

MEMORANDUM

LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

POUCH Y — STATE CAPITOL
JUNEAU, ALASKA 99811

TO: Jim Rhode, A.A.
House Finance Committee

DATE: May 12, 1976

FROM: Greg Machyowsky, Legislative Counsel

SUBJECT: CSHB 596 (relating
to local public health services)

A technical correction should be made in the bill as follows:
Page 7, line 29, delete "-(7)" .

The reference deleted is to a provision of a draft of the committee substitute bill which was not included in the substitute adopted.

An additional technical refinement might be considered as follows:
Page 9, line 15, delete "include" and substitute "provide for " .

Thanks for your consideration of these technical points, Jim.

Greg

"An Act relating to local health services."

COMMITTEE REPORT

5/12/76

HOUSE

Mr. Speaker:

Date _____

The Committee on FINANCE has had HB 596

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

"An Act relating to local health services."

COMMITTEE REPORT

1/16/76

HOUSE

FINANCE

Mr. Speaker:

Date May 7, 1976

The Committee on HESS has had HB 596

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR HB 596 AND THAT 4 of the members recommend it CS FOR it DO PASS *(same title)*

() "and" recommends it BE REFERRED TO THE _____ COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

Susan Sullivan Do Pass _____
Helga Baines Do Pass _____
Alvin Osterhach Do Pass _____
Kathryn Castrosky Do Pass _____

Members NOT concurring in the Majority report:

Lili E. Swanson recommends: No Rec.
Blair Hackley recommends: No Rec.
_____ recommends:
_____ recommends:
_____ recommends:

Susan Sullivan Chairman

Original Sponsor: Rules Committee by
request of the Governor

Offered: 5/12/76
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 596

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to local public health services."

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

8 * Section 1. AS 18.10 is amended by adding new sections to read:

9 CHAPTER 10. LOCAL PUBLIC HEALTH SERVICES

10 [UNITS AND DISTRICTS].

11 Sec. 18.10.011. PURPOSE. The purpose of this chapter is to promote
12 and safeguard the health of the general public by orderly discharge of
13 state authority and responsibility for providing selected public health
14 functions through public health districts and authorizing of

15 (1) grants for comprehensive public health services to local
16 governments as health districts; and

17 (2) contractual arrangements with private health corporations
18 for selected public health services in areas not served by local govern-
19 ments with public health powers.

20 Sec. 18.10.021. PUBLIC HEALTH DISTRICTS. (a) For administration
21 of this chapter, the following areas may be designated public health
22 districts of the state:

23 (1) cities which are within an organized borough and have
24 public health powers;

25 (2) unified municipalities established under AS 29.68.240 -
26 29.68.440, in the municipal area in which public health powers are
27 authorized, whether areawide or in less than the entire area of the
28 municipality;

29 (3) organized boroughs, in the borough area in which public

COMMITTEE COPY

1 health powers are authorized, whether areawide or in the borough area
2 outside cities only;

3 (4) service areas of organized boroughs established for
4 public health purposes under AS 29.63.090 or by home rule charter;

5 (5) local public health service areas established in the
6 unorganized borough under AS 29.03.020 and secs. 31 - 41 of this chapter
7 and cities in the unorganized borough which are not within a local
8 public health service area;

9 (6) organized boroughs which do not have public health powers
10 either areawide or in the borough area outside cities only but which are
11 served by private health corporations, in the borough area not otherwise
12 designated a public health district under (a)(1) or (4) of this section;

13 (b) A city in the unorganized borough may include itself for pur-
14 poses of this chapter in a local public health service area of the
15 unorganized borough established under secs. 31 - 41 of this chapter or
16 in an area served by a private health corporation under a contract for
17 services to be provided by the corporation, if its governing body, by
18 resolution adopted by a majority of the membership, consents to the
19 inclusion of the city, and the resolution is filed with the commissioner.
20 Nothing in this chapter otherwise restricts or prohibits the combining
21 of two or more public health districts as a single district for the
22 purposes of this chapter, upon mutual agreement for cooperative or joint
23 administration of functions or contract for services to be provided by a
24 private health corporation under this chapter.

25 Sec. 18.10.026. AUTHORITY IN UNORGANIZED BOROUGH. Under AS 29.03 -
26 020 and this chapter, the legislature authorizes establishment of local
27 public health service areas in the unorganized borough within the
28 boundaries of regional educational attendance areas established under
29 AS 14.08.031 if the population, including military personnel and

1 dependents, of an attendance area, or two or more contiguous attendance
2 areas combining to form a single service area, numbers at least 6,000
3 persons, and grants authority to the service areas to provide public
4 health services in accordance with this chapter.

5 Sec. 18.10.031. LOCAL PUBLIC HEALTH SERVICE AREAS IN THE UNORGAN-
6 IZED BOROUGH. (a) Upon receipt of a petition signed by at least 10 per
7 cent of the qualified voters of a regional educational attendance area
8 or of each of two or more contiguous regional educational attendance
9 areas established under AS 14.08.031, the lieutenant governor shall
10 place a question, substantially in the following form, on the ballot in
11 the next general election held in the area:

12 "SHALL A LOCAL PUBLIC HEALTH SERVICE AREA BE FORMED WITHIN THE
13 BOUNDARIES OF THE _____ REGIONAL EDUCATIONAL ATTEN-
14 DANCE AREA(S)?

15 Yes [] No []"

16 (b) Upon certification by the lieutenant governor that in each
17 regional educational attendance areas in which the election on the
18 question is held, a majority of votes on the question are affirmative,
19 the lieutenant governor shall declare the local public health service
20 area to be established.

21 (c) If a petition for establishment of a local public health
22 service area so requests, election of the local public health service
23 area board provided for in sec. 41 of this chapter may be held con-
24 currently with election on the question of establishing the local public
25 health service area.

26 (d) To assure that the population served in each local public
27 health service area remains at a minimum of 6,000 persons, including
28 military personnel and dependents, two or more contiguous regional edu-
29 cational attendance areas established as local public health service

1 areas under this section may combine as a single service area. Combin-
2 ing service areas under this subsection abolishes the offices of the
3 separate boards governing the former separate areas upon election of a
4 single governing board, numbering seven or that number designated by the
5 department, to serve as provided in sec. 41 of this chapter.

6 Sec. 18.10.041. LOCAL PUBLIC HEALTH SERVICE AREA BOARDS. (a)
7 Each local public health service area of the unorganized borough shall
8 have an elected board representing the population of the area served.
9 The board shall have powers, duties and other functions as prescribed by
10 regulations adopted by the department under sec. 101 of this chapter.

11 (b) A local public health service area board shall number seven
12 members, unless the petition provided for in sec. 31 of this chapter
13 designates a different number of members, or a different number of mem-
14 bers is designated under sec. 31(d) of this chapter to constitute the
15 board. At least four members, or a majority, if the board numbers more
16 than seven, shall be consumers only of health services.

