

SENATE BILL NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATOR OLSON

Introduced: 1/16/07

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act extending the cash assistance benefit program for seniors under the senior care**
2 **program and increasing the benefit amount; and providing for an effective date."**

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

4 *** Section 1.** AS 47.45.300(a) is amended to read:

5 (a) The senior care program is established in the Department of Health and
6 Social Services to provide cash assistance benefits [AND PRESCRIPTION DRUG
7 BENEFITS] as far as practicable under appropriations provided by law.

8 *** Sec. 2.** AS 47.45.300(c) is amended to read:

9 (c) If the department estimates that appropriations for the program are
10 insufficient to meet the demands of the program in a fiscal year, the department may
11 reduce or eliminate the benefits available to recipients. [BENEFITS SHALL BE
12 REDUCED OR ELIMINATED IN THE FOLLOWING ORDER:

13 (1) DEDUCTIBLE COVERAGE UNDER AS 47.45.320(c);

14 (2) PREMIUM COVERAGE UNDER AS 47.45.320(c);

1 (3) CASH ASSISTANCE UNDER AS 47.45.310(b).]

2 * **Sec. 3.** AS 47.45.310(b) is amended to read:

3 (b) An eligible individual who meets the income standard of (a)(3) of this
4 section shall receive cash assistance of **\$150** [\$120] a month as far as practicable
5 under appropriations available to the program.

6 * **Sec. 4.** AS 47.45.330 is amended to read:

7 **Sec. 47.45.330. Continuation of benefits.** An eligible individual who leaves
8 the state may not receive a cash assistance benefit under AS 47.45.310 [OR
9 PRESCRIPTION DRUG BENEFIT UNDER AS 47.45.320] during the absence unless
10 the individual's absence is temporary and is for one of the following reasons:

11 (1) to receive medical treatment for the individual;

12 (2) to accompany the individual's family member who is receiving
13 medical treatment outside the state; or

14 (3) for a vacation, business trip, or other absence of less than 30
15 consecutive days, unless the individual has applied for and received a time extension
16 from the department for special circumstances.

17 * **Sec. 5.** AS 47.45.340 is amended to read:

18 **Sec. 47.45.340. Appeal rights.** An individual who receives a determination
19 from the department that denies, limits, or modifies a cash assistance benefit [OR
20 PRESCRIPTION DRUG BENEFIT] under AS 47.45.300 - 47.45.390, other than a
21 determination under AS 47.45.300(c) to reduce or eliminate benefits, may request a
22 hearing before the department under regulations adopted by the department.

23 * **Sec. 6.** AS 47.45.350 is amended to read:

24 **Sec. 47.45.350. Ability to recover or recoup improper assistance benefits.**
25 An individual is liable to the department for the value of assistance or benefits
26 improperly paid to the person under AS 47.45.310 or **former AS 47.45.320**
27 [47.45.320] if the improper payment was based on inaccurate or incomplete
28 information provided by the individual. In a civil action brought by the state to recover
29 from the individual the value of assistance or benefits improperly paid under
30 AS 47.45.310 or **former AS 47.45.320** [47.45.320], the state may recover from the
31 individual the costs of investigation and prosecution of the civil action, including

1 attorney fees as determined under court rules.

2 * **Sec. 7.** AS 47.45.390(2) is amended to read:

3 (2) "eligible individual" means an individual who meets the
4 requirements of AS 47.45.310 [OR 47.45.320] and regulations adopted under **that**
5 **statute** [THOSE STATUTES] for eligibility for the program;

6 * **Sec. 8.** Section 4, ch. 89, SLA 2005, is repealed and reenacted to read:

7 Sec. 4. AS 47.45.320 is repealed on June 30, 2007.

8 * **Sec. 9.** Section 9, ch. 89, SLA 2005, is repealed.

9 * **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 **RETROACTIVITY AND REVIVAL.** If secs. 1 - 9 of this Act take effect after
12 June 30, 2007,

13 (1) AS 47.45.300 - 47.45.390, as amended by this Act, and secs. 8 and 9 of
14 this Act, are retroactive to June 30, 2007; and

15 (2) AS 47.45.300, 47.45.310, 47.45.330, 47.45.340, 47.45.350, 47.45.360, and
16 47.45.390, as amended by this Act, are revived.

17 * **Sec. 11.** Section 10 of this Act takes effect immediately under AS 01.10.070(c).

18 * **Sec. 12.** Except as provided in sec. 11 of this Act, this Act takes effect June 30, 2007.