

LEG. FINANCE - BILLS 1975 - 1976 496

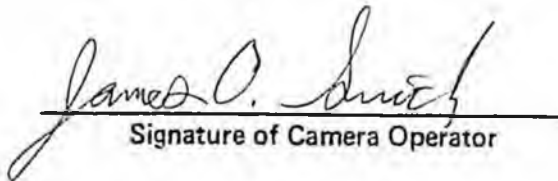
SB 20 thru SB 24 496

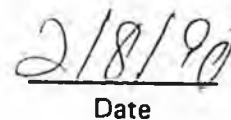


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

1/28

COMMITTEE REPORT

SENATE

Mr. President:

Date 3/11/36

The Committee on FINANCE has had SB 20
(permanent part-time employment in state service)

under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Chairman

A M E N D M E N T

Offered in the SENATE

By _____

To: _____ SENATE BILL NO. _____

_____ HOUSE BILL NO. _____

AMENDMENT: Page _____ Line _____ through _____

Strike Section 1000 (1) and insert a new section (1)
as follows:

(1) I request that the members of the Senate be
informed that the bill is a bill to amend the
law relating to the employment of _____

COPY - CHANCE

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

DIVISION OF RETIREMENT & BENEFITS PUBLIC EMPLOYEES' &
TEACHERS' RETIREMENT SYSTEMS, HEALTH INSURANCE, DEFERRED
COMPENSATION, GOVERNMENT SOCIAL SECURITY PROGRAM

POUCH CR - JUNEAU 99811
PHONE (907) 465-4410

January 29, 1976

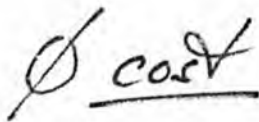
The Honorable Bill Ray
Chairman
Senate Finance Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Ray:

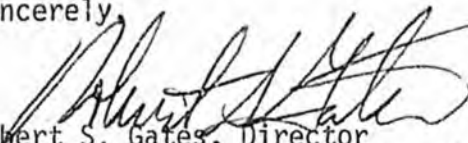
Mr. Jim Fennel of your office has requested that I provide you with some information concerning employee benefits which are available to permanent part-time employees.

At the present time a regular employee who works less than 30 hours per week is considered to be a permanent part-time employee. Individuals occupying those positions accrue all of the various benefits made available to a regular full-time employee with the exception of group health insurance and retirement benefits. The other benefits granted to them such as sick and annual leave are provided on an prorated basis according to the number of hours worked. Senate Bill number 20 which was introduced during the last legislative session provides that the employer would pay one-half of the group medical insurance costs and the employee would mandatorially pay the other half. In so far as retirement benefits are concerned the employee would be granted service credit. I am enclosing a copy of a letter to you dated May 16, 1975 in which I recommended that an amendment be made to the section pertaining to retirement credit where the individual would receive prorata credit rather than one-half credit.

I hope this provides you with the information you need. If you have any additional questions I would appreciate hearing from you.



Sincerely,


Robert S. Gates, Director
Division of Retirement & Benefits

RSG/jal
Enclosure

COPY - CHANCE

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TEACHERS' RETIREMENT SYSTEMS, HEALTH INSURANCE, DEFERRED
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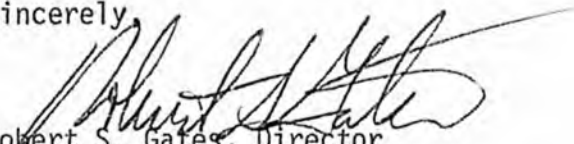
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May 16, 1975

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Pouch V
State Capitol
Juneau, Alaska 99801

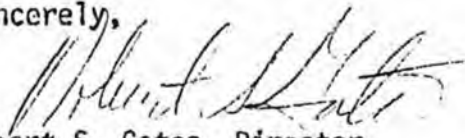
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I am concerned about some inequities which may result with the language contained in this piece of legislation. Under Section 4, AS 39.35.300 (b) a person working more than half time but less than full time would only receive half time credit. To provide equity among members, I would recommend that the following language be used "A permanent part-time employee of the state receives service credit on a pro rata basis to that which would have been earned as a permanent full time employee." If this language is used then a person would receive service credit based on the hours of work performed rather than only on a half time basis.

