

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE SENATE

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SENATE BILL NO. 445

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

9 * Section 1. AS 25.23.200 is amended to read:

10 Sec. 25.23.200. INVESTIGATION. Persons who are caring for a
11 hard-to-place child on a foster parent basis and who have applied to
12 adopt the hard-to-place child and to receive payments for the care and
13 support of the hard-to-place child shall be evaluated as to their
14 suitability as adoptive parents by means of an adoptive home study.
15 Persons who are caring for a hard-to-place child in the state's
16 custody and who wish to be appointed legal guardians of the child, and
17 to receive payments for the care and support of the child, shall be
18 evaluated as to their suitability as guardians by means of a
19 guardianship study. This home study or guardianship study shall be
20 made by the commissioner's adoption staff or on the commissioner's
21 behalf by an authorized agency that [WHICH] provides adoption
22 services.

23 * Sec. 2. AS 25.23.220 is amended to read:

24 Sec. 25.23.220. ANNUAL REEVALUATION. After an adoption with
25 subsidy is final or a guardianship with subsidy has been ordered by
26 the court and the court has released the child from the state's legal
27 custody, the family is independent of the department except for an
28 annual evaluation by the department of the need for continued subsidy
29 and the amount of the subsidy.

1 * Sec. 3. AS 25.23.240(5) is amended to read:

2 (5) "court" means the superior court of this state, and,
3 when the context requires, the court of another state empowered to
4 grant petitions for adoption or guardianship or to terminate parental
5 rights;

6 * Sec. 4. AS 25.23.240(7) is amended to read:

7 (7) "hard-to-place child" means a minor who is not likely
8 to be adopted or to obtain a guardian by reason of physical or mental
9 disability, emotional disturbance, recognized high risk of physical or
10 mental disease, age, membership in a sibling group, racial or ethnic
11 factors, or any combination of these conditions;

12 * Sec. 5. AS 47.10.230(d) is amended to read:

13 (d) In addition to money [FUNDS] paid for the maintenance of
14 foster children under (b) of this section, the department

15 (1) shall pay the costs of caring for physically or mental-
16 ly handicapped foster children, including the additional costs of
17 medical care, habilitative and rehabilitative treatment, services and
18 equipment, special clothing, and the indirect costs of medical care,
19 including child care and transportation expenses; [AND]

20 (2) may pay for respite care; in this paragraph "respite
21 care" means child care for the purpose of providing

22 (A) temporary relief from the stresses of caring for a
23 foster child who has a physical or mental disability or a phys-
24 ical or mental impairment; in this subparagraph

25 (i) "physical or mental disability" has the
26 meaning given in AS 18.80.300(12)(A), (B), and (D); and

27 (ii) "physical or mental impairment" has the
28 meaning given in AS 18.80.300; and

29 (B) protection for the child when the foster parent is

1 (i) away from the home because of an emergency
2 and other care is not available for the child; or

3 (ii) on vacation and the child, because of age or
4 infirmity, cannot be placed in any other type of temporary
5 care facility; and

6 (3) may pay a subsidized guardianship payment under
7 AS 25.23.210 when a foster child's foster parents or other persons
8 approved by the department become court-appointed legal guardians of
9 the child.

10 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).