

**ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE**

April 15, 2024

1:31 p.m.

MEMBERS PRESENT

Senator Jesse Bjorkman, Chair
Senator Elvi Gray-Jackson
Senator Kelly Merrick
Senator Forrest Dunbar

MEMBERS ABSENT

Senator Click Bishop, Vice Chair

COMMITTEE CALENDAR

SENATE BILL NO. 235

"An Act relating to certified nurse aide training; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 237

"An Act establishing a corporate income tax credit for certain expenditures on child care services, utility rates, residential housing, and food security and availability; and providing for an effective date."

- MOVED SB 237 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 235

SHORT TITLE: CNA TRAINING

SPONSOR(s): SENATOR(s) GIESSEL BY REQUEST

02/15/24	(S)	READ THE FIRST TIME - REFERRALS
02/15/24	(S)	L&C
04/15/24	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 237

SHORT TITLE: TAX CREDIT CHILD CARE/UTILITY/HOUSE/FOOD

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

02/19/24 (S) READ THE FIRST TIME - REFERRALS
02/19/24 (S) L&C, FIN
03/15/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/15/24 (S) Heard & Held
03/15/24 (S) MINUTE (L&C)
04/15/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

SENATOR CATHY GIESSEL, District E
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Sponsor of SB 235.

JANE CONWAY, Staff
Senator Cathy Giessel
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented a list of supporters for SB 235.

MAUREEN TOWNSEND, representing self
Kenai, Alaska
POSITION STATEMENT: Gave invited testimony on SB 235.

MICHELLE CASSANO, representing self
Anchorage, Alaska
POSITION STATEMENT: Gave invited testimony on SB 235.

LAURA MCENTIRE, Senior Director
Health Systems
Alzheimer's Association
Dallas, Texas
POSITION STATEMENT: Gave invited testimony on SB 235.

MICHAEL WILLIAMS, Acting Deputy Director,
Tax Division
Department of Revenue (DOR)
Anchorage, Alaska
POSITION STATEMENT: Answered questions on SB 237.

ACTION NARRATIVE

1:31:39 PM

CHAIR JESSE BJORKMAN called the Senate Labor and Commerce Standing Committee meeting to order at 1:31 p.m. Present at the call to order were Senators Gray-Jackson, Dunbar, and Chair Bjorkman. Senator Merrick arrived thereafter.

SB 235-CNA TRAINING

1:32:25 PM

CHAIR BJORKMAN announced the consideration of SENATE BILL NO. 235 "An Act relating to certified nurse aide training; and providing for an effective date."

1:32:45 PM

SENATOR CATHY GIESSEL, District E, Alaska State Legislature, Juneau, Alaska, sponsor of SB 235, introduced SB 235 by saying her mother has dementia and lives in the Anchorage Pioneer Home. The Pioneer Homes serve as a safety net for many Alaskans who suffer from dementia. She noted the percentage of the population of seniors in the Pioneer Homes is growing exponentially with dementia and Alzheimer's patients. These are high-level care [patients] and this places high demand on the Pioneer Homes, and she also noted home and community-based clinicians or service-providers, many of whom go into homes to serve people with Alzheimer's or dementia. She said SB 235 would increase the training required for the Certified Nurse Aides (CNAs), the front-line, hands-on care providers in the Pioneer Homes and in home and community-based services. She shared some facts and statistics:

- Alaska has the highest growth in senior population of any state for the last ten years in a row.
- 34 percent of Alaska's residential care patients have at least some form of dementia.
- 49 percent of nursing home residents have at least some form of dementia.
- 36 percent of patients using home health services have at least some form of dementia.

SENATOR GIESSEL noted the federal government had increased regulations for training for CNA's relating to treating dementia and presented a document, "Care of Cognitively Impaired Residents" with defined criteria for regulations. She acknowledged the language suggested regulation that should be passed by the board of nursing, as the body that regulates CNAs. Unfortunately, she said this isn't happening and [SB 235 would meet] a critical need of a growing population.

