

Introduced: 2/11/77  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 206

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public health services in munici-  
7 palities; and providing for an effective date."

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

9 \* Section 1. AS 18.10 is amended by adding new sections to read:

10 CHAPTER 10. LOCAL PUBLIC HEALTH SERVICES

11 [UNITS AND DISTRICTS].

12 ARTICLE 1. MUNICIPALITIES.

13 Sec. 18.10.011. PURPOSE. The purpose of secs. 11 - 71 of this  
14 chapter is to promote and safeguard the health of the general public  
15 by orderly delegation of state authority to municipalities and autho-  
16 rizing of grants for comprehensive public health services to local  
17 governments.

18 Sec. 18.10.021. ELIGIBLE MUNICIPALITIES. (a) The following  
19 municipalities are eligible for the transfer of responsibility and the  
20 receipt of financial grants under secs. 11 - 71 of this chapter:

21 (1) cities which are within an organized borough and have  
22 public health powers;

23 (2) unified municipalities established under AS 29.68.240 -  
24 29.68.440, in the municipal area in which public health powers are  
25 authorized, whether area-wide or in less than the entire area of the  
26 municipality;

27 (3) organized boroughs, in the borough area in which public  
28 health powers are authorized, whether areawide or in the borough area  
29 outside cities only or in a service area established for public health

1 purposes under AS 29.63.090 or by home rule charter.

2 (b) Nothing in secs. 11 - 71 of this chapter otherwise restricts  
3 or prohibits the combining of two or more municipalities as a single  
4 entity for the purposes of secs. 11 - 71 of this chapter, upon mutual  
5 agreement for cooperative or joint administration of functions.

6 Sec. 18.10.031. GRANTS. (a) The commissioner may make grants  
7 to the governing bodies of municipalities designated in sec. 21 of  
8 this chapter to assist in paying costs of provision of comprehensive  
9 public health services under a plan of service as required by regula-  
10 tions adopted under sec. 61 of this chapter. Application for a grant  
11 must be submitted, no later than April 1 preceding the fiscal year for  
12 which the grant is sought, in the form and with information which the  
13 department by regulation prescribes. The grant has two elements:

14 (1) if the municipality agrees to maintain the same level  
15 of public health services as furnished by the department in the fiscal  
16 year preceding application, the department shall provide an initial  
17 grant to the municipality in an amount equal to 90 per cent of the  
18 state budget for public health services furnished in the municipality  
19 in that fiscal year; the same level of basic grant support shall be  
20 provided in subsequent fiscal years;

21 (2) in addition to grant money under (1) of this subsection,  
22 if the municipality expands public health services or initiates new  
23 programs beyond those provided in the fiscal year preceding appli-  
24 cation, and they are included in the approved health services plan,  
25 the department shall provide 50 per cent of the cost of the additional  
26 services or programs to the extent permitted by funds appropriated for  
27 that purpose.

28 (b) A grant is authorized under this section only if

29 (1) application is made on a state fiscal-year basis and

1 has been approved by the appropriate health systems agency, and

2 (A) the governing body of the municipality has submitted  
3 to the commissioner a plan for the provision of comprehensive  
4 health services and has had the plan initially approved by him;  
5 or

6 (B) in those cases in which a plan of services has  
7 been initially approved, the commissioner upon his annual review  
8 of the plan determines that it and the activities undertaken  
9 under it continue to meet requirements established for these  
10 plans;

11 (2) the governing body of the municipality agrees to maintain  
12 local operating expenditures for public health services at a level at  
13 least equal to the level of support as of July 1, 1977; a municipality  
14 must, as a minimum condition of compliance with secs. 11 - 71 of this  
15 chapter, assume responsibility for maintenance of the local health  
16 center within the municipality;

17 (3) the governing body matches with revenue or in-kind  
18 contributions which are not derived from state or federal sources,  
19 except under the provisions of AS 43.18.010,

20 (A) 10 per cent of the amount necessary to maintain  
21 the level of public health services provided by the department in  
22 the fiscal year preceding application;

23 (B) 50 per cent of the cost of the services or programs  
24 additional to those provided in the fiscal year preceding applica-  
25 tion;

26 (4) the commissioner determines that public health services  
27 proposed under the plan cannot be provided more efficiently through a  
28 single entity combining with one or more entities as provided in sec.  
29 21(b) of this chapter.

1 (c) The department shall establish by regulation, a method, con-  
2 sistent with state accounting procedures, for determining the value of  
3 contributions made in kind by municipalities.

4 (d) Nothing in secs. 11 - 71 of this chapter reduces grants  
5 provided to municipalities to which responsibility for health services  
6 have been transferred before the effective date of this Act.

7 Sec. 18.10.041. EXPENDITURE OF FUNDS. Funds received by a  
8 municipality under secs. 11 - 71 of this chapter shall be expended  
9 only for the purpose described in the plan of service which has been  
10 approved by the commissioner.

11 Sec. 18.10.051. PRORATION. If amounts appropriated by the  
12 legislature are insufficient to meet the costs of matching grants  
13 calculated under secs. 11 - 71 of this chapter, the amount available  
14 shall be allocated pro rata among eligible municipalities.

15 Sec. 18.10.061. REGULATIONS. The commissioner shall adopt  
16 regulations necessary to implement secs. 11 - 71 of this chapter,  
17 covering such subjects as

18 (1) requirements for the development of a plan of service  
19 by a municipality;

20 (2) minimal standards of service;

21 (3) procedures for the application, revision, and approval  
22 of grants to municipalities, which include a detailed allocation  
23 formula;

24 (4) municipal health program evaluation;

25 (5) qualifications of health personnel.

26 Sec. 18.10.071. DEFINITIONS. In secs. 11 - 71 of this chapter

27 (1) "commissioner" means the commissioner of the Department  
28 of Health and Social Services;

29 (2) "department" means the Department of Health and Social

1 Services;

2 (3) "health systems agency" means an entity organized and  
3 operated in accordance with sec. 1521(b) of the Public Health Service  
4 Act (which section was added by P.L. 93-641), and engaging in health  
5 planning and development functions in a specified health service area  
6 of the state;

7 (4) "local health center" means a facility containing one  
8 or more offices, examining rooms, and clinic space for health programs.

9 \* Sec. 2. AS 18.05.040(a)(4), AS 18.10.010 - 18.10.050, and 18.10.260 -  
10 (b) are repealed.

11 \* Sec. 3. AS 18.10.031 in sec. 1 of this Act takes effect on July 1,  
12 1980. The remainder of this Act takes effect immediately in accordance  
13 with AS 01.10.070(c).