17 (c) Board members shall be elected at large by the qualified
18 voters of the local public health service area; however, each seat on a
19 board shall be designated by letter or number, and a candidate for the
20 board shall indicate the seat for which he is a candidate on his declara-
21 tion of candidacy or other nomination document when he files for office;

22 (d) The term of office of members of a local public health service
23 area board is three years, except that the term of members of the first
24 board elected in each area shall be determined by lot, with two members
25 serving a one-year term, two members a two-year term, and three members
26 a three-year term, if the board numbers seven members, and, if the board
27 numbers more than seven members, terms shall be determined by lot and
28 staggered among one, two and three year terms or so that a majority of
29 the board serve initial one or two-year terms. Nothing in this subsec-

1 tion prohibits reelection of a board member.

2 (e) The lieutenant governor, not less than 60 nor more than 90
3 days after the establishment of a local public health service area
4 including but not limited to combining of two or more contiguous areas
5 into a single area under sec. 31(d) of this chapter, shall provide for
6 the election of the service area board, unless election of the board has
7 been held concurrently with election on the question of establishment of
8 the service area as provided in sec. 31 of this chapter.

9 (f) Except for the first election, elections of board members
10 shall be held annually on the first Tuesday of October.

11 (g) A vacancy on a local public health service area board shall be
12 filled as provided by AS 14.12.070 for school board vacancies.

13 (h) Local public health service area board members are subject to
14 recall upon the same grounds and in the same manner as provided for
15 elected municipal officials in AS 29.28.130 - 29.28.250. The department
16 functions in place of the assembly or council and municipal clerk,
17 except as provided in (i) of this section.

18 (i) Elections under this section, including but not limited to
19 recall elections, shall be administered by the office of the lieutenant
20 governor in the general manner prescribed by the Alaska Election Code
21 (AS 15.05 - 15.60). In addition, the lieutenant governor may adopt
22 regulations considered necessary to conduct the local public health
23 service area elections. The state shall pay election costs.

24 Sec. 18.10.051. GRANTS. (a) The commissioner may make matching
25 grants to governing bodies of public health districts designated under
26 sec. 21(a)(1) - (4) or (b) of this chapter to assist in paying costs of
27 provision of comprehensive public health services under one or more
28 plans of service as required by regulations adopted under sec. 101 of
29 this chapter. Application for a grant shall be submitted in the form

1 and with information which the department by regulation prescribes.

2 (b) A grant is authorized under this section only if

3 (1) application is made on a fiscal year basis and has been
4 submitted through the appropriate health systems agency established
5 under P.L. 93-641 and approved by the commissioner, and

6 (A) the governing body of the municipal area comprising
7 the public health district has submitted to the commissioner a plan
8 for the provision of comprehensive health services and has had the
9 plan initially approved by him; or

10 (B) in those cases in which a plan of services has been
11 initially approved, the commissioner upon his annual review of the
12 plan determines that it, and the activities undertaken under it,
13 continue to meet requirements established for these plans;

14 (2) the governing body of the municipal area comprising the
15 public health district matches 10 per cent of the amount of the grant
16 with revenue or in-kind contributions from the area comprising the
17 district which are not derived from state or federal sources;

18 (3) the governing body of the municipal area comprising the
19 public health district agrees to maintain local expenditures for public
20 health services within the district at a level at least equal to the
21 level of support provided before July 1, 1975.

22 (c) In determining grants to be made under this section, the
23 commissioner shall consider the relationship of the health district plan
24 to the annual implementation plan of the appropriate health systems
25 agency established under P.L. 93-641. In each fiscal year the depart-
26 ment shall, in accordance with the plan of service provided and approved,
27 and under regulations adopted for the purpose, take into consideration
28 the following weighting factors:

29 (1) 50 per cent of grant money available for distribution

1 shall be distributed on the basis of program need, with consideration of
2 such factors as number of infant deaths per 1,000 live births, preschool
3 children, morbidity and mortality rates, number of establishments or
4 institutions requiring sanitary inspectors and administrative costs;

5 (2) 30 per cent shall be distributed on the basis of relative
6 size of population of the area to be served;

7 (3) 10 per cent of the allocation shall be reserved for
8 adjustments of grant or contract bases as provided in sec. 71 of this
9 chapter;

10 (4) 10 per cent shall be distributed on the basis of relative
11 proportion of expenditures of the local government for public health
12 services within the municipal area comprising the public health district
13 as compared to total operating expenditures of the local government
14 within the district during the fiscal year preceding application.

15 Sec. 18.10.061. CONTRACTS. (a) The commissioner may enter into
16 contracts with the public health districts designated under sec. 21(a)(5)
17 or (b) of this chapter for provision by the districts of specific public
18 health services. As prerequisites to a contract with a district which
19 is a city

20 (1) the population of the city must total at least 2,000
21 persons, and

22 (2) the commissioner must determine that the public health
23 services proposed to be contracted for cannot be provided more effi-
24 ciently through the city's including itself, as provided in sec. 21(b)
25 of this chapter, in a local public health service area which is con-
26 tiguous to the city than by the city's providing the services.

27 (b) The department may enter into a contract with a private health
28 corporation serving a public health district designated under sec. 21(a)
29 (6) - (7) or (b) of this chapter for the provision by the corporation of

1 specific public health services. The private health corporation with
2 which the department enters into a contract must meet the following
3 requirements:

4 (1) it shall be broadly representative of the population of
5 the area served;

6 (2) its representation of the population of the area is
7 endorsed by the governing body of the organized borough or of a city
8 included within the area served;

9 (3) it serves equally all residents of the state presenting
10 themselves for assistance or services.

11 (c) The amounts authorized and criteria set out for making match-
12 ing grants under sec. 51(c) of this chapter apply also with respect to
13 award of contracts by the department under this section. Application
14 for contracts shall be submitted in the form and with information which
15 the department by regulation prescribes.

16 Sec. 18.10.071. ADJUSTMENTS OF GRANT OR CONTRACT BASE. (a) The
17 allocation of funds for grants and contracts to be determined under the
18 formula prescribed by sec. 51(c) of this chapter shall reflect cost-of-
19 services differentials. The area cost-of-service differential shall be
20 determined annually in the manner provided in AS 39.27.030; however, the
21 area cost-of-service differential to be applied may not be an amount
22 less than the base allocation. For purposes of this section "election
23 districts" as used in AS 39.27.030(a)(1) means election districts
24 designated by the governor's proclamation of reapportionment and re-
25 districting of December 7, 1961, and retained for the House of Repre-
26 sentatives by the proclamation of the governor issued September 3, 1965.

27 (b) Allocations calculated under sec. 51(c) of this chapter shall
28 be further increased by 10 per cent if

29 (1) in the unorganized borough the largest community within

1 the public health district is not connected to Anchorage, Fairbanks,
2 Juneau, or Ketchikan by road, railroad, or ferry; or

3 (2) in the unorganized borough, more than one-half of the
4 population of the public health district lives outside of the largest
5 city in the area served.

6 Sec. 18.10.081. EXPENDITURE OF FUNDS. Funds received by a public
7 health district under this chapter shall be expended only on the pur-
8 poses described in the plan of service which has been approved by the
9 commissioner.

10 Sec. 18.10.091. PRORATION. If amounts appropriated by the legisla-
11 ture are insufficient to meet the cost of matching grants calculated
12 under this chapter, such funds as are available shall be allocated pro
13 rata among eligible public health districts.

