

COMMITTEE REPORT

HOUSE

FURTHER:

Date: 2-30-84

Mr. Speaker:

The Committee on FINANCE has had ISHB 503

"An Act relating to the Alaska Pioneers' Home".

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SHB 503 (CA) same title
 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note 133.0
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Albert P. ...
CHAIRMAN

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: February 15, 1984

Page 1 of 2

REQUEST

Bill/Resolution No.: CSSSHB 503 (State Affairs)
Title: Residents of the Alaska Pioneers' Homes

FISCAL DETAIL

Agency Affected: Administration
Program Category Affected: Social Servcs

Sponsor: Uehling
Requestor: _____
Date of Request: _____

BRU, Program of Subprogram(s) Affected:
Pioneers' Homes

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		133.0	133.0	133.0	133.0	133.0
800 MISCELLANEOUS						
TOTAL OPERATING	0	133.0	133.0	133.0	133.0	133.0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	133.0	133.0	133.0	133.0	133.0
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL	0	133.0	133.0	133.0	133.0	133.0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not indicated by sponsor.

ANALYSIS: Attach a separate page for any analysis

Prepared By: E. Louis Keller, Director
Division: Pioneers' Benefits

Phone: 465-4400
Date: February 15, 1984

Approved by Commissioner: Lisa Ruda
Department: ADMINISTRATION

Date: 2/16/84

FISCAL NOTE/BDGSF2

Distribution:
Legislative Finance
Legislative Sponsor
Registrar
Office of Management and Budget
Impacted Agency(ies)

12/1/83

CSSSHB 503 (State Affairs)
Fiscal Note Analysis
Prepared by Division of Pioneers' Benefits
Department of Administration
February 15, 1984

ASSUMPTIONS

1. The bill will become effective on July 1, 1984.
2. The Pioneers' Home populations will remain stable, but the total number of residents receiving the stipend will increase from 154 to 165 due to inclusion of the persons who have less than \$100 monthly income.
3. The stipend payments will continue to be paid from the General Fund.
4. The rates for cost of care will remain at the present level of \$425 per month for residential care and \$525 per month for skilled nursing care.

Original sponsors: Uehling, Furnace,
Ringstad, et al

IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 503 (State Affairs)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Alaska Pioneers' Home."

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

* Section 1. AS 47.25.020(b) is amended to read:

(b) Every person admitted to the Pioneers' Home, except a person admitted under AS 47.25.030, who receives income from any source in excess of \$100 per [\$35 A] month may be required by the Department of Administration to pay the excess to the Department of Administration immediately upon receipt of the money in payment, or part payment, of the cost of the person's [HIS] maintenance.

* Sec. 2. AS 47.25.020(c) is amended to read:

(c) At the end of each month the payments made under (b) of this section shall be transmitted to the commissioner of revenue together with the names of the persons making them and the amount paid by each. The Department of Administration may pay [THE SUM OF \$35 A MONTH] to a resident without funds the sum of \$100 per month.

* Sec. 3. AS 47.25.030 is amended by adding new subsections to read:

*In people
not
destitute*
(b) The Department of Administration shall adopt regulations establishing a daily or monthly rate for the compensation a resident is to be charged under (a) of this section. The commissioner of administration shall review the rate each year.

(c) The Department of Administration shall provide to all residents of the Pioneers' Home written notice of any proposed increase in the rate charged for care and support of persons at the home. Notice under this section shall be given not less than 60 days before an

increase is adopted. The notice shall include the time, date, and place of a hearing to be held by the Department of Administration under (d) of this section.

(d) Not less than 30 days before a proposed rate increase is adopted, the Department of Administration shall conduct a hearing at which interested persons shall be given the opportunity to submit written or oral testimony, statements, arguments or contentions relating to the proposed rate increase. The department shall consider all relevant matter presented to it before adopting a rate increase.

