

**HB**

**274**

**SFIN**

**FILE**



Alaska State Legislature  
Senate

Office of the Secretary

OFFICIAL BUSINESS

P.O. BOX V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

FOR YOUR IMMEDIATE ATTENTION

DATE: 4/29/95

TO SENATE COMMITTEE: Finance - Kathy

FROM: Office of the Senate Secretary

The Senate President has added/changed the referral(s) on the following bill(s):

HB 274 - Tuberculosis Control

Please give the bill file(s) and the signed letter (this note) to the page delivering this message.

Thank you for your prompt attention.

A handwritten signature in cursive, appearing to be "JK".

SIGNATURE OF PERSON RECEIVING THIS NOTE

JR/s

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

to 4  
Bill Version: HB 274  
(H) Publish Date: 3/22/95

Revision Date: \_\_\_\_\_  
Title: Tuberculosis Control Program  
Sponsor: Governor's Bill  
Requestor: Governor's Office

Dept. Affected: Health and Social Services  
BRU: State Health Services  
Component: Epidemiology  
COMPONENT SERIAL NO. 296  
See also (SN#): \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ( )						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

This bill will have no fiscal impact on the Division of Public Health.

Prepared by: Peter M. Nakamura, MD, MPH  
Division: Public Health

Phone: (907) 465-3090  
Date: 03/16/95

Approved by Commissioner: Karen Perdue, Commissioner  
Agency: Department of Health & Social Services

Date: 3/16/95

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# FISCAL NOTE

No. 3

Bill Version: HB 274

(H) Publish Date: 3/22/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_

Department Affected: Administration

Title: "An Act relating to the state's tuberculosis control program"

BRU: Public Defender Agency

Sponsor: Rules Committee

Component: Public Defender Agency

Requestor: Governor

COMPONENT SERIAL NO. 1631

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

<b>CAPITAL EXPENDITURES</b>	00	0	0	0	0	0
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<b>CHANGE IN REVENUES ( )</b>	0	0	0	0	0	0
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**FUND SOURCE:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ 0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary.)

The Public Defender (PD) has no information regarding the extent to which tuberculosis is a problem in this state, or the frequency with which this bill would be used in a way which would trigger PD representation. Assuming that involuntary detention for tuberculosis diagnosis/treatment will be infrequent, the PD anticipates no fiscal impact.

Prepared by: John B. Salemi, Director

Phone: (907) 264-4412

Division: Public Defender Agency

Date: \_\_\_\_\_

Approved by Commissioner: Mark Bover *Mark Bover*

Date: 3/16/95

Agency: Department of Administration

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# FISCAL NOTE

No. 2

Bill Version: HB 274

(H) Publish Date: 3/22/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: "An Act relating to the state's general tuberculosis control program...."  
Sponsor: Rules  
Requestor: \_\_\_\_\_

Department Affected: Administration  
BRU: Office of Public Advocacy  
Component: Office of Public Advocacy  
**COMPONENT SERIAL NO. 43**

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
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**FUND SOURCE:** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY 95) cost: \$ -0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary.)

There is no fiscal impact to the Office of Public Advocacy.

Prepared by: Brant McGee, Director  
Division: Office of Public Advocacy

Phone: 274-1684  
Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer  
Agency: Department of Administration

Date: 3/16/95

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# FISCAL NOTE

No. 1  
 Bill Version: HB 274  
 (H) Publish Date: 3/22/95

**STATE OF ALASKA  
 1995 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Dept. Affected: Department of Law  
 Title: "...relating to the state's tuberculosis control  
program including provisions for certain penalties..." BRU: Legal Services  
 Sponsor: Rules by Request of the Governor Component: Operations  
 Requester: Governor's Office/OMB COMPONENT SERIAL NO. 0093

**Expenditures/Revenues (Thousands of Dollars)**

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS**

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

**ANALYSIS: (Attach a separate page if necessary)**

This bill would update the state's general tuberculosis control program and the involuntary detention laws for those persons who have infectious tuberculosis but are unable or unwilling to seek treatment or take safeguards to protect the public against infections. The bill seeks to correct deficiencies in the existing law in respect to recognizing due process requirements of the United States and Alaska constitutions. The bill will allow the court to address the merits of the decision of confinement in these cases rather than focus its review on arguments regarding alleged constitutional deficiencies in the process to support a detention decision. This is corrective legislation that does not have an effect on the existing caseload, and there will not be a fiscal impact.

Prepared by: Richard I. Peques, Director Phone: 465-3672  
 Division: Administrative Services Division Date: 3/15/95  
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 3/15/95  
 Agency: Department of Law

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TONY KNOWLES  
GOVERNOR



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Juneau, Alaska 99811-0001  
(907) 465-3500  
Fax (907) 465-3532

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

March 21, 1995

The Honorable Gail Phillips  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Speaker Phillips:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to update the state's tuberculosis control program to ensure that our statutes expressly recognize constitutional requirements when the state must order a person involuntarily detained or confined for essential medical testing or treatment or to protect the public health. The bill also makes miscellaneous amendments to recognize new developments in the field and to improve the reporting requirements for a case involving a person with tuberculosis.

