

Introduced: 1/29/80
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY BEIRNE

2 HOUSE BILL NO. 635

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act terminating state responsibility for the opera-
7 tion and maintenance of Alaska Pioneers' Homes and
8 authorizing the commissioner of administration to
9 provide for the continuing support of Alaska's pioneers
10 and providing for an effective date."

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

12 * Section 1. PURPOSE. It is the purpose of this Act to transfer responsi-
13 bility for the operation and maintenance of Alaska Pioneers' Homes from the
14 state to the private sector, and to accomplish this transfer without unneces-
15 sary reduction in the kind and quality of care and services provided by
16 substituting state purchase of residential home care services from providers
17 of these services within reasonable cost limits.

18 * Sec. 2. AS 44.21.020(10) is repealed and re-enacted to read:

19 (10) provide for a program of continuing assistance for the
20 benefit of elderly residents of the state in accordance with AS 44.21.-
21 132;

22 * Sec. 3. AS 44.21 is amended by adding a new section to article 2 to
23 read:

24 Sec. 44.21.132. SERVICES TO ALASKA PIONEERS. (a) The commis-
25 sioner of administration may enter into agreements for the purchase of
26 residential care services for the benefit of persons in a residential
27 home. A person is eligible to receive the benefit of services provided
28 under this section if he is

29 (1) a citizen of the United States 65 years of age or older;

1 (2) a resident of the state for not less than 15 years con-
2 tinuously and immediately preceding the time of his making application
3 for benefits; and

4 (3) a person who is in need of the services which are pro-
5 vided by a residential home because of physical disability or other
6 cause.

7 (b) Before providing for the purchase of residential care services
8 for persons eligible under (a) of this section, the commissioner shall

9 (1) adopt regulations

10 (A) defining eligibility for services provided under
11 this section on the basis of need; and

12 (B) establishing the levels of services to be provided;

13 (2) determine the rates of payment for the full cost of
14 services to be provided; and

15 (3) assure that a prospective provider of residential home
16 services is

17 (A) licensed when required by law or regulation;

18 (B) able to meet standards of fiscal accountability for
19 the receipt of public funds; and

20 (C) able to provide levels of care in residential homes
21 to persons eligible under (a) of this section in accordance with
22 standards which the department has adopted.

23 (c) The commissioner may enter into agreements by which to pur-
24 chase residential home care services for persons eligible under (a) of
25 this section. An agreement shall provide

26 (1) for the payment of expenses for the full cost of services
27 at the level of care required by the department under (b)(1)(B) of this
28 section; payment under this paragraph may not exceed \$35,000 per eligi-
29 ble person per year; and

1 (2) that the residential home will be operated in accordance
2 with the standards for the operation of residential care facilities
3 required by law or regulation.

4 (d) In this section,

5 (1) "commissioner" means the commissioner of the Department
6 of Administration;

7 (2) "department" means the Department of Administration;

8 (3) "full costs of services" means the per person daily cost
9 of service in the preceding fiscal year, plus a proportional share of
10 anticipated cost-of-living increment increases for the fiscal year in
11 which the service is to be provided, for care of persons in residential
12 homes; the term excludes

13 (A) expenditures for construction and other capital
14 expenditures in facilities acquired from the state;

15 (B) depreciation and replacement costs of, and costs of
16 additions to, major property and equipment acquired from the state;

17 (C) religious training and education; and

18 (D) services provided which exceed levels of care re-
19 quired by the department;

20 (4) "residential care service" means service to eligible
21 persons in a residential home;

22 (5) "residential home" means an Alaska Pioneers' Home estab-
23 lished by the state and transferred to private operation in accordance
24 with sec. 5 of this Act, or a similar facility which provides care to
25 eligible persons on a full-time residential basis.

26 * Sec. 4. AS 44.21.100 - 44.21.130 and AS 47.25.010 - 47.25.100 are
27 repealed.

28 * Sec. 5. TRANSFER OF RESPONSIBILITY FOR PIONEERS' HOMES. The commis-
29 sioner of administration shall provide for the sale of the assets of Alaska

1 Pioneers' Homes. The sale and transfer of title shall be substantially
2 completed not later than June 30, 1982.

3 * Sec. 6. INTERIM OPERATION OF PIONEERS' HOMES. In order to provide for
4 an orderly transition from state to private operation of Alaska Pioneers'
5 Homes, the commissioner of administration may enter into one or more agree-
6 ments, the duration of which may not extend past June 30, 1982, providing for
7 the interim management of Alaska Pioneers' Homes by a private contractor.

8 * Sec. 7. Sections 1, 5 and 6 of this Act take effect July 1, 1980.
9 Sections 2 - 4 of this Act take effect July 1, 1982.

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