

**HB**

**124**

*Adopted  
4-15-02*

22-LS0087\R  
Lauterbach  
4/3/02

**CS FOR HOUSE BILL NO. 124( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES HALCRO, Hayes, Dyson, Stevens**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act prohibiting employment by nursing facilities and assisted living homes of  
2 persons with certain criminal backgrounds and persons who fail to provide certain  
3 sworn statements about their criminal backgrounds."

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

5 \* **Section 1.** AS 18.20.302 is amended to read:

6 **Sec. 18.20.302. Criminal background check for employees.** (a) A nursing  
7 facility may not employ an individual in a paid position that the department has  
8 determined is covered by this section, according to its regulations, unless the  
9 individual, before beginning employment,

10 (1) provides to the facility a sworn statement as to whether the  
11 individual has been convicted of an offense described in (c)(1) [(c)] of this section and  
12 a sworn statement that the individual has never been convicted of an offense  
13 described in (c)(2) of this section;

14 (2) provides to the facility the results of a name-check criminal

1 background investigation that was completed by the Department of Public Safety no  
2 more than 30 days before the individual is hired; and

3 (3) submits to the facility two full sets of the individual's fingerprints.

4 (b) Within 30 days after employing an individual in a paid position, a nursing  
5 facility shall submit to the Department of Public Safety the fingerprints obtained under  
6 (a)(3) of this section. The Department of Public Safety shall submit the fingerprints to  
7 the Federal Bureau of Investigation for a national criminal history record check.  
8 When the results are received, the department shall advise the facility of

9 (1) the date on which the fingerprint background check was completed;  
10 and

11 (2) whether the check shows that the individual has committed an  
12 offense described in (c)(1) [(c)] of this section.

13 (c) A nursing facility may not hire or retain an employee

14 (1) who has been convicted of a serious offense, as defined in  
15 AS 12.62.900, or of an offense listed in the department's regulations as being an  
16 offense covered by this paragraph; or

17 (2) for whom the facility does not have on file a sworn statement  
18 by the employee that states that the employee has never been convicted of an  
19 offense in which the victim was a resident of a nursing facility or assisted living  
20 home at the time of the offense; in this paragraph, "assisted living home" means  
21 an entity required to be licensed under AS 47.33 or an entity located outside the  
22 state that would be required to be licensed under AS 47.33 if it were located  
23 inside the state [SECTION].

24 \* Sec. 2. AS 47.33.100 is amended to read:

25 Sec. 47.33.100. Criminal background check for employees. (a) An  
26 assisted living home may not employ an individual in a paid position that the  
27 applicable licensing agency has determined is covered by this section, according to its  
28 regulations, unless the individual, before beginning employment,

29 (1) provides to the home a sworn statement as to whether the  
30 individual has been convicted of an offense described in (c)(1) [(c)] of this section and  
31 a sworn statement that the individual has never been convicted of an offense

1 described in (c)(2) of this section; [AND]

2 (2) provides to the home the results of a name-check criminal  
3 background investigation that was completed by the Department of Public Safety no  
4 more than 30 days before the individual is hired; and

5 (3) submits to the home two full sets of the individual's fingerprints.

6 (b) Within 30 days after employing an individual in a paid position, an  
7 assisted living home shall submit to the Department of Public Safety the fingerprints  
8 obtained under (a)(3) of this section. The Department of Public Safety shall submit  
9 the fingerprints to the Federal Bureau of Investigation for a national criminal history  
10 record check. When the results are received, the department shall advise the home of

11 (1) the date on which the fingerprint background check was completed;  
12 and

13 (2) whether the check shows that the individual has committed an  
14 offense described in (c)(1) [(c)] of this section.

15 (c) An assisted living home may not hire or retain an employee

16 (1) who has been convicted of a serious offense, as defined in  
17 AS 12.62.900, or of an offense listed in the regulations of the applicable licensing  
18 agency as being an offense covered by this paragraph; or

19 (2) for whom the facility does not have on file a sworn statement  
20 by the employee that states that the employee has never been convicted of an  
21 offense in which the victim was a resident of a nursing facility or assisted living  
22 home at the time of the offense; in this paragraph,

23 (A) "assisted living home" means an entity required to be  
24 licensed under this chapter or an entity located outside the state that  
25 would be required to be licensed under this chapter if it were located  
26 inside the state;

27 (B) "nursing facility" has the meaning given in  
28 AS 18.20.390 [SECTION].

22-LS0087\B  
Lauterbach  
1/25/02

**CS FOR HOUSE BILL NO. 124( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES HALCRO, Hayes, Dyson, Stevens**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act prohibiting employment by nursing facilities and assisted living homes of  
2 persons with certain criminal backgrounds."

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

4 \* Section 1. AS 18.20.302(c) is amended to read:

5 (c) A nursing facility may not hire or retain an employee who has been  
6 convicted of

7 (1) a serious offense, as defined in AS 12.62.900;

8 (2) an offense in which the victim was a resident of a nursing  
9 facility or assisted living home at the time of the offense; in this paragraph,  
10 "assisted living home" means an entity required to be licensed under AS 47.33 or  
11 an entity located outside the state that would be required to be licensed under  
12 AS 47.33 if it were located inside the state; or

13 (3) an offense listed in the department's regulations as being an offense  
14 covered by this section.

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\* Sec. 2. AS 47.33.100(c) is amended to read:

(c) An assisted living home may not hire or retain an employee who has been convicted of

(1) a serious offense, as defined in AS 12.62.900;

(2) an offense in which the victim was a resident of a nursing facility or assisted living home at the time of the offense; in this paragraph,

(A) "assisted living home" means an entity required to be licensed under this chapter or an entity located outside the state that would be required to be licensed under this chapter if it were located in the state;

(B) "nursing facility" has the meaning given in AS 18.20.390; or

(3) an offense listed in the regulations of the applicable licensing agency as being an offense covered by this section.

## HB 124 (JUD)

"An Act prohibiting employment by nursing facilities and assisted living homes of persons with certain criminal backgrounds."

### Sectional Analysis

#### \*Section 1 - AS 18.20.302

a(1) States that employees must provide a sworn statement in accordance with c(1) and c(2) of this section.

In addition to regulations adopted by the department, the bill adds the crime of *serious offense in c(1)*. Serious offense is defined in AS 12.62.900 which includes:

- A felony offense
- A crime involving Domestic Violence
- Sexual Assault
- Sexual Abuse of a Minor
- Incest
- Unlawful Exploitation of a Minor
- Indecent Exposure
- Contributing to the Delinquency of a Minor
- Distribution of Child Pornography
- Prostitution
- Assault with the Intent to Commit Rape

A sworn statement needed for c(2) requires that the offense is a crime in which the victim was a resident of an assisted-living home facility or a nursing facility at the time of the offense.

#### \*Section 2 – AS 47.33.100 (c)

This section mirrors the barrier crimes set forth in Section 1 for inclusion in the portion of statute pertaining to *assisted living homes*.

# ALASKA STATE LEGISLATURE

**CHAIR**  
TRANSPORTATION

**VICE-CHAIR**  
LABOR AND COMMERCE

**MEMBER**  
COMMUNITY AND REGIONAL AFFAIRS

**SPECIAL COMMITTEE**  
ECONOMIC DEVELOPMENT AND TOURISM



**REPRESENTATIVE ANDREW HALCRO**  
District 12

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## HB 124 (JUD)

### Sponsor Statement

**"An Act prohibiting employment by nursing facilities and assisted living homes of persons with certain criminal backgrounds."**

The welfare of our senior citizens and vulnerable adults must be a principal concern for all Alaskans. As the state sees the continued utilization of the Pioneer's Homes and other elder care facilities as a safe haven for our elder population, we need to be proactive to insure the safety of our most revered residents.

Due to the disability or immobility of some residents, they are at risk of falling victim to crimes of physical abuse and exploitation. House Bill 124 aims to decrease this risk by limiting the access of those who have exhibited a serious criminal history or those who have historically proved themselves a risk to vulnerable residents.

HB 124 implements statutory restrictions on employment for those persons having been convicted of serious offenses as defined by law, as well as any wrongdoing in which the victim was a resident of a nursing facility at the time of the offense. HB 124 offers extended protections to residents of both nursing facilities and assisted living homes throughout the state.

Alaska's elderly are deserving of our respect, appreciation, and protection. We, as a society, must work to guarantee their safety and well being. Due to the immobility and frail nature of some residents, the state must act on their behalf to ensure this security. House Bill 124 makes critical strides in creating the safeguards to make this protection possible.

I encourage your positive support of House Bill 124.

