

SB

101

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/18/93

FURTHER:

DATE TURNED INTO OFFICE: 4-27-94

The Finance Committee considered SENATE BILL NO. 101

"An Act relating to eligibility for and payments of public assistance; and providing for an effective date."

and recommends:

replace with _____ CS SB 101 (FINANCE)
 or adopt previous _____ CS _____
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

CS (Fin) and Fiscal note info to follow

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal
DWSS/PA	4/27/94	unknown	
DWSS/PA admin	4/28/94		11.2

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS:

T. Kelly
Bob Kelly

OTHER RECOMMENDATIONS:

Steve Kim No Recommendation
George H. ...

1. *Do Pass*
 Co-Chair Signature/Recommendation

2. *Do Pass*
 Co-Chair Signature/Recommendation

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CS SB101 (FIN)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to the Adult Public BRU: Assistance Payments
Assistance program Component: Adult Public Assistance
 Sponsor: Rules by Request
 Requestor: Senate Finance COMPONENT SERIAL NO. 0222

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGES IN REVENUES	0	0	0	0	0	0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown

POSITIONS:

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

Estimate of current year (FY94) impact: NONE

ANALYSIS: (Attach a separate page if necessary)

CSSB 101(FIN) reduces the cost of Adult Public Assistance Interim Assistance by eliminating eligibility for individuals who are pursuing administrative appeals of Social Security Administration denials of their disability claims. (Continued on Page 2)

Prepared by: Jan L. Hansen, Director *Jan Hansen* Phone: 465-2680/
 Division: Division of Public Assistance Date: 4/27/94
 Approved by Commissioner: Margaret R. Lowe *Margaret R. Lowe* Date: 4/27/94
 Agency: Department of Health & Social Services

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ANALYSIS (cont.):

Until 1986, Interim Assistance payments were made to applicants for APA disability payments only while the Social Security Administration was making its initial determination of their disability. In the 1986 Moore v Bierne decision, the Alaska Supreme Court found that the Legislature intended that Interim Assistance be paid not only during the initial determination, but also during administrative appeals of initial denials by Social Security. CSSB 101(FIN) returns the program to policies in effect prior to the Moore v Bierne decision.

Under CSSB 101(FIN), Interim Assistance would be paid only while Social Security is making its decision on an APA disability applicant's initial application for federal Supplemental Security Income benefits.

This bill also requires that Interim Assistance payments to applicants who are ultimately found ineligible for SSI be treated as overpayments and recovered by DHSS. These recoveries would be effected primarily through garnishment of Permanent Fund dividends.

We are unable to determine the fiscal impact of this legislation. Several different factors are involved in the bill's impact. Savings would result from:

- Decreased Interim Assistance caseloads by gradually eliminating SSI appellants from the caseload
- Eventual recovery of Interim Assistance paid to SSI ineligible.

These savings would be offset by:

- Increased expenditures for retroactive APA payments to SSI appellants who are finally found eligible for SSI.
- Reduced Federal Receipts generated by the existing Interim Assistance reimbursement process.

The savings generated by this legislation would not begin until March 1995, and would initially be quite small because only individuals who apply for Adult Public Assistance after implementing regulations take effect would be impacted. We estimate net GF savings of \$134.9 in FY 95. Savings in FY 96 may be as high as \$964.2. Neither of these figures is reliable, and neither may appropriately be used for planning purposes.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CS SB101 (FIN)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to Public Assistance BRU: PA Administration
 Component: PA Administration
 Sponsor: Rules by Request
 Requestor: Senate Finance COMPONENT SERIAL NO. 0233

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	11.2	11.2	11.2	11.2	11.2	11.2
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	11.2	11.2	11.2	11.2	11.2	11.2

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGES IN REVENUES	0	0	0	0	0	0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	11.2	11.2	11.2	11.2	11.2	11.2
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	11.2	11.2	11.2	11.2	11.2	11.2

POSITIONS:

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

Estimate of current year (FY94) impact: NONE

ANALYSIS: (Attach a separate page if necessary)

This bill produces a need for additional administrative effort to establish and pursue recovery of Interim Assistance payments made to Adult Public Assistance applicants who are found ineligible for SSI. We project that this new claims collection activity would require approximately 500 staff hours per year by an Eligibility Technician I claims specialist.

Calculation:

FY 95-00

\$44,000 ET I annual cost x 500/1950 hrs/yr = \$11.2 administrative cost

We are not requesting an additional position for this workload. We intend to use the additional funds toward filling an existing vacancy.

Prepared by: Jan L. Hansen, Director
 Division: Division of Public Assistance

Phone: 465-2680
 Date: 4/27/94

Approved by Commissioner: Margaret R. Lowe
 Agency: Department of Health & Social Services

Date: 4/28/94

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CS FOR SENATE BILL NO. 101(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the adult public assistance program."**

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

3 *** Section 1. AS 47.25.440 is amended by adding a new subsection to read:**

4 (b) The department shall consult with the division of vocational rehabilitation,
5 Department of Education, in order to develop an application process and disability
6 determination system that will efficiently implement AS 47.25.430 - 47.25.615.

7 *** Sec. 2. AS 47.25.455(a) is amended to read:**

8 (a) The department shall pay at least \$280 a month to a person eligible for
9 assistance under this chapter until an initial determination of [WHILE] the eligibility
10 of the person for benefits under 42 U.S.C. 1381 - 1385 (Title XVI, Social Security
11 Act, Supplemental Security Income Program [,]) is made. The department shall
12 terminate assistance under this section upon an initial determination that the
13 person is ineligible for assistance under 42 U.S.C. 1381 - 1385 and may not
14 continue assistance under this section during subsequent appeals of the initial

1 determination [BEING DETERMINED]. Payments in excess of \$280 a month may
2 be made under this section if the department determines that money is available for
3 excess payments.

4 * Sec. 3. AS 47.25.455(d) is amended to read:

5 (d) Beginning the first full month after a person is determined to be eligible
6 for assistance under 42 U.S.C. 1381 - 1383, the department shall terminate *interim*
7 assistance to that person under this section, unless it has already been terminated
8 under (a) of this section, and begin payments to the person under AS 47.25.430.

9 * Sec. 4. AS 47.25.455 is amended by adding new subsections to read:

10 (e) A person applying for assistance under this section shall, as a condition of
11 eligibility for the assistance, agree to repay the assistance to the state upon a final
12 determination that the person is not eligible to receive a benefit under 42 U.S.C. 1381-
13 1383.

14 (f) The amount owed by a person to the state under (c) or (e) of this section
15 is considered an overpayment that is subject to the provisions of AS 47.05.080.

16 * Sec. 5. APPLICABILITY. AS 47.25.455, as amended by secs. 2 - 4 of this Act, applies
17 to applications for assistance under AS 47.25.455 that are submitted to the Department of
18 Health and Social Services on or after the effective date of this Act.

*Rieger
Motion
Amend #1
to delete
Sec 4 Failed*



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

MEMORANDUM

TO: Senator Steve Frank, Co-Chair
Senator Drue Pearce, Co-Chair
Senate Finance Committee

FROM: David Skidmore, Staff Aide

RE: Interim Assistance Program: Historical Overview

DATE: 25 April 1994

This memorandum is intended to provide a practical and historical perspective of the interim assistance program.

