

SB

243

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 20, 2008

FURTHER REFERRALS:

Date of Committee Action: 4/9/08

The FINANCE Committee considered:

CSSB 243(HES)

CS FOR SENATE BILL NO. 243(HES)

COMMISSION ON AGING

"An Act relating to the duties and powers of the Alaska Commission on Aging and the Department of Health and Social Services."

Recommends it be replaced with HCS or CS for CSSB 243 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Dept(s):
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 HSS
 LWF
 LAW
 LEG
 MVA
 DNR
 DPS
 REV
 DOT
 LA

<u>NEW</u> FISCAL NOTES				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

<u>PREVIOUS</u> FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
HSS	1			✓

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<i>[Signature]</i>	Hawker	D			
<i>[Signature]</i>	CRAWFORD	X			
<i>[Signature]</i>	Toule	X			
<i>[Signature]</i>	Gara	X			
<i>[Signature]</i>	KELLY	X			
<i>[Signature]</i>	SMITH	X			
<i>[Signature]</i>	Thomas	X			
Chair: <i>[Signature]</i>	Chenault	X			

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSB 243(HES)
 (S) Publish Date: 2/27/08
 Dept. Affected: Health & Social Services
 RDU: Senior and Disabilities Svcs
 Component: Senior/Disabilities Svcs Admin

ID (File name) SB243-DHSS-SDSA-1-24-2008
 Title COMMISSION ON AGING

Sponsor DAVIS
 Requester SENATE HES

Component No. 2663

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation		Information				
	Required						
OPERATING EXPENDITURES	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
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	0.0

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

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1037 GF/Mental Health							
Other (Specify Type-do not abbreviate)							
Other (Specify Type-do not abbreviate)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This bill has zero fiscal impact. It seeks to bring into alignment grant duties and responsibilities that were previously given to DHSS when the Commission on Aging and Division of Senior Services became part of this department. Any fiscal impact from these changes has already been realized and assimilated into the grants process.

Prepared by: Rod Moline, Division Director
 Division: Senior and Disabilities Services
 Approved by: Karlson Jackson, Commissioner
 Agency: Department of Health and Social Services

Phone 465-3819
 Date/Time 01/23/2008
 Date 01/24/2008



Alaska State Legislature

Please enter into the record my testimony to the ___House Finance Committee on
_____SB231_____.

Please accept the following as written testimony.

Dear CO-Chairman Chenault and Committee Members:

In these final hours of session of the 25th Legislature, we wish to thank you for your good efforts on behalf of the Kenai Peninsula and the State of Alaska.

We were very heartened to witness the passage of S.B. 231, yesterday, The Housing Trust, 19-0. This measure, now referred to the House Finance Committee, not only reflects collaboration on a state level – the Alaska Mental Health Trust Authority and Alaska Housing Finance Authority but will assist Peninsula agencies' collaboration. Through our two-year hearing process before dozens of local public and private agencies addressing at risk or homeless residents, the answer was unanimous – we are in dire need of low-income housing on the Peninsula. The Alaska Mental Health Authority has been a consistent mentor and provided financial, technical and moral support for Love INC's mission of transitional housing. Your vote for passage will serve those without voices – the 'at risk' poor and the homeless – and give them opportunity to return to productive citizenship starting with a roof over their heads. Thank you.

Love INC of the Kenai Peninsula
Ingrid Edgerly, Executive Director
Catherine Y. DeLacoe, Project Mgr
Dan Van Zee, Project Mgr

CS FOR SENATE BILL NO. 243(HES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

Amended

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 2/27/08
Referred: Finance

Sponsor(s): SENATOR DAVIS

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the duties and powers of the Alaska Commission on Aging and the
2 Department of Health and Social Services."

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

4 * Section 1. AS 47.05.010 is amended to read:

5 Sec. 47.05.010. Duties of department. The Department of Health and Social
6 Services shall

7 (1) administer adult public assistance, the Alaska temporary assistance
8 program, and all other assistance programs, and receive and spend money made
9 available to it;

10 (2) adopt regulations necessary for the conduct of its business and for
11 carrying out federal and state laws granting adult public assistance, temporary cash
12 assistance, diversion payments, or self-sufficiency services for needy families under
13 the Alaska temporary assistance program, and other assistance;

14 (3) establish minimum standards for personnel employed by the

1 department and adopt necessary regulations to maintain those standards;

2 (4) require those bonds and undertakings from persons employed by it
3 that, [WHICH] in its judgment, are necessary, and pay the premiums on them;

4 (5) cooperate with the federal government in matters of mutual
5 concern pertaining to adult public assistance, the Alaska temporary assistance
6 program, and other forms of public assistance;

7 (6) make the reports, in the form and containing the information, that
8 the federal government from time to time requires;

9 (7) cooperate with the federal government, its agencies, or
10 instrumentalities in establishing, extending, and strengthening services for the
11 protection and care of homeless, dependent, and neglected children in danger of
12 becoming delinquent, and receive and expend funds available to the department by the
13 federal government, the state, or its political subdivisions for that purpose;

14 (8) cooperate with the federal government in adopting state plans to
15 make the state eligible for federal matching in appropriate categories of assistance, and
16 in all matters of mutual concern, including adoption of the methods of administration
17 that are found by the federal government to be necessary for the efficient operation of
18 welfare programs;

19 (9) adopt regulations, not inconsistent with law, defining need,
20 prescribing the conditions of eligibility for assistance, and establishing standards for
21 determining the amount of assistance that an eligible person is entitled to receive; the
22 amount of the assistance is sufficient when, added to all other income and resources
23 available to an individual, it provides the individual with a reasonable subsistence
24 compatible with health and well-being; an individual who meets the requirements for
25 eligibility for assistance shall be granted the assistance promptly upon application for
26 it;

27 (10) grant to a person claiming or receiving assistance and who is
28 aggrieved because of the department's action or failure to act, reasonable notice and an
29 opportunity for a fair hearing by the department, and the department shall adopt
30 regulations relative to this;

31 (11) enter into reciprocal agreements with other states relative to

1 public assistance, welfare services, and institutional care that are considered advisable;

2 (12) establish the requirements of residence for public assistance,
3 welfare services, and institutional care that are considered advisable, subject to the
4 limitations of other laws of the state, or law or regulation imposed as conditions for
5 federal financial participation;

6 (13) establish the divisions and local offices that are considered
7 necessary or expedient to carry out a duty or authority assigned to it and appoint and
8 employ the assistants and personnel that are necessary to carry on the work of the
9 divisions and offices, and fix the compensation of the assistants or employees, except
10 that a person engaged in business as a retail vendor of general merchandise, or a
11 member of the immediate family of a person who is so engaged, may not serve as an
12 acting, temporary, or permanent local agent of the department, unless the
13 commissioner of health and social services certifies in writing to the governor, with
14 relation to a particular community, that no other qualified person is available in the
15 community to serve as local welfare agent; for the purposes of this paragraph, a
16 "member of the immediate family" includes a spouse, child, parent, brother, sister,
17 parent-in-law, brother-in-law, or sister-in-law;

18 (14) provide education and health-related services and referrals
19 designed to reduce the number of out-of-wedlock pregnancies and the number of
20 induced pregnancy terminations in the state;

21 (15) investigate reports of abuse, neglect, or misappropriation of
22 property by certified nurse aides in facilities licensed by the department under
23 AS 47.32;

24 (16) establish state policy relating to and administer federal
25 programs subject to state control as provided under 42 U.S.C. 3001 - 3058ee
26 (Older Americans Act of 1965), as amended, and related federal regulations;

27 (17) administer the older Alaskans service grants under
28 AS 47.65.010 - 47.65.050 and the adult day care and family respite care grants
29 under AS 47.65.100.