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CS HB 124 (HES)  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title Nursing Home/Assisted Living BRU Central Administrative Services  
Home Employees/Visitor Component Protection, Community Services  
 Sponsor HALCRO, Hayes, Dyson, Stevens Administration  
 Requester (H) JUD Component No. 2083

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

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	46.8	46.8	46.8	46.8	46.8	46.8
Travel						
Contractual	6.8	6.8	6.8	6.8	6.8	6.8
Supplies	2.1	0.0	0.0	0.0	0.0	0.0
Equipment	2.0	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>57.7</b>	<b>53.6</b>	<b>53.6</b>	<b>53.6</b>	<b>53.6</b>	<b>53.6</b>

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	57.7	53.6	53.6	53.6	53.6	53.6
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>57.7</b>	<b>53.6</b>	<b>53.6</b>	<b>53.6</b>	<b>53.6</b>	<b>53.6</b>

Estimate of any current year (FY2002) cost: \_\_\_\_\_

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time	1	1	1	1	1	1
Temporary						

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

This bill would require extensive research to determine whether an offense involved a victim who was a resident of a nursing home or an assisted living home. Criminal background reports do not give this information. It would be necessary to get a copy of the police report or some other document either in-state or out-of-state. Because of the complexity of the research and the interpretation needed by the worker reviewing the information, one part-time professional position Range 16 would be required to meet this requirement. At 30 hours a week this position would cost 46.8 in salary and benefits, 10.9 in support costs. Senior Services currently licenses 138 assisted living homes that require criminal background checks of their employees and administrators.

Prepared by: Dwight Becker, Program Coordinator  
 Division: Senior Services  
 Approved by: Jim Duncan, Commissioner  
 Agency: Department of Administration

Phone 907-269-3674  
 Date/Time 3/22/02 2:08 PM  
 Date 3/22/2001

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
Bill Version: CS HB 124 (HES)  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Health & Social Services  
Title: BACKGROUND CHECKS FOR EMPLOYEES OF NURSING BRU: Institutions & Administration  
HOMES & ASSISTED LIVING HOMES Component: Mental Health/DD Admin  
Sponsor: HALCRO  
Requestor: HOUSE (JUD) Component Number: 310

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

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	25.5	25.5	25.5	25.5	25.5	25.5
Travel						
Contractual	6.8	6.8	6.8	6.8	6.8	6.8
Supplies	2.1	2.1	2.1	2.1	2.1	2.1
Equipment	2.0					
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>36.4</b>	<b>34.4</b>	<b>34.4</b>	<b>34.4</b>	<b>34.4</b>	<b>34.4</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( 0 )</b>						
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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	36.4	34.4	34.4	34.4	34.4	34.4
Othe (Specify Type--do not abbrevia						
<b>TOTAL</b>	<b>36.4</b>	<b>34.4</b>	<b>34.4</b>	<b>34.4</b>	<b>34.4</b>	<b>34.4</b>

Estimate of any current year (FY2002) cost: \_\_\_\_\_

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time	1	1	1	1	1	
Temporary						1

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

This bill amends AS 18.20.302 and AS 47.33.100, sections dealing with criminal background checks for employees of nursing facility and assisted living homes. The bill stipulates that no one may be hired if previously convicted of an offense in which the victim was a resident of a nursing facility or assisted living home at the time of the offense. Since customary background checks do not include confidential information about the victims of crimes, this information could only be obtained through police reports, either in-state or out-of-state. The research process would be complex and labor intensive, requiring a part-time range 16 professional position. At 20 hours per week such a position would costs \$25.5 in salary and benefits, with approximately \$10.9 in support costs.

Prepared by: Sarah Brinkley, Admin. Manager Phone 465-3167  
Division: Mental Health & DD Date/Time 03/22/2002  
Approved by: Elmer A. Lindstrom, Deputy Commissioner Date 03/25/2002  
Agency: Department of Health & Social Services

For distribution information, call the Governor's Legislative Office

Current Statutes - DOA

**Sec. 18.20.302. Criminal background check for employees.**

(a) A nursing facility may not employ an individual in a paid position that the department has determined is covered by this section, according to its regulations, unless the individual, before beginning employment,

(1) provides to the facility a sworn statement as to whether the individual has been convicted of an offense described in (c) of this section;

(2) provides to the facility the results of a name-check criminal background investigation that was completed by the Department of Public Safety no more than 30 days before the individual is hired; and

(3) submits to the facility two full sets of the individual's fingerprints.

(b) Within 30 days after employing an individual in a paid position, a nursing facility shall submit to the Department of Public Safety the fingerprints obtained under (a)(3) of this section. The Department of Public Safety shall submit the fingerprints to the Federal Bureau of Investigation for a national criminal history record check. When the results are received, the department shall advise the facility of

(1) the date on which the fingerprint background check was completed; and

(2) whether the check shows that the individual has committed an offense described in (c) of this section.

(c) A nursing facility may not hire or retain an employee who has been convicted of an offense listed in the department's regulations as being an offense covered by this section.

Current Statutes - HESS

**Sec. 47.33.100. Criminal background check for employees.**

(a) An assisted living home may not employ an individual in a paid position that the applicable licensing agency has determined is covered by this section, according to its regulations, unless the individual, before beginning employment,

(1) provides to the home a sworn statement as to whether the individual has been convicted of an offense described in (c) of this section; and

(2) provides to the home the results of a name-check criminal background investigation that was completed by the Department of Public Safety no more than 30 days before the individual is hired; and

(3) submits to the home two full sets of the individual's fingerprints.

(b) Within 30 days after employing an individual in a paid position, an assisted living home shall submit to the Department of Public Safety the fingerprints obtained under (a)(3) of this section. The Department of Public Safety shall submit the fingerprints to the Federal Bureau of Investigation for a national criminal history record check. When the results are received, the department shall advise the home of

(1) the date on which the fingerprint background check was completed; and

(2) whether the check shows that the individual has committed an offense described in (c) of this section.

(c) An assisted living home may not hire or retain an employee who has been convicted of an offense listed in the regulations of the applicable licensing agency as being an offense covered by this section.

**ALASKA DEPARTMENT OF ADMINISTRATION  
AND  
ALASKA DEPARTMENT OF HEALTH & SOCIAL SERVICES**



**BARRIER CRIMES**

**BARRING EMPLOYMENT  
IN AN ASSISTED LIVING HOME**

Under the Assisted Living Homes statutes (AS 47.33), AS 47.33.100 prohibits an assisted living home from hiring or retaining a person who has been convicted of one or more crimes listed in 7 AAC 75.215. This statute requires a person applying for a job at an assisted living home to provide (1) a sworn statement regarding whether they have been convicted of one or more of these crimes, (2) the results of a name-check criminal background investigation that was completed by the Department of Public Safety within 30 days before hiring, and (3) two full sets of fingerprints. The statute requires the assisted living home to submit the fingerprints to the Department of Public Safety within 30 days after employing a person for an FBI national criminal history record check.

To help assisted living homes comply with AS 47.33.100 and 7 AAC 75.215, the pertinent crimes are listed in this document under the categories of absolute barrier crimes, 10-year barrier crimes, 5-year barrier crimes, and 2-year barrier crimes.

If an assisted living home learns that a person applying for a job at the home has been convicted of a barrier crime, the statute and the regulation prohibit the home from hiring that person if it is an absolute barrier crime or if the appropriate amount of time has not passed on the other listed crimes. If an assisted living home learns that an employee of the home has been convicted of a crime listed in 7 AAC 75.215 before, on, or after September 28, 2001, the statute and the regulation prohibit the home from retaining that person if it is an absolute barrier crime or if the appropriate amount of time has not passed on the other listed crimes. (The only exception is a conviction of an offense committed before August 20, 1996 by an employee hired before August 20, 1996.)

AS 47.33.100 and 7 AAC 75.215 take precedence over this document. Failure to list a crime covered by AS 47.33.100 and 7 AAC 75.215 in this document does not in any way change the force and effect of AS 47.33.100 and 7 AAC 75.215.

## **ABSOLUTE BARRIER CRIMES**

### **UNCLASSIFIED FELONIES (ABSOLUTE BARRIER)**

**AS 11.31.100 – Attempt [to commit a crime] (if the crime attempted is murder in the first degree)**

**AS 11.31.110 – Solicitation [to commit a crime] (if the crime solicited is murder in the first degree)**

**AS 11.31.120 – Conspiracy (if the object of the conspiracy is murder in the first degree)**

**AS 11.41.100 - Murder in the first degree**

**AS 11.41.110 - Murder in the second degree**

**AS 11.41.300 – Kidnapping (unless reduced to a Class A felony as described below)**

**AS 11.41.410 - Sexual assault in the first degree**

**AS 11.41.434 - Sexual abuse of a minor in the first degree**

**AS 11.71.010 - Misconduct involving a controlled substance in the first degree**

## **ABSOLUTE BARRIER CRIMES (continued)**

### **CLASS A FELONIES<sup>1</sup> (ABSOLUTE BARRIER)**

**AS 11.31.100 – Attempt [to commit a crime]** (If the crime attempted is an unclassified felony other than murder in the first degree, or if the crime attempted is an unclassified crime described in state law other than AS 11 and is punishable by an indeterminate or life term.)

**AS 11.31.110 – Solicitation [to commit a crime]** (If the crime solicited is an unclassified felony other than murder in the first degree, or if the crime solicited is an unclassified crime described in state law other than AS 11 and is punishable by an indeterminate or life term.)

