

HOUSE BILL NO. 498

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES LINCOLN, Ellis, Ulmer, B.Davis, Gruenberg, Koponen, Bruckman

Introduced: 2/18/92

Referred: Health, Education & Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to Medicaid coverage for pregnant women and infants; and reordering
2 the priorities granted to optional services under the Medicaid program; and providing for
3 an effective date."

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

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

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

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

13 (2) persons in a general hospital, skilled nursing facility or intermediate care
14 facility, who, if they left the facility, would be eligible for assistance under one of the federal

1 programs specified in (1) of this subsection;

2 (3) persons under age 21 who are under supervision of the department, for whom
3 maintenance is being paid in whole or in part from public funds, and who are in foster homes
4 or private child-care institutions;

5 (4) aged, blind, or disabled persons, who, because they do not meet income and
6 resources requirements, do not receive supplemental security income under 42 U.S.C. 1381 -
7 1383c (Title XVI, Social Security Act), and who do not receive a mandatory state supplement,
8 but who are eligible, or would be eligible if they were not in a skilled nursing facility or
9 intermediate care facility to receive an optional state supplementary payment;

10 (5) persons under age 21 who are in an institution designated as an intermediate
11 care facility for the mentally retarded and who are financially eligible as determined by the
12 standards of the federal aid to families with dependent children program;

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

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

20 (8) persons under age 21 and not covered under (a) of this section, who would
21 be eligible for benefits under the federal aid to families with dependent children program, except
22 that they have the care and support of both their natural and adoptive parents;

23 (9) pregnant women and children under age one whose families have an
24 income above 133 percent of the federal poverty level but not above 185 percent of the
25 federal poverty level [NOT COVERED UNDER (a) OF THIS SECTION AND WHO MEET
26 THE INCOME AND RESOURCE REQUIREMENTS OF THE FEDERAL AID TO FAMILIES
27 WITH DEPENDENT CHILDREN PROGRAM;

28 (10) REPEALED].

29 * Sec. 2. AS 47.07.030(b) is amended to read:

30 (b) In addition to the mandatory services specified in (a) of this section, the department
31 may offer only the following optional services: case management and nutrition services for

1 pregnant women; substance abuse rehabilitative services for pregnant women; personal care
2 services in a recipient's home; emergency hospital services; long-term care noninstitutional
3 services; medical supplies and equipment; clinic services; inpatient psychiatric facility services
4 for individuals age 65 or older and individuals under age 21; psychologists' services; clinical
5 social workers' services; prescribed drugs; physical therapy; occupational therapy; chiropractic
6 services; low-dose mammography screening, as defined in AS 1.42.375(e); treatment of speech,
7 hearing, and language disorders; adult dental services; prosthetic devices and eyeglasses;
8 optometrists' services; intermediate care facility services, including intermediate care facility
9 services for the mentally retarded; skilled nursing facility services for individuals under age 21;
10 and reasonable transportation to and from the point of medical care.

11 * Sec. 3. AS 47.07.035 is amended to read:

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

- 17 (1) substance abuse rehabilitative services for pregnant women;
- 18 (2) clinical social workers' services;
- 19 (3) [(2)] psychologists' services;
- 20 (4) case management and nutritional services for pregnant women;
- 21 (5) [(3)] chiropractic services;
- 22 (6) [(4)] adult dental services;
- 23 (7) [(5)] emergency hospital services;
- 24 (8) [(6)] treatment of speech, hearing, and language disorders;
- 25 (9) [(7)] optometrists' services and eyeglasses;
- 26 (10) [(8)] occupational therapy;
- 27 (11) [(9)] mammography screening;
- 28 (12) [(10)] prosthetic devices;
- 29 (13) [(11)] medical supplies and equipment;
- 30 (14) [(12)] clinic services;
- 31 (15) [(13)] physical therapy;

- 1 **(16)** [(14)] personal care services in a recipient's home;
- 2 **(17)** [(15)] prescribed drugs;
- 3 **(18)** [(16)] long-term care noninstitutional services;
- 4 **(19)** [(17)] inpatient psychiatric facility services;
- 5 **(20)** [(18)] intermediate care facility services for the mentally retarded;
- 6 **(21)** [(19)] intermediate care facility services;
- 7 **(22)** [(20)] **pregnant women and children under age one whose families have**
- 8 **an income above 133 percent of the federal poverty level but not above 185 percent of the**
- 9 **federal poverty level;**
- 10 **(23)** individuals under age 21 who are not eligible for benefits under the federal
- 11 aid to families with dependent children program because they are not deprived of one or more
- 12 of their natural or adoptive parents;
- 13 **(24)** [(21)] skilled nursing facility services for persons under age 21;
- 14 **(25)** [(22)] aged, blind, and disabled individuals who, because they do not meet
- 15 the income requirements, do not receive supplemental security income under Title XVI of the
- 16 Social Security Act, but who are eligible, or would be eligible if they were not in a skilled
- 17 nursing facility or intermediate care facility, to receive an optional state supplementary payment;
- 18 **(26)** [(23)] individuals in a hospital, skilled nursing facility, or intermediate care
- 19 facility whose income while in the facility does not exceed 300 percent of the supplemental
- 20 security income benefit rate under Title XVI of the Social Security Act, but who, because of
- 21 income, are not eligible for the optional state supplementary payment;
- 22 **(27)** [(24)] individuals under age 21 under supervision of the department, for
- 23 whom maintenance is being paid in whole or in part from public money and who are in foster
- 24 homes or private child-care institutions.
- 25 * Sec. 4. This Act takes effect July 1, 1992.