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389

HOUSE COMMITTEE ON STATE AFFAIRS

RECAP OF
SSSB 389

Admission Criteria for Pioneers' Home

Received March 7, 1990
by Sen. Kerttula, Szymanski

Heard March 20, 1990

Passed Out of Committee March 20, 1990
6 Do Pass

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HOUSE COMMITTEE REPORT

(7)

Date Referred: March 7, 1990

FURTHER REFERRALS:

HESS

Date of Committee Action: _____

The STATE AFFAIRS Committee considered:

SSSB 389

SS SENATE BILL NO. 389

ADMISSION CRITERIA FOR PIONEERS' HOME

"An Act relating to the Pioneers' Home."

RECOMMENDATIONS:

- be replaced with _____ the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis 2/8/90 - DOA

SIGNING DO PASS:

SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend

 Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to the
Pioneers' Home"
Sponsor: Sen. Kerttula
Requestor: _____

Agency Affected: Dept. of Administration
BRU: Pioneers' Benefits
Components: Pioneers' Homes

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

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

ANALYSIS : (Attach a separate page if necessary)

Adding priority admission of persons in need of the care and benefits of the Home but who are not destitute would very slowly increase the revenues. This is very difficult to predict since the Division has very few admissions into Nursing and Assisted Living where priority now applies. Also most applicants who are destitute have some level of income.

Prepared by: Barbara Bathony *Barbara Bathony* Phone: 465-4400
Division: Pioneers' Benefits Date: 2-7-90

Approved by Commissioner: Frank S. Baxter *Frank Baxter* Date: 2/7/90
Agency: Department of Administration

Distribution (by preparer):

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

Item 3



Alaska State Legislature

SENATE

Official Business

P.O. Box V
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Juneau, Alaska 99811

M E M O R A N D U M

Hells,
Jay

TO: Representative Red Boucher, Chairman
House State Affairs Committee

FROM: Senator Jalmar Kerttula

DATE: March 9, 1990

SUBJ: Senate Bill 389--
Admission to Pioneers' Homes

Senate Bill 389 makes three basic changes to current law to ensure that admission to the pioneers' homes is handled on an equitable and humane basis:

1. This bill provides that all in need would have equal access to the pioneers' homes, thus eliminating the current priority that the destitute have for admission to the homes.

Years ago, the priority for admission to the Pioneers' Homes was conferred on the destitute on humanitarian grounds -- there was no other place for the destitute to go. Today, with Medicaid assistance and other social programs, the destitute are about the only people who can afford to go to for-profit nursing homes. Eliminating this unnecessary priority improves access to long-term care for all of our pioneers.

Currently, there are two lists for admission to the Pioneers' Homes: one list for the destitute and one list for the non-destitute. Under current law, there are many long-time Alaskans who are not actually destitute (but are close and are just making it) and who have been waiting for admission for many years. These people are continually bumped by a person who has been on the destitute list for a matter of weeks or months. This is simply not right. It should be noted, that this statutory amendment does not limit the ability of the destitute to apply for admission to the homes, but it does eliminate their priority. Under this bill, admissions would generally be need-based and would be based on the chronological date of application.

2. This bill adds an age requirement of 65 for all admissions to the homes. Under current law, those who are

Representative Boucher
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destitute can be admitted earlier than age 65, and those who are not destitute can only be admitted after age 65. The bill would also allow spouses of residents to be admitted, if the spouse is not in need, if the spouse is at least 65.

3. This bill makes some housekeeping changes to the statutes dealing with debt collectibility of residents of the homes. Under this bill, the department could not require a payment for debt by a resident in any one month which is greater than the monthly amount for care which is set out in statute, except for debts incurred under AS 47.25.070. Under this bill, also, the collectibility of debts of former residents would be governed by the Probate Code.

Senate Bill 389 is supported by senior citizens as well as the Department of Administration, and the bill has a "0" fiscal note.

I appreciate your consideration of my request.

JK:kh

All people in need have equal admission
Age Requirement 65

An Analysis of the Need for
SSSB 389

The following is a narrative relating (1) the history of the procedure for admittance to Alaska's Pioneer Homes; and (2) explaining the suggested corrective legislation SSSB 389.

ORIGINAL PROCEDURE: When the Pioneer Homes were originally started the admittance procedure was two-pronged. They were open to anyone 65 yrs of age who had been a resident of the state continuously for 15 years immediately preceding application, and (1) "....were destitute and in need of the aid and benefit of the home because of physical disability or other cause...."; or, (2) "....who is not destitute....and upon agreement to pay to the state a sum each day...for the cost of care and support of the person at the home."

ADMINISTRATIVE INTERPRETATION: At some point in time, cloudy in most people's minds, it became an administrative determination that those persons who were destitute should have priority in admission to the homes. Regulations were promulgated and adopted providing for this type of priority admission procedure. One line of reasoning as to why this happened was that there were, at some time, too many residents of the homes who were paying for their care, in the manner of a hotel or boarding house, and did not really need the unique type of service the homes were intended to provide. This was considered inappropriate even though they were legally entitled to the opportunity as provided by the existing law. Another theory, suggested by some, was that the homes were really meant for indigents and that those other older Alaskans, with the financial means, should find private nursing or retirement homes and not look to the state for this type of care. Whatever the actual reason the administrative bureaucracy adopted, and put into actuality, the admission procedure that provides that indigents would be first if they were destitute irrespective of whether they were incapacitated or not.

ADMISSION INEQUITY: Needless to say the admission procedure presently in force, which has previously been described, is not only highly unsatisfactory, but is considered by many as grossly discriminatory. This is especially true when considering the concept upon which the homes were originally established. Presently the home's administrator has adopted two admission lists. One is an "indigents" list; the second list, I suppose, is labeled "others". No matter how long someone, who is in all other respects qualified for admis-

sion, is at the head of the "others" list, anyone who is judged destitute can apply and be placed on the "indigents" list and become admitted before anyone on the "others" list irrespective of how long that person has been waiting. Some seniors signed everything over to their heirs and declared themselves destitute in order to beat the system. The administrators responded by putting a requirement of being an indigent for two years prior to being allowed admittance. Obviously a problem exists and there is an urgency that it be resolved as rapidly as possible. The administrators recognize the need also and are hopefully looking to the legislature to rectify it.

CORRECTING THE PROBLEM: The Governor, the Pioneer Benefits Division, and the Pioneers of Alaska are all in agreement that SSSB 389 will go a long way in resolving the admittance problem. By removing the word "destitute" and defining the existing language "physical disability or other cause" this proposal appears to remove the discriminatory admission practice while at the same time equally protecting the rights of all our citizens. If SSSB 389 is adopted all applicants for entry to the Pioneers Homes will be judged equally (except in certain instances explained later). This judgement will be on their inability to maintain a household without regular assistance in shopping, housekeeping, meal preparation, dressing, or personal hygiene because of physical or medical impairment, infirmity, or disability and not on their ability to pay. The spouse of a person who qualifies for admission may also make application for admission at the same time the disabled person applies if the spouse is 65 yrs. of age and has been resident in the state continuously for 15 yrs. (This is the exception mentioned above.) The Dept. of Administration shall establish monthly rates of reasonable compensation a resident may be required to pay for his or her care if the person is financially capable of doing so. Under no circumstance will a person be refused admittance because of their failure of being able to pay. Conversely applicants who have alternate means of care will be encouraged to make use of them rather than overtax the limited space available in the Pioneers Homes.

ENDORSEMENT: The Pioneers of Alaska most heartily endorse SSSB 389 and recommend its earliest passage.

Bill Ray, Registered Lobbyist
Pioneers of Alaska