**AS 11.31.120 – Conspiracy** (If the object of the conspiracy is a crime punishable as an unclassified felony other than murder in the first degree)

**AS 11.41.120 - Manslaughter**

**AS 11.41.200 - Assault in the first degree**

**AS 11.41.300 – Kidnapping (if reduced from an unclassified felony)**  
(If the defendant voluntarily caused the release of the victim alive in a safe place before arrest, or within 24 hours after arrest, without having caused serious physical injury to the victim and without having engaged in certain other conduct)

**AS 11.41.500 - Robbery in the first degree**

**AS 11.46.400 - Arson in the first degree**

**AS 11.56.300 - Escape in the first degree**

**AS 11.61.190. Misconduct involving weapons in the first degree**

**AS 11.61.240 - Criminal possession of explosives** (If the crime intended is murder in any degree or kidnapping)

**AS 11.66.110(a)(2) - Promoting prostitution in the first degree**

**AS 11.71.020 - Misconduct involving a controlled substance in the second degree**

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<sup>1</sup> Class A felonies characteristically involve conduct resulting in serious physical injury or a substantial risk of serious physical injury to a person.

**ABSOLUTE BARRIER CRIMES (continued)**

**CLASS B FELONIES<sup>2</sup>**  
(ABSOLUTE BARRIER)

- AS 11.41.130. Criminally negligent homicide**
- AS 11.41.210. Assault in the second degree**
- AS 11.41.420. Sexual assault in the second degree**
- AS 11.41.436. Sexual abuse of a minor in the second degree**
- AS 11.41.455. Unlawful exploitation of a minor**
- AS 11.41.510. Robbery in the second degree**
- AS 11.41.520. Extortion**
- AS 11.46.410. Arson in the second degree**

**CLASS C FELONIES<sup>3</sup>**  
(ABSOLUTE BARRIER)

[Some are listed under "Offenses Against the Family and Vulnerable Adults"  
and "Other Absolute Barrier Crimes" in this document]

- AS 11.41.220. Assault in the third degree**
- AS 11.41.260. Stalking in the first degree**
- AS 11.41.320. Custodial interference in the first degree**
- AS 11.41.425. Sexual assault in the third degree**
- AS 11.41.438. Sexual abuse of a minor in the third degree**
- AS 11.41.450. Incest**
- AS 11.41.458. Indecent exposure in the first degree**
- AS 11.41.530. Coercion**

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<sup>2</sup> Class B felonies characteristically involve conduct resulting in less severe violence against a person than class A felonies, aggravated offenses against property interests, or aggravated offenses against public administration or order.

<sup>3</sup> Class C felonies characteristically involve conduct serious enough to deserve felony classification but not serious enough to be classified as A or B felonies.

## **ABSOLUTE BARRIER CRIMES (continued)**

### **OFFENSES AGAINST FAMILY AND VULNERABLE ADULTS (ABSOLUTE BARRIER)**

**AS 11.51.100. Endangering the welfare of a child in the first degree** (Classified as a class B felony, a class C felony, or a class A misdemeanor, depending on circumstances of the crime)

**AS 11.51.200. Endangering the welfare of a vulnerable adult in the first degree** (A class C felony)

**AS 11.51.210. Endangering the welfare of a vulnerable adult in the second degree** (A class A misdemeanor)

### **OTHER ABSOLUTE BARRIER CRIMES**

**AS 11.56.840. failure to register as a sex offender or kidnapper in the second degree** (A Class A misdemeanor)

**AS 11.61.123. Indecent viewing or photography** (if the person viewed or shown in a picture was, at the time of the viewing or production of the picture, a minor; a Class C felony)

**AS 11.61.127. Possession of child pornography** (A Class C felony)

**AS 11.61.125. Distribution of child pornography** (A Class B felony)

**AS 11.61.130. Misconduct involving a corpse** (A Class A misdemeanor)

## **ABSOLUTE BARRIER CRIMES (continued)**

### **SEX OFFENSES (ABSOLUTE BARRIER)**

[NOTE: Some of the crimes described in this definition are already listed elsewhere as absolute barrier crimes.] Under AS 12.63.100(6), "sex offense" means

(A) a crime under AS 11.41.100(a)(3) [Murder in the First Degree], or a similar law of another jurisdiction, in which the person committed or attempted to commit a sexual offense, or a similar offense under the laws of the other jurisdiction; in this subparagraph, "sexual offense" has the meaning given in AS 11.41.100 (a)(3) [AS 11.41.100 (a)(3) states: "acting alone or with one or more persons, the person commits or attempts to commit a sexual offense against or kidnapping of a child under 16 years of age and, in the course of or in furtherance of the offense or in immediate flight from that offense, any person causes the death of the child; in this paragraph, "sexual offense" means an offense defined in AS 11.41.410 - 11.41.470];

(B) a crime under AS 11.41.110(a)(3) [Murder in the Second Degree], or a similar law of another jurisdiction, in which the person committed or attempted to commit one of the following crimes, or a similar law of another jurisdiction:

- (i) sexual assault in the first degree;
- (ii) sexual assault in the second degree;
- (iii) sexual abuse of a minor in the first degree; or
- (iv) sexual abuse of a minor in the second degree;

(C) a crime, or an attempt, solicitation, or conspiracy to commit a crime, under the following statutes or a similar law of another jurisdiction:

- (i) AS 11.41.410 - 11.41.438 [Sexual assault in the first degree, Sexual assault in the second degree, Sexual assault in the third degree, Sexual assault in the fourth degree, Sexual assault in the third degree, Sexual abuse of a minor in the first degree, Sexual abuse of a minor in the second degree, Sexual abuse of a minor in the third degree];
- (ii) AS 11.41.440 (a)(2) [Sexual abuse of a minor in the fourth degree, if "being 18 years of age or older, the offender engages in sexual contact with a person who is 16 or 17 years of age and at least three years younger than the offender, and the offender occupies a position of authority in relation to the victim"];
- (iii) AS 11.41.450 - 11.41.458 [Incest, Unlawful exploitation of a minor, Indecent exposure in the first degree];
- (iv) AS 11.41.460 [Indecent exposure in the second degree] if the indecent exposure is before a person under 16 years of age and the offender has a previous conviction for that offense;
- (v) AS 11.61.125 or 11.61.127 [Distribution of child pornography, Possession of child pornography];
- (vi) AS 11.66.110 or 11.66.130(a)(2) [Promoting prostitution in the first degree or Promoting prostitution in the third degree ((2) as other than a patron of a prostitute, induces or causes a person 16 years of age or older to engage in prostitution)] if the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense; or
- (vii) former AS 11.15.120, former 11.15.134, or assault with the intent to commit rape under former AS 11.15.160, former AS 11.40.110, or former 11.40.200."

## **10-YEAR BARRIER CRIMES**

### **CLASS B FELONIES**

(10-YEAR BARRIER)

- AS 23.30.255. Penalty for failure to pay compensation [to an employee or an employee's dependents] (if the amount involved is more than \$25,000)**
- AS 11.31.100 – Attempt to commit a crime (if the crime attempted is a class A felony)**
- AS 11.31.110 – Solicitation to commit a crime (if crime solicited is a class A felony)**
- AS 11.31.120 – Conspiracy (if the object of the conspiracy is a crime punishable as a class A felony)**
- AS 11.46.120. Theft in the first degree**
- AS 11.46.280. Issuing a bad check (if check is for \$25,000 or more)**
- AS 11.46.285. Fraudulent use of an access device (if the value is \$25,000 or more)**
- AS 11.46.300. Burglary in the first degree**
- AS 11.46.480. Criminal mischief in the first degree**
- AS 11.46.500. Forgery in the first degree**
- AS 11.46.565. Criminal impersonation in the first degree**
- AS 11.46.600. Scheme to defraud**
- AS 11.46.730. Defrauding creditors (if the loss is \$25,000 or more)**
- AS 11.56.100. Bribery**
- AS 11.56.110. Receiving a bribe**
- AS 11.56.200. Perjury**
- AS 11.56.310. Escape in the second degree**
- AS 11.56.510. Interference with official proceedings**
- AS 11.56.520. Receiving a bribe by a witness or juror**
- AS 11.61.195. Misconduct involving weapons in the second degree**
- AS 11.61.240. Criminal possession of explosives (if intended crime a class A felony)**

## **10-YEAR BARRIER CRIMES (continued)**

### **CLASS B FELONIES (continued)**

**AS 11.66.110. Promoting prostitution in the first degree (unless classified as a Class A felony)**

**AS 11.71.030. Misconduct involving a controlled substance in the third degree**

**AS 11.73.030. Delivery of an imitation controlled substance to a minor**

**AS 21.36.360. Fraudulent or criminal insurance acts (some subsections are class B felonies and some are class C felonies, depending on circumstances)**

## **5-YEAR BARRIER CRIMES**

### **CLASS C FELONIES<sup>4</sup>** (5-YEAR BARRIER)

**AS 11.31.100 – Attempt to commit a crime (if the crime attempted is a class B felony)**

**AS 11.31.110 – Solicitation to commit a crime (if crime solicited is a class B felony)**

**AS 11.31.120 – Conspiracy (if the object of the conspiracy is a crime punishable as a class B felony)**

**AS 11.46.130. Theft in the second degree**

**AS 11.46.220. Concealment of merchandise (if the merchandise is a firearm, or the value of the merchandise is \$500 or more, or the person has been previously convicted and sentenced on two or more separate occasions for same crime)**

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<sup>4</sup> A felony under Alaska law defined outside AS 11 for which no penalty is specifically provided is a class C felony, but we'll have to check with Law to find out whether they should be absolute barrier crimes.