14 Sec. 18.10.101. REGULATIONS. The commissioner shall adopt regula-
15 tions necessary to implement this chapter. Regulations shall include,
16 but need not be limited to

17 (1) powers, duties and other functions of boards of local
18 public health service areas of the unorganized borough;

19 (2) requirements for the development of a plan of service by
20 a public health district;

21 (3) minimal standards of service;

22 (4) procedures for the application, revision and approval of
23 grants to or contracts with public health districts, which include a
24 detailed allocation formula;

25 (5) public health district program evaluation;

26 (6) qualifications of health personnel.

27 Sec. 18.10.111. DEFINITIONS. In this chapter

28 (1) "commissioner" means the commissioner of the Department
29 of Health and Social Services;

1 (2) "department" means the Department of Health and Social
2 Services;

3 (3) "population" means population as determined by the Depart-
4 ment of Community and Regional Affairs using the latest figures of the
5 U.S. Bureau of the Census reports or other reliable information;

6 (4) "private health corporation" means a nonprofit nongovern-
7 mental organization incorporated under the laws of the state which
8 delivers health services to a particular area of the state; the term
9 includes but is not limited to the health instrumentalities of the
10 Alaska Native regional corporations established under the Alaska Native
11 Claims Settlement Act (P.L. 92-203).

12 * Sec. 2. AS 18.05.040(a)(4), AS 18.10.010 - 18.10.050, and 18.10.260(b)
13 are repealed.

Introduced: 1/16/76
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 596

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to local health services."

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

8 * Section 1. AS 18.05.040(a)(4), 18.10.010 -- 18.10.050, and 18.10-
9 .260(b) are repealed.

10 * Sec. 2. AS 18.10 is amended by adding new sections to read:

11 CHAPTER 10. LOCAL HEALTH SERVICES.

12 Sec. 18.10.011. PURPOSE. The purpose of this chapter is to
13 promote and safeguard the health of the general public by orderly
14 delegation of authority and responsibility for providing selected
15 public health functions to local health districts.

16 Sec. 18.10.021. HEALTH DISTRICTS. (a) The health districts of
17 the state, for purposes of administration of this chapter, are:

- 18 (1) municipalities unified under AS 29.68.240 -- 29.68.440;
19 (2) organized boroughs which have acquired areawide health
20 powers under AS 29.33.250 -- 29.33.290;
21 (3) cities and local health service areas in an organized
22 borough which has not acquired areawide health powers;
23 (4) cities or local health service areas in the unorganized
24 borough;
25 (5) areas in the unorganized borough served by private
26 health corporations as defined in sec. 131 of this chapter.

27 (b) A city in the unorganized borough may be included in a
28 larger health district if its governing body, by a resolution adopted
29 by a majority of the membership, consents to the inclusion of the city

COMMITTEE COPY

1 in a local health service area or area served by a private health
2 corporation and files the resolution with the commissioner.

3 (c) Nothing in this chapter prohibits combining two or more
4 districts to be treated as a single district for the purposes of this
5 chapter.

6 Sec. 18.10.031. LOCAL HEALTH SERVICE AREAS IN AN ORGANIZED
7 BOROUGH. Standards for the organization and administration of local
8 health service areas in a borough which has not acquired health powers
9 shall be established by the department by regulation.

10 Sec. 18.10.041. LOCAL HEALTH SERVICE AREAS IN THE UNORGANIZED
11 BOROUGH. To provide local health services, the department shall
12 divide the unorganized borough into local health service areas by
13 using the boundaries of the regional educational service areas created
14 under AS 14.08.031. However, the department may combine two or more
15 regional educational service areas to assure that the minimum popula-
16 tion served in each local health service area will be at least 7,500.
17 A city excluded from a regional educational service area may be
18 included in a local health service area established by the department
19 only upon the adoption of a resolution by its council as provided in
20 sec. 21(b) of this chapter.

21 Sec. 18.10.051. LOCAL HEALTH SERVICE AREA BOARDS OF THE UNORGA-
22 NIZED BOROUGH. (a) Each local health service area of the unorganized
23 borough shall have an elected local board of health broadly representa-
24 tive of the population of the entire area served.

25 (b) The powers and duties of the boards shall be prescribed by
26 regulations adopted under this chapter.

27 (c) Formation of the boards and terms of office of the members
28 shall be as follows:

29 (1) the qualified voters in each local health service area

1 shall elect a local health service area board of seven members, of whom
2 at least four are otherwise involved with health services only as
3 consumers;

4 (2) local health service area board members shall be elected
5 at large by the qualified voters of the area receiving health services;
6 however, each seat on the health board shall be designated by letter
7 or number, and a candidate for the board shall indicate the seat for
8 which he is a candidate on his declaration of candidacy or other
9 nomination document when he files for office;

10 (3) a vacancy on a local health service area board shall be
11 filled as provided by AS 14.12.070 for school boards;

12 (4) the term of office of members elected to a local health
13 service area board is three years;

14 (5) for the first health board elected in each area the
15 term of office of each member shall be determined by lot with two
16 members serving a one-year term, two members a two-year term, and
17 three members a three-year term;

18 (6) nothing in this section prohibits the re-election of a
19 board member.

20 Sec. 18.10.061. ELECTIONS. (a) In each local health service
21 area in the unorganized borough, the lieutenant governor, not less
22 than 60 nor more than 90 days after the establishment of the local
23 health service area, shall provide for the election of a local health
24 service area board.

25 (b) Except for the first election of local health service area
26 board members under (a) of this section, elections shall be held
27 annually on the first Tuesday of October. Elections shall be admini-
28 stered by the director of elections in the office of the lieutenant
29 governor. The lieutenant governor shall adopt regulations for the

1 conduct of elections of local health service area board members.

2 (c) The members of a local health service area are subject to
3 recall as provided by AS 29.28.130 -- 29.28.250.

4 (d) The cost of each local health service area board election,
5 or recall election under (c) of this section, shall be borne by the
6 state.

7 Sec. 18.10.071. GRANTS. (a) The commissioner may make grants
8 to health districts as defined in sec. 21(a) of this chapter to assist
9 in meeting costs of providing comprehensive public health services
10 under one or more plans of service as required in regulations adopted
11 under this chapter.

12 (b) No grant may be made under this section to a health district
13 unless an application is made on a fiscal year basis and has been
14 submitted through the appropriate Health Systems Agency established
15 under P. L. 93-641 and approved by the commissioner and unless

16 (1) the governing body of the health district has submitted
17 to the commissioner a plan for the provision of comprehensive health
18 services and has had the plan initially approved by him; or

19 (2) in those instances where a plan of services has been
20 initially approved, the commissioner upon his annual review of the
21 plan, determines that it, and the activities undertaken under it,
22 continue to meet requirements established for such plans.

23 (c) In making his determination the commissioner shall consider
24 the relationship of the health district plan to the annual implemen-
25 tation plan of the appropriate Health Systems Agency established under
26 P.L. 93-641.

27 (d) An application for a grant under this section shall be sub-
28 mitted in the form and shall contain the information the commissioner
29 may require by regulation.