The Supplemental Security Income (SSI) program is a federal program administered by the Social Security Administration that provides aid to needy aged, blind, or disabled. The basic monthly SSI check is the same in all states: \$434 for one person and \$642 for a couple.

The Alaska Adult Public Assistance (APA) program, administered by the Department of Health and Social Services, Division of Public Assistance, supplements the SSI award to achieve a higher benefit level. Applicants for APA must also apply for SSI, and acceptance by the SSI program guarantees acceptance to the APA program.

A State-funded interim assistance (IA) provision gives cash assistance in the amount of \$280 per month during the application period while eligibility for SSI--and APA--is being determined. Since decisions on applications for aged and blind individuals are generally prompt, only disabled applicants as a rule utilize these IA benefits. Interim assistance is granted to those individuals who pass a cursory screening evaluation. All that is required is a certification by a physician or psychiatrist that the applicant is likely to be determined to be disabled. This is done on a one-page form provided by the department.

The department and the Social Security Administration (SSA) both utilize virtually the same definition of "disability" (see AS 47.25.615(5)--below--or 42 USC sec. 1382c(3)(A)):

"[D]isabled means being unable to engage in substantial gainful activity by reason of a medically determinable physical or mental impairment that can be expected to result in death or that has lasted for a continuous period of not less than 12 months;"

Upon a finding of disability by the SSA, interim assistance terminates because the applicant then begins to receive APA benefits; in other words, if an applicant is determined by the SSA to be disabled, then he or she becomes eligible for APA benefits.

If the SSI application is approved, the State will be reimbursed by the federal government for all IA payments made to the applicant during the waiting period; however, if the application is not approved, the State will not be reimbursed for benefits paid during the waiting period.

The interim assistance program is not required by federal law. In 1978 the department began providing interim assistance as an advance of the State share of the ultimate grant, pending SSI determination. At the time there existed no statutory obligation to provide this assistance. The program itself--as well as the \$280 minimum payment level--was put into statute by Chapter 138, SLA 1982 (see AS 47.25.455). The department interpreted the statute such that IA was terminated upon the initial determination by the SSA that the applicant was not disabled.

This interpretation was struck down by a 1986 Alaska Supreme Court ruling (Moore v. Beirne) which held that the statute required State payment of interim assistance through the SSI appeals process until a final SSI eligibility determination is made, thereby reversing the superior court judgment which had upheld the department's interpretation.

The State argued in Moore v. Beirne that since the Legislature intended that APA would be a supplement to--and coordinated with--the SSI program, termination of interim assistance upon an initial SSI determination is consistent with the statute and is within the discretion conferred therein. As Assistant Attorney General Dianne Olsen wrote in her brief, "Nothing in the statute requires a presumption of eligibility despite a finding of ineligibility. Since the State program is supplemental, there is nothing to supplement if the applicant is not eligible for SSI." In spite of the ruling by the Supreme Court, this line of reasoning remains sound.

The Division of Public Assistance anticipates spending \$2,184,000 on interim assistance benefits in FY95. Of that amount,

- * 37% (\$808,080) will be recovered through federal reimbursement;
- * 63% (\$1,375,920) will not be subject to federal reimbursement;
- * 57% (\$1,244,900) will be paid to individuals awaiting an initial SSI decision; and
- * 43% (\$939,100) will be paid to individuals appealing an SSI denial.

Please alert me if I can provide further information on this topic.

Updates #1

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSSB101(HES)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to eligibility for and BRU: Assistance Payments BRU
payments of Public Assistance. Section 4 Component: Adult Public Assistance (APA)
 Sponsor: Senate Rules
 Requestor: Governor COMPONENT SERIAL NO. 0222

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	(607.7)	(1,274.2)	(1,338.0)	(1,404.8)	(1,475.1)	(1,548.8)
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	(607.7)	(1,274.2)	(1,338.0)	(1,404.8)	(1,475.1)	(1,548.8)
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	(572.2)	(1,200.2)	(1,260.4)	(1,323.3)	(1,389.5)	(1,459.0)
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	(35.5)	(74.0)	(77.6)	(81.5)	(85.6)	(89.8)
TOTAL	(607.7)	(1,274.2)	(1,338.0)	(1,404.8)	(1,475.1)	(1,548.8)

POSITIONS:

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

Estimate of current year (FY93, impact): None

ANALYSIS: (Attach a separate page if necessary)

SUSPEND APA COLA

Formula APA program savings from suspension of the COLA in FY94.

The FY94 reduction is included in the FY94 Gov Budget. DO NOT Duplicate Reduction.

New fiscal notes to update #1 thru 5

Prepared by: Jan L. Hansen, Director
 Division: Division of Public Assistance
 Approved by Commissioner: Theodore A. Malia, MD, MPH
 Agency: Department of Health & Social Services

Phone: 465-2680
 Date: 3/23/93
 Date: 3/24/93

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ANALYSIS (cont.):**Suspend APA COLA**

The Division of Public Assistance administers two assistance programs which have statutory provisions for annual cost-of-living payment increases: Aid to Families with Dependent Children (AFDC) and Adult Public Assistance (APA). Under existing statutes, benefit levels for both of these entitlement programs are increased by the same percentage as any cost-of-living adjustment (COLA) in the federal Supplemental Security Income program. These benefit adjustments are made in January of each year; we currently estimate that the January 1994 adjustments will be 3.0 percent.

This proposes legislation that provides for a suspension of the cost-of-living adjustment in the APA program during fiscal year 1994. The general funds savings by this action would be approximately \$572.2 million.

Suspending the COLAs does not reduce individual benefit amounts; it simply does not award an increase in January, leaves statutory authority in place to award COLAs in future years, and reduces the base on which future COLAs will be awarded. Increased Food Stamp benefits will partially offset loss of COLAs in household budgets.

Since July 1, 1980 AFDC and APA need standards and maximum payment levels have been automatically increased annually by the same percentage of Social Security and SSI benefits increase. In addition to the automatic COLA the legislature approved AFDC and APA benefit level increases in 1981 and 1983.

These increases have maintained formula program maximum payment levels measured as a percentage of the Federal Poverty Guideline for Alaska at approximately 77% for an AFDC family of three and 111% for a single APA client. (125% APA couple)

Assumptions used in fiscal note calculation:

1. The Federal SSI COLA will be 3.0%.
2. APA program caseload increases at an average annual rate of 5%.
3. Proposed legislation provides for suspension of the January 1, 1994 COLA.

Adult Public Assistance payment levels are set in regulation at 7 AAC 40.310, as authorized by AS 47.25.430(b). These benefit levels vary according to the composition of the household and the type of living arrangement. Current statute at AS 47.25.430(b) provides for COLA adjustments at the same percentage as the SSI program. APA payments are funded with 100 percent General Fund monies.

The APA program is essentially supplemental to federal Social Security and SSI benefits; APA applicants are required to apply for payments from the Social Security Administration, and nearly all APA recipients receive federal payments which are subtracted from the APA maximum payment standard to determine the amount of their APA payments. Under current state law, both federal benefit levels and APA benefit levels are adjusted concurrently each January.

ANALYSIS (cont.):

Federal rules require, as a condition of federal Medicaid matching funds, maintenance of APA payment levels at least as high as those in effect for March 1983, or maintenance of total APA program expenditures for a calendar year at a level at least as great as the expenditures for the immediately preceding year (Interim Assistance expenditures are not considered in the calculation.) Alaska's compliance is not threatened by a one-year suspension of the APA COLA.