[Original punctuation provided.]

ADOPTED FEDERAL REGULATION LANGUAGE

Care of cognitively impaired residents:

- (i) Techniques for addressing the unique needs and behaviors of individual with dementia (Alzheimer's and others);
- (iii) Understanding the behavior of cognitively impaired residents;
- (iv) Appropriate responses to the behavior of cognitively impaired residents; and
- (v) Methods of reducing the effects of cognitive impairments.

[1:36:06 PM](#)

JANE CONWAY, Staff, Senator Cathy Giessel, Alaska State Legislature, Juneau, Alaska, noted letters of support for SB 235 in the committee's information packet from the following organizations:

- Resources of Alaska
- Alzheimer's Association
- The Aleutian-Pribilof Islands
- UAA National Resource Center for Alaska Native Elders
- The Alaska Commission on Aging
- State of Alaska Long-term Ombudsman's Program
- Alaska Pioneer Homes
- Hope Community Resources
- Fairbanks Resource Agency
- Bigelow Community Consulting

[1:37:28 PM](#)

MAUREEN TOWNSEND, representing self, Kenai, Alaska, gave invited testimony on SB 235. She paraphrased the following letter to the committee:

[Original punctuation provided.]

To whom it may concern,

I am writing to you in response to bill NO.235. This is a subject that is important to me due to my own experience training as a CNA, followed by my clinical

experience within the dementia wing. Despite my training at the college (and my prior years serving as a PCA) I was not prepared for working with dementia patients. You see, I have always had a fear of losing my memory and losing my sense of self. This was something that I had shared with my class, which prompted my instructor to place me in the dementia wing for my clinicals. Though some of the residents were docile, there were also frequent times of hysterical or often violent behavior. It is my opinion that the CNAs that I worked with and myself could have benefited from additional training in which to give us tools for the situations we faced.

After working in the dementia wing, and seeing what I witnessed, I changed my path and went into Dermatology as a surgical assistant instead. I imagine I am not the first that this has happened to. We have a real need for CNAs in my area, so being discouraged due to a lack of training in the field is a real shame. It is my hope that in the future we can offer more programs to those who need it the most.

All the best,

Maureen Townsend

[1:39:49 PM](#)

MICHELLE CASSANO, representing self, Anchorage, Alaska, gave invited testimony in support of SB 235. She said she was a retired nurse, currently living in Anchorage and that she began her nursing career in Nome. She said she cared deeply about the quality of dementia care education and person-centered training for CNAs. She said her husband, Lawrence Williams, a veteran, deserved better care and to be safe and that without the knowledge there could be injury to the CNAs and to the patient. She continued by paraphrasing the following letter:

[Original punctuation included.]

March 5, 2024

To: Alaska Legislature
Fm: Michelle Cassano, Alzheimer's advocate
Re: SB 235

Thank you for taking my testimony on this pivotal issue, upon my husband's passing recently, we concluded a 13-year battle with Alzheimer's and related dementias.

In the last 4 years of his life our family had to rely on memory care, assisted living and finally hospice to keep my husband safe and in the best health possible. There are so many medical, social and economic issues surrounding Alzheimer's I would like to focus on the caregivers who care for these fragile individuals.

As a nurse I never thought I would not be able to care for my husband, but when his safety was at risk due to wandering and agitation, we made a difficult decision.

The facility during COVID had difficulty maintaining staff, many young individuals with little experience with seniors and/or Alzheimer's. Subsequently he was frequently transported to Emergency Services, each visit averaged \$14,000 at least once a month, when a warm drink and being put back to bed would have sufficed. This is a burden to emergency rooms, poor use of resources and terribly upsetting to patient and family.

CNAs trained in dementia care can effectively manage challenging behaviors and ensure the safety and security of our loved ones. This gives us peace of mind, knowing that our family member is in capable hands, even in difficult situations.

CNAs trained in dementia care can recognize early signs and symptoms of cognitive decline. This enables timely interventions and support services, potentially slowing the progression of dementia.

