

Introduced: 2/12/80  
Referred: Health, Education &  
Social Services

1 IN THE HOUSE

BY THE HEALTH, EDUCATION, AND SOCIAL  
SERVICES COMMITTEE BY REQUEST

2

HOUSE BILL NO. 720

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act establishing a single advisory board for the  
7 Department of Health and Social Services and abolishing  
8 existing advisory boards to the department; and pro-  
9 viding for an effective date."

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

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\* Section 1. LEGISLATIVE FINDINGS. The legislature recognizes that the  
13 Department of Health and Social Services provides a broad spectrum of ser-  
14 vices to the people of Alaska. The legislature finds that the programs and  
15 responsibilities of the department would benefit from a coordinated and  
16 integrated citizen review. The legislature also finds that a single advisory  
17 board for the department would better assist the department in the coordina-  
18 tion of services for the people of Alaska.

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\* Sec. 2. AS 44.29 is amended by adding new sections to read:

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ARTICLE 4. HEALTH AND SOCIAL SERVICES ADVISORY BOARD.

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Sec. 44.29.200. ADVISORY BOARD ESTABLISHED. There is established  
22 in the Department of Health and Social Services the Health and Social  
23 Services Advisory Board.

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Sec. 44.29.210. MEMBERSHIP OF BOARD. (a) The board consists of  
25 members appointed by the governor from three groups as follows:

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(1) eight members of the board shall be appointed from among  
26 beneficiaries and consumers of the services of the department;

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(2) eight members of the board shall be appointed from among  
27 the professions represented in the programs of the department;

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(3) nine members of the board shall be members of the public

1 who are not beneficiaries or consumers of the services of the department  
2 or members of the professions represented in the programs of the depart-  
3 ment.

4 (b) Appointments to the board shall be made without regard to  
5 political affiliation. In making appointments to the board the governor  
6 shall give due regard to the geographic dispersal of the population of  
7 the state. An employee of the department may not be appointed to the  
8 board.

9 Sec. 44.29.220. COMMITTEES OF BOARD. (a) The board shall divide  
10 itself into seven committees. Each committee shall have at least three  
11 members. Each committee shall have at least one member from each group  
12 represented on the board.

13 (b) Each committee is responsible for advising one of the follow-  
14 ing divisions or offices of the department:

- 15 (1) division of social services;
- 16 (2) division of public health;
- 17 (3) division of mental health and developmental disabilities;
- 18 (4) division of public assistance;
- 19 (5) division of corrections;
- 20 (6) office of alcoholism and drug abuse; and
- 21 (7) office of aging.

22 Sec. 44.29.230. TERM OF MEMBERSHIP, REMOVAL AND VACANCIES. (a)  
23 Members of the board serve overlapping three-year terms. Members of the  
24 board serve at the pleasure of the governor.

25 (b) A vacancy in the membership of the board shall be filled by  
26 the governor for the unexpired portion of the vacated term from a member  
27 of the same group.

28 Sec. 44.29.240. COMPENSATION, PER DIEM, AND EXPENSES. (a) Mem-  
29 bers of the board receive no compensation for service on the board.

1 Members are entitled to travel expenses and per diem authorized by law  
2 for members of state boards and commissions.

3 (b) Members of the board who are recipients of state public as-  
4 sistance programs and who have young children are entitled to day care  
5 expenses while attending meetings of the board. The commissioner shall  
6 adopt regulations to implement this subsection.

7 Sec. 44.29.250. MEETINGS OF THE BOARD AND COMMITTEES. (a) The  
8 board shall meet at least twice a year and each committee of the board  
9 shall meet quarterly.

10 (b) Each committee of the board shall receive public testimony on  
11 the effectiveness of services provided by the department. This testi-  
12 mony shall be received at at least two meetings each year.

13 (c) Board and committee meetings may be scheduled to occur at the  
14 same times.

15 Sec. 44.29.260. DUTIES. (a) The board shall study the programs  
16 of the department to determine whether

17 (1) the services which the department and its divisions and  
18 offices are authorized to perform are being efficiently provided;

19 (2) the services of the department are being provided in  
20 sufficient quantity and quality to meet the needs of the people of the  
21 state;

22 (3) the programs of the divisions and offices of the depart-  
23 ment are being operated in coordination with each other and in coordi-  
24 nation with the programs of other service agencies.

25 (b) Each committee of the board shall annually review the budget  
26 of the division or office it advises. The board shall thereafter an-  
27 nually review the budget of the entire department.

28 (c) The board shall review the state plan prepared under AS 47.-  
29 75.040.

1 (d) The board shall transmit its findings and recommendations for  
2 administrative changes to the commissioner when made. The board shall  
3 transmit its findings and recommendations for legislative changes to the  
4 legislature within the first 10 days of each regular session of the  
5 legislature.

6 (e) The board has access to all information and records within the  
7 department except for information and records made confidential by law.

8 Sec. 44.29.270. FEDERAL REQUIREMENTS. The board and the commit-  
9 tees of the board shall comply with requirements of federal law in  
10 carrying out their responsibilities.