1 (e) In each fiscal year the department shall, in accordance with
2 the plan of service provided and approved, and under regulations
3 (including an allotment formula) adopted for the purpose, allot the
4 sum appropriated for such service among the health districts estab-
5 lished under this chapter. The formula shall take into consideration
6 the following factors:

7 (1) 30 per cent shall be distributed on the basis of the
8 population of the area to be served;

9 (2) 35 per cent shall be distributed on the basis of
10 program need taking into consideration such factors as the number of
11 live births, pre-school and school children and the number of establish-
12 ments or institutions requiring sanitary inspections;

13 (3) 15 per cent shall be added to each grant for admini-
14 strative costs;

15 (4) 10 per cent of the allocation shall be reserved for
16 adjustments of grant or contract bases provided by sec. 91 of this
17 chapter;

18 (5) 10 per cent shall be distributed on the basis of local
19 tax effort.

20 (f) The minimum health district share is 10 per cent of the
21 requested state grant. Health district matching funds must be local
22 money which is not derived from state or federal sources. Maintenance
23 of effort must be at not less than the level of support provided by
24 the local governments within the health district before July 1, 1975.

25 Sec. 13.10.081. CONTRACTS. (a) The commissioner may enter into
26 contracts with the health districts described in sec. 21(a)(4) of this
27 chapter for the provision of specific health services:

28 (1) in the case of a city located in the unorganized borough,
29 if the city has a population of 2,000 persons or more; and

1 (2) the commissioner determines that the health services
2 cannot be provided more efficiently through a local health service
3 area which is contiguous to the city.

4 (b) The commissioner may enter into contracts with the health
5 districts described in sec. 21(a)(5) of this chapter for the provision
6 of specific health services if the private health corporation meets
7 all of the following requirements:

8 (1) it is broadly representative of the population of the
9 area served;

10 (2) its representation is endorsed by the governing bodies
11 of the cities within the area it serves; and

12 (3) it serves equally all state residents presenting them-
13 selves for assistance or services.

14 (c) Financial support provided under contract with health
15 districts in accordance with this section shall be paid in the amounts
16 and under the criteria set out in sec. 71(d) and (e) of this chapter
17 and application is made in accordance with regulations adopted under
18 sec. 71(c).

19 Sec. 18.10.091. ADJUSTMENTS OF GRANT OR CONTRACT BASE. (a) The
20 allocation determined by the formula prescribed by sec. 71(d) of this
21 chapter shall reflect cost-of-services differentials. The area cost-
22 of-service differential shall be determined annually in the manner
23 provided in AS 39.27.030; however, the area cost-of-service differential
24 to be applied may not be an amount less than the base allocation.

25 (b) As used in (a) of this section, "election district" means an
26 election district designated by the governor's proclamation of reappor-
27 tionment and redistricting of December 7, 1961, and retained for the
28 House of Representatives by the proclamation of the governor issued
29 September 3, 1965.

1 (c) Allocations calculated under sec. 71(d) of this chapter
2 shall be further increased by 10 per cent if:

3 (1) in the unorganized borough the largest community within
4 the health district, or area served by a private health corporation,
5 is not connected to Anchorage, Fairbanks, Juneau, or Ketchikan by
6 road, railroad, or ferry; or

7 (2) in the unorganized borough, more than one-half of the
8 population of the health district lives outside of the largest city in
9 the area served.

10 Sec. 18.10.101. EXPENDITURE OF FUNDS. Funds received by a
11 health district under this chapter shall be spent only for the purposes
12 described in the plan of service which has been approved by the
13 commissioner.

14 Sec. 18.10.111. PRORATION. If amounts appropriated by the
15 legislature are insufficient to meet the cost of grants calculated
16 under this chapter, the funds that are available shall be allocated
17 pro rata among eligible health districts.

18 Sec. 18.10.121. REGULATIONS. (a) The commissioner shall adopt
19 regulations necessary to implement this chapter.

20 (b) Regulations shall cover, but need not be limited to

21 (1) formation of local health service areas in an organized
22 borough which has not acquired health powers;

23 (2) the powers and duties of the boards of local health
24 service areas in the unorganized borough;

25 (3) requirements for the development of a plan of service
26 by the health district;

27 (4) minimal standards of service;

28 (5) procedures for the application, revision and approval
29 of grants to or contracts with health districts which include a de-

1 tailed allocation formula;

2 (6) health district program evaluation;

3 (7) qualifications of professional health personnel.

4 Sec. 18.10.131. DEFINITIONS. In this chapter

5 (1) "commissioner" means the commissioner of the Department
6 of Health and Social Services;

7 (2) "department" means the Department of Health and Social
8 Services;

9 (3) "private health corporation" means a non-governmental
10 organization incorporated under the laws of Alaska and which delivers
11 health services to a particular area of the state; it includes but is
12 not limited to the health instrumentalities of the Alaska Native
13 regional corporations established under the Alaska Native Claims
14 Settlement Act (P. L. 92-203).

JAN 16 1976

HB 596

The Honorable Mike Bradner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill which would amend AS 18.10, relating to health units and districts. It would replace the provisions of the chapter, enacted in 1949 (and not amended since then), by creating a system of local health districts with considerable autonomy to administer health programs on the community level by means of contract with the State or by State matching grant funds. Statehood, the establishment of boroughs, and the Alaska Native Claims Settlement Act have wrought changes which must be recognized in our delivery of health services.

Section 1 of the bill would repeal the present Article 1 of AS 18.10 and the only unrepealed section in Article 2 (a definition of "department" which would be re-enacted under a new number). AS 18.05.040(a)(4), which now grants general authority to adopt regulations pertaining to cooperation with local boards of health and health officers, would also be repealed to be replaced by specific regulatory authorization in AS 18.10.

Section 2 contains the new material which would create health districts of equal authority and responsibility. Designated as districts are unified city-boroughs, organized boroughs with areawide health powers, cities and local health service areas in boroughs which have not acquired areawide health powers, local health service areas and cities in the unorganized borough, and the areas in the unorganized borough served by private health corporations such as the Alaska Native regional corporations. Citizen boards would be elected in the local health service areas to administer the programs which would be operated in local governments and private corporations by their regular officials. In most other states, local health functions are the province of counties.

This measure would specify Department of Health and Social Services authority to evaluate the health needs of the entire State, under uniform guidelines, and to respond to health problems at the local level by using local powers.

State efforts would be coordinated with local input to determine what needs are not being met in each district, and priorities would be set for the best use of available funds. The Department would retain control and supervision of planning and expenditures, but the actual delivery of health services would be the responsibility of the local health district.

A community effort will be required as well as a State effort -- both in assuming a share of financing and in administering the programs. The State would be empowered to make matching grants for providing comprehensive public health services, and to contract with the health districts for the provision of specific services. A mathematical formula including a factor to reward local tax effort would be established for computing the amount of grants or contract payments, and it would be applied equally in all the districts. The only variation permitted would be for a cost-of-service differential and a differential based upon remote location.

This bill should go a long way toward updating and improving the provision of health services throughout the State.

Sincerely,

Jay S. Hammond
Governor

ALASKA STATE LEGISLATURE

...NINTH Legislature SECOND.. Session

HOUSE BILL NO. 596
 By RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act relating to local health services."

Local health services

Introduced in the House 1/16....., 19..76

HISTORY IN THE HOUSE

19	Read first time and referred to Committee on												
Jan 16	Health, Education & Social Services and Finance Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by Speaker Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr><td colspan="2">Reconsideration</td></tr> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
Chapter No.	