## **5-YEAR BARRIER CRIMES (continued)**

### **CLASS C FELONIES (continued)**

**AS 11.46.260. Removal of identification marks** (if the value of the property on which the serial number or identification mark appeared is \$500 or more)

**AS 11.46.270. Unlawful possession** (if the value of the property on which the serial number or identification mark appeared is \$500 or more)

**AS 11.46.280. Issuing a bad check** (if the face amount of the check is \$500 or more but less than \$25,000)

**AS 11.46.285. Fraudulent use of an access device** (if value is \$500 or more but less than \$25,000)

**AS 11.46.310. Burglary in the second degree**

**AS 11.46.360. Vehicle theft in the first degree**

**AS 11.46.482. Criminal mischief in the second degree**

**AS 11.46.505. Forgery in the second degree**

**AS 11.46.520. Criminal possession of a forgery device**

**AS 11.46.520. Criminal possession of a forgery device** (if value is \$500 or more)

**AS 11.46.530. Criminal simulation** (if value is \$500 or more)

**AS 11.46.550. Offering a false instrument for recording in the first degree** (if the value of the property misapplied is \$500 or more)

**AS 11.46.620. Misapplication of property** (if value is \$500 or more)

**AS 11.46.630. Falsifying business records**

**AS 11.46.660. Commercial bribe receiving**

**AS 11.46.670. Commercial bribery**

**AS 11.46.710. Deceptive business practices** (felony if the person uses the Internet or a computer network to commit the offense)

**5-YEAR BARRIER CRIMES (continued)**

**CLASS C FELONIES (continued)**

**AS 11.46.730. Defrauding creditors (if the loss is \$500 or more but less than \$25,000)**

**AS 11.46.740. Criminal use of computer**

**AS 11.56.230. Perjury by inconsistent statements**

**AS 11.56.320. Escape in the third degree**

**AS 11.56.370. Permitting an escape**

**AS 11.56.375. Promoting contraband in the first degree**

**AS 11.56.540. Tampering with a witness in the first degree**

**AS 11.56.590. Jury tampering**

**AS 11.56.600. Misconduct by a juror**

**AS 11.56.610. Tampering with physical evidence**

**AS 11.56.705. Harming a police dog in the first degree**

**AS 11.56.770. Hindering prosecution in the first degree**

**AS 11.56.810. Terroristic threatening**

**AS 11.56.815. Tampering with public records in the first degree**

**AS 11.56.835. Failure to register as a sex offender or child kidnapper in the first degree**

**AS 11.61.100. Riot**

**AS 11.61.145. Promoting an exhibition of fighting animals (if the person (1) owns, possesses, keeps, or trains an animal with intent that it be engaged in an exhibition of fighting animals; or (2) instigates, promotes, or has a pecuniary interest in an exhibition of fighting animals)**

**5-YEAR BARRIER CRIMES (continued)**

**CLASS C FELONIES (continued)**

**AS 11.61.160. Recruiting a gang member in the first degree**

**AS 11.61.200. Misconduct involving weapons in the third degree**

**AS 11.61.240. Criminal possession of explosives (if intended crime is a class B felony)**

**AS 11.61.250. Unlawful furnishing of explosives**

**AS 11.66.120. Promoting prostitution in the second degree**

**AS 11.66.210. Promoting gambling in the first degree**

**AS 11.66.230. Possession of gambling records in the first degree**

**AS 11.71.040. Misconduct involving a controlled substance in the fourth degree**

**AS 11.71.040. Misconduct involving a controlled substance in the fourth degree (Except as provided in AS 11.73.030)**

**AS 11.73.010. Manufacture or delivery of an imitation controlled substance**

**AS 11.73.020. Possession of substance with intent to manufacture**

**AS 11.73.040. Advertisement to promote the delivery of an imitation controlled substance**

**AS 28.35.030(n). Operating a vehicle, aircraft or watercraft while intoxicated (If the person convicted of driving while intoxicated has been previously convicted two or more times within the previous five years)**

## 2-YEAR BARRIER CRIMES

### OTHER CRIMES INVOLVING DOMESTIC VIOLENCE<sup>5</sup>

(2-YEAR BARRIER)

AS 11.46.320. Criminal trespass in the first degree (A class A misdemeanor)

AS 11.46.330. Criminal trespass in the second degree (A class B misdemeanor)<sup>6</sup>

AS 11.46.430. Criminally negligent burning (A class A misdemeanor)

AS 11.46.484. Criminal mischief in the third degree (A class A misdemeanor)

AS 11.46.486. Criminal mischief in the fourth degree (A class B misdemeanor)

AS 11.56.740. Violating a protective order (A class A misdemeanor)

AS 11.61.120(a)(2)-(4). Harassment (A class B misdemeanor)

### MISCELLANEOUS FELONIES

(2-YEAR BARRIER)

AS 47.30.815. Limitation of liability; bad faith application a felony.

(Wilful initiation of an involuntary civil commitment procedure without having good cause)

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<sup>5</sup> Some crimes of domestic violence are listed elsewhere in this document: crimes against the person, burglary, arson, and terroristic threatening.

<sup>6</sup> A class B misdemeanor characteristically involves a minor risk of physical injury to a person, minor offenses against property interests, minor offenses against public administration or order, or minor offenses against public health and decency.

**ADDITIONAL INFORMATION AND DEFINITIONS OF TERMS  
USED IN THIS DOCUMENT AND IN THE REGULATIONS**

For the purpose of determining if a person is convicted of a single offense or of multiple offenses, the provisions of AS 12.55.145(a)(1)(C) apply. That law states:

"Two or more convictions arising out of a single, continuous criminal episode during which there was no substantial change in the nature of the criminal objective are considered a single conviction unless the defendant was sentenced to consecutive sentences for the crimes; offenses committed while attempting to escape or avoid detection or apprehension after the commission of another offense are not part of the same criminal episode or objective."

The term "conviction" has the meaning given in 13 AAC 09.900, which refers to AS 12.63.100, which states:

"conviction" means that an adult, or a juvenile charged as an adult under AS 47.12 or a similar procedure in another jurisdiction, has entered a plea of guilty, guilty but mentally ill, or nolo contendere, or has been found guilty or guilty but mentally ill by a court or jury, of a sex offense or child kidnapping regardless of whether the judgment was set aside under AS 12.55.085 or a similar procedure in another jurisdiction or was the subject of a pardon or other executive clemency; "conviction" does not include a judgment that has been reversed or vacated by a court.

The term "crime involving domestic violence" has the meaning given in AS 18.66.990, which states:

"crime involving domestic violence" means one or more of the following offenses or an offense under a law or ordinance of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a household member against another household member:

- (A) a crime against the person under AS 11.41;
- (B) burglary under AS 11.46.300 - 11.46.310;
- (C) criminal trespass under AS 11.46.320 - 11.46.330;
- (D) arson or criminally negligent burning under AS 11.46.400 - 11.46.430;
- (E) criminal mischief under AS 11.46.480 - 11.46.486;
- (F) terroristic threatening under AS 11.56.810 ;
- (G) violating a domestic violence order under AS 11.56.740 ; or
- (H) harassment under AS 11.61.120 (a)(2) - (4);"

The term "unconditional discharge" has the meaning given in AS 12.55.185, which states: "unconditional discharge" means that a defendant is released from all disability arising under a sentence, including probation and parole."

TESTIMONY OF RICA N. SWANSON

RE: HB-124

Hearing April 15, 2002

Dear Committee Members:

My name is Rica Swanson, I am 97 years young and a 94-year resident of the State of Alaska. I was raised in Douglas, Alaska from 1908 until I left for college. I returned to teach school around the state and was first teacher in Wasilla where I met my husband to be. I was a violinist and one of the founders of the Anchorage Symphony Orchestra. I was married to the same man for 67 years, the last five years spent in the Pioneer Homes, first in Sitka and the last 3-1/2 years in Anchorage. I can attest that my husband was a fine and gentle man.

I urge the passage of HB-124. There are some very critical needs that are not being met in the Anchorage Pioneer Home, speaking as former resident of the home in the residential section of the PH for five years until my husband untimely death. **My husband died under suspicious circumstances, covered with bruises. The investigation conducted by the OLTCO was never able to rule out abuse.**

I was witness to the lack of care and responsiveness in the Comprehensive Care Unit that started when the Pioneer Homes changed their licensing from Nursing to Assisted Living and this care continued to diminish until my husband's death. There is limited activities for anyone in the home but virtually non-existent in the comprehensive care unit, physical therapy became a token gesture, bathing of the residents on this floor was limited, call bells rang incessantly without being answered timely and if I personally did not go up and feed my husband lunch and dinner he would not have been fed. The staffing was low on weekdays, but almost non-existent on weekends. There are many problems with the Anchorage Pioneer Home, but probably none so grievous as **the home being allowed to hire individuals that have been convicted of felony crimes.**

After my husband's death, I was extremely frightened to stay at APH, so I left the Pioneer Home and moved in with my daughter. I am fortunate that I have someone who cares about my health and safety and I am fortunate that I still have my health.

