

SB

100

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 2/21/97

FURTHER: Finance

Date of 5-Day Notice: 2/27/97
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/5/97

HESS Committee considered SENATE BILL NO. 100

"An Act relating to grant authority for services for developmentally delayed or disabled children and their families."

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 title
 - new: SCR# _____

SIGNING DQ PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
Health + Social Services	2/27/97	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB100

Revision Date: _____
 Title: An Act relating to grant authority for services
to developmentally disabled children & their families
 Sponsor: Senate HESS by Request
 Requestor: Senate HESS

Dept. Affected: Health and Social Services
 BRU: State Health Services
 Component: Infant Learning Program Grants
 COMPONENT SERIAL NO. 298
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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						
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 (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact.

Prepared by: Peter Nakamura, Director
 Division: Public Health
 Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Phone: 465-3090
 Date: 02/27/97
 Date: 2/27/97

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Alaska State Legislature



Senator Gary Wilken, Chairman
Senator Loren Leman, Vice Chairman
Senator Lyda Green
Senator Jerry Ward
Senator Johnny Ellis

State Capitol
Room 510
Juneau, Alaska 99801
(907) 465-3762

Senate Committee on Health, Education and Social Services

SENATE HESS COMMITTEE SPONSOR STATEMENT

SB 100 – Developmentally Disabled Children/Grants

Senate Bill 100 will allow the Department of Health and Social Services (DHSS) to award grants under the Infant Learning Program (ILP). The ILP grants provide home-based therapy and education services to infants birth through 2 years of age who have moderate to severe mental or physical handicaps. The capacity for development is at its maximum during an infant's first years, thus early identification of developmental delays is critical.

DHSS has provided grants to providers of services for developmentally delayed or disabled infants since FY 77. The Department of Law recently determined that DHSS does not have explicit, statutory grant-making authority. Passage of this legislation will provide that authority and allow the DHSS to continue this grant program as it has operated in the past.

The Governor's Council on Disabilities and Special Education strongly supports passage of SB 100.

Alaska State Legislature
House Finance Committee

REPRESENTATIVE
MARK HANLEY

Co-Chair
(907) 465-4939
Fax (907) 465-2418

INTERIM ADDRESS

718 W. 4th Ave. Suite 300
Anchorage, Alaska 99501-2133
(907) 258-8192
Fax (907) 258-8166



State Capitol, Juneau, Alaska 99801-1182

REPRESENTATIVE
GENE THERRIALT

Co-Chair
(907) 465-4797
Fax (907) 465-3884

INTERIM ADDRESS

113 N. Cushman Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
Fax (907) 488-4271

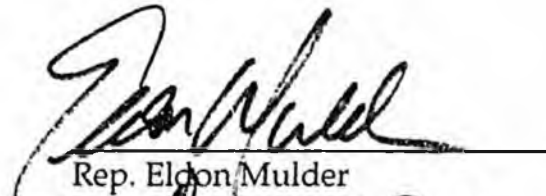
House Finance Committee Waiver Request

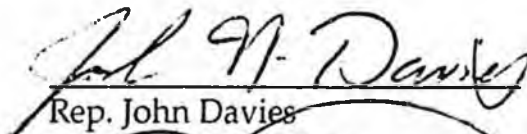
Bill Number: SB 100

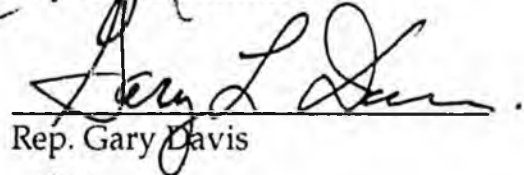
Short Title: DEVELOPMENTALLY DISABLED CHILDREN/GRANTS

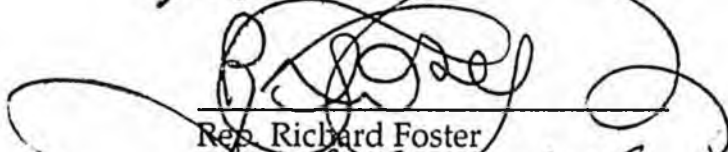
I have no objection to the waiver of this bill from a House Finance Committee hearing.