Under this proposed change in the law, the State will pass along the 1/1/94 COLA increase allowed in the federal SSI program, but will not increase the state supplemental contribution to recipients.

The FY94-FY99 formula impact of the COLA assumes the prior suspension of the January 1994 increase is not restored retroactively, therefore the maximum APA payment base is lower in subsequent fiscal years. FY95 is the first full year of impact of suspension of the January 1994 COLA. The impact in FY94 occurs only during the second six months of the fiscal year.

APA	<u>FY94</u>	<u>FY95</u>	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>
APA Caseload Average	9207	9653	10136	10643	11175	11734
Caseload(less Interim Assistance)						
* Average Payment reduction for the 1/1/94 COLA suspension that is not restored retroactively	\$11	\$11	\$11	\$11	\$11	\$11
TOTAL FY REDUCTION	607.7	1274.2	1338.0	1404.8	1475.1	1548.8
GF	572.2	1200.2	1260.4	1323.3	1389.5	1459.0
I/A	35.5	74.0	77.6	81.5	85.6	89.8

*The \$11 per year represents the minimum savings as the actual savings would be compounded annually by any subsequent COLAS.

The FY94 reduction is included in the FY94 agency budget request. Do not duplicate reduction.

updates #2

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSSB101(HES)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to eligibility for and BRU: Assistance Payments BRU
payments of Public Assistance. Section 6 Component: Adult Public Assistance (APA)
 Sponsor: Senate Rules
 Requestor: Governor COMPONENT SERIAL NO. 0222

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING:

(Thousands of Dollars)

	FY94	FY95	FY96	FY97	FY98	FY99
1002 Federal Receipts	434.0	1,016.3	1,076.1	1,135.9	1,195.7	1,255.5
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	(434.0)	(1,016.3)	(1,076.1)	(1,135.9)	(1,195.7)	(1,255.5)
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

	FY94	FY95	FY96	FY97	FY98	FY99
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

IMPLEMENT INTERIM ASSISTANCE REIMBURSEMENT

Enact Interim Assistance Reimbursement that recovers state Interim Assistance benefits from the retroactive SSI benefits of applicants found eligible for SSI.

The FY94 GF savings is included in the FY94 Gov Budget. DO NOT Duplicate Reduction.

Prepared by: Jan L. Hansen, Director
 Division: Director of Public Assistance
 Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Phone: 465-2680
 Date: 3/22/93
 Date: 3/24/93

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ANALYSIS (cont.):

Enact Interim Assistance Reimbursement and Eliminate Retroactive APA Payments to Interim Assistance Recipients After SSI Application Approved.

State statute AS 47.25.455 requires the State to pay \$280 per month to persons eligible under this statute while the Social Security Administration is processing their disability applications. SSI regulations allow states to be reimbursed for their Interim Assistance costs out of the retroactive SSI entitlements of applicants who are ultimately found eligible for federal SSI benefits.

Because of concerns that disability assistance can be easily abused, the process of proving or disproving disability for Social Security purposes has gradually become lengthy and complex. Concerns that people may need help badly while that process is allowed to unfold led to Alaska's enactment of Interim Assistance for APA Aid to the Disabled applicants who are awaiting a disability determination by the Social Security Administration. Although a high proportion (about 60%) of all Disability applicants are ultimately determined to be not legally disabled, an Alaska Supreme Court decision (Moore v. Beirne) determined that AS 47.25.455 requires that the state continue interim assistance until all Social Security administrative processes are complete and all administrative appeal rights have been exhausted.

Under existing state law, Alaska applicants for Adult Public Assistance receive Interim Assistance for an average of 8.8 months before a decision is made on their eligibility for SSI benefits. The Interim Assistance case is converted retroactively to Adult Public Assistance, effective with the date of APA application, after the SSI decision is made. Interim Assistance recipients receive \$280 in Interim Assistance. The proposed change does not eliminate any monthly assistance payments to recipients; it simply recovers Interim Assistance by reducing retroactive windfall payments.

The proposed changes to AS 47.25.455 would enable DHSS to effectively recover Interim Assistance benefits from the retroactive SSI benefits of APA applicants who are found eligible for SSI. APA applicants would be required to agree to have their retroactive SSI benefits paid to DHSS to reimburse the state for the Interim Assistance they would receive. There would be no retroactive entitlement to regular APA benefits.

\$280 of the monthly retroactive SSI benefit would be collected by DHSS, and the remaining \$154 in retroactive SSI would be paid to the client.

	<u>FY94</u>	<u>FY95</u>	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>
Cases per month	32	34	36	38	40	42
Average Reimbursement Amount	\$1130.20	\$2491	\$2491	\$2491	\$2491	\$2491
TOTAL	434.0	1016.3	1076.1	1135.9	1195.7	1255.5

The FY94 reduction is included in the FY94 agency budget request. Do not duplicate reduction.

updates #3

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSSB101(HES)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to eligibility for and BRU: Assistance Payments BRU
payments of Public Assistance. Section 4,5 Component: Adult Public Assistance (APA)
 Sponsor: Senate Rules
 Requestor: Governor COMPONENT SERIAL NO. 0222

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	(4,051.9)	(4,247.7)	(4,460.2)	(4,683.3)	(4,917.4)	(5,163.4)
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	(4,051.9)	(4,247.7)	(4,460.2)	(4,683.3)	(4,917.4)	(5,163.4)
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	(3,815.6)	(4,001.0)	(4,202.0)	(4,412.0)	(4,632.0)	(4,804.0)
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	(236.3)	(246.7)	(258.2)	(271.3)	(285.4)	(299.4)
TOTAL	(4,051.9)	(4,247.7)	(4,460.2)	(4,683.3)	(4,917.4)	(5,163.4)

POSITIONS:

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

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

IMPLEMENT RATABLE REDUCTION

Formula APA program savings from a ratable reduction in APA payment level.

The FY94 reduction is included in the FY94 Gov Budget. DO NOT Duplicate Reduction.

Prepared by: Jan L. Hansen, Director
 Division: Division of Public Assistance
 Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Phone: 465-2680
 Date: 3/23/93
 Date: 3/24/93

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ANALYSIS (cont.):Ratable Reduction in APA Payment Level:**Adult Public Assistance (APA)**

Federal rules require, as a condition of federal Medicaid funding, APA payment levels at least as high as those in effect for March 1983 or maintenance of total program expenditures for the immediately preceding year. A reduction to the 1990 APA maximum payment level would result in an average payment reduction per client of approximately \$37 for each month of FY94. Ratable reductions are the single most effective method of immediately reducing program costs. They equitably distribute benefit reductions across the caseload, rather than impact specific groups.

Food Stamp benefit increases will partially offset decreases in cash benefits.

In FY94, the maximum state supplemental payment for an APA individual living independently is \$334. A ratable reduction to the 1990 payment level would reduce the state payment to an individual APA client by \$43 each month. The APA payment is currently 111% of poverty and would be reduced to 104% of poverty. The APA formula reduction from the ratable is 3.8 million GF.

Assumptions used in fiscal note calculation:

1. APA program caseloads increase at an average annual rate of 5%.
2. The ratable reduction to APA maximum payment levels is to 1990 levels. This rolls back COLA increases of 3.0% (January 1, 1993) 3.7% (January 1, 1992) and 5.4% (January 1, 1991).
3. The adjustment in payments is effective July 1, 1993.