I can attest that many times during last years' of his life, my husband, made comments like "Monima, lets get out of here, they hurt me - Let's go home".

My poor husband had to die in terror, unable to protect himself. **For the health, welfare and safety of ALL the residents of nursing and assisted living homes I urge you to pass HB 124.**

Thank you.

Rica Swanson  
Former Anchorage Pioneer Home Resident  
8821 Emerald St.  
Anchorage, Alaska 99502  
(907) 248-1720

April 15, 2002

**TESTIMONY of AILEEN HERRING  
BARRIER CRIMES  
HB124**

Committee Members:

My name is Aileen Herring. I want to thank the committee for the opportunity to testify on this critical piece of legislation. As Vice-President of the citizen advocacy group for the elderly, CARING, I ask for your support of HB124. I believe that HB124 will provide added protection to the vulnerable elderly adult living in a nursing and assisted living homes from predators working as caregivers. My late father, Frank Y. Swanson, was a resident of the Sitka and Anchorage Pioneer Homes for five years.

Currently there is no law to prohibit nursing and assisted living homes from employing individuals with criminal backgrounds. The 1999 Legislative audit listed four individuals employed by the Pioneer Homes that had been convicted of sexual assault. Logic would tell us that we would not want our children cared for by individuals with convictions of theft, rape, pedophilia or abuse, why don't we offer the same protection to the vulnerable elderly adult. HB124 should not place any additional financial burden on the State, and would help insure that the rights and safety of the residents would be protected. The risk to the vulnerable adults would be greatly reduced if known abusers and felons were not made the caretakers and retention of an employee after discovery of serious convictions is positively absurd.

I have a very personal interest in HB 124 being passed and implemented so that the frail and vulnerable residents in nursing and assisted living homes who often have no voice in their care are assured a safe environment in their declining years. My father died under suspicious circumstances at APH and the suspected caregiver is still employed as a caregiver. HB 124 is a valuable tool for nursing home and assisted living home administrators, it gives them permission to review the criminal convictions of new employees as well as current employees who may have been employed before background checks were mandatory and the ability to terminate these employee. This bill takes a huge step toward protecting residents of nursing homes and assisted living homes.

I want to thank Representative Halcro and Dyson for all their hard work, concern and compassion of the elder issues. One of the most important things a compassionate society does is value the elderly and protect their dignity. We are not living up to that obligation. The motto should be - **Any crime against the elderly in a nursing or assisted living home is unacceptable.**

I urge you to pass HB124.

Sincerely,

Aileen Herring, Vice-President  
CARING  
Daughter of Deceased APH Resident  
8821 Emerald Dr.  
Anchorage, Alaska 99502  
(907) 248-1720

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

March 14, 2001

TESTIMONY  
HB124

As a board member of the advocacy group, CARING and as President of the Anchorage Northside Pioneers Home Family Council and as a family member of a pioneer home resident that was beaten at the pioneer home and who died the following day I have a very personal interest in HB 124 being passed and implemented so that the frail and vulnerable residents in assisted living homes are assured a safe environment in their declining years.

If you have never had to place a loved one in the care of others, then it is impossible to relate to how it feels to lose a parent to abuse and neglect unless you have been through the experience. The loss of a parent or loved one in a long term care facility because of abuse and neglect is just not an acceptable and the inability to change the system that created the injury and the inability to protect the other residents in these facility leads to frustration. The family member that placed the resident in the home carries a burden of guilt forever. My father was totally dependent on his caregivers. It is not acceptable to employ caregivers or continue to employ caregivers that have a history of abusive or criminal behavior that place the resident at risk. This is a preventable offense.

It is imperative that the residents of nursing facilities or assisted living facilities are protected and not put in jeopardy by having a care-giver that has been convicted of a crime against a resident of a nursing home or assisted living home or convicted of a felony. The elderly, frail and vulnerable resident of any nursing or assisted living home needs to be assured that they are offered the best care and protection that can possibly be provided.

LEGISLATIVE  
Audit

The summary of State of Alaska Legislative Audit #02-4591-00 report conclusions dated October 8, 1999, states "we also found that the Pioneers' Home employs several sex offenders. Again, the risks to the residents, staff, and the State have not been assessed."

Under the findings and recommendations of this audit: "(2) The Commissioners of the Departments of Administration and Health and Social Service should adopt regulations to prohibit employment of certain criminals in assisted living homes."

It is our moral obligation to care for the elderly so that they live out their lives with dignity, comfort and safety. Let the State of Alaska set the bench-mark for the care of the elderly - I urge the passage of HB124.

Sincerely,  
*Aileen Herring*  
Aileen Herring, Secretary Treasurer  
CARING  
8821 Emerald Dr.  
Anchorage, Alaska 99502  
(907) 248-1720

Post-It® Fax Note	7671	Date	3-14-01	# of pages	3
To	<i>Kerrin Hard</i>	From	<i>Aileen Herring</i>		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	<i>907-465-2418</i>	Fax #			

# ACMHSA

**Alaska Community Mental Health  
Services Association  
3050 Fifth Avenue  
Ketchikan, Alaska 99901**

---

March 26, 2001

Representative Andrew Halcro  
Capitol Room 414  
Juneau, Alaska 99811

Re: CSHB 124

Dear Representative Halcro,

The Alaska Community Mental Health Services Association (ACMHSA) supports the HESS committee substitute of your legislation HB 124 regarding assisted living homes.

ACMHSA is a statewide association representing all of the non-profit mental health providers in the state. We support this legislation and commend your leadership with this important mental health issue.

Sincerely,



Ron Adler  
President

---

Ron Adler, Chair  
Brenda Knapp, Treasurer

Pete Braveman, Vice Chair  
At-Large: Bill Hogan, Doug Veit

Diana Strzok, Secretary

---

Phone: (907) 225-4135

FAX: (907) 247-4135

e-mail: rona@city.ketchikan.ak.us.

# Anchorage Daily News

Michael J. Sexton  
President and Publisher

Patrick Dougherty  
Editor

Steve Lindbeck  
Associate Editor

# OPINION



Founded in 1946 by Norman C. Brown  
Fuller A. Cowell, Publisher, 1993-1999 Katherine Fanning, Editor and Publisher, 1971-1983  
Gerald E. Gilly, Publisher, 1984-1993 Lawrence Fanning, Editor and Publisher, 1967-1971

**COMPASS:** *Points of view from the community*

## Bill protects the most vulnerable

By LISA CARESS-REU

A friend of mine moved her 95-year-old mother out of a local and very large assisted-living home last year after her father, who was dehydrated, covered with large bruises and unwilling to speak, was taken from the facility. He died shortly after arriving at the hospital.

Her mother spent the next few months in the home fearful and would put a chair against the door of her room to keep out the person the family believes is responsible for the father's condition at death. That person is a "caregiver" employed by the home. This employee has a history of domestic violence convictions. Unfortunately, an investigator was unable to prove what really happened to my friend's father.

Currently, the Alaska Legislature has before it a bill (HB124) that addresses nursing homes and assisted-living homes employing or retaining individuals with criminal convictions for offenses such as sexual assault and domestic violence that may make them a threat to vulnerable residents. This bill also addresses issues that would protect residents from being involuntarily evicted with less than 72 hours notice. This time frame would give residents' families time to find suitable alternate housing for frail or incapacitated loved ones should their condition require a move.

The bill contains language that would allow the state of Alaska to as-

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*Vulnerable adults and seniors who need help to eat, take a bath or go to the toilet deserve the safety of having caregivers who do not have convictions of violence.*

---

sume the operation of homes that are determined to jeopardize the health or safety of residents. This would assure that residents do not become immediately "homeless" should a home be "shut down." The care of residents in such facilities should always be the first priority for people concerned with these issues.

For years the public and its legislators have demanded that child care be safe. Child care givers must meet all the requirements that HB124 proposes to put in place to protect adults who cannot help themselves. Vulnerable adults and seniors who need help to eat, take a bath or go to the toilet deserve the safety of having caregivers who do not have convictions of violence. Seniors should be able to wear their wedding rings or other jewelry that represent lifelong memories without concern about caregivers who have histo-

ries of theft.

Unfortunately, there are unscrupulous or dangerous individuals who apply for jobs to take care of our moms or dads or friends who are incapacitated through birth or accidents, or living in a nursing home or assisted living home due to the ravages of old age. These dangerous people may have worked in other homes in the Lower 48. We need to make sure that the smooth talker or polished thief cannot walk into a room and do harm just because a vulnerable adult cannot speak up. Waiting to prosecute someone who already has harmed a vulnerable adult or stolen precious belongings is too late. This bill provides a way to keep people with such backgrounds from becoming employed in these kinds of positions.