The Legislature of the State of Alaska
FISCAL NOTE

Second Session - Ninth Legislature

AMENDED FISCAL NOTE 3/9/76

I. REQUEST

Bill No. HB 596

Title: Local Health Services

Requested by: House HESS

Date: 3/9/76

Return Date Requested:

Agency: Health & Social Services PROGRAM: Public Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Public Health Administration

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES			180.4	256.6	272.0	
200 TRAVEL			10.0	15.0	17.0	
300 CONTRACTUAL			47.0	37.0*	37.0*	
400 COMMODITIES			6.0	6.0	6.0	
500 EQUIPMENT			6.5	3.0	3.0	
600 LAND & STRUCTURES			-	-	-	
700 GRANTS, CLAIMS, ETC.			-	**	**	
TOTAL			249.9	317.6	335.0	

B. FUNDING: (Thousands of dollars)

GENERAL FUND			249.9	317.6	335.0
FEDERAL FUNDS			-	-	-
OTHER			-	-	-

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	8/3	9/3	9/1	/
MAN MONTHS (P./T.)	/	/	72/18	96/18	96/9	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions:

- Implementation of the bill will require establishment of a separate Local Health Service Unit with required staff within the Office of the Director, Division of Public Health.
- Establishment of unit, recruitment of staff, preparation of regulations to be accomplished in FY 77. Staff consultants for training, local assistance, review and monitoring (4) to be assigned last half of FY 77. Grant and contract applications accepted last half of FY 77.
- Grants and contracts reviewed and funds allocated in FY 78 and FY 79.
- Funding for nursing and environmental health provided as a direct service by the department, through grants and contracts, will be transferred to the health districts accepting health powers. Positions will be transferred also.
- (*) and (**) Level of contracts and grants dependent upon number of applications from health districts wishing to assume health powers for FY 78 and beyond.

V. DATE: 3/9/76

PREPARED BY: Frank P. Pauls, Dr. P.H.

Original: Legislative Finance ✓
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Reviewed by Financial Management

[Signature]

100 - Personnel

FY 77		180.4
Coordinator, Local Health Services (23)	37,984	
Assistant Coordinator (21)	32,786	
Clerk V (11)	16,698	
Clerk Typist III (8)	13,838	
General Nursing Consultants (2)		
6 months (20)	31,131	
Environmental Health Consultants (2)		
6 months (20)	31,131	
Temporary Hire - Clerk Typist III's		
18 months equivalents	16,877	
 FY 78		 256.6
Same positions except consultant		
positions increased to 12 months each		
Temporary hire-Clerk Typist III's		
decreased to 12 months equivalents		
 FY 79		 272.0
Same personnel as in FY 78. Projected		
salary increases at 6%		

200 - Travel

FY 77		10.0
Travel costs for hearings on regulations		
and consultation with local health service		
areas.		
 FY 78		 15.0
Site visits by staff, training local		
staff, consultants travel.		
 FY 79		 17.0
Site visits, auditing, consultant		
assistance to newly established		
local health service units.		

300 - Contractural

FY 77		47.0
1. Special consultant services for		
preparation of regulations, standards		
and training materials.	30.0	
2. Publishing of regulations	5.0	
3. Telephone & communications	12.0	
 FY 78 & FY 79 - Same for each FY		 37.0
1. Special consultant services for		
preparation of service guidelines		
and audit system.	25.0	
2. Telephone & communications	12.0	

400 - <u>Commodities</u> - Printing and Office Supplies		
per FY		6.0

500 - Equipment

FY 77

6.5

Office equipment to establish unit
and for staff (desks, chairs,
typewriters).

FY 78 & FY 79 per FY

3.0

700 - Grants, Claims

Projection of grants and contracts to health districts cannot
be established. Dependent upon number of health districts
requesting delegation of health powers.

Health districts receiving direct services through the
department, on assumption of health powers, through grants
and contracts, will be funded for these services in accordance
with the allotment formula and positions transferred from the
State to the health district. Additional positions may need
to be established by the health district to provide broader
coverage and administrative support.

FPP:ms:ml

Original Sponsor: Rules Committee by
request of the Governor

Offered: 5/12/76
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 596

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to local public health services."

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

8 * Section 1. AS 18.10 is amended by adding new sections to read:

9 CHAPTER 10. LOCAL PUBLIC HEALTH SERVICES

10 [UNITS AND DISTRICTS].

11 Sec. 18.10.011. PURPOSE. The purpose of this chapter is to promote
12 and safeguard the health of the general public by orderly discharge of
13 state authority and responsibility for providing selected public health
14 functions through public health districts and authorizing of

15 (1) grants for comprehensive public health services to local
16 governments as health districts; and

17 (2) contractual arrangements with private health corporations
18 for selected public health services in areas not served by local govern-
19 ments with public health powers.

20 Sec. 18.10.021. PUBLIC HEALTH DISTRICTS. (a) For administration
21 of this chapter, the following areas may be designated public health
22 districts of the state:

23 (1) cities which are within an organized borough and have
24 public health powers;

25 (2) unified municipalities established under AS 29.68.240 -
26 29.68.440, in the municipal area in which public health powers are
27 authorized, whether areawide or in less than the entire area of the
28 municipality;

29 (3) organized boroughs, in the borough area in which public

1 health powers are authorized, whether areawide or in the borough area
2 outside cities only;

3 (4) service areas of organized boroughs established for
4 public health purposes under AS 29.63.090 or by home rule charter;

5 (5) local public health service areas established in the
6 unorganized borough under AS 29.03.020 and secs. 31 - 41 of this chapter
7 and cities in the unorganized borough which are not within a local
8 public health service area;

9 (6) organized boroughs which do not have public health powers
10 either areawide or in the borough area outside cities only but which are
11 served by private health corporations, in the borough area not otherwise
12 designated a public health district under (a)(1) or (4) of this section;

13 (b) A city in the unorganized borough may include itself for pur-
14 poses of this chapter in a local public health service area of the
15 unorganized borough established under secs. 31 - 41 of this chapter or
16 in an area served by a private health corporation under a contract for
17 services to be provided by the corporation, if its governing body, by
18 resolution adopted by a majority of the membership, consents to the
19 inclusion of the city, and the resolution is filed with the commissioner.
20 Nothing in this chapter otherwise restricts or prohibits the combining
21 of two or more public health districts as a single district for the
22 purposes of this chapter, upon mutual agreement for cooperative or joint
23 administration of functions or contract for services to be provided by a
24 private health corporation under this chapter.

25 Sec. 18.10.026. AUTHORITY IN UNORGANIZED BOROUGH. Under AS 29.03.
26 020 and this chapter, the legislature authorizes establishment of local
27 public health service areas in the unorganized borough within the
28 boundaries of regional educational attendance areas established under
29 AS 14.08.031 if the population, including military personnel and

1 dependents, of an attendance area, or two or more contiguous attendance
2 areas combining to form a single service area, numbers at least 6,000
3 persons, and grants authority to the service areas to provide public
4 health services in accordance with this chapter.