Adult Public Assistance payment levels are set in regulation at 7 AAC 40.310, as authorized by AS 47.25.430(b). These benefit levels vary according to the composition of the household and the type of living arrangement. Current statute at AS 47.25.430(b), provides for COLA adjustments at the same percentage as the SSI program. APA payments are funded with 100 percent General Fund monies.

The APA program is essentially supplemental to federal Social Security and SSI benefits; APA applicants are required to apply for payments from the Social Security Administration, and nearly all APA recipients receive federal payments which are subtracted from the APA maximum payment standard to determine the amount of their APA payments. Under current state law, both federal benefit levels and APA benefit levels are adjusted concurrently each January.

Federal rules require, as a condition of federal Medicaid matching funds, maintenance of APA payment levels at least as high as those in effect for March 1983, or maintenance of total APA program expenditures for a calendar year at a level at least as great as the expenditures for the immediately preceding year (Interim Assistance expenditures are not considered in the calculation.) Alaska's compliance is not threatened by this proposed ratable reduction in APA payments.

Revision Date: _____

BILL NO. CSSB101(HES)

ANALYSIS (cont.):

The FY94-FY99 formula impact of the ratable reduction assumes the reduction is not restored retroactively, therefore the maximum APA payment base is lower in subsequent fiscal years.

APA	<u>FY94</u>	<u>FY95</u>	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>
APA Caseload Average Caseload (less Interim Assistance)	9207	9653	10136	10643	11175	11734
* Average Payment reduction for the ratable reduction that is not restored retroactively	\$36.67	\$36.67	\$36.67	\$36.67	\$36.67	\$36.67
TOTAL FY REDUCTION	4051.9	4247.7	4460.2	4683.3	4917.4	5163.4
GF	3815.6	4001.0	4202.0	4412.0	4632.0	4864.0
I/A	236.3	246.7	258.2	271.3	285.4	299.4

* The \$36.67 per year represents the minimum savings as the actual savings would be compounded annually by any subsequent COLAS.

The FY94 reduction is included in the FY94 agency budget request. Do not duplicate reduction.

Updates #4

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSSB101(HES)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to eligibility for and BRU: Assistance Payments BRU
payments of Public Assistance. Section 1,2,3 Component: Aid to Families with Dependent
 Sponsor: Senate Rules Children (AFDC)
 Requestor: Governor COMPONENT SERIAL NO. 0220

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	(8,600.1)	(9,035.3)	(9,482.1)	(9,956.3)	(10,454.0)	(10,976.6)
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	(8,600.1)	(9,035.3)	(9,482.1)	(9,956.3)	(10,454.0)	(10,976.6)

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts	(3,921.6)	(4,120.0)	(4,324.0)	(4,540.0)	(4,767.0)	(5,005.5)
1003 GF Match	(3,921.6)	(4,120.0)	(4,324.0)	(4,540.0)	(4,767.0)	(5,005.5)
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	(756.9)	(795.3)	(834.1)	(876.3)	(920.0)	(965.6)
TOTAL	(8,600.1)	(9,035.3)	(9,482.1)	(9,956.3)	(10,454.0)	(10,976.6)

POSITIONS:

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

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

IMPLEMENT RATABLE REDUCTION

Formula AFDC program savings from a ratable reduction in AFDC payment level.

The FY94 reduction is included in the FY94 Gov Budget. DO NOT Duplicate Reduction.

Prepared by: Jan L. Hansen, Director
 Division: Division of Public Assistance
 Approved by Commissioner: Theodore A. Math, MD, MPH
 Agency: Department of Health & Social Services

Phone: 465-2680
 Date: 3/22/93
 Date: 3/24/93

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ANALYSIS (cont.):Ratable Reduction in AFDC Payment Level**Aid to Families with Dependent Children (AFDC)**

This proposes legislation that provides for a ratable reduction of AFDC benefits. A provision of the Medicare Catastrophic Illness Act of 1988 requires, as a condition of future approval of Medicaid State Plans, maintenance of AFDC payment levels at or above those in effect for April 1988.

A ratable reduction of monthly maximum payments to their 1991 benefit level would result in an average payment reduction per family of \$52 for each month of FY94.

Ratable reductions are the single most effective method of immediately reducing program costs. They equitably distribute benefit reductions across the caseload, rather than impact specific groups. Food Stamp benefit increases will partially offset the decreases in cash benefits.

The AFDC reduction can be structured to create a "gap" between the need standard and the payment standard which creates an incentive for earned income by allowing for increased income from earnings without termination of AFDC. "GAP" exists when payments are made at a percentage of the need standard. Reductions in AFDC benefits will also make AFDC a slightly less attractive alternative to work.

Of the 39,911 people who will receive AFDC each month, 24,759 are children under the age of 19. Roughly two-thirds of all AFDC households consist of a parent and one or two children, with no other source of cash income but the PFD. The typical AFDC household in Alaska consists of a mother and one child. In FY94, without the reductions, this household would have expected to receive \$871 per month in AFDC cash assistance, assuming no other source of income. In all months that this family receives assistance, the grant amount will be reduced by \$79 due to imposition of a ratable reduction to the 1991 payment level. The AFDC formula reduction from this reduction is \$8.6 million (\$3.9 million GF).

Assumptions used in fiscal note calculation:

1. AFDC program caseloads increase at an average annual rate of 5%.
2. The ratable reduction to AFDC maximum payment levels is to 1991 levels. This effectively rolls back COLA increases of 3.0% (January 1, 1993) and 3.7% (January 1, 1992).
3. The adjustment in payments is effective July 1, 1993.

Maximum benefit levels are set by AS 47.25.320(a) and 7 AAC 45.520. These benefit levels vary according to the size and composition of the assisted family. In accordance with AS 47.25.320(d), AFDC benefits (funded 50 percent General Fund, 50 percent federal match) are adjusted upward in January of each year by the same percentage as the federal Supplemental Security Income (SSI) program cost-of-living adjustment.

A provision of the Medicare Catastrophic Coverage Act of 1988 requires, as a condition of future approval of Medicaid State Plans, maintenance of AFDC payment levels at or above those in effect for April 1988. The proposed reduction does not conflict with this requirement, so long as payments remain at or above the April 1988 level.

ANALYSIS (cont.):

The FY94-FY99 formula impact of the ratable reduction assumes the reduction is not restored retroactively, therefore the maximum AFDC payment base is lower in subsequent fiscal years.

AFDC	<u>FY94</u>	<u>FY95</u>	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>
AFDC Caseload Average Caseload	13858	14558	15278	16042	16844	17686
* Average Payment reduction for the ratable reduction that is not restored retroactively	\$51.71	\$51.72	\$51.72	\$51.72	\$51.72	\$51.72
TOTAL FY REDUCTION	8600.1	9035.3	9482.1	9956.3	10454.0	10976.6
Funding Source						
Federal	3921.6	4120.0	4324.0	4540.0	4767.0	5005.5
GF	3921.6	4120.0	4324.0	4540.0	4767.0	5005.5
I/A	756.9	795.3	834.1	876.3	920.0	965.6

*The \$51.72 per year represents the minimum savings as the actual savings would be compounded annually by any subsequent COLAS.

The FY94 reduction is included in the FY94 agency budget request. Do not duplicate reduction.