HB124 helps facility administrators by giving permission to review the criminal convictions of new employees as well as workers who may have been hired before background checks were mandatory. Reps. Andrew Halcro, Fred Dyson and Gary Stevens have taken a huge step toward protecting residents of nursing homes and assisted living homes by sponsoring this bill.

Please contact your legislator by telephone or with a public opinion message of support for this important legislation as soon as possible.

■ Lisa Carress-Beu is vice president of CARING (Center for Advocacy for Rights of the Elderly).

FROM : SOLID CONCRETE

PHONE NO. : 1+907+562+4873

Mar. 14 2001 04:05PM P2

Mar-14-01 15:54 ASD Facility Major Maint. 907 3485258

March 14, 2001

TESTIMONY

HR124

As a member of the advocacy group, CARING and as a family member of a pioneer home resident that was beaten at the pioneer home and died the following day, I have a very personal interest in the passage of HB 124 and implementation so that the frail and vulnerable residents requiring the care by others are protected in nursing facilities and assisted living homes.

On Tuesday, January 18, 2000, I received a call from the 2 North floor nurse that my father was running a temperature and that he had severe bruising on his right side. The nurse stated that she had checked my father on Sunday and that no bruising was visible at that time. The nurse asked that I meet my father at the emergency room for evaluation. I spent the day at the emergency room while the doctors ran tests. He was admitted later that day to the hospital. The bruising on his right side was extensive, from his shoulder area down past his waist, extending over into the middle of his chest and down his arm, this bruising was both external and internal. My father was totally dependent on caregivers to lift him from his bed to wheelchair, and whether by accident or intentionally mistreated, my father was extensively bruised over a large part of his body. On Wednesday, January 19, 2000, I received a call from the doctor that Dad had taken a turn for the worse and I'd better get to the hospital. My father died that afternoon.

Because of the trauma, the State Medical Examiner examined the body. His conclusions prompted me to hire an independent forensic pathologist for an independent autopsy and report. Please note the following three conclusions from the pathologist's report paying particular attention to Item 2:

Item 1: "Bilateral lower lobe bronchopneumonia with bilateral pleural effusions"

Item 2: "Extensive recent bruising, right chest and right upper arm due to blunt force trauma"

Item 3: "Old stroke with quadriplegia and aphasia"

Other items in the pathologist report details extensive bruising both external and internal.

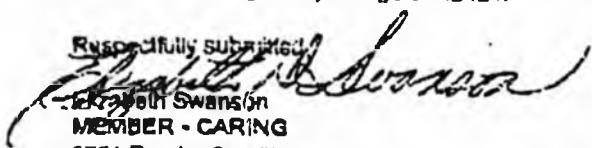
The summary of Legislative Audit #02-4581-00 report conclusions dated October 8, 1999, states, "we also found that the Pioneers' Home employs several sex offenders. Again, the risks to the residents, staff, and the State have not been assessed."

Under the findings and recommendations of the Legislative Audit: "(2) The commissioners of the Departments of Administration and Health and Social Service should adopt regulations to prohibit employment of certain criminals in assisted living homes."

If you have never had to place a loved one in the care of others, then it is impossible to relate to how it feels to lose a parent to abuse and neglect unless you have been through the experience. The loss of a parent or loved one in a long term care facility to abuse and neglect and the inability to change the system that created the injury and the inability to protect the other residents in the facility, the burden of guilt that one carries forever for placing your loved one in the care of others that are supposed to be trained professional. It is just not acceptable to employ caregivers that put residents at risk.

It is imperative that the residents of nursing facilities or assisted living facilities are protected and not put in jeopardy by having a care-giver that has been convicted of a crime against a resident of a nursing home or assisted living home or convicted of a felony. The elderly, frail and vulnerable resident of any nursing or assisted living home needs to be assured that they are offered the best care and protection that can possibly be provided. I urge the passage of HB124.

Respectfully submitted,

  
Elizabeth Swanson  
MEMBER - CARING  
3701 Eureka Sp 48B  
Anchorage, Alaska 99503  
(907) 562-1459

**Subject: HB 124**

**Date: Thu, 15 Mar 2001 08:52:01 -0900**

**From: Judy or Rudy Ripley <jrip@gci.net>**

**To: Kevin\_Hand@legis.state.ak.us**

We urge passage of the Barrier Crime bill, HB 124. It is imperative that we protect the frail and the elderly from persons who have been convicted of the crimes specified.

Rudy & Judy Ripley

3304 Park Place

Juneau, AK

(P.O. Box 32201, Juneau 99803)

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## Bill to remove felons from assisted-living jobs makes sense

Yesterday a friend asked an individual to sign a petition in support of HB124 to protect the vulnerable resident of an assisted living or nursing home. The response was, "Why should we be concerned?"

My friend asked this individual if there was ever a possibility of this person having a stroke, or being injured in an accident requiring the most personal and intimate long-term care from a caregiver. The response was, "Of course it's a possibility."

When asked, "Would you like your caregiver to be a convicted felon, rapist, or thief?" the response was "No."

Why then do we presently allow caregivers with criminal histories to care for these residents? It is imperative that the residents of long-term care facilities are protected from caregivers that have been convicted of crimes of violence or theft. The frail and vulnerable residents of nursing and assisted living homes and their families need to be assured that they are offered the best care and protection that can possibly be provided.

Reps. Andrew Halcro, Fred Dyson, Gary Stevens and Joe Hayes have taken a huge step toward protecting residents in long-term care. I urge you to contact your representative in Juneau and support HB124.

— Aileen Herring  
Anchorage

TESTIMONY OF RICA N. SWANSON  
RE: HB-124

Committee Members:

I urge the passage of HB-124. There are some very critical needs that are not being met in the Anchorage Pioneer Home that I am personally aware of as a resident of the home in the residential section of the PH for five years until my husband's untimely death by being beaten by a care giver and dying the following day. My husband's needs had progressed to the comprehensive level of care over the duration of the five years.

I am a 96-year-old lady and a 93-year resident of the State of Alaska. I was raised in Douglas, Alaska from 1908 until I left for college. I returned to teach school in Tanana and along the Yukon and was the first teacher in Wasilla where I met my husband to be. I was a violinist and was one of the founders of the Anchorage Symphony Orchestra. I was married to the same man for 67 years, the last five spent in the Pioneer Homes, first in Sitka and the last 3-1/2 years in Anchorage. I can attest that he was a fine and gentle man who never caused his caregivers any problems. That during his lifetime he worked to provide care for burn victims and children born with severe orthopedic problems obtain treatment at the Shriner's Hospital. I can attest that many times over the last year he made comments like "Momma, lets get out of here, they hurt me". "Let's go home".

I was witness to the lack of care and responsiveness in the Comprehensive Care Unit that started when the PH went to assisted living and this care continued to diminish until my husband's death by a caregiver a little over a year ago. There is limited activities for anyone in the home but virtually non-existent in the comprehensive care unit, physical therapy became a token gesture, bathing of the residents on this floor was limited, call bells rang incessantly without being answered timely and if I personally did not go up and feed my husband lunch and dinner he would not have been fed. The staffing was low on weekdays, but almost non-existent on weekends. There are many problems with the Anchorage Pioneer Home, but probably none so grievous as the home being allowed to hire individuals that have been convicted of felony crimes.

The individual suspected of beating my husband has a record of abuse and theft. The individual also has multiple complaints by other resident's families. The only punishment this individual received was paid leave while the investigation proceeded into my husband's death. This is not acceptable either to my family, or myself but additionally, the potential risk to other families loved ones is still present.

After my husband's death at the Anchorage Pioneer Home, I left the Pioneer Home and moved in with my daughter, as I was extremely frightened that I would become the next victim of abuse. I am fortunate that I have someone who cares about my health and safety and I am fortunate that I still have my health.

I don't feel that it unreasonable to expect to be safe in one's home, nor do I feel it is unreasonable to expect to be safe in a nursing or assisted living home. It appears obvious to me that the bottom line for the administrators has nothing to do with the health and safety of the resident, but that the administrator's concerns are budgetary and one way is to keep staffing low and supervision almost nil.

I have lived through a horrible experience and my poor husband had to die in terror unable to protect himself. For the health, welfare and safety of the residents of nursing and assisted living homes I urge you to pass HB 124.

**MONTA FAYE LANE**

From: MONTA FAYE LANE <montafaye@gcl.net>  
 To: <Representative\_John\_Coghil@legis.state.ak.us>  
 Sent: Monday, April 23, 2001 2:04 AM  
 Subject: HB 124/S

Dear John

This letter is about the disappointment we feel about the way that HB124/S moved out of committee, without even a discussion with the Alaska Caregivers Association. When we were in Juneau, two weeks ago we were told by Representative Halcro, that he was calling the bill back to work on it with us, as he was led to believe that our association had approved all in his bill, which was untrue. The group called "CARING" has never been associated with our organization, now nor in the past. This small group of somewhat radical people have never owned, operated, nor been employed by any assisted living home that we know of. We have heard many times in the past of their dislikes of our state run facility, the Pioneer Homes.

