

Offered: 4/28/83
Referred: Labor and Commerce
and Finance

Original sponsors: Barnes, Clocksin,
Bussell, et al

1 IN THE HOUSE

BY THE HEALTH, EDUCATION,
AND SOCIAL SERVICES COMMITTEE

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CS FOR HOUSE BILL NO. 182 (HESS)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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THIRTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act exempting participants in residential drug

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abuse and alcoholism treatment programs from Alaska's

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minimum wage provisions, and providing a wage scale."

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

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* Section 1. AS 23.10 is amended by adding a new section to read:

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Sec. 23.10.071. WAGES FOR WORK THERAPY. (a) For work therapy,

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as defined in AS 47.37.270, a participant in a residential drug abuse

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or alcoholism treatment program may be paid less than the minimum wage

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prescribed in AS 23.10.050 - 23.10.150 if the rate has been approved

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by the commissioner under this section and is in compliance with

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federal law.

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(b) The commissioner shall adopt regulations regarding the

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payment of wages for work therapy. In adopting the regulations, the

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commissioner shall consider the following factors:

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(1) whether the work performed by the patient is that which

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is ordinarily carried on by patients in a residential treatment pro-

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gram and is not solely for the economic benefit of the program, but

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solely for the mutual benefit of the participants;

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(2) whether the work performed by the patient would ordi-

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narily be performed by full-time employees of the program;

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(3) whether the work performed by the patient is work that

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may produce income to the patient, other than wages;

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(4) the therapeutic benefit of the work to the patient, the

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skill required to perform the work, and the role work therapy plays in

1 the patient's treatment plan;

2 (5) the impact of the wage scale on the program, consider-
3 ing its size, level of funding, and the therapeutic treatment services
4 to be provided.

5 * Sec. 2. AS 47.37 is amended by adding a new section to read:

6 Sec. 47.37.245. WAGES OF PATIENTS. (a) A participant in a
7 residential drug abuse or alcoholism treatment program may be paid
8 wages for work therapy. The payment of wages for work therapy by a
9 drug or alcoholism treatment program shall be considered an allowable
10 cost under the department's regulations governing costs a grantee may
11 pay with money received from a grant.

12 (b) No part of the wage earned by the patient worker may be
13 deducted for the cost of room, board or services. The program, how-
14 ever, after the payment of wages, may assess and collect the reason-
15 able cost of treatment according to rates established under AS 47.37.-
16 240, and on the same basis it assesses and collects from non-working
17 patients.

18 (c) Wages earned by the patient worker may be held in trust by
19 the program for the benefit of the patient, and disbursed by the
20 program, with the patient's consent

21 (1) for the support of the patient's dependents;

22 (2) to pay a civil judgment;

23 (3) for the purchase of gifts, clothing, and items of
24 personal use;

25 (4) to pay restitution or a fine;

26 (5) for other purposes considered appropriate by the treat-
27 ment program.

28 * Sec. 3. AS 47.37.270 is amended by adding a new paragraph to read:

29 (14) "work therapy" means an activity that involves a

1 patient in basic employment skills and assists the patient in reinte-
2 gration into a community, but does not include such activities as
3 personal housekeeping chores or cooperative responsibilities expected
4 of each patient in the program.