* Sec. 4. AS 47.25.070 is repealed and reenacted to read:

Sec. 47.25.070. INDEBTEDNESS OF PIONEERS' HOME RESIDENT TO STATE. (a) The following expenses incurred for a pioneers' home resident under AS 47.25.010 - 47.25.110 and not recoverable from a collateral source are a debt of the resident to the state and may be recovered during the life of the resident:

(1) costs of standard or nursing care provided in the Pioneers' Home each month to the resident not exceeding the rate established by the Department of Administration under AS 47.25.030, with credit given for any amounts paid by or collected from the resident;

(2) allowances paid under AS 47.25.020(c);

(3) costs of hospitalization and medical treatment provided outside the Pioneers' Home;

(4) arrearages in fees for television and telephone services provided in the Pioneers' Home;

(5) prescription medicine; and

(6) burial and related expenses.

(b) The debt is a first, prior and preferred claim against the estate of the Pioneers' Home resident after the resident's death, and

1 after all claims for food, clothing, fuel, shelter, medical aid, or
2 burial expenses are paid. Heirlooms without regard to value are
3 exempt from a claim by the state under this section.

4 (c) Money left in charge of the Department of Administration by
5 a deceased resident of the Pioneers' Home may be used for the burial
6 and funeral expenses of the resident and for the improvement of the
7 burial plot of the Pioneers' Home. ^[Alaska]

8 (d) The clothing and other personal effects left by a deceased
9 Pioneers' Home resident ^[of the home] may be used for the benefit of other resi-
10 dents, or may be given to relatives or to persons designated by the
11 resident, or sold and the proceeds applied in the manner provided for
12 money left by a deceased resident.

13 (e) In this section, "heirloom" means personal property of
14 sentimental value to a Pioneers' Home resident that has been in the
15 possession of the resident's ^[beneficiary] family or was a gift to the resident. ^[beneficiary]

16
17 [for 10 years or more]

POSITION PAPER

CSSSHB 503

This bill increases the monthly stipend paid to certain qualified residents (who are otherwise without funds) of Alaska's Pioneers' Homes from the current \$35 to \$100. The current \$35 stipend is clearly too little and therefore, an increase is indicated.

AS 47.25.020(b)(c)

Sixty-one residents, or just under 10% of all residents of the Pioneers' Home system presently receive the \$35 stipend. However, the full effect of the recent monthly rate increase to residents has not yet been felt, and it is anticipated that the estimates of stipend costs for FY 85 are more accurately reflected in the operating budget which includes funds for 154 persons (\$63,000). The Division of Pioneers' Benefits estimates that, should this bill become law, the number of residents who would qualify for the monthly stipend would be increased to as many as 165 residents, due to more people having less than \$100 in monthly income. \$100 is a 286% increase over the current \$35.

AS 47.25.030(b)(c)(d)

This bill also amends the statutes by requiring the Department of Administration to "adopt regulations establishing a daily or monthly rate for compensation a resident is to be charged." The Commissioner of the Department of Administration is moreover required to "review the rate each year." The Department supports the portion of the bill mandating the adoption of regulation establishing the "rate for compensation," but believes that an annual review may be too confining. The Department prefers that the rates be reviewed biannually.

AS 47.25.030(c)(d)

This bill would require all residents of the Pioneers' Homes to be notified in writing of any proposed increase in the rate charged not less than sixty days before increase is adopted. This bill would allow rate increases only, following public hearings. The Department supports a sixty-day notification period. The Department feels that an annual review process, as mandated by this bill, could involve more frequent public hearings (conceivably as often as annually). We know the actual costs of care in Pioneers' Homes increase over time. We are not confident that in public hearings residents would encourage rate increases. Regular public forums on costs of care could also raise the question of relative costs compared to care in private settings.

AS 47.25.070(a)

This bill reforms the language of the statute concerning "indebtedness of Pioneers' Home resident(s) to the State." Whereas the Department in general supports such reforms, we suggest the use of the words "ancillary charges" in lieu of the following language:

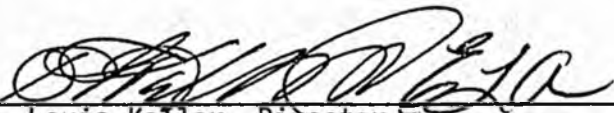
- (2) allowances paid under AS 47.25.020(c);
- (3) costs of hospitalization and medical treatment provided outside the Pioneers' Home;

- (4) arrearages in fees for television and telephone services provided in the Pioneers' Home;
- (5) prescription medicine; and
- (6) burial and related expenses.