We believe that this group has misled a young legislator who does not have the facts. To believe that there are severe crimes happening in assisted living homes we believe that this is not true. However, there has been some abuse I'm sure, some by families, some by caretakers, but overall we don't believe abuse is running rampant in Alaska as some would have you all to believe.

I'm sure we have some sub-standard homes out there, some who can't speak English, which could pose a larger threat to the state if there was ever a tragedy like not being able to give directions in case of a fire or some other happenings.

I truly believe mistakes have been made by some sub-standard homes. However, our licensing division should be aggressive with these homes and close them after repeated warnings to comply. So why should more regulations and statutes be put on an industry that is already over regulated as it is.

Yes we want a Barrier Crimes bill, especially against elder abuse, murderer's, sex crimes, class A and some B felonies. We would like to see some of the people that have served time, and been rehabilitated for crimes not related to abuse to a vulnerable adult or a child, be arbitrated and given a chance to work again. Some of these are the very people we serve also. What a way to show some of these people the errors of their ways, and what it is like to give of yourself, and as they say, maybe they will be less likely to be on the state's Indigent care list. We think we all need to sit down and discuss barrier crimes, as it stand it is just to broad.

The Alaska Caregivers Association also want you all to know, that we think this group of people (caring) has a personal vendetta against assisted living homes in this state.

We hope you all will consider our feelings and our rights, when making laws aimed at the destruction of this industry.

If more legislation, is put on our industry I hope the state has a lot more money in the budget to cover the expense of it, because for 18 years we received only a \$ 2.00 increase in our re-imburement rate which I might add is still at the poverty level for indigent care. All new laws cost money. There must be a fiscal note, or is it the intention of the sponsors of this bill to just pass it through without any say from our members. I think that is called taxation without representation, or did I go to school in a communist country?

We want thank you all, for the time you have given us to read our message.

Sincerely,

  
 Monta Faye Lane

President, Alaska Caregivers Assoc.  
 Lealee Orebaugh

4/23/01

TESTIMONY  
HB124

We the undersigned as individuals are urging the passage of HB124.

It is imperative that the residents of nursing facilities or assisted living facilities are protected and not put in jeopardy by having a care-giver that has been convicted of a crime against a resident of a nursing home or assisted living home or convicted of a felony. The elderly, frail and vulnerable resident of any nursing or assisted living home needs to be assured that they are offered the best care and protection that can possibly be provided. I urge the passage of HB124.

Respectfully submitted,

Name Darlene L. House Address 11841 Humbel Ct Phone # (907) 344-8651  
Anch. AK 99515  
Name Arnold P. Rice Address 11841 Humbel Ct Phone # (907) 344-8651  
99515  
Name Georgia K. Crion Address P.O. Box 873531, Wasilla AK Phone # (907) 373-1762  
99687  
Name [Signature] Address 10344 STEPHAN DAZE WAY Phone # 907-522-9087  
ANCHORAGE AK 99515  
Name [Signature] Address 3520 Tanglewood Place Phone # (907) 243-4978  
ANCHORAGE AK 99517  
Name [Signature] Address PO Box 141415 Phone # (907) 440-2137  
ANCH. AK. 99514  
Name [Signature] Address 8310 Country Wood Dr. Phone # (907) 344-1049  
ANCHORAGE AK 99502  
Name [Signature] Address 1730 Escadme #15 Phone # 907-288-9555  
Anchorage AK 99507  
Name [Signature] Address 12846 Lander Dr. Phone # 907 348 5155  
Anch AK 99516  
Name Judy Ann O'neil Address 2046 BRANDILIN ST Phone # (907) 345-6242  
ANCHORAGE, AK 99516  
Name Kim Cash Address 4115 E 112th Phone # (907) 830-1334  
Anch. AK 99516  
Name Barbara M. [Signature] Address 14633 MATHEW Pk Phone # (907) 345-2084  
Anch. AK 99516  
Name Jeanne [Signature] Address 3121 Rosalind Dr Phone # (907) 344-6206  
Anch AK 99507  
Name Judith Salmonhead Address 6900 Cheryl Phone # (907) 522-9089  
Anchorage AK 99518

TESTIMONY  
HB124

We the undersigned as individuals are urging the passage of HB124.

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Respectfully submitted,

- Name Trisha Brint Address 41100 E. 145<sup>TH</sup> Phone # 345 - 2981
- Name Billie J Brown Address 6210 Norm Dr Phone # 561 8312
- Name Rita L. Brown Address 85 Emerald Dr Phone # 248-1720
- Name John Potts Address 2320 TASHA DR Phone # 243-8667
- Name John Deming Address 8821 Emerald Dr Phone # 248-1720
- Name Paul Schumaker Address 6900 Cheryl Phone # 522-9084
- Name John Jacobson Address 7203 FOXROSE CIR #2 Phone # 770-2759
- Name Michael W. Lee Address 3565 S. 160<sup>TH</sup> DR Phone # 345-9867
- Name Dawn W. Lee Address 12945 Morak Dr Phone # 345-4894
- Name Richard J. Boyers Address P.O. Box 110737, Anch AK 99511 Phone # 248-4130
- Name Paul Willard Address 2540 Turnagain Hwy Phone # 243-3096
- Name John Sibert Address P.O. Box 4804 Palmer AK 99675 Phone # 743-3337
- Name Al M Address 8310 Country Woods Dr Phone # 344-6046
- Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

Post-It® Fax Note	7671	Date	3-15-01	# of pages	1
To	Kevin Hood		From	Al M	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #			Fax #		

FROM : SOLID CONCRETE

PHONE NO. : 1+907+562+4073

Mar. 15 2001 01:23PM P2

MARON 14, 2001

TESTIMONY  
HB124

We the undersigned as individuals are urging the passage of HB124.

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Respectfully submitted,

- Name: Mary Ann [unclear] Address: 1121 Katoouche #2 Phone #: 215-2341
- Name: Lisa [unclear] Address: 1121 Katoouche #1 Phone #: 215 2300 (miss)
- Name: Cheryl Budge Address: PO Box 221204 99502 Phone #: 248-7876
- Name: Tracy P. [unclear] Address: P.O. Box 240 254 99504 Phone #: 552-3325
- Name: Virginia [unclear] Address: 6241 [unclear] Phone #: 337-5555
- Name: Max Charles Address: 2320 E 54th Phone #: 337-7905
- Name: [unclear] Address: 758 E 74th B Phone #: 349-8349
- Name: [unclear] Address: PO Box 170 149 Phone #: 337-3852
- Name: [unclear] Address: PO Box 1714 Phone #: 337-4277
- Name: [unclear] Address: 3705 Arctic #12 Phone #: 717-4767
- Name: [unclear] Address: 701 Indian #12 Phone #: 338-7329
- Name: [unclear] Address: 822 [unclear] #6 Phone #: 248-7876
- Name: [unclear] Address: 3701 [unclear] #412 Phone #: 562-1459
- Name: [unclear] Address: [unclear] 202293 Phone #: 607-8418

Post-it* Fax Note 7671		Date	3-15	# of pages	2
To	Kevin Hard		From	Culver	
Co/Dept.			Co.		
Phone #			Phone #		
Fax #			Fax #		

WE THE UNDERSIGNED SUPPORT HB124. WE BELIEVE THAT ALASKA MUST HAVE A LAW THAT PROHIBITS NURSING AND ASSISTED LIVING HOMES FROM EMPLOYING INDIVIDUALS WITH CRIMINAL BACKGROUNDS! WE BELIEVE THAT THIS LEGISLATION FOCUSES ON THE SAFETY AND WELL-BEING OF NURSING AND ASSISTED LIVING HOME RESIDENTS. WE ASK THAT THE LEGISLATURE PASS THIS BILL THIS SESSION!