Updates #5

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSSB101(HES)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to eligibility for and BRU: Assistance Payments BRU
payments of Public Assistance. Section 2 Component: Aid to Families with Dependent
 Sponsor: Senate Rules Children (AFDC)
 Requestor: Governor COMPONENT SERIAL NO. 0220

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	(2,107.3)	(4,424.4)	(4,645.7)	(4,878.0)	(5,121.9)	(5,378.0)
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	(2,107.3)	(4,424.4)	(4,645.7)	(4,878.0)	(5,121.9)	(5,378.0)
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

1002 Federal Receipts	(960.9)	(2,017.5)	(2,118.5)	(2,224.4)	(2,335.5)	(2,452.5)
1003 GF Match	(960.9)	(2,017.5)	(2,118.5)	(2,224.4)	(2,335.5)	(2,452.5)
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	(185.5)	(389.4)	(408.7)	(429.2)	(450.9)	(473.0)
TOTAL	(2,107.3)	(4,424.4)	(4,645.7)	(4,878.0)	(5,121.9)	(5,378.0)

POSITIONS:

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

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

SUSPEND AFDC COLA

Formula AFDC program savings from suspension of the COLA in FY94.

The FY94 reduction is included in the FY94 Gov Budget. DO NOT Duplicate Reduction.

Prepared by: Jan L. Hansen, Director
 Division: Division of Public Assistance

Phone: 465-2680
 Date: 3/23/93

Approved by Commissioner: Theodore A. Mihal, MD, MPH
 Agency: Department of Health & Social Services

Date: 3/24/93

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ANALYSIS (cont.):**Suspend AFDC COLA**

The Division of Public Assistance administers two assistance programs which have statutory provisions for annual cost-of-living payment increases: Aid to Families with Dependent Children (AFDC) and Adult Public Assistance (APA). Under existing statutes, benefit levels for both of these entitlement programs are increased by the same percentage as any cost-of-living adjustment (COLA) in the federal Supplemental Security Income program. These benefit adjustments are made in January of each year; we currently estimate that the January 1994 adjustments will be 3.0 percent.

This proposes legislation that provides for a suspension of the cost-of-living adjustment in the AFDC program during fiscal year 1994. The general fund savings by this action would be approximately \$960.9 million.

Suspending the COLAs does not reduce individual benefit amounts; it simply does not award an increase in January 1994, leaves statutory authority in place to award COLAs in future years, and reduces the base on which future COLAs will be awarded.

The COLA percentage could be awarded in the AFDC standard of need, and not in AFDC payment calculations, creating a payment gap that serves as an incentive to work. Increased Food Stamp benefits will partially offset the loss of the COLA in household budgets.

Since July 1, 1980 AFDC and APA need standards and maximum payment levels have been automatically increased annually by the same percentage of Social Security and SSI benefits increase. In addition to the automatic COLA the legislature approved AFDC and APA benefit level increases in 1981 and 1983. These increases have maintained formula program maximum payment levels measured as a percentage of the Federal Poverty Guideline for Alaska at approximately 77% for an AFDC family of three and 111% for a single APA client (125% APA couple).

Assumptions used in fiscal note calculation:

1. The January 1, 1994 Federal SSI COLA will be 3.0%.
2. AFDC program caseloads increase at an average annual rate of 5%.
3. Proposed legislation provides for suspension of the January 1, 1994 COLA.

Currently maximum benefit levels are set by AS 47.25.320(a) and 7 AAC 45.520. These benefit levels vary according to size and composition of the assisted family. In accordance with AS 47.25.320(d), AFDC benefits (funded 50% General Fund, 50 percent federal match) are adjusted upward in January of each year by the same percentage as the federal Supplemental Security Income (SSI) program cost-of-living adjustment.

ANALYSIS (cont.):

The FY94-FY99 formula impact of the COLA assumes the suspension of the January 1994 increase is not restored retroactively, therefore the maximum AFDC payment base is lower in subsequent fiscal years. FY95 is the first full year of impact of suspension of the January 1994 COLA. The impact in FY94 occurs only during the second six months of the fiscal year.

AFDC	<u>FY94</u>	<u>FY95</u>	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>
AFDC Caseload Average Caseload	13858	14550	15278	16042	16844	17686
* Average Payment reduction for the 1/1/94 COLA suspension that is not restored retroactively	\$25.34	\$25.34	\$25.34	\$25.34	\$25.34	\$25.34
TOTAL FY REDUCTION	2107.3	4424.4	4645.7	4878.0	5121.9	5378.0
Funding Source						
Federal	960.9	2017.5	2118.5	2224.4	2325.5	2452.5
GFM	960.9	2017.5	2118.5	2224.4	2335.5	2452.5
I/A	185.5	389.4	408.7	429.2	450.9	473.0

* The \$25.34 per year represents the minimum savings as the actual savings would be compounded annually by any subsequent COLAS.

The FY94 reduction is included in the FY94 agency budget request. Do not duplicate reduction.

FISCAL NOTE

No. 6

STATE OF ALASKA
1993 LEGISLATIVE SESSION

I Bill Version: CSSB 101 (HES)
(S) Publish Date: 4-8-93

Revision Date: 03/16/93 Dept. Affected: Health and Social Services
 Title: An act relating to eligibility for payments of Public Assistance..... BRU: Medical Assistance
 Sponsor: Rules, by request Component: Medicaid Non-Facility
 Requestor: _____ COMPONENT SERIAL NO. 0229

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(106.9)	(119.2)	(132.9)	(148.2)	(165.2)	(184.2)
MISCELLANEOUS						
TOTAL OPERATING	(106.9)	(119.2)	(132.9)	(148.2)	(165.2)	(184.2)

CAPITAL						
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REVENUE FUND SOURCE						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts	(53.5)	(59.6)	(66.5)	(74.1)	(82.6)	(92.1)
1003 GF Match	(53.4)	(59.6)	(66.4)	(74.1)	(82.6)	(92.1)
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	(106.9)	(119.2)	(132.9)	(148.2)	(165.2)	(184.2)

POSITIONS:

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

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

See Attached Analysis

Prepared by: Jon Sherwood
 Division: Division of Medical Assistance

Phone: 465-3355
 Date: 04/02/92

Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Date: 4/2/93

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ANALYSIS (cont.):

Division of Public Assistance counts show 56 adults and 71 children would become ineligible for AFDC if this bill were to pass. Medicaid applies a 100% of Federal Poverty Level Qualifying income standard to non-AFDC children under age 9. All of the families who will be disqualified from AFDC have incomes below the poverty level, so only children over 9 will lose eligibility for Medicaid. Of the 71 children affected, 31 are children over 9.

An AFDC adult averages \$250.38 per month in Medicaid benefits. An AFDC child averages \$121.91 per month in benefits. For FY 94, Medicaid savings will be 213.7. (106.9 Federal Funds, 106.8 State General Fund Match)

56 adults x 250.38/mo x 12 mo. = 168.3
31 children x \$121.91 x 12 mo. = 45.4

It is likely that some currently-eligible children over 9 who are members of a Medicaid-only optional eligible group, children under 21 years of age who do not meet all the AFDC requirements, will lose eligibility, since this group uses the AFDC income qualifying standards. Because of the structure of the Eligibility Information System, it is impossible to measure how many of these children will lose benefits. Only a very few of these recipients are likely to have incomes that fall between the current limits and the lower levels proposed by this bill.

