live in the Anchorage area. She said that the Council currently has programs that include employment and training, substance abuse services, family services, youth employment in school and out of school youth programs. She pointed out that the Council intends to, if approved, move its tribal TANF program into its employment and training services because the focus is the potential of the Council's people. She stated that the Council believes employment is the key.

MS. MERRITT-DUREN stated that the Council has been providing TANF case management for eight years, as a state vendor. She explained:

when you negotiate with the federal government and in the state government, you go back to the 1994 caseload. And the 1994 caseload, in the Anchorage area, was 1,123. Currently ... [the caseload is] 692. Basically, during that same period, Alaska Natives and American Indians on the ... 1990 census were listed as 12,000. On the 2000 census, if you count Alaska Native, American Indians, and others ... that's at 46,000 ... during that time period, while we did case management for the state, we brought that caseload down by 62 percent, with a huge influx ... in addition, Cook Inlet Tribal Council provides "IT" services and accounting services for 39 non-profit agencies ... so we have the infrastructure, we have the experience ... in regard to comparability and accountability ... as a vendor for the state, or whether we become a tribal TANF provider, we're still held to the 5 year limit for people to be on services ... it's a big responsibility to take on a program like this, but we think we're poised, we're ready, we're experienced ...

[4:07:29 PM](#)

CHAIR WILSON inquired as to the history of Cook Inlet Tribal Council and how successful it was when it took over for the state. She said that she is curious about what should be anticipated with the changeover to locally run programs.

MS. MERRITT-DUREN stated that at the national level there is an increase [in the amount of people seeking assistance] when local organizations take over state programs. She said that the Council can wrap around services because we're not a "Silo" funding source and through the Council's board of directors and public block 477, can put funds into system wrap around services. She explained that the life skills of transitioning from rural to urban need to be addressed, as well as substance abuse issues; it is more difficult to address these issues under state guidelines than it is under tribal TANF. She opined that tribal TANF programs can deal with core issues effectively.

REPRESENTATIVE CISSNA said that it is really hard to track success with programs that come and go because of unreliable

funding. She advocated for a stable, local based operation that wraps around and serves the whole person. She inquired as to the Council conducting assessments that use multiple approaches for long-term effectiveness, so that there is a record of a model that works and can be replicated elsewhere in the state.

4:11:27 PM

MS. MERRITT-DUREN stated that she would be delighted to conduct assessments and eventually create a model. She said that within her department [Employment and Training Services] there are many services available that could serve as good models. She explained that the Council has developed a central intake process with state partners and when it becomes tribal TANF; there will be one intake to record all eligibility.

REPRESENTATIVE CISSNA stated that she would like to meet with Ms. Merritt-Duren and make [the Council's] recorded information available to the legislature.

4:13:47 PM

DON SHIRCEL, Director, Family Services Division, Tanana Chiefs Conference, (TCC), stated that he strongly supports the intent of HB 69 as a social service professional and program planner. He said that it makes a lot of sense to locally design and administer services such as those provided under temporary assistance programming. He related that TCC's tribally administered program is currently in its seventh year of operation, and the tribes of the Interior are proud of the accomplishments they have collectively made to date in getting people from welfare to work. He stated that the report to the legislature, prepared by the "Division," indicates that what the Native Family Assistance has been doing includes getting people to work in Alaska's urban areas, and in some of the most economically challenged rural areas of the state. He opined that the report and the outcomes achieved through this pilot program indicate that the state and the tribes are headed in the right direction. He continued:

HB 69 enables us to collectively and collaboratively stay [on] what clearly appears to be a good course. Overall, HB 69 simply allows for the continuation of local program variations and innovations that make sense to people of diverse regions of the state. The chances of achieving positive outcomes are greatly increased if the programs and services we provide are

fairly, equitably and locally administered and make sense to the people they serve. HB 69 is about common sense, get-to-work programming that fits, but it's about a lot more than that. HB 69 is about a sense of community, about local control, encouraging family and cultural values, marriage, fatherhood, work, self-sufficiency and individual responsibility ... it's about outcomes, and creative ways to achieve them. It's about getting a bigger bang for the same buck and even about reducing the state's general fund expenditures. It's about the 33 million dollars saved in state general funds in the past 5 years alone because of the Native Family Assistance Program, with a potential to save even more over the next five years and into the future. To us, HB 69 is about continuing one of the most successful collaborative partnerships between the states and the tribes to date; HB 69 is about work and it's about working together.

If there is one shortcoming of the bill, it would be that HB 69 includes no specific reference to child support enforcement programs that may be administered by a tribe. The landmark Welfare Reform legislation that enabled tribes to design and administer their own temporary assistance programs also enable tribes to administer their own child support enforcement programming. The U.S. Department of Health and Human Services has already approved a plan for the central council's Tlingit and Haida tribe to start up a tribally administered child support enforcement program and tribes in the Tanana Chief's Conference service area and the Association of Village Council Presidents are pursuing the similar course. We hope that the current mechanisms in place with the state's child support enforcement division to honor foreign orders, will be sufficient to allow tribal child support enforcement programs adequate articulation with the state, and that the child support enforcement related provisions in HB 69 will not be a detriment to the future development of these programs. Aside from this concern, TCC fully supports the overall intent of the bill. Our collective experience ... we feel indicates that we, the tribes and the state, are headed in the right direction.

CHAIR WILSON inquired as to the child support enforcement program and if it is working in other areas.

MR. SHIRCEL stated that there are six original tribal child support enforcement programs throughout the country that were grandfathered in, pending the final rule, which was recently published last spring. He said that all of the existing programs were in the lower 48.

[4:19:28 PM](#)

REPRESENTATIVE GARDNER moved to report HB 69 out of committee with individual recommendations and the accompanying four, attached fiscal notes.

REPRESENTATIVE SEATON objected for the purpose of discussion. He said that he would like to discuss the last point that was made on tribal support. He directed his question to Ms. Farnham and inquired as to the incorporation of tribal child support enforcement [to HB 69] and whether it is a necessary add on.

[4:20:26 PM](#)

MS. FARNHAM stated that she is not an expert on child support programs, but can understand the reasoning associated with if it is run community based or culturally relevant. She explained that after speaking with the director of the Child Support Enforcement Division, (CSED), in Alaska, in the Department of Revenue, it was decided that HB 69 was not an appropriate vehicle to solve the question. She said that if, in fact, the tribes in Alaska are going to move forward with tribal child support, that will take more than an adjustment to this bill. This bill deals specifically with the NAFFP and TANF programs, she related, and the only reference to child support is that there is a relationship between child support and TANF that has to occur if there will be future changes regarding tribal child support. She opined that it will take a full discussion, and it is not necessarily allowed or stopped by HB 69.

REPRESENTATIVE ANDERSON clarified that adding an amendment [regarding the child enforcement program] to this bill would make it difficult to accomplish the original "work partnership" goal of HB 69.

MS. FARNHAM stated that she agreed with Representative Anderson's comments.

[4:23:10 PM](#)

REPRESENTATIVE SEATON removed his previously stated objection.

Therefore, HB 69 was reported out of committee with individual recommendations and the accompanying four attached fiscal notes by the House Health, Education and Social Services Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at [4:24:03 PM](#).