NAME	ADDRESS	PHONE
Robert Anderson	4008 ROGERS DR Anch	585-5158
Randy Schant	5816 E 9th Ct Anch	333-7286
Rick Bowlin	150 Orange Hall rd Fbks	490-6590
J.F. Baird	1750 Alaska way Fairbanks	475-3499
Carl [unclear]	P.O. Box 78847 Fbks	373-2277
Shannon Sand	3370 Elderberry Ln North Pole AK	488-2649
D.C. Smart	378 Blackhawk, FBKS AK	479-0907
Joe [unclear]	1753 Tenth St N. Delta AK	488-9680
Fred Schultz	P.O. Box 658 Chugiak, AK	99567 (688-90)
Daryl Becker	9779 Lakeotis Ave AK	349-1267
Ramon Land	Fairbanks, AK	429-6121
Paul Johnson	1015 24th Ave FBK'S AK 99701	456-2501
Paul [unclear]	1143 Tenth	786-8437
Nanette Collins	P.O. Box 672498 Chugiak AK	9956
K.G. McDonald	2175 BROADMOOR AVE FBKS AK	99709
Laura Sands	11485 Old Seward 99503	
John Mallecan	11224 Celestial St Eagle River AK	99577
Janis Day	6808 Spruce Rd AK	344-1712
W.H. Carver	6808 Spruce rd AK	99507 349-1712
Richard Skibbs	1791 Alcatraz Tract D 99507	349-9608
Jan [unclear]	P.O. Box 112688 Anch. 99511	345-3194
Jane A. Furman	Box 112688	88-99511

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NAME	ADDRESS	ZipCode	PHONE
Martha A. Woodcock-Peck	761 HIGHVIEW DR		345-1123
Mary Souders	2940 Nugget Ln	99516	345-1056
Shannon Brodie	8140 Cranberry St.	99502	248-0306
Mirna Mirani	P.O. Box 191016	Anchorage Ak.	345-5278
Cindy M Ferlin	9315 Strathmore	Anchorage Ak	99515 677-8906
Virginia Lund	13115 Cape Circle,	Anch 99515	345-3050
Margaret A. Pote	12761 Tanada Lo	Anch, AK	99515 345-5761
David W. Souders	2940 Nugget Ln	99516	345-1056
Linn McDuffie	11620 Brook Hill Ct.	Anch 99516	3454122
Jessica House	1804 Circle Lake Ln	Anch AK	99507 561-1871
Candy M. Probert	11923 Rainbow	Anch, AK	99516 345-8326
Theresa Siegel	17435 Pachel Ave	Exide River	99577 696-1885
Ruan D. Dull	1225 Karwinski	Anch AK	272-2322
Gracie Stutzman	3940 E 9th Ave #4	99508	333-3674
Sandis Rozario	8015 E 4th St.	Anch, AK	99503 (907)332-0104
Edwin G. Bent III	2420 Chinook Ave,	Anch 99516	345-0515
Sharon Cassell	1004 Fred Cir	Anch 99515	349-0344
Amy Hochman	40 W. 10th St.	Anch 99501	272-0709
Loren Gandy	10040 Flat Top Ave.	Anch. AK	99516 345-169
Francis Kidd	3554 Alamosa dr.	Anch, AK	99502 243-1051
Lindsay Ellen	230 Bonnie Jean ct.	Anchorage AK	99515 347-1188
Paula Maggi	4800 Reliance Dr	Anch AK	99507

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NAME	ADDRESS	PHONE
Dede Born Rukle	16245 Chryseum Ln Anchorage	3480023
Margbeth Holleran	7641 Homestead Trail Anchorage	333-3381
Angol Eller	230 Bonnie Jean Ct Anchorage	349-1188
Carol Plancich	2072 Stanford Dr Anch AK	274-6168
Warren Urda	13521 Seachant Cir Anch AK	345-7850
Marcia Jett	12821 Lupine Pl Anch / Ak	345-8627
Holly R. Roth	2050 Minnow way Anch / AK	99515 349-2652
August M. Armstrong	6241 Laurel St. Anch, AK	99507 522-2062
Anna M. Allen	109 Edgewood Anch AK	99501
Mollie Eidem	341 Pamela Place Anch. AK	99504 338-1358
Lisa Carson-Bee	2420 Chinook Ave 99516	345-0515
Joe D. Puzo	234 W. 15 <sup>th</sup> Ave #214 99501	968-3066
John W. Hannaway	907 Chigach WAY #44 ANCH, AK	99503 562-4003
David Wong	12810 Mission Cir. ANCH, AK	99516
Roy Jones	5601 E. Meadow DR Wasilla AK	99654
John Brockie	MULE 1/2 FISHHOOK PALMER AK	99645 945-5534
Steve Silvert	1710 N ST. ANCH. AK.	99501 255-764
Cheryl R. Taylor	22604 McDonald Dr. Chugiak, AK	99527
Samuel Wachauer	2870 Jeanum Circle Anch AK	99508
Jamesy Burdop	1830 Ponds Cir Anch AK	99507
Jim Harrington	Box 101338	ANCHORAGE 99510

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NAME	ADDRESS	PHONE
MELISSA CAREDS-BELL	2420 OTTUMOCK 99516	845-0515
Jim GALLAGHER	6904 MINK ST.	261-3237
Rhea Bushaw	2816 telegraph	360-7937
Allen Rusenstrom	2426 Aspen Dr	261-3240
Theresa Page	2207 Bonifacio #66	261-3224
Mike Carle	2711 Monmouth av.	243-1997
Chris Korynta	9720 Vaagan Dr #18	522-5944
DAVID CARLE	13101 KILLEY ST. 99516	345-2692
ROGER BENHAM	7045 O'Malley Rd. 99516	346-4080
ROBERT K. NELSON	205 E. DIMOND BLVD #735 99515	763-1569
Audie Tanco	5420 Larkspur Cir 99502	770-6045
Garen Carle	13101 Killey St 99516	345-2692
David T. Engering	14401 Empire Rd. 99516	345-8052
Michael DeLoreo	6501 Baby Boarder Anch. AK	522-2324
Toshia EVERS	2307 E. 88th AVE. ANCH. AK. 99516	245-1384
Mike Allicks	5701 Davis Shire Ave Anch AK 99518	345 8288
Tiffany EVERS	2307 E. 88th AVE Anchorage AK 99516	245 1384
Robert Dinn	7564 Whitehawk Dr, Anchorage, AK 99507	522-9265
Bonnie Dinn	7564 Whitehawk Dr Anchorage AK 99507	522-9265
Tommy Miller	7100 Learderson Ln #12	338-9292
Richard Beasley	3277 Palmer, AK	907-745-1962
John P. Bell	3001 DAWSON, ANCH.	907-562-7911

FROM : SOLID CONCRETE

PHONE NO. : 1+907+562+4073

Mar. 15 2001 01:23PM P3

MARCH 14, 2001

TESTIMONY  
HB124

We the undersigned as individuals are urging the passage of HB124.

It is imperative that the residents of nursing facilities or assisted living facilities are protected and not put in jeopardy by having a care-giver that has been convicted of a crime against a resident of a nursing home or assisted living home or convicted of a felony. The elderly, frail and vulnerable resident of any nursing or assisted living home needs to be assured that they are offered the best care and protection that can possibly be provided. I urge the passage of HB124.

Respectfully submitted,

Name Paul Cook Address 1121 Latitude #2 Phone # 245-2704

Name Harold E. Williams Address 100 Glenberry Ave Phone # 533-3701

Name Wendell Address 3111 1/2 Ave Phone # 314-1245

Name John J. Williams Address 6161 A St Phone # 562-1102

Name Richard Williams Address 1061 A St Phone # 243-5041

Name Robert Smith Address 501 E 6th St Phone # 279-0222

Name Elizabeth Moore Address 3701 E 14th St Phone # 562-1151

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

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Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

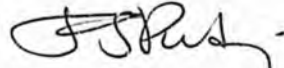
TESTIMONY OF FRANCES S. PURDY ON THE ISSUE OF BARRIER CRIMES – HB 124

Sponsors and Members of the Judiciary Committee:

*safe* Thank you for holding a hearing on this statutory amendment. I believe it important to keep ~~the~~ *residents*  
~~the~~ While addressing the issues of a tight labor market or the possible  
difficulties in screening workers' criminal history, let us not lose the focus on the safety of residents  
receiving long-term care services. *Having potential staff provide a sworn statement*  
*is a financially responsible way of ensuring safety to residents*

This bill is necessary in order to define barrier crimes in the statutes with the minimum number  
and type of criminal convictions. This is not a decision that should be left for the administration to make.  
With this bill, nursing homes and assisted living homes will need to hire staff that does not have a history  
of conduct that risks endangering our vulnerable seniors and disabled persons. The legislature has passed  
similar legislation to protect children in day care facilities. Surely people who must live in long-term care  
facilities deserve the same protection from harm in their homes, the nursing homes and assisted living  
homes licensed in Alaska.

Thank you for this opportunity to comment on the proposed legislation.



Frances Purdy  
1741 Westview Circle  
Anchorage, Alaska 99504  
(907) 333-0871

Position Statement – CS HB 124

The Office of the Long Term Care Ombudsman (OLTCO) fully supports CS HB 124. This bill would require that all long term care facilities thoroughly screen potential job applicants before employing them to care for frail, elderly Alaskans. In addition to the provisions for name and fingerprint criminal background checks, applicants would be required to provide a sworn statement that offenses did not occur in licensed long-term care facilities. Since most offenses against persons do constitute barrier crimes, the requirement for a simple sworn statement to cover the offenses not considered outright barriers is an adequate measure and an acceptable compromise. Alaska's long term care residents will benefit greatly by the provisions in this committee substitute.

I urge you to pass CS HB 124 as expediently as possible. Since skilled nursing facilities in Alaska are presently not required to conduct any criminal background checks, I believe that it is imperative that CS HB 124 pass this legislative session in order to bring much needed safety measures into the nursing home hiring process.

Thank you for the opportunity to comment on this very important legislation.

*Suzan Armstrong-Silva*

Suzan Armstrong-Silva  
Deputy LTC Ombudsman

4-11-02  
Date

**State of Alaska**  
Office of the Long-Term Care Ombudsman  
550 West 7<sup>th</sup> Avenue, Suite 1830  
Anchorage, AK 99501

(907)334-4480 Fax (907)334-4486

