

HB

54

A M E N D M E N T #1

OFFERED IN THE HOUSE

BY ELLIS

TO: HB 54

Page 1, line 6:

Delete "relating to"

Insert "expanding the authority of"

Page 1, line 6, after "Commission": ~~Am #1~~

Insert "to make grants for adult day care programs and family respite care services for frail older persons and other similarly disabled adults; and changing the categories of services that may be included in a service program for older Alaskans"

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Expanding authority of the OAC
to make grants for adult day care
 Sponsor: Ellis
 Requestor: Ellis
 Agency Affected: Administration
 BRU: Older Alaskans Commission
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL		0	0	0	0	0
REVENUE		0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		0				
PART-TIME		0				
TEMPORARY		0				

ANALYSIS : (Attach a separate page if necessary)

Prepared by: *C. Sipe* Cornie I. Sipe, Executive Director Phone: 465-3250
 Division: Older Alaskans Commission Date: Feb 17 1989
 Approved by Commissioner: *J. Andrews* John M. Andrews Date: 2/21/89
 Agency: Administration

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

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WHILE IN SESSION
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ALASKA STATE HOUSE

OFFICE OF MAJORITY WHIP



CHAIR
HEALTH, EDUCATION & SOCIAL SERVICES

JUDICIARY

SPECIAL COMMITTEE ON
FOREIGN & DOMESTIC TRADE

REPRESENTATIVE JOHNNY ELLIS

HB 54 GRANTS FOR ADULT DAY CARE AND RESPITE SERVICES

I have introduced this legislation in response to the enormous need for adult day care programs and family caregiver respite in Alaska.

The Older Alaskans Commission is presently the only funding source for adult day care. However, there are many adults in need of day care service who are not seniors. HB 54 would allow non-profit service providers to receive grants to serve a mixed group of clients, including seniors over 60 with general health problems, adults with Alzheimers' disease, victims of dementia, stroke victims and the developmentally disabled.

HB 54 also addresses the need for "time-out" or respite care for families who care for disabled adults or seniors. Respite care can indefinitely extend the ability of a family to continue in-home care, by providing family members with periodic breaks in order to alleviate stress created by the demands of caring for adults with special needs. While respite care is available in certain areas of the state for families of the developmentally disabled, it is not presently available anywhere for families caring for seniors (with the exception of Fairbanks).

This legislation allows the OAC to set fees for these services based on a sliding scale formula, taking the client's income into consideration. It is important to also note that no individual would be denied service if unable to pay such a service fee.



Older Alaskans Commission

Box C
Juneau, Alaska 99811-0209
907/465-3250

POSITION PAI ER

HOUSE BILL NO. 54

The Older Alaskans Commission (OAC) strongly urges the passage of HB 54. HB 54 contains two major changes which pave the way for developing an expanded funding base for the adult day care and respite services offered by grant programs funded through the OAC.

First, HB 54 allows adult day care and respite providers to capture third-party payments, such as from long term care insurance, by authorizing the OAC to set fees for these services, along with a sliding fee schedule. (Clients are now asked to make voluntary contributions for service.)

Secondly, HB 54 allows the OAC and its grantee providers to serve adults under the age of 60, if alternate funding or third-party sources to support the expanded service can be found (e.g., Alzheimer's victims younger than 60 might be served with funding from community mental health grants).

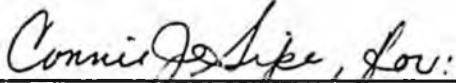
Although some day care centers or respite providers might choose to restrict their client population to seniors, providers in smaller communities might be able to open an economically viable day care service only if they accept a broader group of clients. For example, a day care center in a town the size of Homer could serve a majority of seniors (over 60), stroke victims or Alzheimer's victims ranging in age from 45 to 60, and a few developmentally disabled adults. Note however, that HB 54 does not require the OAC or any of its grantees to offer services to persons under 60.

The Older Alaskans Commission has funded adult day care centers since 1980, and currently funds six day care centers and two in-home respite programs. In FY 89, the day care centers will serve 209 older Alaskans, and 75 other seniors will receive respite service. So far, these programs have been based in larger communities, but the need is growing in smaller communities as well. Also, many "similarly disabled adults" who are not 60 are in need of day care or respite services. HB 54 authorizes the OAC to seek creative ways to meet these needs for community-based services--services which keep people in their homes, and which enable family caregivers to maintain home care for a longer period of time.

