

HB

401

Objectives in Developing HB 401

- Promote self sufficiency for families on public assistance; particularly in rural Alaska.
- Promote flexibility in designing local approaches to achieving self sufficiency.
- Assure that both the State and Regional programs are managed efficiently and cost effectively.
- Discourage disparity in benefits and services for Alaskans living in the same community or region.
- Address the complex legal issues relating to the delegation of State authority.

Sectional Analysis HB 401 \ SB 293

Section 1. Findings and Intent

Section 2. This section exempts contracts with Native Regional organizations who are providing public assistance services and have an approved tribal assistance plan under AS 47.27.072 from the procurement code.

Section 3. Authorizes the department, if it is appropriate, to establish regional public assistance plans for the administration of the Alaska temporary assistance program.

Section 4. Allows the Department, in its administration of the Alaska Temporary Assistance Program, to adopt program standards that may vary by region so long as the standards still meet the requirements in AS 47.27.072 and the program requirements of AS 47.27.071.

Section 5. This section allows the Department to award tribal family assistance grants to Alaska Native Regional Organizations that have a Federally approved tribal assistance plan that meets the requirements of AS 47.27.070. This section also establishes a process for Departmental review of the tribal assistance plan before it is submitted by the Alaska Native Regional Organization.

Additionally, this section provides that in the first year of a tribal assistance plan the State grant will represent a fair and equitable portion of the State appropriation for the State public assistance program administered by the department. For the second and subsequent years, the grant represents a fair and equitable portion of the State appropriations made for public assistance programs that is allocated for tribal family assistance grants.

This section also lists the specific requirements that must be included in the tribal plan if it is to be eligible for a state grant. Additionally, this section allows the Commissioner of the Department of Health and Social Services to require that non-tribal members be served through the tribal plan if doing so would be an efficient and cost-effective way to administer the State's public assistance program.

If the Commissioner designates the tribal plan to be the public assistance plan for all State residents within the service area, the Department will contract with the Native organization administering the tribal plan to provide a fair and equitable share of dollars appropriated to provide services to these recipients.

Section 6. This section defines "federally approved tribal family assistance plan" as a plan that meet requirements of Federal law and has been approved for funding by the United States Department of Health and Human Services.

Section 7. Establishes an immediate effective date.

Native Organization sends Letter of Intent to the Department with a proposed plan 8 months before proposed effective date of plan¹

Department reviews plan to identify service boundaries and other important elements*.

- STATE REQUIREMENTS:**
- Plan Must:
- Facilitate self-sufficiency within the region
 - Provide for a reasonable pattern of service delivery
 - Serve a specified region which is geographically coherent and shares common resources, traditions and interests
 - Include the following standards:
 - Must have dependent child in household
 - Payment amounts cannot exceed State amount
 - Minor parent must live in an approved adult-supervised setting
 - Able-bodied participants must work
 - Participants must comply with child support

If Native Organization does not adhere to requirements, Department notifies Native Organization of any significant deficiencies.

Native Organization may make a supplemental submission to the Department to resolve any deficiencies

If plan meets requirement, Native Organization is eligible for State Match for Tribal members

Plan submitted to Federal Government

Federal Approval

Native Organization receives grant for Tribal members

At discretion of Commissioner, Adopt Tribal Plan for all recipients within geographic boundary. Native Organization receives funds to serve non-Tribal members

¹ The Commissioner may waive the time deadline specified if the Commissioner: (1) Enters into a joint planning agreement between the department and the Native organization, or (2) finds good cause and the waiver is in the state's best interest.

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

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February 18, 1998

Honorable Ivan Ivan, Chairman
House Community & Regional
Affairs Committee
State Capitol; Room 418
Juneau, AK 99801-1182

Dear Representative Ivan,

The Department of Health and Social Services respectfully requests a hearing in the House Community and Regional Affairs Committee on House Bill 401 "An Act relating to contracts for the provision of public assistance to certain recipients of the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska tribal family assistance programs; and providing for an effective date."

