

SENATE BILL NO. 101

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/5/93
Referred: HES, JUD, FIN

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 [AN ADDITIONAL \$200 FOR THE SECOND CHILD, AND \$65 A
14 CHILD FOR THE THIRD AND] \$98 for 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 \$792 [\$500];

4 (B) [Repealed,

5 (C)] for each additional dependent child, or for a second
6 parent, \$98 [CHILD 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; \$497 a month
10 [UNDER THIS SECTION AS DETERMINED BY THE DEPARTMENT PLUS A
11 SPECIAL NEEDS ALLOWANCE NOT TO EXCEED \$20 A MONTH].

12 * Sec. 2. AS 47.24.320(d) is amended to read:

13 (d) If benefits under 42 U.S.C. 1381 - 1383 [1385] (Social Security Act
14 Supplemental Security Income Program) are increased because of an increase in the
15 cost of living, the department shall increase the monetary maximums in (a) of this
16 section by a percentage equal to the percentage increase in benefits under 42 U.S.C.
17 1381 - 1383, except that the department may not increase the monetary
18 maximums based on an increase in benefits under 42 U.S.C. 1381 - 1383 that

19 (1) takes effect at any time during the calendar year that begins on
20 January 1, 1994; or

21 (2) took effect on or before January 1, 1993 [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 [1385]

1 (Title XVI, Social Security Act Supplemental Security Income Program). When
2 benefit amounts under 42 U.S.C. 1381 - ~~1383~~ [1385] are increased as a result of an
3 increase in the cost of living, the state shall pass along the increase to recipients and
4 shall increase the amount of the state contribution to recipients by a percentage of the
5 state contribution equal to the percentage increase in the benefit amounts under
6 42 U.S.C. 1381 - ~~1383~~, except that the department may not increase the amount
7 of the state contribution based on a percentage increase in benefits under
8 42 U.S.C. 1381 - 1383 that (1) takes effect at any time during the calendar year
9 that begins on January 1, 1994; or (2) took effect in the calendar years that began
10 on January 1, 1991, January 1, 1992, and January 1, 1993 [1385]. Direct payments
11 for medical services and remedial care may not be considered in determining the
12 maximum amount payable.

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

14 (c) Notwithstanding (a) and (b) of this section, the department shall, in a
15 manner that complies with federal requirements, reduce the maximum state
16 contribution to recipients otherwise payable on July 1, 1993 to the maximum state
17 contribution to recipients that was in effect on January 1, 1990. After June 30, 1993,
18 the department shall, in a manner that complies with federal requirements, calculate
19 the amount of monthly assistance for a recipient based on the maximum state
20 contribution to recipients in effect on January 1, 1990, as modified by any increases
21 under (b) of this section resulting from increases in benefit amounts under 42 U.S.C.
22 1381 - 1383, that took effect after December 31, 1994.

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

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

30 (d) Beginning the first full month after a person is determined to be eligible
31 for assistance under 42 U.S.C. 1381 - 1383, the department shall terminate interim

1 assistance to that person under this section and begin payments to the person under
2 AS 47.25.430.

3 • Sec. 7. AS 47.25.320(c) is repealed.

4 • Sec. 8. **TRANSITION FOR REGULATIONS.** Notwithstanding sec. 10 of this Act, the
5 Department of Health and Social Services may proceed to adopt regulations necessary to
6 implement this Act, consistent with federal requirements. The regulations take effect under
7 the Administrative Procedure Act, but not before July 1, 1993.

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

9 • Sec. 10. Sections 1 - 7 of this Act take effect July 1, 1993.