30 * Sec. 2. AS 47.30.036 is amended to read:

31 Sec. 47.30.036. Duties of the board. The board shall

- 1 (1) preserve and protect the trust corpus under AS 37.14.009;
- 2 (2) coordinate with other state agencies involved with programs
- 3 affecting persons in need of mental health services;
- 4 (3) review and consider the recommendations submitted under
- 5 AS 44.29.140(2), AS 47.30.666(6), AS 47.45.240(a)(8) [AS 47.45.240(a)(10)], and
- 6 AS 47.80.090(13);
- 7 (4) adopt bylaws governing its meetings, selection of officers,
- 8 proceedings, and other aspects of board procedure;
- 9 (5) make an annual written report of its activities to the governor and
- 10 the public and notify the legislature that the report is available; and
- 11 (6) fulfill its obligations under AS 47.30.046.

12 * Sec. 3. AS 47.45.230 is amended to read:

13 **Sec. 47.45.230. Executive director.** The executive director of the commission

14 shall

15 [(1)] formulate and submit to the department a comprehensive

16 statewide plan that identifies the concerns and needs of older Alaskans and present

17 that plan to the commission [;

18 (2) ADMINISTER, WITH THE APPROVAL OF THE

19 COMMISSIONER OF HEALTH AND SOCIAL SERVICES, FEDERAL

20 PROGRAMS SUBJECT TO STATE CONTROL AS PROVIDED UNDER 42 U.S.C.

21 2001 - 3058cc (OLDER AMERICANS ACT), AS AMENDED; AND

22 (3) ADMINISTER, WITH THE APPROVAL OF THE

23 COMMISSIONER OF HEALTH AND SOCIAL SERVICES, STATE PROGRAMS

24 AS PROVIDED UNDER AS 47.65].

25 * Sec. 4. AS 47.45.240(a) is amended to read:

26 (a) The commission shall

27 (1) subject to review by the department, approve a comprehensive

28 statewide plan that identifies and addresses the concerns and needs of older Alaskans

29 and, with reference to the approved plan, prepare and submit to the governor and

30 legislature an annual analysis and evaluation of the services that are provided to older

31 Alaskans;

1 (2) make recommendations directly to the governor and the legislature
2 with respect to legislation, regulations, and appropriations for programs or services
3 that benefit older Alaskans;

4 (3) encourage the development of municipal commissions serving
5 older Alaskans and community-oriented programs and services for the benefit of older
6 Alaskans;

7 (4) employ an executive director who serves at the pleasure of the
8 commission;

9 (5) help older Alaskans lead dignified, independent, and useful lives;

10 (6) request and receive reports and audits from state agencies and local
11 institutions concerned with the conditions and needs of older Alaskans;

12 (7) [WITH THE APPROVAL OF THE COMMISSIONER OF
13 HEALTH AND SOCIAL SERVICES, SET POLICY FOR THE ADMINISTRATION
14 OF FEDERAL PROGRAMS SUBJECT TO STATE CONTROL AS PROVIDED
15 UNDER 42 U.S.C. 3001 - 3058cc (OLDER AMERICANS ACT), AS AMENDED;

16 (8) WITH THE APPROVAL OF THE COMMISSIONER OF
17 HEALTH AND SOCIAL SERVICES, SET POLICY FOR THE ADMINISTRATION
18 OF STATE PROGRAMS AS PROVIDED UNDER AS 47.65;

19 (9)] give assistance, on request, to the senior housing office in the
20 Alaska Housing Finance Corporation in administration of the senior housing loan
21 program under AS 18.56.710 - 18.56.799 and in the performance of the office's other
22 duties under AS 18.56.700; and

23 (8) [(10)] provide to the Alaska Mental Health Trust Authority, for its
24 review and consideration, recommendations concerning the integrated comprehensive
25 mental health program for persons who are described in (d) of this section and the use
26 of the money in the mental health trust settlement income account in a manner
27 consistent with regulations adopted under AS 47.30.031.

28 * Sec. 5. AS 47.45.240(b) is amended to read:

29 (b) To accomplish its duties, the commission may

30 (1) review, evaluate, and comment upon state programs concerned
31 with the problems and the needs of older Alaskans;

1 (2) collect facts and statistics, and make studies of conditions and
2 problems pertaining to the employment, health, housing, financial security, social
3 welfare, and other concerns that bear upon the well-being of older Alaskans;

4 (3) provide information about public programs that would be of
5 interest or benefit to older Alaskans;

6 (4) appoint special committees, which may include persons who are
7 not members of the commission, to complete necessary studies;

8 (5) promote community education efforts regarding the problems and
9 concerns of older Alaskans;

10 (6) contract for necessary services;

11 (7) consult and cooperate with persons, organizations, and groups
12 interested in or concerned with programs of assistance to older Alaskans;

13 (8) advocate improved programs of benefit to older Alaskans; and

14 (9) recommend [SET] standards for levels of services for older
15 Alaskans for programs administered by the department [COMMISSION; AND

16 (10) ADOPT REGULATIONS NECESSARY FOR THE
17 ADMINISTRATION OF AS 47.45.200 - 47.45.290 AND TO COMPLY WITH
18 FEDERAL LAW].

19 * Sec. 6. AS 47.45.290 is amended by adding a new paragraph to read:

20 (3) "department" means the Department of Health and Social Services.

21 * Sec. 7. AS 47.65.010 is amended to read:

22 **Sec. 47.65.010. Older Alaskans service programs.** An amount to carry out
23 the provisions of AS 47.65.010 - 47.65.050 may be appropriated annually by the
24 legislature. The amount appropriated shall be fully distributed by the department
25 [ALASKA COMMISSION ON AGING] to sponsors of older Alaskans service
26 programs in accordance with the provisions of AS 47.65.010 - 47.65.050.

27 * Sec. 8. AS 47.65.020 is amended to read:

28 **Sec. 47.65.020. Grants for community service programs.** Not less than 60
29 percent of the amount appropriated by the legislature for older Alaskans service
30 programs under AS 47.65.010 - 47.65.050 shall be allocated annually by the
31 department [COMMISSION] as community program grants to sponsors of older

1 Alaskans service programs. Payments shall be made on the basis of applications
2 submitted to the department [COMMISSION] by sponsors of community programs.

3 * Sec. 9. AS 47.65.030 is amended to read:

4 Sec. 47.65.030. Pilot project grants. (a) The balance of the amount
5 appropriated for older Alaskans service programs under AS 47.65.010 - 47.65.050 not
6 allocated under AS 47.65.020 shall be allocated annually by the department
7 [COMMISSION] as grants to support pilot projects for the benefit of older Alaskans
8 under this section.

9 (b) The department [COMMISSION] shall adopt standards for pilot project
10 grants and, after adoption of the standards as regulations, in accordance with AS 44.62
11 (Administrative Procedure Act), shall apply the standards to determine eligibility of
12 applicants for pilot project grants. In awarding pilot project grants, the department
13 [COMMISSION] shall

14 (1) enter into agreements with the project sponsor to operate one or
15 more of the selected pilot projects consistent with the standards adopted;

16 (2) monitor and evaluate, in a written report, each pilot project; the
17 report must include

18 (A) a description of the project and of the persons served by it;

19 (B) the problems presented by the persons served by the
20 project;

21 (C) a description of the problems most effectively handled by
22 the project; and

23 (D) an estimate of projected cost of operation of the project for
24 the next three succeeding years.