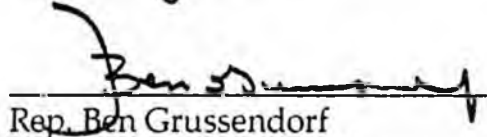

Rep. Mark Hanley

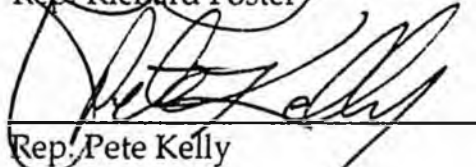

Rep. Eldon Mulder

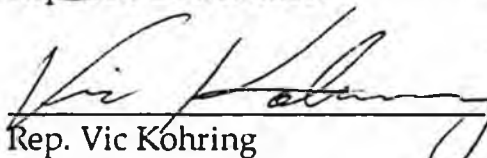

Rep. John Davies


Rep. Gary Davis

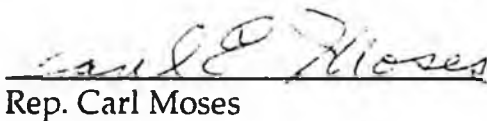

Rep. Richard Foster


Rep. Ben Grussendorf


Rep. Pete Kelly


Rep. Vic Kohring


Rep. Terry Martin


Rep. Carl Moses

Fiscal Notes: Zero fiscal note - DHSS, Infant Learning Program Grants

Recommendations from previous committee: (H)HESS 3DP 2NR



**- SB 100 - GRANT AUTHORITY FOR SERVICES FOR DEVELOPMENTALLY
DISABLED CHILDREN AND THEIR FAMILIES**

The Infant Learning Program is funded through two components in the budget.

- The Infant Learning Program (ILP) component contains \$868.6 in State General Funds and \$3603.3 in General Fund Mental Health Trust, all funds are budgeted in the grant line in the ILP component.
- \$1658.2 in U.S. Department of Education federal funds are budgeted in the Maternal Child Health component, 85% of which are in the grant and contract lines, 5% goes to the federally required Interagency Coordinating Council (Governor's Council on Disabilities and Special Education) the remaining 10 % are used administer the grants, contracts, and other direct services.

The Infant Learning Program has been funded by the Alaska legislature since FY77 and has been in continuous operation in Alaska for 20 years.

Provided by the Department of Health and Social Services

ADMINISTRATION COMMENTS - SB 100 - GRANT AUTHORITY FOR SERVICES FOR DEVELOPMENTALLY DISABLED CHILDREN AND THEIR FAMILIES

The administration supports Senate Bill 100.

Reasons for Support

SB 100 is needed because the Department of Health and Social Services has drafted revised regulations which will bring the infant learning program into compliance with federal law (Individuals with Disabilities Education Act). The revised regulations cannot be reviewed by the Department of Law until grant authority is listed in the statute:

1. SB 100 will provide grant authority in the authorizing statute for services to developmentally delayed or disabled children and their families and directs the department to put grant authority language in the regulations necessary to implement those services.
2. The legislature provides funds for the Infant Learning Program in the grants line, SB100 will make the authorizing statute consistent with this legislative intent and will allow the department to move forward with revising regulations for this program.
3. The Department of Law has requested that this change be made to the statute to clarify the language for grant authority.
4. There is no fiscal impact related to this bill.

Administration Efforts Currently Underway To Address Issues in SB 100

1. The Department of Health and Social Services has been issuing grants under the department's general grant authority and through the legislatures appropriation of funds in the grants line but cannot go forward with needed regulation revisions until the statute is updated to include grant authority.
2. The Governor's Council on Disabilities and Special Education, the Department's federally mandated advisory council for the Individuals with Disabilities Education Act has provided written support for this bill.

Provided by the Department of Health and Social Services

Lindstrom, Elmer A.

From: Diven, Mary R.
To: Lindstrom, Elmer A.
Cc: Pearson, Karen E; Muth, Pamela T; Whistler, Brad J.
Subject: 20-LS0563/A
Date: Tuesday, February 11, 1997 8:36AM

Morning Elmo,

Received a copy of the memo from Terri Lauterbach (legislative legal staff) to Sen Wilken regarding the language for the Infant Learning Program authority to issue grants.

It is fine with us to change the language to read "covered services to children eligible under this chapter and their families." The families are not eligible unless the child is, which is probably why it originally read "children eligible". If the original language is going to prevent the families from receiving services, or confuse the issue then, by all means, please change it. The intent is that the children and their families will receive services.

Let me know if you have additional questions.

↳ appears to me that the prudent thing to do would be to expand the language to be on the safe-side. I'll stop by later — have me paged thru my office if you need me quickly

Elmer

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 10, 1997

SUBJECT: Services for Developmentally Disabled Children (Work Order No. 20-LS0563\A)

TO: Senator Gary Wilken
Attn: Sheila Peterson

FROM: Terri Lauterbach 
Legislative Counsel

Enclosed is a draft of your request that would authorize a grant program relating to services for developmentally disabled children.