AS 47.25.070(b)

This bill would also amend the statute by removing an existing six percent (6%) interest penalty on unpaid expenses incurred at a Pioneers' Home by a resident, and collectible from the beneficiary(s) of a resident's estate. This bill would moreover establish an exemption for "heirlooms without regard to value." The word "heirloom" is also defined.

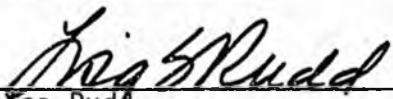
The Department generally supports this bill and is on record specifically supporting an increase in the monthly stipend.



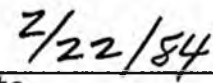
E. Louis Keller, Director
Division of Pioneers' Benefits



Date



Commissioner Lisa Rudd
Department of Administration



Date

Alaska State Legislature

CHAIRMAN
HOUSE SPECIAL COMMITTEE
ON STATE LOANS

VICE-CHAIRMAN
HOUSE RESOURCES COMMITTEE
HOUSE LABOR AND COMMERCE COMMITTEE

MEMBER
JOINT OIL & GAS COMMITTEE
HOUSE FINANCE SUBCOMMITTEE ON
ADMINISTRATION, REVENUE
AND THE GOVERNOR'S OFFICE

House of Representatives

Representative
RICK UEHLING

ANCHORAGE
DISTRICT 12-SEAT A
1634 JUNEAU DRIVE
ANCHORAGE, ALASKA 99501
(907) 274-4256
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4821

Date: January 17, 1984

To: Representative Mitch Abood
Chairman, State Affairs Committee

From: Representative Rick Uehling *R. Uehling*

Subject: HB503 - An Act relating to income, allowances
and debts of residents of the Alaska
Pioneers' Home.

FILE COPY

The purposes of HB503 are twofold:

During the last session the Legislature, in a letter of intent to last years' budget, required that the Department of Administration raise the fees charged to the residents of the Pioneer Home.

These rent increases were from \$225.00 to \$425.00 for regular residents and from \$275.00 to \$525.00 for residents who receive skilled nursing care.

At the time of the rent increase the residents met with members of the Legislature and representatives of the Department of Administration to request, first, that the increase be delayed, and secondly, that the amount of the monthly stipend (discretionary income) allowed residents be increased from \$35.00 to \$100.00.

Needless to say the rent increase was not delayed. However, the increase in rent, from \$225.00 to \$425.00, took up what additional money many of the residents had left each month leaving them to receive only the \$35.00 monthly allowance.

There had not been an increase in the stipend in thirteen years. I do not believe that \$35.00 a month is sufficient for the residents of the Pioneer Home to purchase necessities such as prescription drugs, clothing, and personal items like shampoo, and toothpaste as well as an occasional splurge for a trip to the barber or beauty shop. Therefore, this legislation increases the allowance amount from \$35.00 to \$100.00 a month.

Memo of 1-17-84 (Continued)

Page 2

The second portion of the bill addresses a large concern of many of the elderly at the Pioneer Home.

When a person cannot afford to pay the full amount of their rent to the Pioneer Home and also receives a stipend, they incur a debt to the State, which accrues six percent interest. This debt is then recovered by the State from the estate of the individual.

The residents of the Pioneer Home worry that they will be unable to pass on to their children personal possessions, such as wedding rings, coin collections, and other heirlooms which might have special meaning to the family.

In reality, this clause is seldom if ever used, because when a resident dies and owes a debt to the State, he rarely has an estate from which the debt may be recovered.

However, with the large increase in rents, many residents are concerned that they will in the future incur a debt to the State and therefore be unable to pass to their families personal possessions.

This legislation deletes the interest charge from the debt owed to the State, and allows for up to \$10,000 worth of personal possessions to be passed on to the family.