25 * Sec. 10. AS 47.65.040(a) is amended to read:

26 (a) Except as provided in (f) of this section, a sponsor receiving a grant under
27 AS 47.65.010 - 47.65.050 shall contribute to the total cost of the program or project.

28 The contribution may be in cash or in-kind services. The amount of the sponsor's
29 required contribution is determined by the application of the following formula:
30 average per capita full and true value of all property in the municipality or community
31 in which the project or program takes place divided by the average per capita full and

1 true value of all property in the state, and then multiplied by the contribution
 2 percentage to the estimated total program or project cost as determined by the
 3 department [COMMISSION] at the time of approval of a grant application. However,
 4 the amount of the sponsor's contribution may not amount to more than 10 percent of
 5 the total program or project cost.

6 * Sec. 11. AS 47.65.040(c) is amended to read:

7 (c) If an application is submitted for a program or project in a municipality or
 8 community for which no average per capita full and true property value determination
 9 has been made,

10 (1) if the population of the municipality or community is 750 or more,
 11 the department [COMMISSION] shall request the state assessor to compute the
 12 average per capita full and true property value of that municipality or community and
 13 report it;

14 (2) if the population is less than 750, the department
 15 [COMMISSION] may substitute for the average per capita full and true value of
 16 property in the municipality or community an amount equal to the average per capita
 17 full and true value of property in the smallest municipality for which that amount has
 18 been determined by the state assessor.

19 * Sec. 12. AS 47.65.040(e) is amended to read:

20 (e) The grant awarded by the department [COMMISSION] may not exceed
 21 the estimated total program or project cost as determined by the department
 22 [COMMISSION] less the contribution by the sponsor determined in accordance with
 23 this section.

24 * Sec. 13. AS 47.65.040(f) is amended to read:

25 (f) When awarding a grant to support a pilot project under AS 47.65.010 -
 26 47.65.050, the department [COMMISSION] may waive all or part of the sponsor
 27 contribution required under this section if waiver is in the public interest. The
 28 department [COMMISSION] shall adopt regulations establishing standards for
 29 granting waivers under this subsection.

30 * Sec. 14. AS 47.65.050 is amended to read:

31 **Sec. 47.65.050. Administrative requirements.** (a) Payments received by a

1 sponsor under AS 47.65.010 - 47.65.050 may be used only to meet costs of services
 2 that [WHICH] the department [COMMISSION] has determined directly benefit
 3 older Alaskans. A payment may not be made by the department [COMMISSION]
 4 under this section unless the department [COMMISSION] determines that the
 5 sponsor

6 (1) meets accepted standards of fiscal accountability for public funds;

7 (2) can demonstrate, when requested, the actual cost of services that it
 8 is providing for the benefit of older Alaskans; and

9 (3) agrees to make available, upon request, all fiscal information
 10 relating to service for which payments are provided under AS 47.65.010 - 47.65.050.

11 (b) The department [COMMISSION] may not make payments to a sponsor
 12 whose program includes family respite care services or home care services unless the
 13 sponsor has agreed to request criminal history record information as permitted by P.L.
 14 105-277 and AS 12.62 for the individual who will provide the services within 10
 15 business days after the individual is hired to provide the services and review the
 16 information within five business days after receiving it.

17 * Sec. 15. AS 47.65.100(a) is amended to read:

18 (a) In addition to administering grants for adult day care programs and family
 19 respite care services for older Alaskans under AS 47.65.010 - 47.65.050, the
 20 department [COMMISSION] may make grants under this section from funds
 21 otherwise available to it for adult day care programs and family respite care services
 22 for frail older persons and other similarly disabled adults.

23 * Sec. 16. AS 47.65.100(b) is amended to read:

24 (b) In order to fund grants under this section, the department
 25 [COMMISSION AND THE DEPARTMENT OF HEALTH AND SOCIAL
 26 SERVICES] may seek and enter into contracts or grants with any party, including
 27 reimbursable service agreements with other state agencies.

28 * Sec. 17. AS 47.65.100(c) is amended to read:

29 (c) The department [COMMISSION] shall, by regulation, set fees for
 30 services provided under this section. The fees must be based on a sliding scale formula
 31 that takes into account the client's income.

1 * Sec. 18. AS 47.65.100(e) is amended to read:

2 (c) The department [COMMISSION] may not award a grant under this
3 section for family respite care services or for adult day care services that include home
4 care services unless the grantee has agreed to request criminal history record
5 information as permitted by P.L. 105-277 and AS 12.62 for the individual who will
6 provide the services within 10 business days after the individual is hired to provide the
7 services and review the information within five business days after receiving it.

8 * Sec. 19. AS 47.65.290(3) is repealed and reenacted to read:

9 (3) "department" means the Department of Health and Social Services;

Adopted 5/9/08

25-LS1351E.1
Mischel
3/27/08

AMENDMENT 1

Meyer By Request

OFFERED IN THE HOUSE
TO: CSSB 243(HES)

1 Page 6, following line 20:

2 Insert a new bill section to read:

3 **** Sec. 7. AS 47.55.020(d) is amended to read:**

4 (d) Notwithstanding AS 47.55.070 and (b) of this section, a resident of a home
5 whose income, assets, and other resources are insufficient to pay the monthly rate set
6 under AS 47.55.030(b), and who does not have private insurance to cover the cost of
7 care, qualifies for payment assistance if the resident is otherwise in compliance with
8 requirements under this chapter. The amount of payment assistance equals the amount
9 needed, when added to other income and assets of the resident, to pay the monthly rate
10 set under AS 47.55.030(b). Payment assistance received by a home resident is a debt
11 to the state. In determining the amount of payment assistance for which a home
12 resident qualifies, the following income, assets, and other resources of the resident
13 shall be disregarded:

14 (1) income from any source in an amount up to \$100 a month as
15 established by the department by regulation;

16 (2) the following assets received under 43 U.S.C. 1601 et seq. (Alaska
17 Native Claims Settlement Act):

18 (A) cash dividends and other income equal to at least \$2,000 as
19 established by the department by regulation;

20 (B) stock;

21 (C) noncash dividends from stock; and

22 (D) land;

23 (3) a permanent fund dividend issued under AS 43.23;

1 (4) compensation to volunteers under the federal retired and senior
2 volunteers (42 U.S.C. 5001), foster grandparents (42 U.S.C. 5011), and senior
3 companion (42 U.S.C. 5013) programs made in accordance with 42 U.S.C. 5044(f);

4 (5) federal World War II restitution payments made under 50 U.S.C.
5 App. 1989b-4 and c-5;

6 (6) payments under AS 18.67 (Violent Crimes Compensation Board);

7 (7) an amount, determined by the department by regulation, that is
8 sufficient for burial expenses of the resident, the resident's spouse, and dependents of
9 the resident;

10 (8) real property being used as the primary residence of the resident's
11 spouse or a dependent of the resident;

12 (9) other real or personal property equal to at least a total value of up
13 to \$10,000 as established by the department by regulation;

14 (10) federal payments that are excluded by law from income for
15 federal assistance purposes."

16
17 Renumber the following bill sections accordingly.

Alaska State Legislature

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Senator Bettye Davis

CS for Senate Bill 243(HES), 25-LS1351E

"An Act relating to the duties and powers of the Alaska Commission on Aging and the Department of Health and Social Services."

