

CS FOR HOUSE BILL NO. 67(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 3/5/93

Referred: Judiciary, Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to eligibility for and payments of public assistance; and
2 providing for an effective date."

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

4 * Section 1. AS 47.25.320(a) is amended to read:

5 (a) The department shall determine the amount of assistance for a dependent
6 child, and the relative with whom the dependent child is living, with regard to the
7 resources and necessary expenditures of the family and the condition existing in each
8 case. Assistance is sufficient if, when added to all other income and support available
9 to the child, the child and relative have reasonable subsistence compatible with
10 decency and health. However, the amount of assistance may not exceed the following:

11 (1) dependent child living with nonneedy relative: for a dependent
12 child [UNDER AGE 18] who is living in the home of a nonneedy relative, \$452
13 [\$200], plus \$98 for [AN ADDITIONAL \$200 FOR THE SECOND CHILD, AND
14 \$65 A CHILD FOR THE THIRD AND] each additional child;

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(2) dependent child living with parent:

(A) for a parent and one dependent child [UNDER 18], a maximum of \$792 [\$500];

(B) [REPEALED]

(C) for each additional dependent child, or for a second parent, \$98 [UNDER AGE 18, \$65] a month per individual [CHILD];

(3) pregnant woman who is otherwise eligible for assistance under this section, or [: AN AMOUNT EQUAL TO THE ASSISTANCE RECEIVED BY] a single-person household that does not consist of a dependent child: \$497 [UNDER THIS SECTION AS DETERMINED BY THE DEPARTMENT PLUS A SPECIAL NEEDS ALLOWANCE NOT TO EXCEED \$20] a month.

* Sec. 2. AS 47.25.320 is amended by adding a new subsection to read:

(g) The department may adopt regulations to establish a monthly need standard for a dependent child and the relative with whom the dependent child is living that equals or exceeds the monetary maximums set in (a) of this section.

* Sec. 3. AS 47.25.430(b) is amended to read:

(b) The department shall determine the amount of assistance with regard to the resources and needs of the person and the conditions existing in each case. Assistance shall be in an amount that will provide the applicant with reasonable subsistence compatible with decency and health in accordance with standards established by the department and with the standards established under 42 U.S.C. 1381 - 1383 [42 U.S.C. 1381 - 1385] (Title XVI, Social Security Act Supplemental Security Income Program). When benefit amounts under 42 U.S.C. 1381 - 1383 [42 U.S.C. 1381 - 1385] are increased as a result of an increase in the cost of living, the state shall pass along the increase to recipients [AND SHALL INCREASE THE AMOUNT OF THE STATE CONTRIBUTION TO RECIPIENTS BY A PERCENTAGE OF THE STATE CONTRIBUTION EQUAL TO THE PERCENTAGE INCREASE IN THE BENEFIT AMOUNTS UNDER 42 U.S.C. 1381 - 1385]. Direct payments for medical services and remedial care may not be considered in determining the maximum amount payable.

* Sec. 4. AS 47.25.430 is amended by adding a new subsection to read:

1 (e) Notwithstanding (a) and (b) of this section, the department shall, in a
2 manner that complies with federal requirements, reduce the maximum state
3 contribution to recipients otherwise payable on July 1, 1993, to the maximum state
4 contribution to recipients that was in effect on January 1, 1990. After June 30, 1993,
5 the department shall, in a manner that complies with federal requirements, calculate
6 the amount of monthly assistance for a recipient based on the maximum state
7 contribution to recipients in effect on January 1, 1990, as modified by an increase
8 under (b) of this section resulting from an increase in benefit amounts under 42 U.S.C.
9 1381 - 1383, that took effect after December 31, 1994.

10 * Sec. 5. AS 47.25.455 is amended by adding new subsections to read:

11 (c) A person applying for assistance under this section shall, as a condition of
12 eligibility for assistance, agree to repay the state for assistance granted upon the
13 person's receipt of a benefit under 42 U.S.C. 1381 - 1383 for a month in which the
14 person received interim assistance under this section. The monthly repayment required
15 by this subsection may not exceed the amount of assistance that the person received
16 under 42 U.S.C. 1381 - 1383 for that month.

17 (d) Beginning the first full month after a person is determined to be eligible
18 for assistance under 42 U.S.C. 1381 - 1383, the department shall terminate interim
19 assistance to that person under this section and begin payments to the person under
20 AS 47.25.430.

21 * Sec. 6. AS 47.25.320(d) and 47.25.320(e) are repealed.

22 * Sec. 7. TRANSITION FOR REGULATIONS. The Department of Health and Social
23 Services shall adopt regulations necessary to implement this Act, consistent with federal
24 requirements. The regulations take effect under AS 44.62 (Administrative Procedure Act), but
25 not before July 1, 1993.

26 * Sec. 8. Sections 1 - 6 of this Act take effect July 1, 1993.

27 * Sec. 9. Section 7 of this Act takes effect immediately under AS 01.10.070(c).