

**CS FOR HOUSE BILL NO. 183(HSS)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 3/11/20

Referred: Labor and Commerce

Sponsor(s): REPRESENTATIVES FIELDS, Spohnholz

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the duties of the Department of Health and Social Services; relating  
2 to the duties of the Department of Labor and Workforce Development; and relating to  
3 staffing and wage standards for the Alaska Psychiatric Institute."

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

5 \* **Section 1.** AS 18.05.020 is amended to read:

6 **Sec. 18.05.020. Department to report activities.** The department shall  
7 prepare an annual report of its activities and notify the legislature not later than 10  
8 days after it convenes that the report is available. **If the department is not able to**  
9 **meet the staffing standards for an adult civil unit in the state psychiatric hospital**  
10 **developed under AS 47.30.660(c), the department shall include in the**  
11 **department's annual report the following information:**

12 **(1) the number of employees who vacated positions during the**  
13 **reporting period;**

14 **(2) the number of funded positions that are vacant;**

1 **(3) a description of efforts made to recruit and retain employees;**

2 **(4) if the department determines additional employee positions are**  
 3 **necessary to meet the standards, the number and cost of the additional positions;**  
 4 **and**

5 **(5) if the department determines additional funding is necessary to**  
 6 **meet the standards, the amount of and purposes for the additional funding.**

7 \* **Sec. 2.** AS 23.10.055(b) is amended to read:

8 (b) Notwithstanding (c) of this section,

9 **(1) an individual employed in a bona fide executive, administrative, or**  
 10 **professional capacity shall be compensated on a salary or fee basis at a rate of not less**  
 11 **than two times the state minimum wage for the first 40 hours of employment each**  
 12 **week, exclusive of board or lodging that is furnished by the individual's employer;**

13 **(2) a hospital employee of the state psychiatric hospital located in**  
 14 **Anchorage, Alaska, shall be compensated at a rate of not less than the current**  
 15 **prevailing rate of wages for work of a similar nature in Anchorage, Alaska, as**  
 16 **determined by the department; in this paragraph, "hospital employee" has the**  
 17 **meaning given in AS 47.30.660(c).**

18 \* **Sec. 3.** AS 47.30.660 is amended by adding a new subsection to read:

19 (c) The department shall, for the state psychiatric hospital located in  
 20 Anchorage, Alaska,

21 (1) continuously maintain and operate at least

22 (A) 60 beds in an adult civil unit; and

23 (B) 10 beds in a youth civil unit;

24 (2) develop and implement safe staffing standards for adult and youth  
 25 civil units;

26 (3) pay each hospital employee not less than the current prevailing rate  
 27 of wages for work of a similar nature in Anchorage, Alaska, as determined by the  
 28 Department of Labor and Workforce Development; in this paragraph, "hospital  
 29 employee" means a person who is compensated by the hospital in return for providing  
 30 regular or substantial personal services, regardless of the person's pay level or  
 31 technical status as full time or part time; "hospital employee" does not include

1 volunteers, consultants, or individuals who perform functions that are incidental to  
2 hospital functions.

3 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5 APPLICABILITY. AS 23.10.055(b), as amended by sec. 2 of this Act, and  
6 AS 47.30.660(c)(3), enacted by sec. 3 of this Act, apply to contracts entered into, amended,  
7 extended, or renewed on or after the effective date of this Act.

8 \* **Sec. 5.** AS 47.30.660(c)(1)(A) takes effect January 1, 2021.

9 \* **Sec. 6.** AS 47.30.660(c)(1)(B) takes effect July 1, 2021.