SPONSOR STATEMENT

The CS for Senate Bill 243(HES), 25-LS1351E, has a zero fiscal note. As required by a 2007 Legislative Audit, this "clean-up" bill brings into alignment grant duties and responsibilities that were previously given to the Department of Health and Social Services (DHSS), when the Commission on Aging (ACoA) and Division of Senior Services became part of DHSS. For this reason, statutory changes repeatedly replace "Commission" (ACoA) with "Department" (DHSS) to properly recognize the duties and responsibilities of each. This bill, which mirrors CSHB 279(HES), 25-LS1106E, assigns authority for establishing state policy related to the Older Americans Act federal programs and state programs for Older Alaskans to the Department of Health and Social Services. DHSS is recognized as the state "Unit on Aging." The bill also transfers grant authority related to senior service grants, adult day care, and family respite care grants from the Alaska Commission on Aging to DHSS. DHSS has assigned these grant administrative duties to Senior and Disabilities Services.

As background to the importance of the duties and responsibilities recognized in this bill, the Alaska Commission on Aging is responsible for planning, advocacy, and community education activities related to the health and welfare of older Alaskans. It has relationships with state departments and agencies across the state, including the governor's office, the Alaska Mental Health Trust Authority, the Alaska Housing and Finance Corporation, and non-governmental organizations. The need for senior programs and services is rapidly increasing. Per the State plan for Senior Services FY 2008-FY 2011, Alaska already has the highest proportion of baby boomers (32%) in the nation, and its senior population is growing faster than almost any other state. By 2030 seniors 60+ will comprise 17% of the Alaska population, with a doubling of the number of those 65+.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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MEMORANDUM

March 11, 2008

SUBJECT: Sectional summary for CSSB 243(HES)
(Work Order No. 25-LS1351/E)

TO: Senator Bettye Davis
Attn: Tom Obermeyer

FROM: Kathryn L. Kurtz
Assistant Revisor

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Adds duties for the Department of Health and Social Services that include establishing state policy for older Alaskans and administering grants for older Alaskans, adult day care, and family respite care.

Section 2. Changes the reference to a paragraph in AS 47.45.240(a) to reflect the renumbering of the paragraph because of an amendment in sec. 4 of the bill.

Section 3. Changes the duties of the executive director for the Alaska Commission on Aging to formulate for the department a statewide plan for older Alaskans and deletes the duties pertaining to administering related federal grants and programs.

Section 4. Makes the Alaska Commission on Aging statewide plan subject to the review of the department and deletes program policy responsibilities of the commission.

Section 5. Limits the authority of the Alaska Commission on Aging to recommending standards of services provided to older Alaskans that are administered by the department and deletes rulemaking authority of the commission.

Section 6. Defines "department" as the Department of Health and Social Services in AS 47.45.010 - 47.45.160.

Section 7. Transfers authority for the distribution of appropriations for services to older

Senator Bettye Davis
March 11, 2008
Page 2

Alaskans from the commission to the department.

Section 8. Transfers the allocation authority for community service program funding for services to older Alaskans from the commission to the department.

Section 9. Transfers the allocation authority for pilot project grants for services to older Alaskans from the commission to the department.

Section 10. Transfers the authority to set contribution amounts for grants from the commission to the department.

Section 11. Transfers the authority to request state assessor computations from the commission to the department.

Section 12. Transfers the authority to estimate program costs for grant awards from the commission to the department.

Section 13. Transfers the authority to waive contributions and adopt regulations for waivers from the commission to the department.

Section 14. Transfers the authority to administer grants and make payments for services to older Alaskans from the commission to the department.

Section 15. Transfers the authority to make grants for adult day care and family respite services from the commission to the department.

Section 16. Removes the commission's authority to enter into certain contract and grant agreements.

Section 17. Transfers the authority to set fees for adult day care and family respite services from the commission to the department.

Section 18. Transfers the authority to award grants for family respite care and adult day care services from the commission to the department.

Section 19. Repeals the definition for "commission" and replaces it with the definition for "department." Defines "department" to be the Department of Health and Social Services in AS 47.65.

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STATE OF ALASKA

DEPT. OF HEALTH & SOCIAL SERVICES

Alaska Commission on Aging

SARAH PALIN, GOVERNOR

P.O. BOX 110693
JUNEAU, ALASKA 99811-0693
PHONE: (907) 465-3250
FAX: (907) 465-1398

March 25, 2008

The Honorable Mike Chenault, Co-Chair
House Finance Committee
Alaska State Capitol, Room 505
Juneau, AK 99801-1182

The Honorable Kevin Meyer, Co-Chair
House Finance Committee
Alaska State Capitol, Room 515
Juneau, AK 99801-1182

Subject: Support for CSSB 243 (HES) Statute Modifications for the Alaska Commission on Aging and the Department of Health and Social Services

The Alaska Commission on Aging (ACoA) encourages passage of SB 243, a clean-up bill that amends state law to align the statutes with the changes to the mission and work of the ACoA and the Department of Health and Social Services which were initiated by Executive Order 108 of July 1, 2003.

In essence, the Executive Order transferred grant administration and state agency on aging responsibilities previously performed by the Alaska Commission on Aging in the Department of Administration to the Department of Health and Social Services as the State Unit on Aging and re-established ACoA in DHSS. Furthermore, Executive Order 108 established Senior and Disabilities Services, which assumed the grant administration functions previously performed by ACoA. The Commission has retained all other responsibilities it previously performed within the Department of Administration, with the exception of those related to senior grants, which have been assigned to Senior and Disabilities Services.

Specifically, this proposed legislation:

- ❖ Assigns authority for establishing state policy related to Older Americans Act federal programs and state programs for Older Alaskans to the Department of Health and Social Services, as the State Unit on Aging, and
- ❖ Transfers grant authority related to senior service grants, adult day care, and family respite care grants from ACoA to the Department of Health and Social Services. The Department has assigned these grant administrative duties to Senior and Disabilities Services.

The U.S. Administration on Aging distributes Older Americans Act funds to states to support home and community based services for seniors. For a state to receive these funds, a state agency must be designated as the "state unit on aging." In Alaska, the Department of Health and Social Services is the State Unit on Aging as determined by Executive Order 108. The state unit responsibilities (as defined by the federal Older Americans Act) are carried out jointly by Senior and Disabilities Services and the Alaska Commission on Aging.

While SDS is responsible for administering and distributing federal funds, the Commission has been responsible for planning, community education, and advocating for Alaska seniors.

Passage of SB 243 is requested to amend statutes so that they reflect the current roles of ACoA and the Department and to cure the "one and only finding" reported by the Division of Legislative Audit in its sunset review of the ACoA in July 2007. ACoA supports this legislation which allows the Commission to focus its work on planning, education, and advocacy activities on behalf of Alaska's seniors.

The 2007 audit reviewed the operation and activities of the Commission for the period July 1, 2003 through June 30, 2007 to determine if the termination date of the Commission should be extended and if the Commission is operating in the public interest. The audit report was very positive and found more than a 90% approval rating by those surveyed on a variety of dimensions related to the Commission's planning, advocacy, and community education activities. Regarding the organizational changes initiated by Executive Order 108, the report conclusions stated "... ACoA has emerged from the reorganization as a respected planner, educator, and advocator for Alaska's seniors...(p. 7)", that a public need exists for the continuation of ACoA, and recommend that the legislature extend ACoA's termination date to June 30, 2016. They found no complaints filed against the Commission.

Thank you for your consideration of this legislation.