It is important to remember that this section is currently almost never used, and that the changes are primarily for the peace of mind of the residents of the Pioneer Home.

CHAIRMAN
HOUSE SPECIAL COMMITTEE
ON STATE LOANS

VICE-CHAIRMAN
HOUSE RESOURCES COMMITTEE
HOUSE LABOR AND COMMERCE COMMITTEE

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(907) 465-4821

Date: February 10, 1984

To: Rep. Mitch Abood
Chair, State Affairs Committee

From: Rep. Rick Uehling *RU*

Subject: CS HB503 (State Affairs)

The Committee Substitute addresses the two major concerns of the original bill:

1. Raising the monthly allowance from \$35.00 to \$100.00.
2. Allows personal property of the resident to be passed on to the family in the event the resident incurs a debt to the state. The Committee Substitute deletes the \$10,000 exemption and replaces it with an exemption for heirlooms without regard to value, and defines heirlooms as personal property of sentimental value to a Pioneer resident that has been in the family for ten years or more, or was a gift to the resident.

Additionally, the Committee Substitute addresses several concerns of the Pioneer Home residents and attempts to clarify in statute, procedures for establishing and raising of rates, and specifies which expenses the state is allowed to recover as debts to the state. Furthermore, the Committee Substitute makes technical changes to clarify whom the statute pertains to. The Committee Substitute also addresses a request by the residents to allow them to designate a person, other than a relative, to handle their clothing and other personal effects after they are deceased.

Original sponsors: Uehling, Furnace,
Ringstad, et al

IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 503 (State Affairs)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTEENTH LEGISLATURE - SECOND SESSION

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In people not destitute
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increase is adopted. The notice shall include the time, date, and place of a hearing to be held by the Department of Administration under (d) of this section.

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(1) costs of standard or nursing care provided in the Pioneers' Home each month to the ^[beneficiary] resident not exceeding the rate established by the Department of Administration under AS 47.25.030, with credit given for any amounts paid by or collected from the ^[beneficiary] resident;

(2) allowances paid under AS 47.25.020(c);

(3) costs of hospitalization and medical treatment provided outside the Pioneers' Home;

(4) arrearages in fees for television and telephone services provided in the Pioneers' Home;

(5) prescription medicine; and

(6) burial and related expenses.

(b) The debt is a first, prior and preferred claim against the estate of the ^[beneficiary] Pioneers' Home resident after the resident's death, and

1 after all claims for food, clothing, fuel, shelter, medical aid, or
2 burial expenses are paid. Heirlooms without regard to value are
3 exempt from a claim by the state under this section.

4 (c) Money left in charge of the Department of Administration by
5 a deceased resident of the Pioneers' Home may be used for the burial
6 and funeral expenses of the resident and for the improvement of the
7 burial plot of the Pioneers' Home. ^[Alaska]

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9 Pioneers' Home resident ^[of the home] may be used for the benefit of other resi-
10 dents, or may be given to relatives or to persons designated by the
11 resident, or sold and the proceeds applied in the manner provided for
12 money left by a deceased resident.

13 (e) In this section, "heirloom" means personal property of
14 sentimental value to a Pioneers' Home resident that has been in the
15 possession of the resident's family ^[beneficiary] or was a gift to the resident. ^[beneficiary]

16
17 [for 10 years or more]

POSITION PAPER

H.B. 503


This bill increases the monthly stipend paid to certain qualified residents (who are otherwise without funds) of Alaska's Pioneers' Homes from the current \$35 to \$100. The current \$35 stipend is clearly too little and therefore, an increase is indicated.

This bill would also amend the statutes by removing an existing six percent (6%) interest penalty on unpaid expenses incurred, at a Pioneers' Home by a resident, and collectable from the beneficiary(s) of a resident's estate. This bill would moreover establish an exemption for personal property of a value of not more than \$10,000 from any claim, by the State, against a resident's estate for unpaid expenses incurred at a Pioneers' Home.

