

Introduced: 2/14/74  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY CHANCE

2 HOUSE BILL NO. 629

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liability for expenses of  
7 hospitalization of mental patients."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 47.30.270(a) is amended to read:

10 (a) A patient [,] or his [LEGAL REPRESENTATIVE ACTING IN A  
11 REPRESENTATIVE CAPACITY, SPOUSE,] parents, if the patient is under the  
12 age of 18, [ADULT CHILDREN, IN THAT ORDER,] shall pay or contribute to  
13 the payment of the charges for the care or treatment of the patient  
14 when hospitalized under secs. 10 - 340 of this chapter, in the manner  
15 and proportion which the department finds is not detrimental to the  
16 patient's rehabilitation and which is within their ability to pay. The  
17 charges may not exceed the actual cost of the care or treatment as  
18 determined by the department. Notwithstanding the amount of the charge  
19 determined to be due, parents may not be required to pay more than \$50  
20 a month for each child. The order of the department relating to the  
21 payment of charges by parents [PERSONS OTHER THAN THE PATIENT, OR HIS  
22 LEGAL REPRESENTATIVE,] shall be prospective in effect and shall relate  
23 only to charges to be incurred after the order, except that if the  
24 parent [RESPONSIBLE PERSON] intentionally conceals his ability to pay,  
25 he shall be ordered to pay to the extent of his ability the charges  
26 accruing during the period of the concealment. The department may make  
27 necessary investigations to determine the ability to pay, and may require  
28 sworn statements of income by the parent [RESPONSIBLE PERSONS].

29 \* Sec. 2. AS 47.30.270(d) is amended to read:

1 (d) The amount of liability for care and treatment not paid for  
2 by the patient or by his parent [SOMEONE IN HIS BEHALF] constitutes a  
3 lien in favor of this state against all property of the patient. The  
4 unpaid amount of liability is a debt to the state and is a first,  
5 prior and preferred claim against the estate of the patient after death,  
6 and after expenses of administration and all just claims for medical  
7 care of last illness and burial expenses have been paid. The claim  
8 based upon information submitted by the department shall be prepared and  
9 filed by the attorney general.

10 \* Sec. 3. AS 47.30.270 is amended by adding a new subsection to read:

11 (f) The amount of liability for care and treatment which is  
12 ordered by the department under (a) of this section and which is not  
13 paid by the parent before the parent's death, shall be discharged or  
14 collected from the patient. No claim lies against the assets or estate  
15 of the deceased parent.  
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