Although HB 54 will assist in the maintenance and possible expansion of adult day care centers and respite programs, it actually contains the first state statutory reference to these particular types of service. Until now, the OAC has operated such programs under the definitions contained in the federal Older Americans Act, or the general category of "health services" in AS 47.65.060(3)(D). By inserting adult day care and respite as separately authorized services, at page 3, lines 22 and 23, the legislature will give recognition to the importance of these services. (At the same time, deletion of reference to leisure-time and recreational activities recognizes and sanctions the OAC's priority to fund home and community services to promote independent living, and to leave leisure-time activities, valuable as they are, to local efforts.)

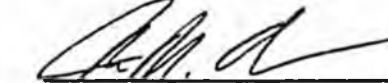
The Older Alaskans Commission believes strongly in the value of adult day care and family respite care services. They are an integral part of the OAC's policy to promote independent living which, for many seniors or other disabled persons, can delay or eliminate the need for costly and restrictive institutional placements. Therefore, the Older Alaskans Commission supports the passage of HB 54.

APPROVED:


Mellie Terwilliger, Chair
Older Alaskans Commission

DATED: February 17, 1989

REVIEWED:


John M. Andrews, Commissioner
Department of Administration

DATED: 2/21/89

[NOTE: A chart showing current OAC adult day care and family respite care providers, clients, and funding is attached.]

ADULT DAY CARE CENTERS AND FAMILY RESPITE PROGRAMS
FUNDED BY THE OAC -- FY 89

<u>Project Name & Community</u>	<u>No. of Clients</u> (Average Daily)	<u>OAC Funding</u>
Daybreak Day Care (Anchorage Community Mental Health)	23	\$ 105,410
Serendipity Day Care--Anchorage (Salvation Army)	24	124,722
Rendezvous Day Care--Ketchikan (Easter Seals)	16	72,516
The Bridge Day Care--Juneau (Southeast Senior Services)	33	40,495
Forget-Me-Not Day Care--(City of Kenai)	12	76,306
Caring and Sharing Day Care (Chugiak Senior Center)	19	90,030
Senior Respite Care--(Fairbanks Resource Agency)	44	78,872
Respite Care--Anchorage (Home Health Care)	12	20,236
PROJECTED TOTAL CLIENTS SERVED FY89: 284		TOTAL: \$ 608,587

[For FY 89, the OAC was not able to fund three requests for additional day care services: Palmer/Wasilla \$ 51,873, Homer \$ 73,484, and Fairbanks \$ 29,883.]

ESTIMATE OF PER CLIENT COST -- FY 88

Exact client costs are difficult for the OAC to calculate, as some day care clients attend the center five days a week, others only once or twice. Similarly, the Fairbanks respite program offers up to 40 hours per month of respite care, but families vary in their actual hourly usage.

	<u>Adult Day Care</u>	<u>Respite Care</u>
Approx. Unit Cost in OAC funds	\$ 3.52 hour	\$ 8.53 hour
Annualized Cost in OAC funds per client	\$ 1,917. per yr.	\$ 1,582. per yr.



THE SALVATION ARMY
OLDER ALASKANS PROGRAMS

1709 South Bragaw
Anchorage, AK 99508-3400
(907) 279-7658

February 17, 1989

Johnny Ellis, Chairman
House Health, Education
and Social Services Committee
Alaska State Legislature
PO Box V
Juneau, Alaska 99811

RECEIVED
FEB 21 1989

OLDER ALASKANS COMMISSION

Re: HB 54 "An Act Relating to the Older Alaskans Commission."

Dear Chairman Ellis:

The rapid increase in the oldest segment of Alaska's residents requires the availability of a wider range of choices to support dignity and prolong independence as functional abilities change. Serendipity Adult Day Care in Anchorage serves an average of twenty participants each day who are impaired and need supervision. Some are at risk of institutional placement. Caregivers need respite to provide time to work, to care for themselves, and reduce the stress of caring for a frail elder. Ability to continue caregiving is enhanced and older persons remain where they most want to be--in their home and community. There are more than 500 seniors and many caregivers who could benefit from adult day services in the greater Anchorage area.

The Governor's Council for the Handicapped and Gifted estimated that there are over 7,500 handicapped individuals in the Anchorage area of all ages who have three to seven limitations in activities of daily living which began early in life. Seniors are not included in this figure. Our experience with adult day care for seniors indicates there are younger adults and their caregivers who would also benefit from day services.

