

Introduced: 4/20/74  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 HOUSE BILL NO. 860

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a group home grant program."

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

8 \* Section 1. AS 47 is amended by adding a new chapter to read:

9 CHAPTER 36. GROUP HOME GRANT PROGRAM.

10 Sec. 47.36.010. GRANT AUTHORIZATION AND LIMITATION. (a) Within  
11 the limits of funds appropriated, grants may be awarded to eligible  
12 nonprofit public or private corporations for any of the following  
13 purposes:

14 (1) constructing, purchasing, leasing or improving facilities  
15 to house a group home,

16 (2) maintaining and operating a group home during its first  
17 year of operation.

18 (b) No group home may receive a grant under (a) of this section  
19 unless the home is

20 (1) a nonprofit public or private corporation which receives  
21 assistance under ch. 40 of this title,

22 (2) licensed by the department as provided in ch. 35 of  
23 this title, and

24 (3) certified as needed under sec. 15 of this chapter.

25 (c) The department may withhold payment of funds under this  
26 section if the group home fails to comply with the licensing require-  
27 ments and regulations of the department, or ceases to operate. If at  
28 any time after the awarding of a grant under this section which is  
29 used in part or in whole for construction or purchase of facilities,

1 a group home ceases operation of services in that facility, the title  
2 to the facility constructed or purchased under this section vests in  
3 the state. If title to a facility vests in the state under this sub-  
4 section, the department may transfer the title, subject to those con-  
5 ditions the department determines to be necessary, to a local corpora-  
6 tion for the purpose of providing services for which the grants were  
7 originally intended.

8 Sec. 47.36.015. CERTIFICATE OF NEED. (a) A group home which  
9 seeks grant assistance under this chapter shall apply to the department  
10 for a certificate of need.

11 (b) The department shall determine whether to certify the group  
12 home as needed on the basis of the following criteria:

13 (1) the number of existing group homes and alternative  
14 facilities operating in the proximate geographic area,

15 (2) the projected need for group homes in that area,

16 (3) the proposed capacity of the applicant group home, and

17 (4) other factors which are determined to be relevant by the  
18 department, as shall be set out in regulations promulgated by the depart-  
19 ment.

20 (c) The department shall submit its decision and the reasons for  
21 it to the applicant group home within 60 days of receipt of the applica-  
22 tion.

23 Sec. 47.36.020. GRANT RATIOS. (a) A grant awarded under this  
24 chapter shall be made in a ratio of 75 per cent state money to 25 per  
25 cent local money; however, if the average family income in the area  
26 served falls below the federal poverty level, as established by the  
27 Office of Economic Opportunity in January 1973, the grant awarded  
28 under this chapter shall be made in a ratio of 90 per cent state money  
29 to 10 per cent local money. The department may allow as a part of

1 the local percentage of the costs the reasonable value of in-kind  
2 contributions pledged and directly related to the payment of costs for  
3 which grants are available under this chapter.

4 (b) A contract between a state agency and a local corporation to  
5 provide any of the services under sec. 10(a)(2) of this chapter, shall  
6 be entered into according to the provisions of ch. 40 of this title,  
7 except that full cost of services determined under AS 47.40.040 shall  
8 be reduced by an amount equal to the total amount of grants awarded  
9 under this chapter for the year or years that the grant is effective.

10 Sec. 47.36.030. BOARD OF DIRECTORS. Each group home which  
11 receives a grant under this chapter shall have a board of directors of  
12 at least five persons to advise the group home and administer the grant.  
13 A majority of the board of directors shall be persons who are not  
14 engaged in providing the group home service for which the grant is  
15 authorized under this chapter. No quorum is considered present at a  
16 board meeting unless those persons not engaged in providing services  
17 for which the grant is authorized under this chapter are in the  
18 majority.

19 Sec. 47.36.040. REGULATIONS. Within 90 days after the effective  
20 date of this Act, the department shall promulgate regulations necessary  
21 for the implementation of this chapter, including but not limited to

22 (1) application requirements for grants under this chapter;  
23 (2) time limits for consideration of applications;  
24 (3) the processing of applications;  
25 (4) the requirements for reporting the financial status  
26 of the group home.

27 Sec. 47.36.050. DEFINITIONS. In this chapter

28 (1) "group home" means a small establishment providing care  
29 and services for 10 or fewer children not related by blood, marriage or

1 legal adoption to the foster parent and which is

2 (A) noncontiguous to another institution; and

3 (B) stresses normal family living;

4 (2) "nonprofit public or private corporation" means a  
5 public or private organization which is incorporated under state law  
6 and which is designated as tax exempt under sec. 501(c)(3) of the  
7 Internal Revenue Code of 1954.