

Offered: 3/20/89  
Referred: Rules

go0339hJ

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE  
2 CS FOR HOUSE BILL NO. 70 (Finance)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act extending the termination date of the Board  
7 of Pharmacy; relating to substitution of generic  
8 drugs that are therapeutically equivalent; relating  
9 to pharmaceutical medical assistance for needy per-  
10 sons; changing the order of priority for eliminating  
11 medical assistance coverage for certain services; and  
12 providing for an effective date."  
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
14 \* Section 1. AS 08.03.010(c)(4) is amended to read:  
15 (4) Board of Pharmacy (AS 08.80.010) -- June 30, 1993  
16 [1989].  
17 \* Sec. 2. AS 08.80.460(b) is repealed and reenacted to read:  
18 (b) A person who violates AS 08.80.295 is guilty of a violation.  
19 \* Sec. 3. AS 47.07.030(b) is amended to read:  
20 (b) In addition to the mandatory services specified in (a) of  
21 this section, the department may offer only the following optional  
22 services: case management and nutrition services for pregnant women;  
23 personal care services in a recipient's home; emergency hospital  
24 services; long-term care noninstitutional services; medical supplies  
25 and equipment; clinic services; inpatient psychiatric facility ser-  
26 vices for individuals age 65 or older and individuals under age 21;  
27 prescribed drugs; physical therapy; occupational therapy; chiropractic  
28 services; treatment of speech, hearing, and language disorders; adult  
29 dental services; prosthetic devices and eyeglasses; optometrists'

1 services; intermediate care facility services, including intermediate  
2 care facility services for the mentally retarded; skilled nursing  
3 facility services for individuals under age 21; and reasonable trans-  
4 portation to and from the point of medical care.

5 \* Sec. 4. AS 47.07.035 is amended to read:

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

- 12 (1) chiropractic services;
- 13 (2) adult dental services;
- 14 (3) emergency hospital services;
- 15 (4) treatment of speech, hearing, and language disorders;
- 16 (5) optometrists' services and eyeglasses;
- 17 (6) occupational therapy;
- 18 (7) prosthetic devices;
- 19 (8) medical supplies and equipment;
- 20 (9) clinic services;
- 21 (10) physical therapy;
- 22 (11) personal care services in a recipient's home;
- 23 (12) prescribed drugs;
- 24 (13) long-term care noninstitutional services;
- 25 (14) [(13)] inpatient psychiatric facility services;
- 26 (15) [(14)] intermediate care facility services for the men-  
27 tally retarded;
- 28 (16) [(15)] intermediate care facility services;
- 29 (17) [(16)] pregnant women, and children five years of age

1 or younger, with a household income that does not exceed 100 percent  
2 of the federal poverty level;

3 (18) [(17)] individuals under age 21 who are not eligible  
4 for benefits under the federal aid to families with dependent children  
5 program because they are not deprived of one or more of their natural  
6 or adoptive parents;

7 (19) [(18)] skilled nursing facility services for persons  
8 under age 21;

9 (20) [(19)] aged, blind, and disabled individuals who,  
10 because they do not meet the income requirements, do not receive  
11 supplemental security income under Title XVI of the Social Security  
12 Act, but who are eligible, or would be eligible if they were not in a  
13 skilled nursing facility or intermediate care facility, to receive an  
14 optional state supplementary payment;

15 (21) [(20)] individuals in a hospital, skilled nursing  
16 facility, or intermediate care facility whose income while in the  
17 facility does not exceed 300 percent of the supplemental security  
18 income benefit rate under Title XVI of the Social Security Act, but  
19 who, because of income, are not eligible for the optional state sup-  
20 plementary payment;

21 (22) [(21)] individuals under age 21 under supervision of  
22 the department, for whom maintenance is being paid in whole or in part  
23 from public money and who are in foster homes or private child-care  
24 institutions.

25 \* Sec. 5. AS 47.07 is amended by adding a new section to read:

26 Sec. 47.07.065. PAYMENT FOR PRESCRIBED DRUGS. The department  
27 shall pay for prescribed drugs under AS 47.07.030(b) under regulations  
28 adopted by the commissioner in conformity with applicable federal  
29 regulations.

1     \* Sec. 6. Section 2 of this Act takes effect January 1, 1990, unless by  
2 that date the director of the division of occupational licensing has certi-  
3 fied to the revisor of statutes that the Board of Pharmacy has adopted  
4 regulations establishing the schedule of civil fines required under AS 08.-  
5 80.460(b).

6     \* Sec. 7. Sections 1 and 3 - 5 of this Act take effect July 1, 1989.