When our resources mandated, we move my husband to a Medicaid waiver facility, we found a staff who were so well trained and connected with my loved one and anticipated quirks, like lying on the floor when tired...avoiding falls...getting him comfortable and helping with processes that would allow rest, two years not one hospital visit.

I cannot explain how reassuring it is to know your loved one has proper care, backed by education, CNA's

are an important part of the healthcare team, they attend continuing education, adding dementia training is critical as our population ages, and more are diagnosed with early onset dementias. Classes and training is offered by agencies such as the Alzheimer's Association and often are at little to no cost, should not be a burden in terms of a fiscal note.

Again, my appreciation of your attention to this matter.

Michelle Cassano

MS. CASSANO concluded her testimony with gratitude and said her thoughts are with those who have family members living with dementia.

[1:44:27 PM](#)

LAURA MCENTIRE, Senior Director of Health Systems, Alzheimer's Association, Dallas, Texas gave invited testimony on SB 235. She said she was a Licensed Clinical Social Worker (LSCW) and that she cares for her father who is experiencing middle-stage Alzheimer's. She said she could provide background for the importance of person-centered care for dementia patients and the need for CNAs to be trained in this type of care.

MS. MCENTIRE outlined recommendations for quality care practices based on comprehensive review of current evidence, best practices and expert opinions. She said the recommendations offered a wholistic approach to training and care to support persons at risk for cognitive decline and support for persons living with dementia throughout the disease. She said person-centered care for dementia is widely accepted as a value-based approach to caring for people with dementia and is a guiding principle in care services. She said person-centered care is a philosophy built around understanding the unique needs, values and beliefs of individuals receiving care. This approach assists in creating a more interpersonal relationship between the person living with dementia and their care-providers, such as CNAs. A person-centered approach enables care assistance to emphasize a social model focused on relationships of care rather than a medical model which tends to focus on processes, schedules, staffing and organizational needs. She said comprehensive training on this topic is necessary because the philosophy of person-centered care needs to be interwoven into all aspects of care. She said if a CNA is offered training around effective

communications or managing behaviors, it would be important for the CNA to really understand how knowing the specific preferences of that person would affect the type of communication they would have. For example, she suggested that if the person being cared for is a veteran and prefers to be called "Colonel" rather than their first name, that might help with effective communication. She also said CNAs may receive training to help manage behavioral expressions. Understanding what has been meaningful to a patient in their lives prior to their dementia can help make meaningful connections. She related that cooking alongside her father facilitated a connection with him due to his past work in restaurants; however, her mother did not enjoy cooking, so cooking with her likely would not create a meaningful, enjoyable connection if she were experiencing dementia. She said it's very important that CNAs learn specific techniques for effective care and that they also understand the importance of a person-centered approach. She emphasized that training for this type of disease can not be covered in a brief overview and that dementia is complex and progressive and often is experienced in different phases. One aspect of a person-centered approach was knowing where the person was in their disease and knowing that what was effective at one point may not be effective at a later stage and would require revisiting what had been important in the patient's life before dementia. She said comprehensive training would allow better recruitment of effective CNAs, and it would improve retention of people working as CNAs in various settings.

[1:48:48 PM](#)

SENATOR MERRICK joined the meeting.

[1:48:49 PM](#)

MS. MCENTIRE concluded her testimony, saying the training would prevent surprises [for new CNAs] as CNAs would be prepared for the behaviors that may be "normal" for certain patients. This [comprehensive training] would help CNAs embrace the necessary care, think outside the box and work with a team-based approach.

[1:50:06 PM](#)

CHAIR BJORKMAN held SB 235 in committee.

[1:50:09 PM](#)

At ease

SB 237-TAX CREDIT CHILD CARE/UTILITY/HOUSE/FOOD

[1:52:24 PM](#)

CHAIR BJORKMAN reconvened the meeting and announced the consideration of SENATE BILL NO. 237 "An Act establishing a corporate income tax credit for certain expenditures on child care services, utility rates, residential housing, and food security and availability; and providing for an effective date."