5 Sec. 18.10.031. LOCAL PUBLIC HEALTH SERVICE AREAS IN THE UNORGAN-
6 IZED BOROUGH. (a) Upon receipt of a petition signed by at least 10 per
7 cent of the qualified voters of a regional educational attendance area
8 or of each of two or more contiguous regional educational attendance
9 areas established under AS 14.08.031, the lieutenant governor shall
10 place a question, substantially in the following form, on the ballot in
11 the next general election held in the area:

12 "SHALL A LOCAL PUBLIC HEALTH SERVICE AREA BE FORMED WITHIN THE
13 BOUNDARIES OF THE _____ REGIONAL EDUCATIONAL ATTEN-
14 DANCE AREA(S)?

15 Yes [] No []"

16 (b) Upon certification by the lieutenant governor that in each
17 regional educational attendance areas in which the election on the
18 question is held, a majority of votes on the question are affirmative,
19 the lieutenant governor shall declare the local public health service
20 area to be established.

21 (c) If a petition for establishment of a local public health
22 service area so requests, election of the local public health service
23 area board provided for in sec. 41 of this chapter may be held con-
24 currently with election on the question of establishing the local public
25 health service area.

26 (d) To assure that the population served in each local public
27 health service area remains at a minimum of 6,000 persons, including
28 military personnel and dependents, two or more contiguous regional edu-
29 cational attendance areas established as local public health service

1 areas under this section may combine as a single service area. Combin-
2 ing service areas under this subsection abolishes the offices of the
3 separate boards governing the former separate areas upon election of a
4 single governing board, numbering seven or that number designated by the
5 department, to serve as provided in sec. 41 of this chapter.

6 Sec. 18.10.C' . LOCAL PUBLIC HEALTH SERVICE AREA BOARDS. (a)

7 Each local public health service area of the unorganized borough shall
8 have an elected board representing the population of the area served.
9 The board shall have powers, duties and other functions as prescribed by
10 regulations adopted by the department under sec. 101 of this chapter.

11 (b) A local public health service area board shall number seven
12 members, unless the petition provided for in sec. 31 of this chapter
13 designates a different number of members, or a different number of mem-
14 bers is designated under sec. 31(d) of this chapter to constitute the
15 board. At least four members, or a majority, if the board numbers more
16 than seven, shall be consumers only of health services.

17 (c) Board members shall be elected at large by the qualified
18 voters of the local public health service area; however, each seat on a
19 board shall be designated by letter or number, and a candidate for the
20 board shall indicate the seat for which he is a candidate on his declara-
21 tion of candidacy or other nomination document when he files for office;

22 (d) The term of office of members of a local public health service
23 area board is three years, except that the term of members of the first
24 board elected in each area shall be determined by lot, with two members
25 serving a one-year term, two members a two-year term, and three members
26 a three-year term, if the board numbers seven members, and, if the board
27 numbers more than seven members, terms shall be determined by lot and
28 staggered among one, two and three year terms or so that a majority of
29 the board serve initial one or two-year terms. Nothing in this subsec-

1 tion prohibits reelection of a board member.

2 (e) The lieutenant governor, not less than 60 nor more than 90
3 days after the establishment of a local public health service area
4 including but not limited to combining of two or more contiguous areas
5 into a single area under sec. 31(d) of this chapter, shall provide for
6 the election of the service area board, unless election of the board has
7 been held concurrently with election on the question of establishment of
8 the service area as provided in sec. 31 of this chapter.

9 (f) Except for the first election, elections of board members
10 shall be held annually on the first Tuesday of October.

11 (g) A vacancy on a local public health service area board shall be
12 filled as provided by AS 14.12.070 for school board vacancies.

13 (h) Local public health service area board members are subject to
14 recall upon the same grounds and in the same manner as provided for
15 elected municipal officials in AS 29.28.130 - 29.28.250. The department
16 functions in place of the assembly or council and municipal clerk,
17 except as provided in (i) of this section.

18 (i) Elections under this section, including but not limited to
19 recall elections, shall be administered by the office of the lieutenant
20 governor in the general manner prescribed by the Alaska Election Code
21 (AS 15.05 - 15.60). In addition, the lieutenant governor may adopt
22 regulations considered necessary to conduct the local public health
23 service area elections. The state shall pay election costs.

24 Sec. 18.10.051. GRANTS. (a) The commissioner may make matching
25 grants to governing bodies of public health districts designated under
26 sec. 21(a)(1) - (4) or (b) of this chapter to assist in paying costs of
27 provision of comprehensive public health services under one or more
28 plans of service as required by regulations adopted under sec. 101 of
29 this chapter. Application for a grant shall be submitted in the form

1 and with information which the department by regulation prescribes.

2 (b) A grant is authorized under this section only if

3 (1) application is made on a fiscal year basis and has been
4 submitted through the appropriate health systems agency established
5 under P.L. 93-641 and approved by the commissioner, and

6 (A) the governing body of the municipal area comprising
7 the public health district has submitted to the commissioner a plan
8 for the provision of comprehensive health services and has had the
9 plan initially approved by him; or

10 (B) in those cases in which a plan of services has been
11 initially approved, the commissioner upon his annual review of the
12 plan determines that it, and the activities undertaken under it,
13 continue to meet requirements established for these plans;

14 (2) the governing body of the municipal area comprising the
15 public health district matches 10 per cent of the amount of the grant
16 with revenue or in-kind contributions from the area comprising the
17 district which are not derived from state or federal sources;

18 (3) the governing body of the municipal area comprising the
19 public health district agrees to maintain local expenditures for public
20 health services within the district at a level at least equal to the
21 level of support provided before July 1, 1975.

22 (c) In determining grants to be made under this section, the
23 commissioner shall consider the relationship of the health district plan
24 to the annual implementation plan of the appropriate health systems
25 agency established under P.L. 93-641. In each fiscal year the depart-
26 ment shall, in accordance with the plan of service provided and approved,
27 and under regulations adopted for the purpose, take into consideration
28 the following weighting factors:

29 (1) 50 per cent of grant money available for distribution

1 shall be distributed on the basis of program need, with consideration of
2 such factors as number of infant deaths per 1,000 live births, preschool
3 children, morbidity and mortality rates, number of establishments or
4 institutions requiring sanitary inspectors and administrative costs;

5 (2) 30 per cent shall be distributed on the basis of relative
size of population of the area to be served;

7 (3) 10 per cent of the allocation shall be reserved for
8 adjustments of grant or contract bases as provided in sec. 71 of this
9 chapter;

10 (4) 10 per cent shall be distributed on the basis of relative
11 proportion of expenditures of the local government for public health
12 services within the municipal area comprising the public health district
13 as compared to total operating expenditures of the local government
14 within the district during the fiscal year preceding application.

15 Sec. 18.10.061. CONTRACTS. (a) The commissioner may enter into
16 contracts with the public health districts designated under sec. 21(a)(5)
17 or (b) of this chapter for provision by the districts of specific public
18 health services. As prerequisites to a contract with a district which
19 is a city

20 (1) the population of the city must total at least 2,000
21 persons, and

22 (2) the commissioner must determine that the public health
23 services proposed to be contracted for cannot be provided more effi-
24 ciently through the city's including itself, as provided in sec. 21(b)
25 of this chapter, in a local public health service area which is con-
26 tiguous to the city than by the city's providing the services.