Community based services are less costly than institutional care. We can strongly endorse HB 54. Our ability to provide increased and strengthened services to Anchorage area seniors and others who have functional losses rests on your Committee's "Yea" vote.

Please keep us informed about the progress of this important bill.

Sincerely,

Lillian Wilder
Executive Director

STATE OF ALASKA
THE LEGISLATURE

STATE OF ALASKA
LEGISLATIVE AGENCY
201 100 1000

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 3, 1989

SUBJECT: Sectional Analysis of HB 54
(Work Order No. 6-0281)

TO: Representative Johnny Ellis
Attn: Linda Kingkade

FROM: Terri Lauterbach *Terri*
Legislative Counsel

Following is a sectional analysis of HB 54. Please let me know if you have further questions about specific provisions.

Sec. 1. - Sec. 3. These sections contain technical amendments to accommodate the addition of AS 47.65.055 by sec. 4 of the bill. Since AS 47.65.055 does not operate through sponsors and is not confined to service programs for older Alaskans, but is part of the same chapter as the sponsors program, the "chapter" references in secs. 1 - 3 needed amending so that they did not refer to AS 47.65.055.

Sec. 4. This section allows the Older Alaskans Commission to make grants for adult day care programs and family respite care services for frail older persons and other similarly disabled adults, as those terms are defined in subsection (e) of this section.

Sec. 5. This section amends the definition of "service program" which is applicable to AS 47.65.010 - 47.65.050. By amending this definition, sponsor programs could also provide for adult day care programs and family respite care services. These would be in addition to the services funded by grants under AS 47.65.055.

Sec. 6. This section defines terms that are applicable to both the sponsor programs and the grant program.

TL:lmb
L6/158

Sec. 47.60.040. Powers of corporations. A nonprofit corporation which undertakes the development and operation of multi-purpose senior centers may:

- (1) operate in one or more home rule and general law municipalities;
- (2) issue notes, bonds or other obligations for the purpose of developing and operating multi-purpose senior centers;
- (3) perform other functions necessary to carry out the purposes of this chapter. (§ 1 ch 87 SLA 1974)

Sec. 47.60.050. Acceptance and use of assistance, cooperation and contributions. A nonprofit corporation may accept and use the assistance, cooperation and contributions of private persons, charitable organizations and public agencies for the purpose of establishing and operating a multi-purpose senior center. (§ 1 ch 87 SLA 1974)

Sec. 47.60.060. Lease of property from state. The Department of Administration may lease property under its jurisdiction, suitable for use as a multi-purpose senior center, to a nonprofit corporation which undertakes the development and operation of a multi-purpose senior center. (§ 1 ch 87 SLA 1974)

Sec. 47.60.070. Municipal contributions. The governing body of a home rule or general law municipality may give financial assistance to a nonprofit corporation which undertakes the development and operation of a multi-purpose senior center. (§ 1 ch 87 SLA 1974)

Sec. 47.60.080. Exemption from taxation. A multi-purpose senior center developed and operated by a nonprofit corporation under this chapter is not subject to real or personal property taxation by a home rule or general law municipality. The exemption granted under this section continues in force only while the multi-purpose senior center is owned and operated by a nonprofit corporation under the provisions of this chapter. (§ 1 ch 87 SLA 1974)

Sec. 47.60.090. Federal regulation. Nothing in this chapter may be construed as a limitation on the power of the federal government to regulate the development and operation of multi-purpose senior centers. (§ 1 ch 87 SLA 1974)

Chapter 65. Service Programs for Older Alaskans.

Section	Section
10. Older Alaskans service programs account	30. Pilot project grants
20. Grants for community service programs	40. Required contribution by sponsor
	50. Administrative requirements
	60. Definitions

Legislative conflicting view amS see memo at page 172

Sec. 47.65.010. Older Alaskans' account of Administration chapter maintained by the service program ch 152 SLA

Effect of an amendment sub

Sec. 47.65.010. less than 60 the account of the commission Alaskans service applications programs. (§

Effect of an amendment sub "office on aging

Sec. 47.65.010. amount appropriated allocated uncommission as § Alaskans un

(b) The commission, after adopting the Administrative Standards to determine awarding pilot

(1) enter in more of the adopted;

(2) monitor report shall i

(A) a descr

§ 47.65.010 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.65.030

Legislative history reports. — For conflicting views on the status of HB 611 amS see memorandum of legislative council at page 1723, 1980 Senate Journal and

the opinion of the Attorney General at 1980 Senate Journal page 1764 and 1980 House Journal page 2221.