Sincerely,

Barbara LaF
Chair, Alaska Commission on Aging

Sincerely,

Denise Daniello
ACoA Executive Director

CC: Representative Stoltze, Vice Chair
Representative Harris
Representative Kelly
Representative Thomas

Representative Crawford
Representative Gara
Representative Joule
Representative Nelson



March 13, 2008

The Honorable Lyman Hoffman, Co-Chair
Senate Finance Committee
Alaska State Capitol, Room 518
Juneau, AK 99801-1182

MAR 13 2008

The Honorable Bert Stedman, Co-Chair
Senate Finance Committee
Alaska State Capitol, Room 516
Juneau, AK 99801-1182

RE: SB 243 (Davis) - Support

Dear Co-Chairs Hoffman and Stedman:

On behalf of the members of AARP in Alaska, we encourage you and your colleagues on the Senate Finance Committee to support SB 243 which is authored by Senator Bettye Davis.

SB 243 is basically a "clean up" bill which brings the Alaska Commission on Aging into compliance with changes that have been in place for several years that deal with Commission responsibilities and those of Senior and Disability Services.

SB 243 incorporates the recommendations of the Legislative Auditor.

AARP recommends an "AYE" vote on SB 243.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Marie Darlin".

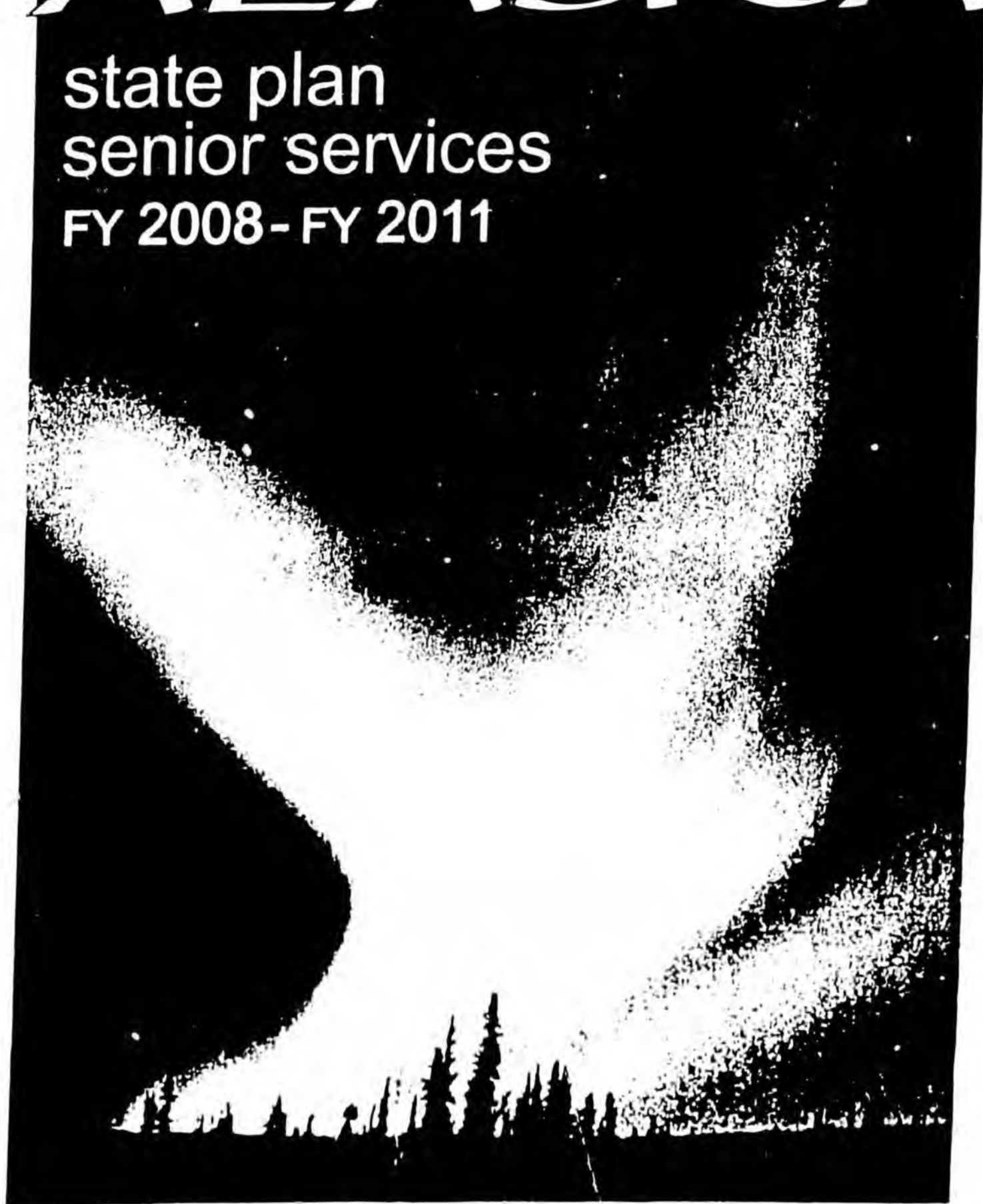
Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
586-3637 (voice)
463-3580 (fax)

CC: Vice Chair Charlie Huggins
Senator Kim Elton
Senator Donald Olson

Senator Joe Thomas
Senator Fred Dyson
Senator Bettye Davis

ALASKA

state plan
senior services
FY 2008 - FY 2011



**State of Alaska
Department of Health & Social Services**

**ALASKA COMMISSION ON AGING
State Plan for Senior Services**

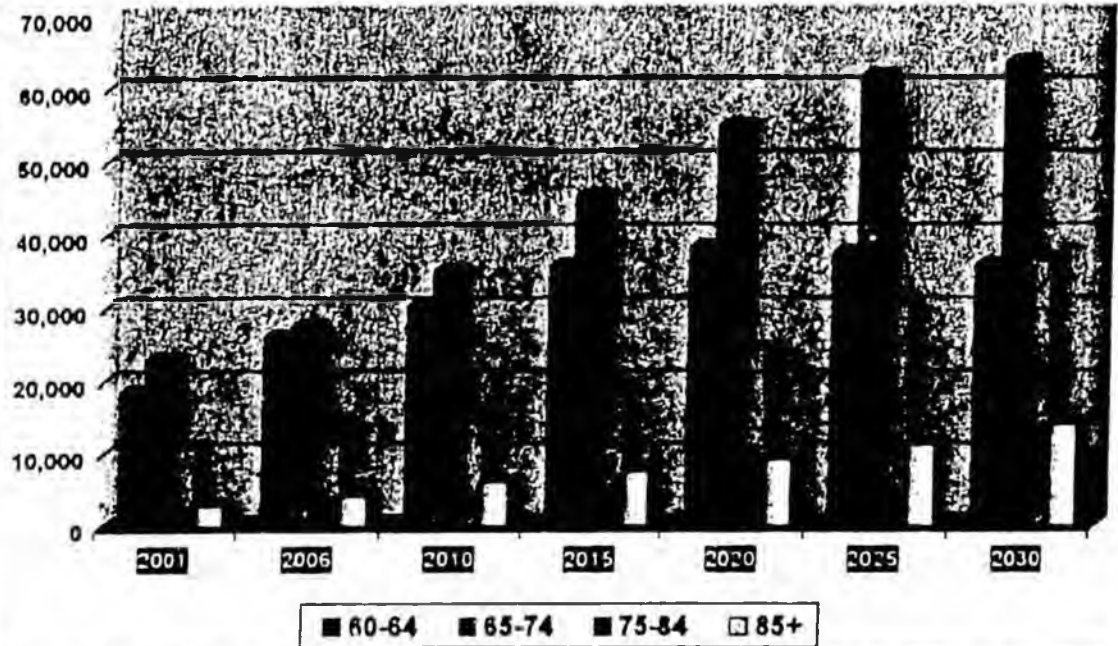
**FY 2008 – FY 2011
(July 1, 2007 – June 30, 2011)**