27 (b) The department may enter into a contract with a private health
28 corporation serving a public health district designated under sec. 21(a)-
29 (6) - (7) or (b) of this chapter for the provision by the corporation of

1 specific public health services. The private health corporation with
2 which the department enters into a contract must meet the following
3 requirements:

4 (1) it shall be broadly representative of the population of
5 the area served;

6 (2) its representation of the population of the area is
7 endorsed by the governing body of the organized borough or of a city
8 included within the area served;

9 (3) it serves equally all residents of the state presenting
10 themselves for assistance or services.

11 (c) The amounts authorized and criteria set out for making match-
12 ing grants under sec. 51(c) of this chapter apply also with respect to
13 award of contracts by the department under this section. Application
14 for contracts shall be submitted in the form and with information which
15 the department by regulation prescribes.

16 Sec. 18.10.071. ADJUSTMENTS OF GRANT OR CONTRACT BASE. (a) The
17 allocation of funds for grants and contracts to be determined under the
18 formula prescribed by sec. 51(c) of this chapter shall reflect cost-of-
19 services differentials. The area cost-of-service differential shall be
20 determined annually in the manner provided in AS 39.27.030; however, the
21 area cost-of-service differential to be applied may not be an amount
22 less than the base allocation. For purposes of this section "election
23 districts" as used in AS 39.27.030(a)(1) means election districts
24 designated by the governor's proclamation of reapportionment and re-
25 districting of December 7, 1961, and retained for the House of Repre-
26 sentative by the proclamation of the governor issued September 3, 1965.

27 (b) Allocations calculated under sec. 51(c) of this chapter shall
28 be further increased by 10 per cent if

29 (1) in the unorganized borough the largest community within

1 the public health district is not connected to Anchorage, Fairbanks,
2 Juneau, or Ketchikan by road, railroad, or ferry; or

3 (2) in the unorganized borough, more than one-half of the
4 population of the public health district lives outside of the largest
5 city in the area served.

6 Sec. 18.10.081. EXPENDITURE OF FUNDS. Funds received by a public
7 health district under this chapter shall be expended only on the pur-
8 poses described in the plan of service which has been approved by the
9 commissioner.

10 Sec. 18.10.091. PRORATION. If amounts appropriated by the legisla-
11 ture are insufficient to meet the cost of matching grants calculated
12 under this chapter, such funds as are available shall be allocated pro
13 rata among eligible public health districts.

14 Sec. 18.10.101. REGULATIONS. The commissioner shall adopt regula-
15 tions necessary to implement this chapter. Regulations shall include,
16 but need not be limited to

17 (1) powers, duties and other functions of boards of local
18 public health service areas of the unorganized borough;

19 (2) requirements for the development of a plan of service by
20 a public health district;

21 (3) minimal standards of service;

22 (4) procedures for the application, revision and approval of
23 grants to or contracts with public health districts, which include a
24 detailed allocation formula;

25 (5) public health district program evaluation;

26 (6) qualifications of health personnel.

27 Sec. 18.10.111. DEFINITIONS. In this chapter

28 (1) "commissioner" means the commissioner of the Department
29 of Health and Social Services;

1 (2) "department" means the Department of Health and Social
2 Services;

3 (3) "population" means population as determined by the Depart-
4 ment of Community and Regional Affairs using the latest figures of the
5 U.S. Bureau of the Census reports or other reliable information;

6 (4) "private health corporation" means a nonprofit nongovern-
7 mental organization incorporated under the laws of the state which
8 delivers health services to a particular area of the state; the term
9 includes but is not limited to the health instrumentalities of the
10 Alaska Native regional corporations established under the Alaska Native
11 Claims Settlement Act (P.L. 92-203).

12 * Sec. 2. AS 18.05.040(a)(4), AS 18.10.010 - 18.10.050, and 18.10.260(b)
13 are repealed.

Introduced: 1/16/76
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 596

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to local health services."

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

8 * Section 1. AS 18.05.040(a)(4), 18.10.010 -- 18.10.050, and 18.10-
9 .260(b) are repealed.

10 * Sec. 2. AS 18.10 is amended by adding new sections to read:

11 CHAPTER 10. LOCAL HEALTH SERVICES.

12 Sec. 18.10.011. PURPOSE. The purpose of this chapter is to
13 promote and safeguard the health of the general public by orderly
14 delegation of authority and responsibility for providing selected
15 public health functions to local health districts.

16 Sec. 18.10.021. HEALTH DISTRICTS. (a) The health districts of
17 the state, for purposes of administration of this chapter, are:

18 (1) municipalities unified under AS 29.68.240 -- 29.68.440;

19 (2) organized boroughs which have acquired areawide health
20 powers under AS 29.33.250 -- 29.33.290;

21 (3) cities and local health service areas in an organized
22 borough which has not acquired areawide health powers;

23 (4) cities or local health service areas in the unorganized
24 borough;

25 (5) areas in the unorganized borough served by private
26 health corporations as defined in sec. 131 of this chapter.

27 (b) A city in the unorganized borough may be included in a
28 larger health district if its governing body, by a resolution adopted
29 by a majority of the membership, consents to the inclusion of the city

1 in a local health service area or area served by a private health
2 corporation and files the resolution with the commissioner.

3 (c) Nothing in this chapter prohibits combining two or more
4 districts to be treated as a single district for the purposes of this
5 chapter.

6 Sec. 18.10.031. LOCAL HEALTH SERVICE AREAS IN AN ORGANIZED
7 BOROUGH. Standards for the organization and administration of local
8 health service areas in a borough which has not acquired health powers
9 shall be established by the department by regulation.

10 Sec. 18.10.041. LOCAL HEALTH SERVICE AREAS IN THE UNORGANIZED
11 BOROUGH. To provide local health services, the department shall
12 divide the unorganized borough into local health service areas by
13 using the boundaries of the regional educational service areas created
14 under AS 14.08.031. However, the department may combine two or more
15 regional educational service areas to assure that the minimum popula-
16 tion served in each local health service area will be at least 7,500.
17 A city excluded from a regional educationa. service area may be
18 included in a local health service area established by the department
19 only upon the adoption of a resolution by its council as provided in
20 sec. 21(b) of this chapter.

21 Sec. 18.10.051. LOCAL HEALTH SERVICE AREA BOARDS OF THE UNORGA-
22 NIZED BOROUGH. (a) Each local health service area of the unorganized
23 borough shall have an elected local board of health broadly representa-
24 tive of the population of the entire area served.

25 (b) The powers and duties of the boards shall be prescribed by
26 regulations adopted under this chapter.

27 (c) Formation of the boards and terms of office of the members
28 shall be as follows:

29 (1) the qualified voters in each local health service area

1 shall elect a local health service area board of seven members, of whom
2 at least four are otherwise involved with health services only as
3 consumers;

4 (2) local health service area board members shall be elected
5 at large by the qualified voters of the area receiving health services;
6 however, each seat on the health board shall be designated by letter
7 or number, and a candidate for the board shall indicate the seat for
8 which he is a candidate on his declaration of candidacy or other
9 nomination document when he files for office;

10 (3) a vacancy on a local health service area board shall be
11 filled as provided by AS 14.12.070 for school boards;

12 (4) the term of office of members elected to a local health
13 service area board is three years;

14 (5) for the first health board elected in each area the
15 term of office of each member shall be determined by lot with two
16 members serving a one-year term, two members a two-year term, and
17 three members a three-year term;

18 (6) nothing in this section prohibits the re-election of a
19 board member.