A zero fiscal note has previously been submitted for this bill.

House Bill 401 represents the next step in the ongoing federal and state welfare reform initiative and is specifically designed to facilitate welfare reform in rural Alaska.

Your favorable consideration of this request will be most appreciated.

Sincerely,



Elmer A. Lindstrom
Special Assistant to the Commissioner

cc: Jim Nordlund, Director, Division of Public Assistance
Pat Pourchot, Legislative Director, Office of the Governor

FISCAL NOTE

No: 1

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: HB 401
(H) Publish Date: 2/12/98

Revision Date: _____
Title: Contracts for Providing Public Assistance
Sponsor: Rules Committee
Requestor: Governor

Dept. Affected: Health and Social Services
BRU: Public Assistance
Component: ATAP
COMPONENT SERIAL NO. 220
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

| | FY99 | FY00 | FY01 | FY02 | FY03 | FY04 |
|------------------------|------------|------------|------------|------------|------------|------------|
| OPERATING | | | | | | |
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|-------------------------|--|--|--|--|--|--|
| CHANGES IN REVENUES () | | | | | | |
|-------------------------|--|--|--|--|--|--|

FUND SOURCE

(Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1003 GF Match | | | | | | |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other (please specify) | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of any current year (FY98) cost: 0.0

ANALYSIS: (Attach a separate page if necessary)

This legislation will provide grant funds to Alaska Native organizations that have federal approval to operate tribal family assistance programs (TFAP). It also allows the department to establish regional public assistance plans to serve all families living in the geographic area covered by the federally approved TFAP. The legislation also authorizes the department to contract with the Alaska Native organization operating a TFAP to serve these families. This legislation provides that grants to eligible Alaska Native organizations will represent a fair and equitable portion of the state appropriations intended to serve state residents served by an approved regional plan.

Federal welfare reform law provides that the 12 Alaska Native regional non-profits and the Indian community of Metlakatla may submit TFAP plans for federal approval. At this time, no Native organizations have submitted a TFAP plan. Fiscal impacts are dependent on which Native organizations have approved plans and the population to be served. In the future, department budget requests will reflect the financial impact which will result from Native organizations administering approved plans.



Prepared by: Jim Nordlund
Division: Public Assistance
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-2650
Date: 02/10/98
Date: 2/10/98

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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 10, 1998

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

Dear Speaker Phillips:

In accepting the challenge of reforming Alaska's welfare system, the state must make every effort to build a successful public assistance program. This bill I transmit today continues Alaska's efforts to implement effective and responsible welfare reform, particularly in rural areas. This legislation takes advantage of a provision in federal welfare reform allowing regional non-profit Native corporations to develop and implement welfare programs. Not only would this promote local responsibility for program success, it will better tie program assistance to local economic and social conditions. Under the bill, the Department of Health and Social Services may contract with regional Native organizations for operating family assistance plans.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, established that specifically named Alaska Native organizations could propose to operate tribal family assistance plans, independent of the state plan, to serve the native population within a specific geographical region. A state- and federally-approved tribal family assistance plan will receive, directly from the federal government, a portion of Alaska's allocation of the Temporary Assistance for Needy Families block grant funds to provide public assistance to the families the plan serves. The federal funds, however, will only be about half of the funds that have historically been appropriated to serve this purpose. This bill establishes standards by which the state will provide grants to these organizations to match the federal funds.

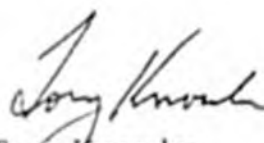
The regional plans are expected to be custom designed to meet the economic conditions and needs of the area. Regional plans may depart from some requirements of the state assistance program, as long as the plans contain specifically identified program elements

The Honorable Gail Phillips
February 10, 1998
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Additional provisions in the bill address record sharing and confidentiality, data reporting and financial records, program termination, and procedures for appeal.

This bill will contribute to making our public assistance programs more effective by considering regional conditions in plan developments. I urge your support of this bill.

Sincerely,



Tony Knowles
Governor