**Sarah Palin, Governor
State of Alaska**

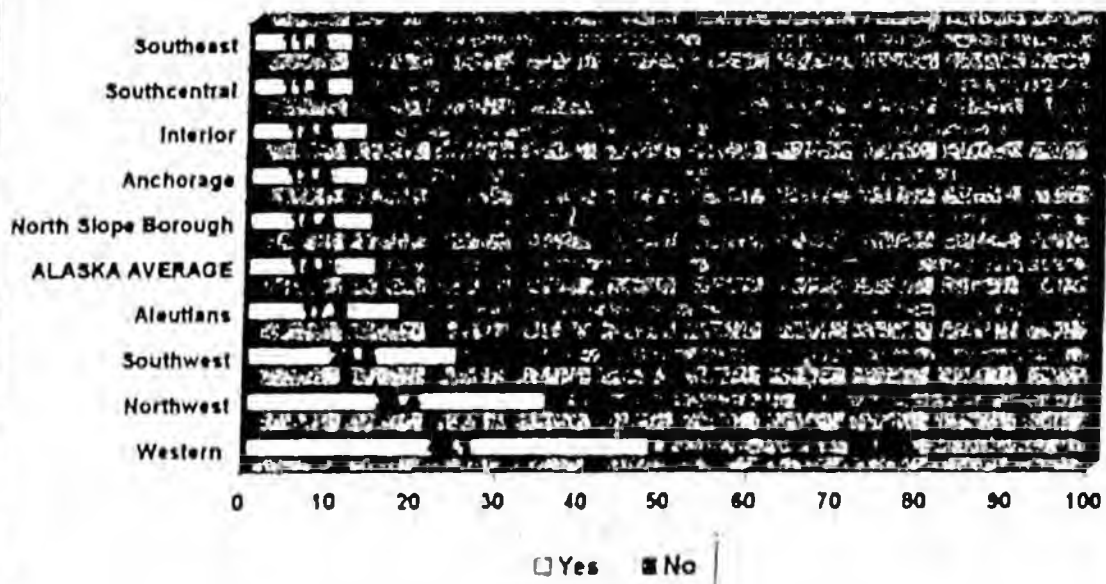
**Karleen K. Jackson, Ph.D., Commissioner
Alaska Department of Health & Social Services**



