

Offered: 4/29/85
Referred: Rules

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 98 (Finance)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to medical assistance; and providing
7 for an effective date."

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

9 * Section 1. AS 47.07.020(b) is amended to read:

10 (b) In addition to the persons specified in (a) of this section,
11 the following optional groups of persons for whom the state may claim
12 federal financial participation are eligible for medical assistance:

13 (1) persons eligible for but not receiving assistance under
14 any plan of the state approved under 42 U.S.C. 601 - 615 (Title IV-A,
15 Social Security Act, Aid to Families with Dependent Children) or 42
16 U.S.C. 1381 - 1383c (Title XVI, Social Security Act, Supplemental
17 Security Income);

18 (2) persons in a general hospital, skilled nursing facility
19 or intermediate care facility, who, if they left the facility, would
20 be eligible for assistance under one of the federal programs specified
21 in (1) of this subsection;

22 (3) persons under age 21 who are [YEARS OF AGE] under
23 supervision of the department, for whom maintenance is being paid in
24 whole or in part from public funds, and who are in foster homes or
25 private child-care institutions;

26 (4) aged, blind, or disabled persons, who, because they do
27 not meet income and resources requirements, do not receive supple-
28 mental security income under 42 U.S.C. 1381 - 1383c (Title XVI, Social
29 Security Act), and who do not receive a mandatory state supplement,

1 but who are eligible, or would be eligible if they were not in a
2 general hospital or skilled nursing facility or intermediate care
3 facility to receive an optional state supplementary payment;

4 (5) persons under age 21 who are [YEARS OF AGE] in an
5 institution designated as an intermediate care facility for the
6 mentally retarded and who are financially eligible as determined by
7 the standards of the federal aid to families with dependent children
8 program;

9 (6) persons in a medical or intermediate care facility
10 whose income while in the facility does not exceed 300 percent of the
11 supplemental security income benefit rate under 42 U.S.C. 1381 - 1383c
12 (Title XVI, Social Security Act) but who would not be eligible for an
13 optional state supplementary payment if they left the hospital or
14 other facility;

15 (7) persons under age 21 who are [YEARS OF AGE] receiving
16 active treatment in a psychiatric hospital and who are financially
17 eligible as determined by the standards of 42 U.S.C. 601 - 615 (Title
18 IV-A, Social Security Act, Aid to Families with Dependent Children);

19 (8) persons age five and over, but under age 21, [YEARS OF
20 AGE] who would be eligible for benefits under the federal aid to
21 families with dependent children program, but who do not qualify
22 because they are not dependent children [;

23 (9) WOMEN WHO ARE PREGNANT].

24 * Sec. 2. AS 47.07.030 is repealed and reenacted to read:

25 Sec. 47.07.030. MEDICAL SERVICES TO BE PROVIDED. (a) The de-
26 partment shall offer all mandatory services required under 42 U.S.C.
27 1396 - 1396p (Title XIX of the Social Security Act).

28 (b) In addition to the mandatory services specified in (a) of
29 this section, the department may offer only the following optional

1 services: emergency hospital services; long-term care noninstitutional
2 services; medical supplies and equipment; clinic services; inpatient
3 psychiatric facility services for individuals age 65 or older and
4 individuals under age 21; physical therapy; occupational therapy;
5 treatment of speech, hearing, and language disorders; prosthetic
6 devices and eyeglasses; optometrists' services; intermediate care
7 facility services; skilled nursing facility services for individuals
8 under age 21; and reasonable transportation to and from the point of
9 medical care.

10 * Sec. 3. AS 47.07.035 is repealed and reenacted to read:

11 Sec. 47.07.035. PRIORITY OF MEDICAL ASSISTANCE. If the depart-
12 ment finds that the cost of medical assistance for all persons eligi-
13 ble under this chapter will exceed the amount allocated in the state
14 budget for that assistance for the fiscal year, the department shall
15 eliminate coverage for optional medical services and optionally
16 eligible groups of individuals in the following order:

- 17 (1) emergency hospital services;
- 18 (2) long-term care noninstitutional services;
- 19 (3) medical supplies and equipment;
- 20 (4) clinic services;
- 21 (5) inpatient psychiatric facility services;
- 22 (6) intermediate care facility services for the mentally
23 retarded;
- 24 (7) physical therapy and occupational therapy;
- 25 (8) treatment of speech, hearing, and language disorders;
- 26 (9) prosthetic devices and eyeglasses;
- 27 (10) optometrists' services;
- 28 (11) intermediate care facility services;
- 29 (12) individuals age five and over, but under age 21, who are

1 not eligible for benefits under the federal aid to families with
2 dependent children program because they do not meet the definition of
3 dependent children;

4 (13) individuals under age 21 under supervision of the de-
5 partment, for whom maintenance is being paid in whole or in part from
6 public money and who are in foster homes or private child-care insti-
7 tutions;

8 (14) individuals in a health facility whose income while in
9 the facility does not exceed 300 percent of the supplemental security
10 income benefit rate under Title XVI of the Social Security Act, and
11 who would not be eligible for the optional state supplementary payment
12 if they left the facility;

13 (15) aged, blind, and disabled individuals who, because they
14 do not meet the income and resource requirements, do not receive
15 supplemental security income under Title XVI of the Social Security
16 Act, and who are not eligible to receive a mandatory state supplement
17 but who are eligible, or would be eligible if they were not in a
18 general hospital or skilled nursing facility or intermediate care
19 facility, to receive an optional state supplementary payment;

20 (16) skilled nursing facility services for persons under age
21 21.

22 * Sec. 4. AS 47.07.070 is amended by adding a new subsection to read:

23 (d) Notwithstanding (a) - (c) of this section, the commission
24 shall also consider available state and federal revenue when making
25 rate decisions.

26 * Sec. 5. AS 47.07.900(1) is amended to read:

27 (1) "clinic services" means services provided by state-
28 approved outpatient community mental health clinics that receive
29 grants under AS 47.30.520 - 47.30.620, state-operated community mental

1 health clinics, outpatient surgical care center services, and physi-
2 cian clinics;

3 * Sec. 6. AS 47.07.900 is amended by adding a new paragraph to read:

4 (7) "emergency hospital services" means services that

5 (A) are necessary to prevent the death or serious
6 impairment of the health of the individual; and

7 (B) because of the threat to the life or health of the
8 individual, necessitate the use of the most accessible hospital
9 available that is equipped to furnish the services, even if the
10 hospital does not currently meet

11 (i) the conditions for participation under Medi-
12 care; or

13 (ii) the definitions of inpatient or outpatient
14 hospital services under 42 C.F.R. secs. 440.10 and 440.20.

15 * Sec. 7. This Act takes effect immediately in accordance with AS 01.-
16 10.070(c).