Services for these eligibles are split evenly by cost between two components, Medicaid Facilities, and Medicaid Non-Facility.

FY 94 savings, Medicaid Facilities = 106.8 (53.4 Fed, 53.4 SGFM)
FY 94 savings, Medicaid Non-Facility = 106.9 (53.5 Fed, 53.4 SGFM)

For FY 95 and following, the FY 94 savings are increased annually by 11.5%, the budgeted rate of growth of the Medicaid program proposed in the Governor's FY 94 budget request.

FISCAL NOTE

No. 7

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Bill Version: CSSB 101 (HES)

(S) Publish Date: 4-18-93

Revision Date: 03/16/93 Dept. Affected: Health and Social Services
 Title: An act relating to eligibility for payments BRU: Medical Assistance
of Public Assistance..... Component: Medicaid Facilities
 Sponsor: Rules, by request
 Revisor: _____ COMPONENT SERIAL NO. 0230

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(106.8)	(119.1)	(132.8)	(148.1)	(165.1)	(184.1)
MISCELLANEOUS						
TOTAL OPERATING	(106.8)	(119.1)	(132.8)	(148.1)	(165.1)	(184.1)

CAPITAL						
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REVENUE FUND SOURCE						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts	(53.4)	(59.6)	(66.4)	(74.1)	(82.6)	(92.1)
1003 GF Match	(53.4)	(59.5)	(66.4)	(74.0)	(82.5)	(92.0)
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	(106.8)	(119.1)	(132.8)	(148.1)	(165.1)	(184.1)

POSITIONS:

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

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

See Attached Analysis

Prepared by: Jon Sherwood
 Division: Division of Medical Assistance

Phone: 465-2355
 Date: 04/02/93

Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Date: 4/2/93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

No. 7
Bill Version: CSSB 101 (HES)
(S) Publish Date: 4-18-93

Revision Date: 03/16/93 Dept. Affected: Health and Social Services
Title: An act relating to eligibility for payments BRU: Medical Assistance
of Public Assistance..... Component: Medicaid Facilities
Sponsor: Rules, by request
Requestor: _____ COMPONENT SERIAL NO. 0230

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(106.8)	(119.1)	(132.8)	(148.1)	(165.1)	(184.1)
MISCELLANEOUS						
TOTAL OPERATING	(106.8)	(119.1)	(132.8)	(148.1)	(165.1)	(184.1)

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE						
---------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts	(53.4)	(59.6)	(66.4)	(74.1)	(82.6)	(92.1)
1003 GF Match	(53.4)	(59.5)	(66.4)	(74.0)	(82.5)	(92.0)
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	(106.8)	(119.1)	(132.8)	(148.1)	(165.1)	(184.1)

POSITIONS:

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

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

See Attached Analysis

Prepared by: Jon Sherwood
Division: Division of Medical Assistance

Phone: 465-3355
Date: 04/02/93

Approved by Commissioner: Theodore A. Mala, MD, MPH
Agency: Department of Health & Social Services

Date: 4/2/93

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ANALYSIS (cont.):

Division of Public Assistance counts show 56 adults and 71 children would become ineligible for AFDC if this bill were to pass. Medicaid applies a 100% of Federal Poverty Level Qualifying income standard to non-AFDC children under age 9. All of the families who will be disqualified from AFDC have incomes below the poverty level, so only children over 9 will lose eligibility for Medicaid. Of the 71 children affected, 31 are children over 9.

An AFDC adult averages \$250.38 per month in Medicaid benefits. An AFDC child averages \$121.91 per month in benefits. For FY 94, Medicaid savings will be 213.7. (106.9 Federal Funds, 106.8 State General Fund Match)

56 adults x 250.38/mo x 12 mo. = 168.3

31 children x \$121.91 x 12 mo. = 45.4

It is likely that some currently-eligible children over 9 who are members of a Medicaid--only optional eligible group, children under 21 years of age who do not meet all the AFDC requirements, will lose eligibility, since this group uses the AFDC income qualifying standards. Because of the structure of the Eligibility Information System, it is impossible to measure how many of these children will lose benefits. Only a very few of these recipients are likely to have incomes that fall between the current limits and the lower levels proposed by this bill.

Services for these eligibles are split evenly by cost between two components, Medicaid Facility, and Medicaid Non-facility.

FY 94 savings, Medicaid facilities = 106.8 (53.4 Fed, 53.4 SGFM)

Medicaid Non-Facility = 106.9 (53.5 Fed, 53.4 SGFM)

For FY 95 and following, the FY 94 savings are increased annually by 11.5%, the budgeted rate of growth of the Medicaid program proposed in the Governor's FY 94 budget request.

FISCAL NOTE

No. 8

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Bill Version: CSSB 101 (HES)
(S) Publish Date: 4-18-93

Revision Date: _____ Dept. Affected: Health and Social Services
Title: An Act relating to eligibility for and BRU: Assistance Payments BRU
payments of Public Assistance. Sections 1,7 Component: Aid to Families with Dependent
Sponsor: Senate Rules Children (AFDC)
Requestor: Governor COMPONENT SERIAL NO. 0220

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	(1,944.4)	(2,713.4)	(2,849.0)	(2,992.1)	(3,141.4)	(3,299.0)
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	(1,944.4)	(2,713.4)	(2,849.0)	(2,992.1)	(3,141.4)	(3,299.0)
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts	(972.2)	(1,356.7)	(1,424.5)	(1,496.1)	(1,570.7)	(1,649.5)
1003 GF Match	(972.2)	(1,356.7)	(1,424.5)	(1,496.0)	(1,570.7)	(1,649.5)
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	(1,944.4)	(2,713.4)	(2,849.0)	(2,992.1)	(3,141.4)	(3,299.0)

POSITIONS:

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

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

AFDC BASIC NEED STANDARDS FOR AFDC - UP AND AFDC INCAP

Formula AFDC program savings by amending pay to AFDC - UP and Incap cases on the same standard used for AFDC - Basic cases.

The FY94 reduction is included in the FY94 Gov Budget. DO NOT Duplicate

Prepared by: Jan L. Hansen, Director
Division: Division of Public Assistance
Approved by Commissioner: Theodore A. Mala, MD, MPH
Agency: Department of Health & Social Services

Phone: 465-2680
Date: 3/23/93
Date: 3/24/93

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ANALYSIS (cont.):**Use AFDC Basic Need Standards for AFDC-UP and AFDC-Incap**

AS 47.25.320(e) sets the AFDC need standards for AFDC-UP payments at the same level as the standards for AFDC INCAP cases that are set in state regulations. This proposes that the statute be amended to pay AFDC-UP and INCAP cases on the same standard used for AFDC-BASIC cases, i.e., to set the increment for the second parent at the same level as the increment for an additional child in an AFDC-BASIC case. This would result in a payment reduction of \$90 for a typical AFDC-UP and INCAP case.

This change eliminates the inequity between existing payment standards for single-parent and two-parent AFDC households of the same size. It also makes the AFDC-UP program a less attractive alternative to working by reducing payment levels, thus tending to reduce the dependency of intact families on welfare payments. Increased Food Stamp benefits will partially offset the reduction in cash benefits.