HB 54 would amend

Sec. 47.65.010. Older Alaskans service programs account. The older Alaskans service programs account is established in the Department of Administration. An amount to carry out the provisions of this chapter may be appropriated annually by the legislature to the account. The amount appropriated to the account shall be fully distributed by the Older Alaskans Commission to sponsors of older Alaskans service programs in accordance with the provisions of this chapter. (§ 1 ch 152 SLA 1980; am § 5 ch 79 SLA 1981)

Effect of amendments. — The 1981 amendment substituted "Older Alaskans Commission" for "Office on Aging" in the third sentence.

Sec. 47.65.020. Grants for community service programs. Not less than 60 percent of the amount appropriated by the legislature to the account established in AS 47.65.010 shall be allocated annually by the commission as community program grants to sponsors of older Alaskans service programs. Payments shall be made on the basis of applications submitted to the commission by sponsors of community programs. (§ 1 ch 152 SLA 1980; am § 6 ch 79 SLA 1981)

Effect of amendments. — The 1981 amendment substituted "commission" for "office on aging" in two places.

Sec. 47.65.030. Pilot project grants. (a) The balance of the amount appropriated to the account established in AS 47.65.010 not allocated under AS 47.65.020 shall be allocated annually by the commission as grants to support pilot projects for the benefit of older Alaskans under this section.

(b) The commission shall adopt standards for pilot project grants and, after adoption of the standards as regulations, in accordance with the Administrative Procedure Act (AS 44.62), shall apply the standards to determine eligibility of applicants for pilot project grants. In awarding pilot project grants, the commission shall

(1) enter into agreements with the project sponsor to operate one or more of the selected pilot projects consistent with the standards adopted;

(2) monitor and evaluate, in a written report, each pilot project; the report shall include

(A) a description of the project and of the persons served by it;

- (B) the problems presented by the persons served by the project;
- (C) a description of the problems most effectively handled by the project; and
- (D) an estimate of projected cost of operation of the project for the next three succeeding years. (§ 1 ch 152 SLA 1980; am § 7 ch 79 SLA 1981)

Effect of amendments. — The 1981 amendment substituted "commission" for "office on aging" once in subsection (a) and twice in the introductory language of subsection (b).

Sec. 47.65.040. Required contribution by sponsor. (a) A sponsor receiving a grant under this chapter shall contribute to the total cost of the program or project. The contribution may be in cash or in-kind services. The amount of the sponsor's required contribution is determined by the application of the following formula: average per capita full and true value of all property in the municipality or community in which the project or program takes place divided by the average per capita full and true value of all property in the state, and then multiplied by the contribution percentage to the estimated total program or project cost as determined by the commission at the time of approval of a grant application. However, the amount of the sponsor's contribution may not amount to more than 10 percent of the total program or project cost.

(b) For purposes of this section

(1) the contribution percentage for

(A) a program or project in a municipality or community having a population of 5,000 or less is 10 percent of the total program or project cost;

(B) a program or project in a municipality or community having a population of 5,001 to 10,000 is 20 percent of the total program or project cost; and

(C) a program or project in a municipality or community having a population of more than 10,000 is 30 percent of the total program or project cost.

(c) If an application is submitted for a program or project in a municipality or community for which no average per capita full and true property value determination has been made.

(1) if the population of the municipality or community is 750 or more, the commission shall request the state assessor to compute the average per capita full and true property value of that municipality or community and report it;

(2) if the population is less than 750, the commission may substitute for the average per capita full and true value of property in the municipality or community an amount equal to the average per capita full and true value of property in the smallest municipality for which that amount has been determined by the state assessor.