Tuberculosis is still a serious public health problem in Alaska. Tuberculosis is a disease that can be spread through fairly routine contact such as coughing in a confined, crowded area. In 1994, tuberculosis was diagnosed in several outbreaks in rural villages in Alaska. Tuberculosis can be successfully treated, but the treatment requires a patient to take medication for six months to 24 months. Since some patients face lifestyle problems that make it difficult for that patient to voluntarily successfully complete the entire course of treatment or to isolate themselves from the public to protect the public health, it is sometimes necessary for orders to be issued and enforced to ensure that the patient is following the treatment plan or is isolated from the public. If treatment is prematurely abandoned, a patient's tuberculosis can become more resistant to treatment and place the public at risk of catching an even more difficult form of this disease in the future.

The state's tuberculosis control program and involuntary detention laws should be revised to explicitly recognize constitutional safeguards required in order to quickly respond to tuberculosis incidents and to detain or confine a person if that person is unable or unwilling to undergo treatment and is a threat to the public health. While the Department

The Honorable Gail Phillips

March 21, 1995

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of Health and Social Services anticipates that the involuntary detention and commitment provisions in the bill will be used only rarely because most people will voluntarily take treatment and use safeguards when advised by a medical professional, the bill is necessary to allow a system to be in place to respond quickly in a crisis situation.

I urge your support of this bill in response to an important public health issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tony Knowles".

Tony Knowles  
Governor

# SENATE COMMITTEE REPORT

DATE: 4/29/95

FURTHER: Finance

DATE TURNED INTO OFFICE: 5-3-95

Judiciary Committee considered CS FOR HOUSE BILL NO. 274(JUD)

"An Act relating to the state's tuberculosis control program; and providing for an effective date."

p & m

and recommends:

be replaced with \_\_\_\_\_ CS \_\_\_\_\_

adopt previous \_\_\_\_\_ CS \_\_\_\_\_

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to the \_\_\_\_\_ Committee

**Senate Bill:**

same title  
new title

**House Bill:**

same title  
technical change  
new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Ryder New</i>	✓				
<i>Ed Adams</i>	✓				
CHAIR: <i>Chris Taylor</i>	✓				

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal

Department	Date	Zero	Fiscal
LSS - Epidemiology	3/16/95	✓	✓
Administration - Pub. Health	3/22/95	✓	✓
Administration - Pub. Health	3/16/95	✓	✓
LAW	3/15/95	✓	✓

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill



04/20/95

HOUSE JOURNAL

PAGE 1405

THE QUESTION BEING: "SHALL CSHB 274(JUD) PASS THE HOUSE?" THE ROLL WAS TAKEN WITH THE FOLLOWING RESULT:

CSHB 274(JUD)  
THIRD READING  
FINAL PASSAGE

YEAS: 26 NAYS: 1 EXCUSED: 3 ABSENT: 10

YEAS: AUSTERMAN, BROWN, BUNDE, DAVIES, G.DAVIS, ELTON, FOSTER, GREEN, GRUSSENDORF, HANLEY, IVAN, JAMES, KELLY, KOHRING, KOTT, MOSES, MULDER, NICHOLIA, PHILLIPS, PORTER, ROBINSON, THERRIAULT, TOOHEY, VEZEY, WILLIAMS, WILLIS

NAYS: MARTIN

EXCUSED: B.DAVIS, NAVARRE, PARNELL

ABSENT: BARNES, BRICE, FINKELSTEIN, KUBINA, MACKIE, MACLEAN, MASEK, OGAN, ROKEBERG, SANDERS

AND SO, CSHB 274(JUD) PASSED THE HOUSE.

REPRESENTATIVE VEZEY MOVED THE EFFECTIVE DATE CLAUSE.

THE QUESTION BEING: "SHALL THE EFFECTIVE DATE CLAUSE BE ADOPTED?" THE ROLL WAS TAKEN WITH THE FOLLOWING RESULT:

04/20/95  
HB 274

HOUSE JOURNAL

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CSHB 274(JUD)  
THIRD READING  
EFFECTIVE DATE

YEAS: 29 NAYS: 0 EXCUSED: 3 ABSENT: 8

SELECTION=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP		EXIT	MENU		PRINT	BWD	FWD		FIRST	LAST	QUIT

BILL: SB 138      SHORT TITLE: TUBERCULOSIS CONTROL  
BILL VERSION:  
SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

*Cross - Ref*  
*4/19*  
*to HB 274*

CURRENT STATUS: (S) HES      STATUS DATE: 03/22/95  
THEN FIN, RLS

HEARING:(S) HES APR 19 09:00 AM BUTROVICH ROOM 205 -- TELECONFERENCE --  
TITLE: "An Act relating to the state's tuberculosis control program, including provisions for certain penalties; and providing for an effective date."

03/22/95    747    (S)    READ THE FIRST TIME - REFERRAL(S)  
03/22/95    748    (S)    HES, FIN  
03/22/95    748    (S)    ZERO FNS (LAW, ADM-2, DHSS)  
03/22/95    748    (S)    GOVERNOR'S TRANSMITTAL LETTER

*4/19 —*    *has rpt CS*  
*TO Finance*

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