Assumptions used in fiscal note computations:

1. AFDC-UP and AFDC-INCAP caseloads increase at an average annual rate of 5%
2. AFDC-UP and AFDC-INCAP payment level is the same standard used for AFDC-Basic cases.
3. The adjustment in payments is effective October 1, 1993 (9 month impact in FY94).

The FY94-FY99 formula impact of the standards change for AFDC-UP and AFDC-INCAP assumes the reduction is not restored retroactively, therefore the maximum AFDC payment base is lower in subsequent fiscal years.

AFDC	<u>FY94</u>	<u>FY95</u>	<u>FY96</u>	<u>FY97</u>	<u>FY98</u>	<u>FY99</u>
Projected Average AFDC-UP and INCAP Caseload	2476	2599	2729	2866	3009	3160
Average Payment reduction for the base change that is not restored retroactively	\$87.26	\$87	\$87	\$87	\$87	\$87
TOTAL FY REDUCTION	1944.4	2713.4	2849.0	2992.1	3141.4	3299.0
Federal	972.2	1356.7	1424.5	1496.0	1570.7	1649.5
GFM	972.2	1356.7	1424.5	1496.1	1570.7	1649.5

The FY94 reduction is included in the FY94 agency budget request. Do not duplicate reduction.



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

SPONSOR STATEMENT: CS SB 101 (FINANCE)

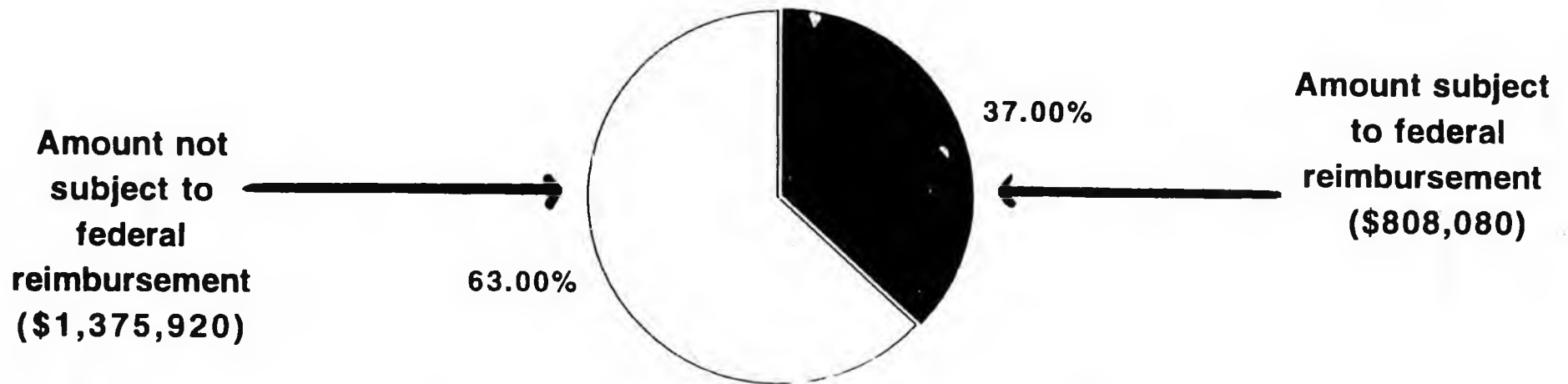
This legislation would amend the statutes which govern the interim assistance program in four ways:

(1) Interim assistance shall be terminated after an initial determination of SSI eligibility has been made. This amendment would allow the Division of Public Assistance to return to its practice which existed prior to the 1986 Alaska Supreme Court ruling in Moore v. Beirne. Since the State APA program is intended to supplement the federal SSI program, there is nothing to supplement if the applicant is not eligible for SSI. This provision would save the State roughly \$940,000 in fiscal year 1995.

(2) Individuals applying for interim assistance shall agree to repay the State for such assistance upon a final determination of ineligibility for SSI, and (3) the amount of interim assistance owed to the State is considered an overpayment of public assistance. These provisions further the general purpose of public assistance programs of ensuring that ineligible applicants do not take funds from those who are eligible. In addition, these sections should serve as a disincentive to individuals making unfounded or spurious disability claims.

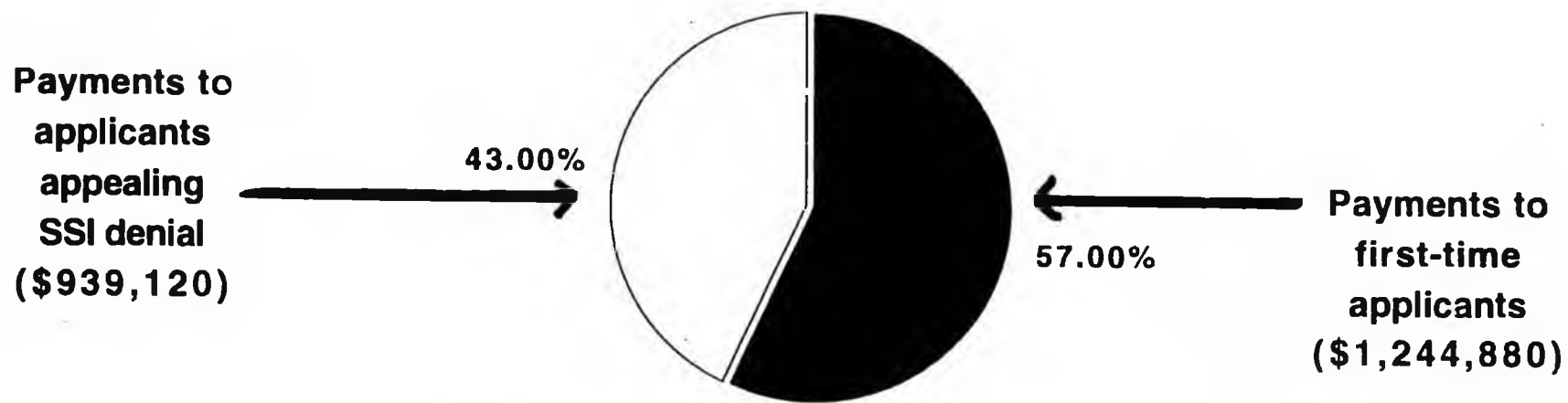
(4) The Division of Public Assistance and Division of Vocational Rehabilitation shall cooperate in establishing consistent standards to govern the disability determination process. Roughly two-thirds of those persons who are granted presumptive interim assistance benefits are ultimately found to be ineligible for APA and SSI. Since DVR makes the determination of disability through a contract with the Social Security Administration, this amendment directs DPA to consult with DVR in order to develop an efficient application process and disability determination system.

FY95 INTERIM ASSISTANCE GRAPH 1



Total Projected Expenditure: \$2,184,000

FY95 INTERIM ASSISTANCE GRAPH 2



Total Projected Expenditure: \$2,184,000

DIVISION OF PUBLIC ASSISTANCE
ALASKA ADULT PUBLIC ASSISTANCE AND INTERIM ASSISTANCE

- \$125,000 Estimated initial annual administrative cost for Interim Assistance
- \$280 Monthly payment to Interim Assistance recipient
- 8.8 months Average number of months IA paid before Social Security makes a decision on SSI application
- 53% of all IA recipients qualify for initial application and through the Social Security appeal process
- \$2,293,200 Anticipated Interim Assistance to be paid in FY95
- \$1,215,396 Anticipated collection (reimbursement) to the State in FY95

State of Alaska
Department of Health and Social Services
Division of Public Assistance
March 1, 1994

Interim Assistance Facts

- Approximately 57 percent of all Interim Assistance (IA) recipients are awaiting an initial Supplemental Security Income (SSI) decision.
- The remaining 43 percent are appealing a negative SSI decision.
- Projected Adult Public Assistance (APA) expenditures for IA in FY 95 are \$2184.0. \$1244.9 (or 57 percent) of this will be paid to individuals who are awaiting an initial SSI decision. The remaining \$939.1 (or 43 percent) will be paid to individuals who are appealing an initial SSI denial.
- We expect to recover 37 percent of IA benefits paid in FY 95 through the Interim Assistance Reimbursement process.

