

Original sponsor: Rules Committee by
request of the Governor

Offered: 4/18/78
Referred: Rules

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 99

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liability for expense of hospita-
7 lization of mentally ill individuals; and providing
8 for an effective date."

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

10 * Section 1. AS 47.30.270(a) is repealed and re-enacted to read:

11 (a) A patient, or his legal representative acting in a represen-
12 tative capacity, or his spouse, or his parents if the person is under
13 the age of 18, shall pay or contribute to the payment of the charges
14 for the care or treatment of the patient when hospitalized under secs.
15 10 - 340 of this chapter. The charges may not exceed the actual cost
16 of the care and treatment as determined by the department. The depart-
17 ment may order payment of charges by the patient or by the person re-
18 sponsible for payment of the charges for the patient's care and
19 treatment under this subsection, according to ability to provide for
20 payment. The department may make necessary investigations to determine
21 the ability to provide for payment and may require sworn statements of
22 income by the patient, or his legal representative acting in a repre-
23 sentative capacity, or his spouse or parent. In the exercise of his
24 discretion, the commissioner may impose full liability for the patient's
25 actual cost of care and treatment on the patient, legal representative,
26 spouse or parent for refusal to supply a sworn statement of income.
27 An order for payment of charges shall be issued by the department
28 within six months after the date on which the charge was incurred.
29 The order shall remain in full force and effect unless modified by

1 subsequent court or department order. Liability under this subsection
2 shall be determined as follows:

3 (1) a patient hospitalized under this chapter who is develop-
4 mentally disabled, or the person responsible for payment of charges for
5 such a patient under this subsection, may not be required to pay more
6 than \$50 a month toward the charges for the care and treatment of the
7 patient;

8 (2) a patient hospitalized on a voluntary basis under this
9 chapter, other than one covered by (1) of this subsection, or the
10 person responsible for payment of charges for such a patient, may be
11 required to pay according to his ability to provide for payment, as
12 determined by the department, and in the manner and proportion which the
13 department finds is not detrimental to the patient's rehabilitation;
14 however, after the patient has been hospitalized under this chapter for
15 an aggregate period of 12 months, the patient or person responsible for
16 payment may not be required to pay more than \$50 a month toward the
17 charges for the care and treatment of the patient;

18 (3) a patient hospitalized on an involuntary basis under this
19 chapter, other than one covered by (1) of this subsection, or the person
20 responsible for payment of charges for such a patient under this sub-
21 section, may not be required to pay more than \$50 a month toward the
22 charges for the care and treatment of the patient.

23 * Sec. 2. AS 47.30.270(f) is amended to read:

24 (f) If an order of payment is entered by the department under this
25 section, and delinquency in the payment of any amount due the state
26 under the order continues for a period of more than 30 days after the
27 notification of the patient or the legal representative, spouse, or
28 parent of the patient by the department, the state may proceed to collect
29 the amounts due by appropriate proceedings. Actions to enforce the

1 collection of payments may only be brought within three years after the
2 date of notification of a delinquent payment.

3 * Sec. 3. AS 47.30.270(d) is repealed.

4 * Sec. 4. The orders of the department issued under AS 47.30.270, as
5 amended by this Act, shall relate only to charges incurred after the effec-
6 tive date of this Act.

7 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
8 070(c).

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