

CS FOR HOUSE BILL NO. 67(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/8/93
Referred: Rules

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 \$102 for [AN ADDITIONAL \$200 FOR THE SECOND CHILD, AND
14 \$65 A CHILD FOR THE THIRD AND] each additional child;

- 1 (2) dependent child living with parent:
2 (A) for a parent and one dependent child [UNDER 18], a
3 maximum of \$821 [\$500];
4 (B) [REPEALED
5 (C)] for each additional dependent child, or for a second
6 parent, \$102 [UNDER AGE 18, \$65] a month per individual [CHILD];
7 (3) pregnant woman who is otherwise eligible for assistance under this
8 section, or [: AN AMOUNT EQUAL TO THE ASSISTANCE RECEIVED BY] a
9 single-person household that does not consist of a dependent child: \$514 [UNDER
10 THIS SECTION AS DETERMINED BY THE DEPARTMENT PLUS A SPECIAL
11 NEEDS ALLOWANCE NOT TO EXCEED \$20] a month.

12 * Sec. 2. AS 47.25.320(d) is amended to read:

13 (d) If benefits under 42 U.S.C. 1381 - 1383 [42 U.S.C. 1381 - 1385] (Social
14 Security Act Supplemental Security Income Program) are increased because of an
15 increase in the cost of living and the legislature has appropriated money
16 specifically for the purpose of increasing the monetary maximums in (a) of this
17 section because of the increase in federal benefits, the department shall increase the
18 monetary maximums in (a) of this section by a percentage equal to the percentage
19 increase in the benefits under 42 U.S.C. 1381 - 1383; this increase in the monetary
20 maximums takes effect on the same day that the corresponding federal increase
21 in benefits under 42 U.S.C. 1381 - 1383 takes effect. The department shall also
22 increase the monetary maximums in (a) of this section if the department
23 determines during a calendar year that assistance under (a)(2)(A) of this section
24 is less than 75 percent of the federal poverty guideline for Alaska for a family
25 unit with two members as determined by the secretary of the Department of
26 Health and Human Services under 42 U.S.C. 9902(2); if the department makes
27 this determination, the department shall increase all of the monetary maximums
28 under (a) of this section by a percentage that equals the percentage increase in
29 benefits under 42 U.S.C. 1381 - 1383 that takes place the first time that the
30 federal benefits under 42 U.S.C. 1381 - 1383 are increased after the calendar year
31 in which the department makes the determination; this increase takes effect the

1 same day as the federal increase in benefits under 42 U.S.C. 1381 - 1383 takes
2 effect [42 U.S.C. 1381 - 1385].

3 * Sec. 3. AS 47.25.320 is amended by adding a new subsection to read:

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

7 * Sec. 4. AS 47.25.430(b) is amended to read:

8 (b) The department shall determine the amount of assistance with regard to the
9 resources and needs of the person and the conditions existing in each case. Assistance
10 shall be in an amount that will provide the applicant with reasonable subsistence
11 compatible with decency and health in accordance with standards established by the
12 department and with the standards established under 42 U.S.C. 1381 - 1383 [42 U.S.C.
13 1381 - 1385] (Title XVI, Social Security Act Supplemental Security Income Program).
14 Direct payments for medical services and remedial care may not be considered
15 in determining the maximum amount payable. When benefit amounts under 42
16 U.S.C. 1381 - 1383 [42 U.S.C. 1381 - 1385] are increased as a result of an increase
17 in the cost of living, the state shall pass along the increase to recipients and shall
18 increase the amount of the state contribution to recipients, other than those receiving
19 a personal needs allowance, by a percentage of the state contribution equal to the
20 percentage increase in the benefit amounts under 42 U.S.C. 1381 - 1383 if the
21 legislature has appropriated money specifically for the purpose of increasing the
22 state contribution because of an increase in federal benefit amounts under 42
23 U.S.C. 1381 - 1383; this increase in the state contribution takes effect on the same
24 day that the corresponding federal increase in benefits under 42 U.S.C. 1381 -
25 1383 takes effect. The state shall also increase the state's contribution to
26 recipients other than those receiving a personal needs allowance if the department
27 determines during a calendar year that assistance under this section to an eligible
28 individual living independently, when added to the individual's other countable
29 income as determined under regulations of the department, is less than 100
30 percent of the federal poverty guideline for Alaska for a family unit with one
31 member as determined by the secretary of the Department of Health and Human

1 Services under 42 U.S.C. 9902(2); if the department makes this determination, the
2 state shall increase the state's contribution to all recipients, other than those
3 receiving a personal needs allowance, by a percentage that equals the percentage
4 increase in benefits under 42 U.S.C. 1381 - 1383 that takes place the first time
5 that the federal benefits under 42 U.S.C. 1381 - 1383 are increased after the
6 calendar year in which the department makes the determination; this increase
7 takes effect the same day as the federal increase in benefits under 42 U.S.C. 1381
8 - 1383 takes effect [42 U.S.C. 1381 - 1385. DIRECT PAYMENTS FOR MEDICAL
9 SERVICES AND REMEDIAL CARE MAY NOT BE CONSIDERED IN
10 DETERMINING THE MAXIMUM AMOUNT PAYABLE].

11 * Sec. 5. AS 47.25.430 is amended by adding a new subsection to read:

12 (e) Notwithstanding (a) and (b) of this section, the department shall, in a
13 manner that complies with federal requirements, reduce the maximum state
14 contribution to recipients otherwise payable on July 1, 1993, to the maximum state
15 contribution to recipients that was in effect on January 1, 1992. After June 30, 1993,
16 the department shall, in a manner that complies with federal requirements, calculate
17 the amount of monthly assistance for a recipient based on the maximum state
18 contribution to recipients in effect on January 1, 1992, as modified by any increase
19 under (b) of this section.

20 * Sec. 6. AS 47.25.455 is amended by adding new subsections to read:

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

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

31 * Sec. 7. AS 47.25.320(e) is repealed.

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- 1 * **Sec. 8. TRANSITION FOR REGULATIONS.** The Department of Health and Social
2 Services shall adopt regulations necessary to implement this Act, consistent with federal
3 requirements. The regulations take effect under AS 44.62 (Administrative Procedure Act), but
4 not before July 1, 1993.
- 5 * **Sec. 9.** Sections 1 - 7 of this Act take effect July 1, 1993.
- 6 * **Sec. 10.** Section 8 of this Act takes effect immediately under AS 01.10.070(c).