11 Sec. 44.29.280. DEFINITIONS. In AS 44.29.200 - 44.29.280

12 (1) "board" means the Health and Social Services Advisory  
13 Board;

14 (2) "commissioner" means the commissioner of health and  
15 social services;

16 (3) "department" means the Department of Health and Social  
17 Services.

18 \* Sec. 3. AS 18.07.011 is amended to read:

19 Sec. 18.07.011. STATEWIDE HEALTH COORDINATING COUNCIL. The Health  
20 and Social Services Advisory Board serves as [THERE IS CREATED] the  
21 Statewide Health Coordinating Council. [THE COUNCIL SHALL BE ORGANIZED  
22 IN THE MANNER DESCRIBED BY SEC. 1524(b), P.L. 93-641, SEC. 237(a)(1)(A),  
23 P.L. 94-63 AND AS 47.30.605(a).] The board [COUNCIL] shall perform the  
24 functions listed in sec. 1524(c), P.L. 93-641, sec. 237(a)(1)(A), P.L.  
25 94-63 and AS 47.30.605(b).

26 \* Sec. 4. AS 18.07.111(5) is amended to read:

27 (5) "board" ["COUNCIL"] means the Health and Social Services  
28 Advisory Board [STATEWIDE HEALTH COORDINATING COUNCIL ORGANIZED AND  
29 OPERATED IN ACCORDANCE WITH SEC. 1524, P.L. 93-641];

1 \* Sec. 5. AS 18.08.020 is amended to read:

2           Sec. 18.08.020. ADVISORY COUNCIL ON EMERGENCY MEDICAL SERVICES.  
3           The Health and Social Services Advisory Board shall serve as the [THERE  
4           IS ESTABLISHED IN THE DEPARTMENT AN] Advisory Council on Emergency  
5           Medical Services. The board [COUNCIL] shall

6                     [(1)] advise the commissioner with regard to the planning and  
7           implementation of a statewide emergency medical services system [;

8                     (2) ASSIST THE STATEWIDE HEALTH COORDINATING COUNCIL IN  
9           PERFORMING ITS DUTIES UNDER AS 18.07.011 RELATING TO EMERGENCY MEDICAL  
10           SERVICES].

11 \* Sec. 6. AS 44.29.100 is repealed and re-enacted to read:

12           Sec. 44.29.100. ADVISORY BOARD ON DRUG ABUSE. The Health and  
13           Social Services Advisory Board acts as the advisory board on drug abuse.

14 \* Sec. 7. AS 47.30.605(a) is amended to read:

15           (a) The Health and Social Services Advisory Board shall [THERE IS  
16           CREATED A MENTAL HEALTH ADVISORY COUNCIL APPOINTED BY THE GOVERNOR TO]  
17           advise and assist the department in initiating and implementing mental  
18           health services. [THE COUNCIL CONSISTS OF 12 APPOINTED VOTING MEMBERS  
19           WHO ARE INTERESTED AND KNOWLEDGEABLE IN MENTAL HEALTH. THE COMPOSITION  
20           OF THE COUNCIL IS AS PROVIDED IN THE FEDERAL COMMUNITY MENTAL HEALTH ACT  
21           (P.L. 94-63).]

22 \* Sec. 8. AS 47.30.605(b) is amended to read:

23           (b) The board [COUNCIL] shall

24                     (1) advise the division on the state mental health plans  
25           before implementation of these plans;

26                     (2) periodically review all mental health services in the  
27           state, reports of which shall be prepared and submitted to the governor,  
28           the legislature, the department, and the Statewide Health Coordinating  
29           Council;

1 (3) conduct independent investigations and studies as may be  
2 necessary;

3 (4) recommend regulations, standards and legislation for the  
4 administration of community and institutional mental health services;

5 (5) encourage coordination of all mental health services on a  
6 regional basis to insure nonduplication, nonfragmentation, and effi-  
7 ciency in the delivery of services[;]

8 (6) [ACT AS A SUBCOMMITTEE OF THE STATEWIDE HEALTH COORDI-  
9 NATING COUNCIL IN THE AREA OF MENTAL HEALTH TO ASSIST THAT COUNCIL IN  
10 MEETING ITS RESPONSIBILITIES UNDER FEDERAL AND STATE LAW].

11 \* Sec. 9. AS 47.37.060 is repealed and re-enacted to read:

12 Sec. 47.37.060. ADVISORY BOARD ON ALCOHOLISM. The Health and  
13 Social Services Advisory Board acts as the advisory board on alcoholism.

14 \* Sec. 10. The terms of the initial members of the board appointed under  
15 AS 44.29.210, enacted in sec. 2 of this Act, shall be for one, two, and three  
16 years. The governor shall specify the term of office of each member in  
17 accordance with this section.

18 \* Sec. 11. AS 18.08.030 - 18.08.070, 18.08.090(6); AS 44.29.110 - 44.29.-  
19 130; AS 47.30.605(c) and (d); and AS 47.37.070 - 47.37.100 are repealed.

20 \* Sec. 12. This Act takes effect July 1, 1980.  
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