Older Alaskans by Age Group, 2001 - 2030

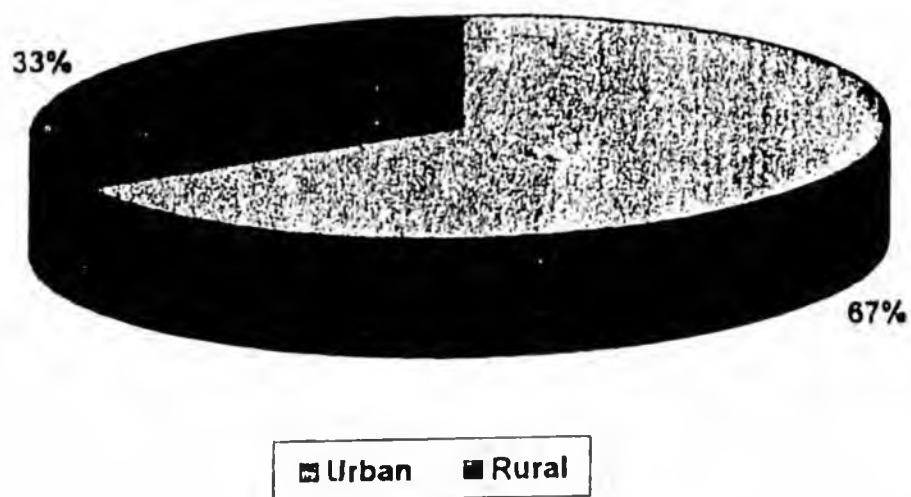


Seniors 65+ Receiving SeniorCare Benefits, April 2007

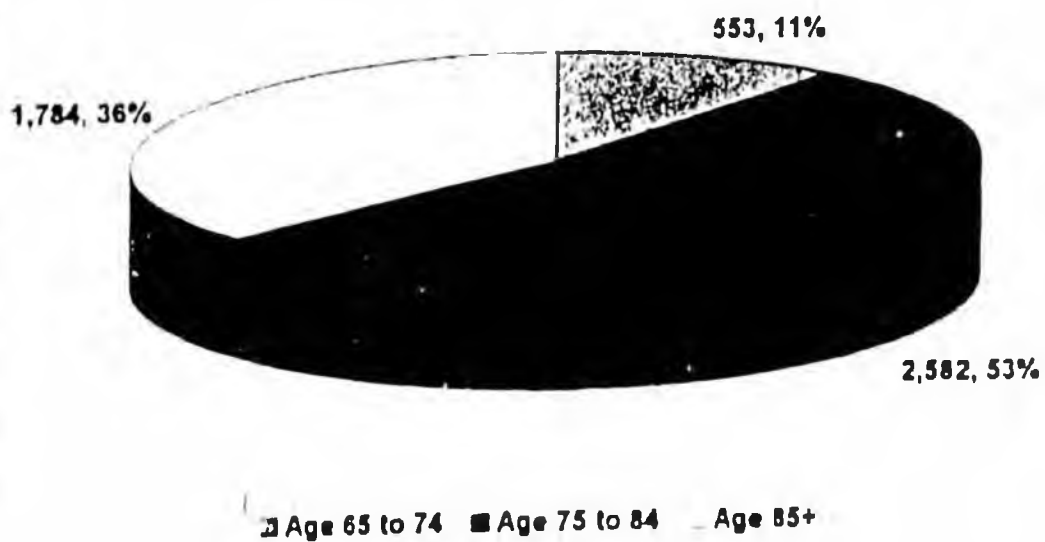


ALL GRAPHS PRODUCED BY ACoA

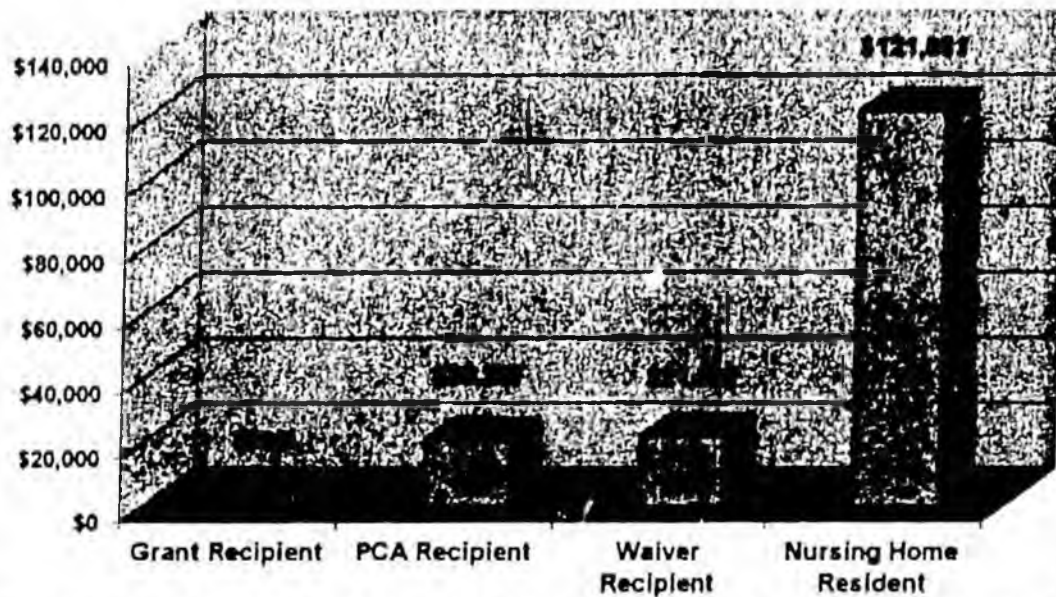
Urban and Rural Older Alaskans



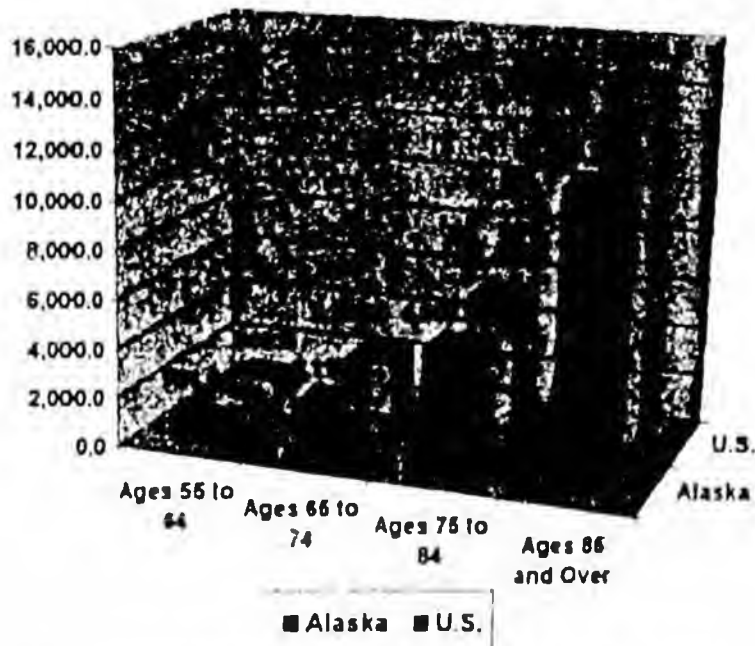
Estimated Number of Alaskans Age 65+ with ADRD



**Average Annual Costs of Long-Term Care Options, FY 08
(Senior & Disabilities Services)**



Age-Adjusted Death Rates (Per 100,000) by Age Group



ALL GRAPHS PRODUCED BY ACoA



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Assistant Secretary
Administration on Aging

Washington D.C. 20201

JUN 26 2007

The Honorable Sarah Palin
Governor of Alaska
P.O. Box 110001
Juneau, Alaska 99811-0001

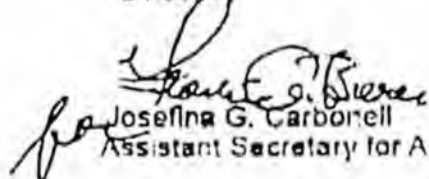
Dear Governor Palin:

It is my pleasure to inform you that the four-year Alaska State Plan for Senior Services beginning July 1, 2007 through June 30, 2011 is approved. It is a comprehensive document that integrates Older Americans Act requirements with the extensive, collaborative plans produced by the inter-agency State Plan Advisory Committee.

I am particularly pleased by the efforts of the Alaska Commission on Aging in involving seniors, the public and providers as well as state agencies in the development and public review of the plan. This proactive strategy will enhance Alaska's continuing development of its service delivery system with an emphasis on choices for older individuals.

The Regional Office staff of the U.S. Administration on Aging in Seattle and I look forward to working with you in the implementation of the State Plan. If you have questions or concerns, please do not hesitate to contact us. I appreciate your dedication and commitment toward improving the lives of older persons in Alaska.

Sincerely,


Josefina G. Carbone
Assistant Secretary for Aging

**ALASKA
DEPARTMENT OF HEALTH & SOCIAL SERVICES
STATE PLAN FOR SENIOR SERVICES
APPROVAL**

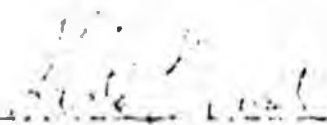
The Alaska Department of Health & Social Services (DHSS) hereby submits the Alaska State Plan for Senior Services for the period of July 1, 2007 through June 30, 2011 (State fiscal years 2008 through 2011). Governor Sarah Palin has designated the Department of Health & Social Services as Alaska's sole state agency on aging. The Alaska Commission on Aging within DHSS has been authorized by Alaska Statute [(AS 47.45.240(a)(1))] to develop the state plan on aging in accordance with the provisions of the Older Americans Act and its amendments. The plan, as submitted, documents the needs of older Alaskans and establishes direction for the coordination of all State activities related to seniors, with an emphasis on those efforts related to the Older Americans Act, including the development of a comprehensive and coordinated system for the delivery of supportive services.

The Plan, as submitted, has been developed in accordance with all federal statutory and regulatory requirements.

The State Plan for Senior Services is hereby approved by the Commissioner of the Department of Health & Social Services, as the Governor's designee, and constitutes authorization to proceed with activities under the Plan upon approval by the Assistant Secretary for Aging.

I hereby approve this State Plan and am pleased to present it to Alaskans.

Date



Karleen K. Jackson, Ph.D., Commissioner
Alaska Department of Health & Social Services

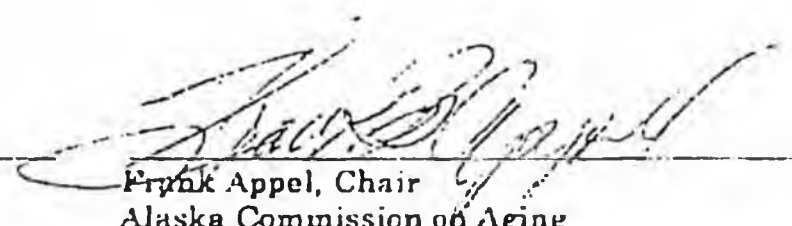
**ALASKA COMMISSION ON AGING
STATE PLAN FOR SENIOR SERVICES
APPROVAL**

The State Plan for Senior Services is hereby approved by the Alaska Commission on Aging, as the agency authorized by the Commissioner of the Department of Health & Social Services and by Alaska Statute ((AS 17.45.240(a)(1)) to develop the state plan on aging in accordance with the provisions of the Older Americans Act and its amendments.

Frank Appel, Chair
Michael Black, Designee, Department of Commerce, Community & Economic
Development
Lillian Boen-Kasnick
Patricia Branson
Sharon Howerton-Clark
Betty Keegan
Banarsi Lal
Rod Moline, Designee, Department of Health & Social Services
Iver Malutin
Paula Pawlowski
Edward Zastrow

Date

3/07


Frank Appel, Chair
Alaska Commission on Aging

**Alaska's State Plan for Senior Services,
FY 2008 – FY 2011
May 1, 2007**

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Executive Summary

As the state with the highest proportion of baby boomers (32%), Alaska will find its senior population growing faster than almost any other state as that group reaches its senior years. While in the past many Alaskans chose to leave the state after retirement, more and more retirees now prefer to remain here. By 2030, the proportion of seniors 65+ will double to comprise 13% of the Alaska population, with those age 60+ making up 17%. The oldest group of seniors, those age 85+, is expected to almost triple during the next 25 years, vastly increasing the number of Alaskans living with Alzheimer's disease and related disorders (ADRD).