[1:53:23 PM](#)

CHAIR BJORKMAN opened public testimony on SB 237; finding none, he closed public testimony.

[1:53:56 PM](#)

MICHAEL WILLIAMS, Acting Deputy Director, Tax Division, Department of Revenue (DOR), Anchorage, Alaska, introduced himself and offered to answer questions on SB 237.

[1:54:12 PM](#)

SENATOR DUNBAR noted a separate bill under consideration in another committee that has to do with income tax credit. He asked how many tax paying entities SB 237 would apply to. He suggested there were fewer than might be expected and he said there are relatively few entities that pay the kind of tax at issue. He noted Alaska is a state without personal income tax or sales tax, so there is little to apply a tax credit against. He further noted the indefinite, speculative nature of the accompanying fiscal note from the Department of Revenue, OMB Component Number 2476, dated February 14, 2024, for which there was a wide range of possible outcomes. He reframed his question to ask how many entities and what percentage of entities in Alaska would be able to take advantage of the tax credit proposed by the bill. He further asked how many, if any, individuals would be able to take advantage of the tax credit.

[1:55:23 PM](#)

MR. WILLIAMS said there are approximately 18,000 entities that file a tax return and around 11,000 of those are pass-through entities, otherwise known as S-corporations and they typically do not pay tax because of their pass-through nature and because Alaska does not have a personal income tax. He said that leaves approximately 7,000 C-corporations that file a return and of that number, accounting for variations due to the cyclical nature of some industries, roughly 1,000 corporations actually pay tax. He said those with significant or meaningful tax liability to the state account for a couple hundred corporations. He said individuals do not have tax liability to the state unless they happen to be a sole shareholder of a corporation that owes tax, but he noted, even then, it is not the individual paying the tax, but the business entity.

[1:56:51 PM](#)

SENATOR DUNBAR restated that SB 237 would only apply to a few hundred out of 18,000 entities; concentrating the benefit to comparatively few large corporations. He noted the bill would cost \$200 million and suggested another approach could be, instead of forgoing the revenue from very large corporations, the \$200 million could be distributed to individuals and to small corporations and businesses. He said this would result in the same affordability and would benefit a wider variety of Alaskans and not only the very largest corporations. He appreciated the description of the business entities and asked whether some of the largest employers in Alaska would be impacted by SB 237. He noted the fishing industry, in particular and asked whether a fishing boat or fishing family would be able to take advantage of the tax break.

[1:58:09 PM](#)

MR. WILLIAMS answered that it would depend on how that commercial enterprise is organized. The income tax only falls on entities that are treated for federal tax purposes as a C-corporation. So, if that fishing enterprise is organized as a C-corporation and has a tax liability [SB 237 would apply]. However, he said, in his experience most family-owned businesses are organized as a pass-through entity.

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SENATOR DUNBAR suggested an LLC.

MR. WILLIAMS concurred and added that a partnership or an S-corporation were other possibilities.

[1:59:01 PM](#)

SENATOR DUNBAR asked whether village corporations and other Alaska Native Claims Settlement Act (ANCSA)-created corporations [would be included].

[1:59:12 PM](#)

MR. WILLIAMS said both ANCSA and village corporations file federal tax returns which requires them to file a state tax return and he said liabilities will vary from entity to entity, so they potentially could take advantage of this tax credit to the extent they have a tax liability.

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CHAIR BJORKMAN solicited the will of the committee.

[1:59:55 PM](#)

SENATOR GRAY-JACKSON moved to report SB 237, work order 33-GS2419\A, from committee with individual recommendations and attached fiscal note(s).

[2:00:13 PM](#)

CHAIR BJORKMAN found no objection and SB 237 was reported from the Senate Labor and Commerce Standing Committee.

[2:01:03 PM](#)

There being no further business to come before the committee, Chair Bjorkman adjourned the Senate Labor and Commerce Standing Committee meeting at 2:01p.m.