- (d) The re contribution
- (e) The g mated total less the cont section. (§ 1

Effect of an amendment ad "contribution" i sion" for "office tence of the in added the fo introductory lar the amendment

Sec. 47.65. received by a : of services wh Alaskans. A p section unless (1) the spor public funds; (2) the spor services which (3) the spor information re this chapter. (

Effect of amer amendment subst "office on aging" o:

Sec. 47.65.0
 (1) "commiss lished in AS 4-
 (2) "older Al age and older;
 (3) "service p vices to older A
 (A) nutrition
 (B) volunteer
 (C) programs
 (D) health se
 (E) housing s
 (F) legal serv
 (G) home hea

(d) The required contribution rate of the sponsor may not exceed the contribution percentage established in (b) of this section;

(e) The grant awarded by the commission may not exceed the estimated total program or project cost as determined by the commission less the contribution by the sponsor determined in accordance with this section. (§ 1 ch 152 SLA 1980; am § 8 ch 79 SLA 1981)

Effect of amendments. — The 1981 amendment added "required" preceding "contribution" and substituted "commission" for "office on aging" in the third sentence of the introductory language and added the fourth sentence of the introductory language. In paragraph (2), the amendment substituted "commission"

for "office on aging" once in subparagraph (A) and once in subparagraph (B). In paragraph (4), the amendment substituted "commission" for "office on aging" in two places.

Revisor's notes. — Reorganized in 1984.

Sec. 47.65.050. Administrative requirements. Payments received by a sponsor under this chapter may be used only to meet costs of services which the commission has determined directly benefit older Alaskans. A payment may not be made by the commission under this section unless the commission determines that

- (1) the sponsor meets accepted standards of fiscal accountability for public funds;
- (2) the sponsor can demonstrate, when requested, the actual cost of services which it is providing for the benefit of older Alaskans; and
- (3) the sponsor agrees to make available, upon request, all fiscal information relating to service for which payments are provided under this chapter. (§ 1 ch 152 SLA 1980; am § 9 ch 79 SLA 1981)

Effect of amendments. — The 1981 amendment substituted "commission" for "office on aging" once in the first sentence

of the section and twice in the second sentence of the section.

Sec. 47.65.060. Definitions. In this chapter,

- (1) "commission" means the Older Alaskans Commission established in AS 44.21.200;
- (2) "older Alaskan" means a resident of Alaska who is 60 years of age and older;
- (3) "service program" means the following general categories of services to older Alaskans, including reasonable costs of administration:
 - (A) nutritional programs;
 - (B) volunteer programs;
 - (C) programs for leisure-time and recreational activities;
 - (D) health services;
 - (E) housing services;
 - (F) legal services and assistance;
 - (G) home health and homemaker services;

- (H) counseling;
 - (I) information and referral services;
 - (J) programs which train persons to work with or assist older Alaskans;
 - (K) transportation services;
 - (L) educational activities; and
 - (M) employment services;
- (4) "sponsor" means the provider of one or more service programs or pilot projects for the benefit of older Alaskans, including
- (A) a municipality of the state;
 - (B) a nonprofit corporation organized under the laws of the state; and
 - (C) an educational institution. (§ 1 ch 152 SLA 1980; am §§ 10-12 ch 79 SLA 1981)

Revisor's notes. — Reorganized in paragraph (C) in paragraph (4) and 1984 to alphabetize the terms defined. repealed a paragraph that defined the Effect of amendments. — The 1981 office on aging. amendment added paragraph (1) and sub-

Chapter 70. Interstate Compact on the Placement of Children.

Section	Section
10. Compact enacted	50. Delegation by agreement
20. Financial responsibility	60. Executive head
30. Designation of authority	70. Violations of compact
40. Agreements	80. Short title

Sec. 47.70.010. Compact enacted. The Interstate Compact on the Placement of Children as contained in this section is enacted into law and entered into on behalf of the state with any and all other states legally joining in it in a form substantially as follows:

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN.

ARTICLE I. PURPOSE AND POLICY

It is the purpose and policy of the party states to cooperate with each other in the interstate placement of children to the end that:

- (a) Each child requiring placement shall receive the maximum opportunity to be placed in a suitable environment and with persons or institutions having appropriate qualifications and facilities to provide a necessary and desirable degree and type of care.
- (b) The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.

- (c) The pro made may obt to evaluate a
- (d) Appropri will be promo

As used in t
 (a) "Child" subject to pare
 (b) "Sending thereof; a sub'd court of a par; agency or othe brought any ch
 (c) "Receivin brought, or cau or private pers or local public persons.
 (d) "Placeme family free or b but does not i mentally defect in character, ar

- (a) No sendir brought into an care or as a pr agency shall cor article and with the placement o
- (b) Prior to s brought into a preliminary to a the appropriate ; of the intention t The notice shall
 - (1) The name.
 - (2) The identi guardian.
 - (3) The name with which the child.