While census data do not show high levels of poverty among Alaska seniors, the census does not consider differences in cost of living among different areas of the country. The most financially vulnerable groups of seniors typically include widowed and divorced women, Alaska Natives and other racial minorities, high-school dropouts, people not eligible for Social Security benefits (perhaps due to a subsistence lifestyle), those with a limited work history, and the oldest seniors (whose fixed incomes have taken a beating from inflation over the years).

Surprisingly to some who may view seniors as a liability to the state, retired Alaskans constitute one of the largest and healthiest sectors of Alaska's economy. In 2004, according to the University of Alaska Institute for Social and Economic Research, retired Alaskans age 60 and older contributed almost \$1.5 billion to the state's economy, primarily from retirement income and health care spending. This was roughly ten times the total cost of State programs targeting seniors. Senior spending provides a large economic multiplier effect in local communities, and many other advantages, including a high volume of local spending, a diverse job mix, a low level of seasonality, stability from year to year (not dependent on fluctuating world market conditions), an environmentally benign footprint, compatibility with other industries, non-enclave location (not concentrated in remote rural areas), and economies of scale which reduce costs for all Alaskans, particularly in health care services.

Alaskan seniors have a lower age-adjusted death rate than U.S. seniors overall. While more older Alaskans smoke, drink heavily, and binge drink, as a group they are more likely to eat plenty of fruits and vegetables, engage in physical activity, and describe themselves as being in good health. Falls are the leading cause of non-fatal injuries requiring hospitalization for every age group in Alaska, but serious injuries from falls increase dramatically in the senior population. Sadly, suicide rates among older Alaskans are considerably higher than national averages, though suicide does not constitute a leading cause of death here. Top causes of death in the older age groups in Alaska include cancer, heart disease, cerebrovascular disease, chronic lower respiratory disease, and Alzheimer's disease.¹

Challenges on the horizon for older Alaskans include income insecurity, the

¹ Alaska Bureau of Vital Statistics

need for more reliable access to health care and long-term care supports, a looming physician shortage, absence of geriatric education among providers, a shortage of a sufficient senior services and health care services workforce to meet future needs, the need for emergency preparedness for a wide range of potential disasters, and soaring energy and utility costs.

The State of Alaska provides a wide range of programs and services addressed to seniors, spanning multiple divisions and departments. Funds from the Older Americans Act as well as State general funds and resources from the Alaska Mental Health Trust Authority and other federal, State, and non-governmental sources help to pay for these services, many of which are provided through grant agreements with local non-profit service agencies. While the services and benefits available to Alaska seniors are impressive, increasing strain on the state's services system from the burgeoning senior population is inevitable, and demands advance planning (in particular the creation of a long-term care strategic plan) as well as a coordinated advocacy effort to obtain increased funding for senior needs.

This state plan focuses on six overall goals, with their respective objectives and recommended strategies. The goals cover keeping seniors healthy, active, and involved in their communities; ensuring access to an integrated array of health and social supports along the continuum of care; supporting families in their efforts to care for loved ones at home and in the community; providing a range of adequate, accessible, secure and affordable housing options for seniors; supporting a stable senior services and health care workforce as well as a range of attractive employment opportunities for seniors; and ensuring that older Alaskans are safe from catastrophic events and protected from personal exploitation, neglect, and abuse. For each year of the plan's coverage, an annual implementation plan will be created by all interested senior organizations, with each committing to work on specific strategies outlined in the plan.

While similar weighting factors (total number of seniors, seniors age 80+, minority seniors, poverty-level seniors, and rural seniors) have been used in the funding framework for this state plan as in the previous (FY 2003 – FY 2007) plan, seniors' demographic patterns have shifted substantially since the 2000 census. While no region of the state is seeing an actual decrease in its number of seniors, some regions are growing at a much faster rate than others. Railbelt census areas (those along the central rail corridor of the state, especially the Kenai Peninsula Borough, the Matanuska-Susitna Borough, Anchorage, and Fairbanks North Star Borough) are experiencing an influx of seniors from out-of-state and from more rural, remote regions of Alaska. Older Alaskans may move to more populated areas to obtain services or to be closer to relatives. In order to avoid the shock of a dramatic fund shift for some regions in the first year of this plan and to give those regions slated for a loss of funding the opportunity to seek other resources, the State will continue to use the FY 2003 – FY 2007 funding allotments during FY 2008 and FY 2009; in FY 2010, allocations will reflect 50% of the change dictated by the new funding framework, and by FY 2011 100% of the fund shifts will be implemented.

The coming quarter-century will usher in a dramatic period of growing need for senior services in Alaska. Nevertheless, seniors' many contributions to the state and its economy are recognized, and the State considers it a privilege to plan for and provide the services needed to preserve their quality of life. Alaska's State Plan for Senior Services, FY 2008 – FY 2011 presents a wide-ranging, inclusive vision to guide the effort to provide those services in a respectful manner that upholds the dignity and independence of older Alaskans.

**Alaska Commission on Aging (ACoA)
Testimony on SB 243
Prepared by Denise Daniello, ACoA Executive Director**

The purpose of this proposed legislation is to amend state law to align the statutes with the current mission and activities of the Commission and the Department of Health and Social Services which were initiated by Executive Order 108 of July 1, 2003. In essence, the Order transferred grant administration and state agency on aging responsibilities previously performed by the Alaska Commission on Aging in the Department of Administration to the Department of Health and Social Services as the State Unit on Aging and reestablished ACoA in DHSS. Furthermore, Executive Order 108 established Senior and Disabilities Services within the Department which assumed the grant administration functions previously performed by ACoA. Currently, the Commission has retained all other responsibilities it previously performed within the Department of Administration, with the exception of those related to senior grants which have been assigned to Senior and Disabilities Services.

Specifically, this proposed legislation:

- ❖ Assigns authority for establishing state policy related to Older Americans Act federal programs and state programs for Older Alaskans to the Department of Health and Social Services, as the State Unit on Aging, and
- ❖ Transfers grant authority related to senior service grants, adult day care, and family respite care grants from ACoA to the Department of Health and Social Services. The Department has assigned these grant administrative duties to Senior and Disabilities Services.

The U.S. Administration on Aging distributes Older American Act funds to states to support home and community based services for seniors. For a state to receive these funds, a state agency must be designated as the "state unit on aging." In Alaska, the Department of Health and Social Services is the State Unit on Aging as determined by Executive Order 108. The state unit responsibilities (as defined by the federal Older Americans Act) are carried out jointly by Senior and Disabilities Services and the Alaska Commission on Aging. While SDS is responsible for administering and distributing federal funds, the Commission has been responsible for planning, community education, and advocating for Alaska seniors.

Passage of HB 279 is requested to amend statutes so that they reflect the current roles of ACoA and the Department and to cure the "one and only finding" reported by the Division of Legislative Audit in its sunset review of the Commission in July 2007. ACoA supports this legislation which allows the Commission to focus its work on planning, education, and advocacy activities on behalf of Alaska's seniors.

The 2007 audit reviewed the operation and activities of the Commission for the period July 1, 2003 through June 30, 2007 to determine if the termination date of the Commission should be extended and if the Commission is operating in the public interest. The audit report was very positive with more than a 90% approval rating by

those surveyed on a variety of dimensions related to the Commission's planning, advocacy, and community education activities. Regarding the organizational changes initiated by Executive Order 108, the report conclusions stated "... ACoA has emerged from the reorganization as a respected planner, educator, and advocator for Alaska's seniors...(p. 7)", that a public need exists for the continuation of ACoA, and that the legislature extend ACoA's termination date to June 30, 2016. There were no complaints filed against the Commission.