

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

BY THE SENATE FINANCE COMMITTEE

Offered: 4/28/93
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4 (B) [REPEALED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 [42 U.S.C. 1381 - 1385].
22 * Sec. 3. AS 47.25.320 is amended by adding a new subsection to read:
23 (g) The department may adopt regulations to establish a monthly need standard
24 for a dependent child and the relative with whom the dependent child is living that
25 equals or exceeds the monetary maximums set in (a) of this section.
26 * Sec. 4. AS 47.25.430(b) is amended to read:
27 (b) The department shall determine the amount of assistance with regard to the
28 resources and needs of the person and the conditions existing in each case. Assistance
29 shall be in an amount that will provide the applicant with reasonable subsistence
30 compatible with decency and health in accordance with standards established by the
31 department and with the standards established under 42 U.S.C. 1381 - 1383 [42 U.S.C.

1 1381 - 1385] (Title XVI, Social Security Act Supplemental Security Income Program).
2 Direct payments for medical services and remedial care may not be considered
3 in determining the maximum amount payable. When benefit amounts under 42
4 U.S.C. 1381 - 1383 [42 U.S.C. 1381 - 1385] are increased as a result of an increase
5 in the cost of living, the state shall pass along the increase to recipients and shall
6 increase the amount of the state contribution to recipients, other than those receiving
7 a personal needs allowance, by a percentage of the state contribution equal to the
8 percentage increase in the benefit amounts under 42 U.S.C. 1381 - 1383 if the
9 legislature has appropriated money specifically for the purpose of increasing the
10 state contribution because of an increase in federal benefit amounts under 42
11 U.S.C. 1381 - 1383; this increase in the state contribution takes effect on the same
12 day that the corresponding federal increase in benefits under 42 U.S.C. 1381 -
13 1383 takes effect [42 U.S.C. 1381 - 1385. DIRECT PAYMENTS FOR MEDICAL
14 SERVICES AND REMEDIAL CARE MAY NOT BE CONSIDERED IN
15 DETERMINING THE MAXIMUM AMOUNT PAYABLE].

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

17 (e) Notwithstanding (a) and (b) of this section, the department shall, in a
18 manner that complies with federal requirements, reduce the maximum state
19 contribution to recipients otherwise payable on the effective date of this bill section
20 to the maximum state contribution to recipients that was in effect on January 1, 1992.
21 On and after the effective date of this bill section, the department shall, in a manner
22 that complies with federal requirements, calculate the amount of monthly assistance
23 for a recipient based on the maximum state contribution to recipients in effect on
24 January 1, 1992, as modified by any increase under (b) of this section.

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

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

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

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

6 * Sec. 8. TRANSITION FOR REGULATIONS. The Department of Health and Social
7 Services shall adopt regulations necessary to implement this Act, consistent with federal
8 requirements. The regulations take effect under AS 44.62 (Administrative Procedure Act), but
9 not before the effective date of secs. 1 - 7 of this Act.

10 * Sec. 9. Section 8 of this Act takes effect immediately under AS 01.10.070(c).

11 * Sec. 10. Except as provided in sec. 9 of this Act, this Act takes effect July 1, 1993.