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STATE OF ALASKA
THE LEGISLATURE

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JUNEAU, ALASKA 99811
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May, 1988

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Mary Van Nimwegen

HHESS

4-28-88

8:30 a.m.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 11, 1988

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that would delete the statutory definition of "respite care" found in AS 47.10.-230(d). Currently, respite care, for which the state will pay, is defined in a very limiting manner. Respite care is defined as child care not to exceed 12 hours in any one 30-day period. It also means child care for a period not to exceed seven days in a year for the purpose of providing emergency protection for the child when the foster parent is away from the home because of an emergency and no other care is available for the child or when the foster parent is on vacation and the child, because of age or infirmity, cannot be placed in any other type of temporary care facility.

The very limited amount of respite care that can be paid for by the Department of Health and Social Services prevents the department from placing severely emotionally disturbed or physically disabled children in foster care settings. Often the foster parents will not be able to provide continuous care without some respite from their responsibilities. When treatment planning reasonably includes more than the statutorily limited amount of respite care the child may need to be placed in a residential care institution when it is in the best interest of the child to use foster parents rather than an institution for his or her care.

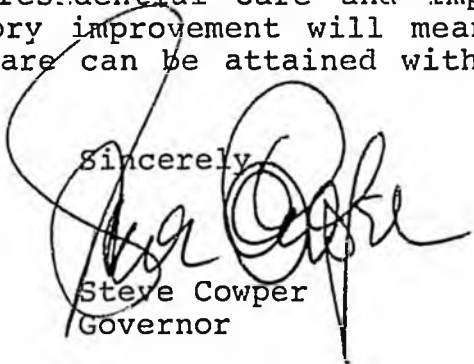
The deletion of the restriction on the amount of respite care will not present an increase in the amount of money needed for foster care and may result in a saving when residential care can be avoided. Respite care is a key component for specialized foster care and may be claimed under Title IV-E of the Social Security Act. Using specialized

The Honorable Jan Faiks

Page 2

foster care rather than residential care and implementing other policy and regulatory improvement will mean that an expanded use of respite care can be attained without additional cost.

Sincerely,



Steve Cowper
Governor

**STATE OF ALASKA 198 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : CSB 325 (Health)
Publish Date : 4/12/88 SENATE

Revision Date: _____
Title : An Act relating to
respite care in foster homes
Sponsor : Rules Committee
Requestor : Governor

Agency Affected : Division of Family & Youth Svcs
BRU : _____
Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by : Yvonne M. Chase, ACSW, Director
Division : Division of Family and Youth Services
Approved by Commissioner : Myra M. Munson, Commissioner
Agency : Department of Health and Social Services

Phone : 465-3170
Date : 1/8/88
Date : 1/8/88

Distribution (by preparer) :
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

FISCAL NOTE ANALYSIS

An Act relating to respite care in foster homes.

At this time, the division cannot estimate a cost increase or a savings as a result of removing the respite restrictions in AS 47.10.230(d). As the amount of respite care increases, the cost of purchasing that care rises. However, the division believes that this increase will eventually be offset by containing the cost of institutional care.

Additionally, social services regulations will allow the department to claim, under Title IV-E of the Social Security Act, 50 percent of the specialized and respite cost from the federal government. The division estimates that 50 percent of the children receiving out-of-home care will be eligible for Title IV-E monies, partially offsetting any cost increases that may occur. Because of permanent fund monies and other resources, some children will exceed the federal resource limitation and hence be ineligible.

As the availability of respite care increases, more foster home care should be available, resulting in the placement of fewer children in more costly and restrictive settings. Many of the emotionally and physically handicapped children in state custody would need institutional placement if specialized foster care were not available. Increasing the amount of respite care will allow the division to keep more children in licensed specialized foster care homes.

As previously noted, the increased cost resulting from the demand for additional respite care may initially exceed savings from more expensive placements. The demand for respite care will, however, be monitored through a process of prior division approval and through division regulations pertaining to the purchase of foster care.

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Utermohle

4/27/88

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 325 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to respite care in foster homes."

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

8 * Section 1. AS 47.10.230(d) is amended to read:

9 (d) In addition to funds paid for the maintenance of foster
10 children under (b) of this section, the department

11 (1) shall pay the costs of caring for physically or mental-
12 ly handicapped foster children, including the additional costs of
13 medical care, habilitative and rehabilitative treatment, services and
14 equipment, special clothing, and the indirect costs of medical care,
15 including child care and [,] transportation expenses; [,] and

16 (2) may pay for respite care; in [. IN] this paragraph
17 [SUBSECTION] "respite care" means child care for the purpose of pro-
18 viding

19 (A) temporary relief from the stresses of caring for a
20 foster child who has a physical or mental disability or a physi-
21 cal or mental impairment; in this subparagraph

22 (i) "physical or mental disability" has the
23 meaning given in AS 18.80.300(12)(A), (B), and (D); and

24 (ii) "physical or mental impairment" has the
25 meaning given in AS 18.80.300; and

26 (B) [NOT TO EXCEED 12 HOURS IN ANY 30-DAY PERIOD; IT
27 ALSO MEANS CHILD CARE FOR A PERIOD NOT TO EXCEED SEVEN DAYS IN A
28 YEAR FOR THE PURPOSE OF PROVIDING EMERGENCY] protection for the
29 child when the foster parent is

1 (i) away from the home because of an emergency
2 and [NO] other care is not available for the child; or [WHEN
3 THE FOSTER PARENT IS]

4 (ii) on vacation and the child, because of age or
5 infirmity, cannot be placed in any other type of temporary
6 care facility.
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