Introduced: 2/18/85
Referred: Health,Education &
Social Services and Finance

IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

HOUSE BILL NO. 209

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to pharmaceutical medical assistance for needy persons; and providing for an effective date."

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

* Section 1. AS 47.07.030 is amended to read:

Sec. 47.07.030. MEDICAL SERVICES TO BE PROVIDED. Medical services to be offered to eligible persons include inpatient hospital, outpatient hospital, rural health clinic, outpatient surgical care centers, laboratory and X-ray, refractions and eye examinations by ophthalmologists or optometrists, eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist, inpatient psychiatric hospital for persons age 65 or older and persons under age 21, skilled and intermediate nursing home, physician, nurse midwife, home health care services, early periodic screening diagnosis and treatment of persons under 21 years of age, clinic services, treatment of speech, hearing and language disorders, physical therapy, occupational therapy, prosthetic devices and medical supplies, long-term care noninstitutional services, <u>prescribed drugs,</u> and reasonable transportation to and from the point of medical care. Additional services may not be provided unless approved by the legislature.

* Sec. 2. AS 47.07.035 is amended to read:

Sec. 47.07.035. PRIORITY OF SERVICES. If the funding in a fiscal year is inadequate to finance the total medical assistance program under this chapter, the department shall, to the extent that

federal law and funding permits, provide medical assistance in the following order:

(1) aged, blind, or disabled persons who

(A) do not receive supplemental security income under 42 U.S.C. 1381 -- 1383c (Title XVI, Social Security Act) because they do not meet income and resources requirements; and

(B) are eligible to receive an optional state supplementary payment;

(2) persons in a medical or intermediate care facility

(A) whose income while in the facility does not exceed 300 percent of the supplemental security income benefit rate under 42 U.S.C. 1381 -- 1383c (Title XVI, Social Security Act); and

(B) who would not be eligible for an optional state supplementary payment if they left the facility;

(3) persons under 21 years of age

(A) who are under the supervision of the department;

(B) whose maintenance is paid in whole or in part from public funds; and

(C) who are in foster homes or private child-care institutions;

(4) persons under 21 years of age who

(A) receive treatment in a psychiatric hospital; and

(B) are financially eligible as determined by the standards of 42 U.S.C. 601 -- 615 (Title IV-A, Social Security Act, Aid to Families with Dependent Children);

(5) persons under 21 years of age who are

(A) in an institution designated by the department as an intermediate care facility for the mentally retarded; and

(B) financially eligible as determined by the standards of the federal aid to families with dependent children program;

(6) women who are pregnant;

(7) persons under 21 years of age who do not qualify for benefits under the federal aid to families with dependent children program because they are not dependent children;

(8) intermediate nursing home services;

(9) prescribed drugs;

(10) eye examinations by an ophthalmologist or optometrist; or eyeglasses prescribed by a physician skilled in the diseases of the eye or by an optometrist;

(11) [(10)] treatment of speech, hearing, or language disorders;

(12) [(11)] physical or occupational therapy;

(13) [(12)] care at an intermediate care facility for the mentally retarded;

(14) [(13)] care at an inpatient psychiatric facility;

(15) [(14)] community mental health clinic services;

(16) [(15)] surgical care center services;

(17) [(16)] nurse midwife services;

(18) [(17)] medical supplies and equipment;

(19) [(18)] long-term care noninstitutional services.

* Sec. 3. AS 47.07 is amended by adding a new section to read:

Sec. 47.07.400. PAYMENT FOR PRESCRIBED DRUGS. Payment for prescribed drugs must be made in accordance with 42 CFR 447.331, 447.332, 447.333, and 447.334.

* Sec. 4. AS 47.07.900 is amended by adding a new paragraph to read:

(7) "prescribed drugs" has the meaning given in 42 CFR

440.120.

* Sec. 5. This Act takes effect October 1, 1985.