

Introduced: 2/11/80  
Referred: Health, Education &  
Social Services and Finance

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 704

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the method of purchases of social  
7 services by the state; and providing for an effective  
8 date."

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

10 \* Section 1. AS 47.40.010(a) is repealed and re-enacted to read:

11 Sec. 47.40.010. PURCHASE OF SERVICES. (a) When the department  
12 purchases services for persons for whom the state has assumed respon-  
13 sibility under the laws of the state, the department shall

14 (1) adopt regulations establishing the levels of care to be  
15 provided and otherwise carrying out the purposes of this chapter;

16 (2) contract for the delivery of services at each level of  
17 care to be provided;

18 (3) place persons for whom the state has assumed responsi-  
19 bility at levels of care that are appropriate in light of individual  
20 needs.

21 \* Sec. 2. AS 47.40.020 is amended to read:

22 Sec. 47.40.020. LICENSING AND SUPERVISION. Any person [ANYONE]  
23 providing services which are purchased by the department under this  
24 chapter must [SHALL], if required by the department, be licensed and  
25 supervised in the same manner as boarding homes, foster homes and  
26 other institutions as provided for in AS 47.35.010 - 47.35.080.

27 \* Sec. 3. AS 47.40.030 is repealed and re-enacted to read:

28 Sec. 47.40.030. REQUIRED ACCOUNTING PROCEDURES. (a) Any person  
29 who solicits or receives payment for services, other than foster home

1 care, under this chapter shall

2 (1) meet generally accepted accounting principles; and

3 (2) upon request of the department, produce for inspection  
4 and copying all fiscal information, books, records, and accounts  
5 relating to the cost of providing services.

6 (b) Information acquired by the department under (a) of this  
7 section may not be disclosed if its disclosure is otherwise prohibited  
8 by law.

9 \* Sec. 4. AS 47.40 is amended by adding new sections to read:

10 Sec. 47.40.041. NEGOTIATION OF CONTRACTS. (a) The department  
11 shall, as often as it considers necessary, enter into negotiations for  
12 the purchase of services under this chapter. This requirement does  
13 not apply to foster home care.

14 (b) Regulations adopted by the department under AS 47.40.010 must  
15 include procedures for the negotiation of contracts under this section.

16 Sec. 47.40.051. FOSTER HOME CARE RATES. Regulations adopted by  
17 the department under AS 47.40.010 must establish rates of payment for  
18 foster home care.

19 \* Sec. 5. AS 47.40.080 is repealed and re-enacted to read:

20 Sec. 47.40.080. DEFINITIONS. In this chapter

21 (1) "department" means the Department of Health and Social  
22 Services;

23 (2) "services" means institutional, foster home, or other  
24 custodial or residential care, but does not include medical care or  
25 any services for which the manner or rate of payment is otherwise  
26 prescribed by law.

27 \* Sec. 6. AS 47.05.010(14), AS 47.40.040, and AS 47.40.050 are repealed.

28 \* Sec. 7. This Act takes effect July 1, 1981.  
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