The material you submitted specified that the grants could be awarded for "covered services to **children** eligible under this chapter." (emphasis added) I have kept the language the same in the enclosed draft. However, I wonder if this is more narrow than intended. Under AS 47.20.080, both the child and the child's family are eligible for services and it is a family service plan that is developed under AS 47.20.090(b)(2). Do you want to include services to the families under the grant program? If so, the language in the enclosed draft should be changed.

TML:gc
97-075.glc

Enclosure

SENATE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to grant authority for services for developmentally delayed or
2 disabled children."

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

4 * **Section 1.** AS 47.20 is amended by adding a new section to read:

5 **Sec. 47.20.075. Grant authority.** The department may award grants for
6 covered services to children eligible under this chapter.

7 * **Sec. 2.** AS 47.20.110(a) is amended to read:

8 (a) The department shall adopt regulations necessary to implement this chapter,
9 including regulations

10 (1) for personnel development, including preservice and in-service
11 training programs for providers of early intervention services;

12 (2) to govern resolution of intra-agency and interagency disputes about
13 the provision of services under this chapter and the financial responsibility of the
14 respective parties for those services;

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(3) that ensure that services are provided to children and their families in a timely manner pending the resolution of disputes among public agencies or service providers;

(4) providing for due process with respect to the rights of children and parents who are eligible for services under this chapter; the regulations must provide that during the pendency of a complaint about a change in services, the child and family shall continue to receive the prior services unless the state and the family otherwise agree, or, if the complaint relates to an application for initial services, the child and family shall receive the services that are not in dispute; and

(5) for the award of grants under this chapter.



TONY KNOWLES, GOVERNOR
State of Alaska

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

P.O. Box 240249 • Anchorage, Alaska 99524-0249 • Phone: 907-269-8990 • Fax: 907-269-8995

February 25, 1997

RECEIVED

MAR 14 1997

Senate HESS Committee
Senator Gary Wilken, Chair
Room 510 State Capitol
Juneau, AK 99801-1182

Dear Senators,

The Governor's Council on Disabilities and Special Education is supporting SB 100 for "developmentally delayed or disabled children and their families." This bill will allow the Department of Health and Social Services to award grants under the Infant Learning Program (AS 47.20).

The Infant Learning Program is essential to Alaskan families because it offers services that prevent or reduce the effects of delays and disabilities for infants and toddlers. A part of our mission is to assist the State in developing a comprehensive, coordinated, and multi-disciplinary early intervention system that is seamless. SB 100 will create this seamless system for early intervention funding.

We would like to see this bill pass as law. Please remember the importance of the Infant Learning Program for Alaskan families when you are considering SB 100.

Thank you for your support of SB 100. If you have questions, please feel free to call at 269-8990.

Sincerely,

Nancy Dodge

Nancy Dodge
Chair

cc: Elmer Lindstrom, Special Asst.



TONY KNOWLES, GOVERNOR
State of Alaska

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

P.O. Box 240249 • Anchorage, Alaska 99524-0249 • Phone: 907-269-8990 • Fax: 907-269-8995

FAX COVER

TO: Sen. Wiken's DATE: 3/14/97
 office
FROM: Leannella PAGES TO FOLLOW: 1

MESSAGE: Here is the Letter of support
for SB 100 from the Council. I am
sending a hard copy in the mail.
I have faxed a letter to Sen. Sharps
office also.

FAX: 269-8995

SB 100 – Developmentally Disabled Children/Grants
(Prime Sponsor – Senate HESS Committee)

Senate Bill 100 will allow the Department of Health and Social Services (DHSS) to award grants under the Infant Learning Program (ILP). The ILP grants provide home-based therapy and education services to infants birth through 2 years of age who have moderate to severe mental or physical handicaps. The capacity for development is at its maximum during an infant's first years, thus early identification of developmental delays is critical.

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Senator Lyda Green
Senator Jerry Ward
Senator Johnny Ellis



State Capitol
Room 510
Juneau, Alaska 99801
(907) 465-3762

Senate Committee on Health, Education and Social Services

MEMORANDUM

TO: Representative Pete Kott, Chairman
House Rules Committee

FROM: Senator Gary Wilken, Chairman
Senate HESS Committee

DATE: May 6, 1997

RE: SB 100 – Developmentally Disabled Children/Grant

I respectfully request that the House Rules Committee schedule SB 100, relating to developmentally disabled children, for a floor vote as soon as possible. There is no fiscal impact with this bill.

Senate Bill 100 provides authority to the Department of Health and Social Services to award grants under the Infant Learning Program (ILP). The ILP grants offer home-based therapy and education services to infants, birth through 2 years of age, who have moderate to severe mental or physical handicaps.

Thank you very much for your consideration of this request.

Gary Wilken