Sixty-one residents, or just under 10% of all residents of the Pioneers' Home system presently receive the \$35 stipend. However, the full effect of the recent monthly rate increase to residents has not yet been felt, and it is anticipated that the estimates of stipend costs for FY 85 are more accurately reflected in the operating budget which includes funds for 154 persons (\$63,000). The Division of Pioneers' Benefits estimates that, should this bill become law, the number of residents who would qualify for the monthly stipends would be increased to as many as 165 residents, due to more people having less than \$100 in monthly income. \$100 is a 286% increase over the current \$35.

The Department of Administration is opposed to the language eliminating the six percent (6%) interest against unpaid expense incurred at Pioneers' Homes and is also opposed to a \$10,000 exemption to personal property. The department would prefer language expressly exempting certain types of personal property without regard to value. Such personal property may have a value beyond any monetary consideration to the beneficiary(s) of the resident.

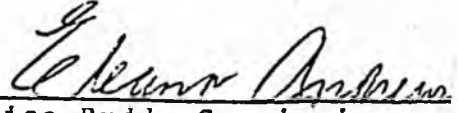
The department supports increasing the monthly stipend to somewhere between \$75 to \$100.



E. Louis Keller, Director
Division of Pioneers' Benefits



Date



for Lisa Rudd, Commissioner
Department of Administration



Date

Introduced: 2/6/84
Referred: State Affairs and
Finance

BY UEHLING, FURNACE,
RINGSTAD, BARNES, GOLL,
CLOCK SIN AND LINDAUER

1 IN THE HOUSE

2

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 503

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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12 Administration to pay the excess to the Department of Administration
13 immediately upon receipt of the money in payment, or part payment, of
14 the cost of the person's [HIS] maintenance.

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18 with the names of the person; making them and the amount paid by each.
19 The Department of Administration may pay [THE SUM OF \$35 A MONTH] to a
20 resident without funds the sum of \$100 per month.

21 * Sec. 3. AS 47.25.030 is amended by adding new subsections to read:

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23 establishing a daily or monthly rate for the compensation a resident
24 is to be charged under (a) of this section. The commissioner of
25 administration shall review the rate each year.

26 (c) The Department of Administration shall provide to all resi-
27 dents of the Alaska Pioneers' Home written notice of any proposed
28 increase in the rate charged for care and support of persons at the
29 home. Notice under this section shall be given not less than 60 days

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2 date, and place of a hearing to be held by the Department of Adminis-
3 tration under (d) of this section.

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12 following expenses incurred for a person under AS 47.25.010 - 47.25.-
13 110 are a debt to the state and may be recovered during the life of
14 the beneficiary:

15 (1) costs of standard or nursing care provided each month
16 to the beneficiary in the Pioneers' Home not exceeding the rate estab-
17 lished by the Department of Administration under AS 47.25.030, with
18 credit given for any amounts paid by or collected from the benefi-
19 ciary;

20 (2) allowances paid under AS 47.25.020(c);

21 (3) costs of hospitalization and medical treatment provided
22 outside the Pioneers' Home;

23 (4) arrearages in fees for television and telephone ser-
24 vices provided in the Pioneers' Home;

25 (5) prescription medicine; and

26 (6) burial and related expenses.

27 (b) The debt is a first, prior and preferred claim against the
28 estate of the beneficiary after the beneficiary's death, and after all
29 claims for food, clothing, fuel, shelter, medical aid, or burial

1 expenses are paid. Heirlooms without regard to value are exempt from
2 a claim by the state under this section.

3 (c) Money left in charge of the Department of Administration by
4 a deceased resident of the Pioneers' Home may be used for the burial
5 and funeral expenses of the deceased resident and for the improvement
6 of the burial plot of the Alaska Pioneers' Home.

7 (d) The clothing and other personal effects left by a deceased
8 resident of the home may be used for the benefit of other residents,
9 or may be given to relatives or sold and the proceeds applied in the
10 manner provided for money left by a deceased resident.

11 (e) For purposes of this section, "heirloom" means personal
12 property of sentimental value to a beneficiary that has been in the
13 possession of the beneficiary's family for 10 years or more or was a
14 gift to the beneficiary.