20 Sec. 18.10.061. ELECTIONS. (a) In each local health service
21 area in the unorganized borough, the lieutenant governor, not less
22 than 60 nor more than 90 days after the establishment of the local
23 health service area, shall provide for the election of a local health
24 service area board.

25 (b) Except for the first election of local health service area
26 board members under (a) of this section, elections shall be held
27 annually on the first Tuesday of October. Elections shall be admini-
28 stered by the director of elections in the office of the lieutenant
29 governor. The lieutenant governor shall adopt regulations for the

1 conduct of elections of local health service area board members.

2 (c) The members of a local health service area are subject to
3 recall as provided by AS 29.28.130 -- 29.28.250.

4 (d) The cost of each local health service area board election,
5 or recall election under (c) of this section, shall be borne by the
6 state.

7 Sec. 18.10.071. GRANTS. (a) The commissioner may make grants
8 to health districts as defined in sec. 21(a) of this chapter to assist
9 in meeting costs of providing comprehensive public health services
10 under one or more plans of service as required in regulations adopted
11 under this chapter.

12 (b) No grant may be made under this section to a health district
13 unless an application is made on a fiscal year basis and has been
14 submitted through the appropriate Health Systems Agency established
15 under P. L. 93-641 and approved by the commissioner and unless

16 (1) the governing body of the health district has submitted
17 to the commissioner a plan for the provision of comprehensive health
18 services and has had the plan initially approved by him; or

19 (2) in those instances where a plan of services has been
20 initially approved, the commissioner upon his annual review of the
21 plan, determines that it, and the activities undertaken under it,
22 continue to meet requirements established for such plans.

23 (c) In making his determination the commissioner shall consider
24 the relationship of the health district plan to the annual implemen-
25 tation plan of the appropriate Health Systems Agency established under
26 P.L. 93-641.

27 (d) An application for a grant under this section shall be sub-
28 mitted in the form and shall contain the information the commissioner
29 may require by regulation.

1 (e) In each fiscal year the department shall, in accordance with
2 the plan of service provided and approved, and under regulations
3 (including an allotment formula) adopted for the purpose, allot the
4 sum appropriated for such service among the health districts estab-
5 lished under this chapter. The formula shall take into consideration
6 the following factors:

7 (1) 30 per cent shall be distributed on the basis of the
8 population of the area to be served;

9 (2) 35 per cent shall be distributed on the basis of
10 program need taking into consideration such factors as the number of
11 live births, pre-school and school children and the number of establish-
12 ments or institutions requiring sanitary inspections;

13 (3) 15 per cent shall be added to each grant for admini-
14 strative costs;

15 (4) 10 per cent of the allocation shall be reserved for
16 adjustments of grant or contract bases provided by sec. 91 of this
17 chapter;

18 (5) 10 per cent shall be distributed on the basis of local
19 tax effort.

20 (f) The minimum health district share is 10 per cent of the
21 requested state grant. Health district matching funds must be local
22 money which is not derived from state or federal sources. Maintenance
23 of effort must be at not less than the level of support provided by
24 the local governments within the health district before July 1, 1975.

25 Sec. 18.10.081. CONTRACTS. (a) The commissioner may enter into
26 contracts with the health districts described in sec. 21(a)(4) of this
27 chapter for the provision of specific health services:

28 (1) in the case of a city located in the unorganized borough,
29 if the city has a population of 2,000 persons or more; and

1 (2) the commissioner determines that the health services
2 cannot be provided more efficiently through a local health service
3 area which is contiguous to the city.

4 (b) The commissioner may enter into contracts with the health
5 districts described in sec. 21(a)(5) of this chapter for the provision
6 of specific health services if the private health corporation meets
7 all of the following requirements:

8 (1) it is broadly representative of the population of the
9 area served;

10 (2) its representation is endorsed by the governing bodies
11 of the cities within the area it serves; and

12 (3) it serves equally all state residents presenting them-
13 selves for assistance or services.

14 (c) Financial support provided under contract with health
15 districts in accordance with this section shall be paid in the amounts
16 and under the criteria set out in sec. 71(d) and (e) of this chapter
17 and application is made in accordance with regulations adopted under
18 sec. 71(c).

19 Sec. 18.10.091. ADJUSTMENTS OF GRANT OR CONTRACT BASE. (a) The
20 allocation determined by the formula prescribed by sec. 71(d) of this
21 chapter shall reflect cost-of-services differentials. The area cost-
22 of-service differential shall be determined annually in the manner
23 provided in AS 39.27.030; however, the area cost-of-service differential
24 to be applied may not be an amount less than the base allocation.

25 (b) As used in (a) of this section, "election district" means an
26 election district designated by the governor's proclamation of reappor-
27 tionment and redistricting of December 7, 1961, and retained for the
28 House of Representatives by the proclamation of the governor issued
29 September 3, 1965.

1 (c) Allocations calculated under sec. 71(d) of this chapter
2 shall be further increased by 10 per cent if:

3 (1) in the unorganized borough the largest community within
4 the health district, or area served by a private health corporation,
5 is not connected to Anchorage, Fairbanks, Juneau, or Ketchikan by
6 road, railroad, or ferry; or

7 (2) in the unorganized borough, more than one-half of the
8 population of the health district lives outside of the largest city in
9 the area served.

10 Sec. 18.10.101. EXPENDITURE OF FUNDS. Funds received by a
11 health district under this chapter shall be spent only for the purposes
12 described in the plan of service which has been approved by the
13 commissioner.

14 Sec. 18.10.111. PRORATION. If amounts appropriated by the
15 legislature are insufficient to meet the cost of grants calculated
16 under this chapter, the funds that are available shall be allocated
17 pro rata among eligible health districts.

18 Sec. 18.10.121. REGULATIONS. (a) The commissioner shall adopt
19 regulations necessary to implement this chapter.

20 (b) Regulations shall cover, but need not be limited to

21 (1) formation of local health service areas in an organized
22 borough which has not acquired health powers;

23 (2) the powers and duties of the boards of local health
24 service areas in the unorganized borough;

25 (3) requirements for the development of a plan of service
26 by the health district;

27 (4) minimal standards of service;

28 (5) procedures for the application, revision and approval
29 of grants to or contracts with health districts which include a de-

1 tailed allocation formula;

2 (6) health district program evaluation;

3 (7) qualifications of professional health personnel.

4 Sec. 18.10.131. DEFINITIONS. In this chapter

5 (1) "commissioner" means the commissioner of the Department
6 of Health and Social Services;

7 (2) "department" means the Department of Health and Social
8 Services;

9 (3) "private health corporation" means a non-governmental
10 organization incorporated under the laws of Alaska and which delivers
11 health services to a particular area of the state; it includes but is
12 not limited to the health instrumentalities of the Alaska Native
13 regional corporations established under the Alaska Native Claims
14 Settlement Act (P. L. 92-203).