**DIVISION OF PUBLIC ASSISTANCE
ADULT PUBLIC ASSISTANCE (APA)
CASELOAD BY CATEGORY**

	FY93 Actual	FY94 Projected	FY95 GOV	PerCent of Total
APA Program Cases				
Aid to the Disabled	4914	5461	6033	57.6%
Old Age Assistance	3802	4065	4354	41.5%
Aid to the Blind	91	92	92	0.9%
APA Total Cases	8807	9618	10479	100.0%
 APA Program Formula				
Aid to the Disabled	\$19,801.4	\$21,570.1	\$23,570.7	
Old Age Assistance	14374.3	15104.1	16070.7	
Aid to the Blind	383.6	384.8	381.3	
APA Total Budget	\$34,559.3	\$37,059.0	\$40,022.7	
OAA-ALB HH	2064.1	2267.6	2402.1	
TOTAL Expenditure	\$36,623.4	\$39,326.6	\$42,424.8	

adoaab

02/03/94

WALTER J. HICKEL
GOVERNOR



P. O. Box 110001
Juneau, Alaska 99611-0001
(907) 465-3500

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 5, 1993

101

The Honorable Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Halford:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to eligibility for and payments of public assistance. The bill represents the Administration's proposal to control the growth of expenditures in formula welfare programs.

Section 1 of the bill would amend AS 47.25.320(a) to require that the maximum monthly amount of aid-to-families-with-dependent-children (AFDC) assistance for a second adult in a two-parent AFDC household be the same as for a second dependent child in a home where there is one adult. Currently, the monthly amount for a three-person household composed of two adults and one child is \$88 more than for a three-person household composed of one adult and two children; this difference increased to \$90 on January 1, 1993. Section 1 also amends the standards for families that include one or more dependent children living with a nonneedy relative, to bring the AFDC program into conformity with federal requirements that the increment for a second child be the same as the increment for any additional children.

The maximum grant amounts in AS 47.35.320(a) were last amended in 1982. However, under AS 47.35.320(d) those maximum amounts have been increased a number of times to reflect cost-of-living increases. Section 1 amends the maximum grant amounts, starting July 1, 1993, to roll back those amounts to the 1991 benefit level. Section 2 of the bill amends AS 47.25.320(d) to provide that the department may not increase those monetary maximums based on an increase in benefits that takes effect anytime during the calendar year that begins on January 1, 1994, nor on an increase in benefits that took effect on or before January 1, 1993.

Section 3 of the bill would allow DHSS to adopt regulations to establish a monthly need standard for AFDC that equals or exceeds the monthly payment standard for AFDC. In combination with the reduction of AFDC grant amounts in sec. 1 of the bill, this provision will provide an incentive for an AFDC family to augment its income within limits without automatically jeopardizing eligibility.

The Honorable Rick Halford
February 3, 1993
Page 2

Section 4 would amend AS 47.25.430(b), relating to cost-of-living increases in the adult public assistance program, to provide that the department will not increase the maximum state contribution to recipients by any cost-of-living increase that takes effect during the calendar year beginning on January 1, 1994, and to conform to the changes made by sec. 5 of the bill.

Section 5 of the bill requires DHSS to reduce the maximum state contribution to recipients in the adult public assistance program to the 1990 level and to adjust monthly grants of assistance accordingly.

Section 6 of the bill would amend AS 47.25.455 to provide for reimbursement for interim assistance and to eliminate retroactive adult public assistance payments to interim assistance recipients. The existing statute requires DHSS to pay \$280 per month to eligible individuals while the Social Security Administration (SSA) is processing their disability applications; once an individual is determined eligible, the SSA makes a retroactive payment to that person. With this change in AS 47.25.455, an applicant for interim assistance would have to agree at the time of initial application to have retroactive SSI benefits paid to DHSS to reimburse the state for the interim assistance received by the applicant.

Section 7 repeals AS 47.25.320(e) to conform to the change made in sec. 1 related to reducing grant amounts for two-parent households.

Section 8 provides transitional authority to allow DHSS to adopt regulations before July 1, 1993, but the regulations cannot take effect before that date. This provision should facilitate timely implementation of the new statutory changes.

Sections 9 and 10 provide for an effective date for the bill.

I urge your serious consideration of these proposals to control the growth of the state budget.

Sincerely,


Walter J. Hickel
Governor

SENATE COMMITTEE REPORT

Final

DATE: 3/16/93

FURTHER: FINANCE

DATE TURNED INTO OFFICE: 4/16/93

JUDICIARY Committee considered SENATE BILL NO. 101

"An Act relating to eligibility for and payments of public assistance; and providing for an effective date."

and recommends:

- replace with _____ CS _____
- or adopt previous CS SB 101 (HES)
- attaches amendment(s) *+ rpts it back plus*

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

- do pass
- do not pass
- no recommendation
- individual recommendations

8/15/93

NEW FISCAL NOTES

Department	Date	Zero	Fiscal
DHESS	3-23-93		(144.4)
DHESS	4-02-93		(106.9)
DHESS	4-02-93		(106.8)

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
DHESS	2/5/93		(2107.3)
DHESS	2/5/93		(8600.1)
DHESS	2/5/93		(4051.4)
DHESS	2/5/93		(434.0)
DHESS	2/5/93		(607.7)

Appropriation No Fiscal Note

DO PASS:

③ *Rick Harpel*

OTHER RECOMMENDATIONS:

① *George Taylor - No Rec*
 ② *Suzanne K. Little - Do Not Pass*

① *Adrian Taylor* NO Rec
 Chair: Signature and Recommendation

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 2/5/93

FURTHER: JUDICIARY FINANCE

Date of 5-Day Notice: 3/4/93 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-16-93

HES Committee considered SB 101

"An Act relating to eligibility for and payments of public assistance; and providing for an effective date."

and recommends:

and a majority of the committee recommends it be replaced with

[] replace with CS SB 101 (HSS)

[] attaches amendment(s) and do pass

[] adopts Letter of Intent

[] further referral to the

[] do pass

[] do not pass

[] no recommendation

[] individual recommendations

OKW

FISCAL NOTE INFORMATION

Table with columns: Department, Date, Zero, Fiscal. Row 1: *151 DHSS previous, [], [], [x].

Table with columns: Department, Date, Zero, Fiscal. All cells empty.

[] Appropriation No Fiscal Note

* Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

Mike Miller, ~~Robert D. Lemmon~~, ~~Bob Sharp~~, Bob Sharp

OTHER RECOMMENDATIONS:

Johnny Sellers Do Not Pass, Judy Salo - Do Not Pass, Gene Dwan DO NOT PASS

Chair: Signature and Recommendation