I regret that the error contained in the original fiscal note was not detected sooner. I trust that this letter will serve as a replacement for the fiscal note originally submitted. If you have any additional questions on this matter I would appreciate hearing from you.

Sincerely,



Robert S. Gates, Director
Division of Retirement & Benefits

RSG/jb
cc: Senator Genie Chance

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

DIVISION OF ADMINISTRATIVE SERVICES
PUBLIC EMPLOYEES' RETIREMENT & TEACHERS' RETIREMENT SYSTEMS,
HEALTH INSURANCE PROGRAM, GOVERNMENT SOCIAL SECURITY PROGRAM

JAY S. HAMMOND, Governor

POUCH CR -- JUNEAU 93801

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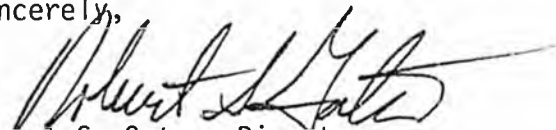
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STATE OF ALASKA

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DEPARTMENT OF ADMINISTRATION

DIVISION OF RETIREMENT & BENEFITS PUBLIC EMPLOYEES' &
TEACHERS' RETIREMENT SYSTEMS, HEALTH INSURANCE, DEFERRED
COMPENSATION, GOVERNMENT SOCIAL SECURITY PROGRAM

POUCH CR - JUNEAU 99811
PHONE (907) 465-4410

January 5, 1976

Mr. James D. Fennel
Staff Assistant
Senate Finance Committee
Pouch V
Juneau, Alaska 99811

Dear Jim:

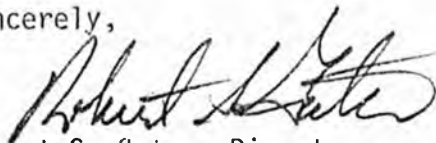
You requested us to review the fiscal note dated February 3, 1975 which was prepared for Senate Bill 20 and House Bill 22. I am enclosing a letter which was sent to Senator Ray dated May 16, 1975 which expresses our position on this piece of legislation.

The main suggestion that I have on this bill would be to amend the present language so prorated credit is given under AS 39.35.300 rather than one-half credit. This change would assure equity among all members by granting service credit in direct relationship to the amount of time worked. Our data processing systems can presently accommodate granting such prorated credit.

If you have any questions I would appreciate hearing from you.

Ø cost

Sincerely,



Robert S. Gates, Director
Division of Retirement & Benefits

RSG/jal
Enclosure

May 16, 1975

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Chairman
Senate Finance Committee
Pouch V
State Capitol
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Division of Retirement & Benefits

RSG/jb
cc: Senator Genie Chance

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill 20 and House Bill 22

Title: Permanent Part-time Employment

Requested by: Senate State Affairs

Date: January 24, 1975

Return Date Requested: ASAP

Agency: Administration - Retirement

Program: Health Insurance

II. FISCAL DETAIL

Budget Request Unit(s) Affected: ALL

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
100 Benefits	169.8	186.8	205.4	226.0	248.6	273.5
TOTAL	169.8	186.8	205.4	226.0	248.6	273.5

B. FUNDING: (Thousands of dollars)

GENERAL FUNDS	169.8	186.8	205.4	226.0	248.6	273.5
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	0/0	0/0
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Cost per month for each employee - \$28.30

Estimated number of employees involved = 500 (does not include U. of A.)

Cost per month - \$14.2

Annual Cost - \$169.8

It is assumed that medical insurance premiums will increase 10% each year.

The inclusion of this group would have no administrative cost impact.

IV. ATTACHMENTS

V. DATE: 2/3/75

PREPARED BY:

Robert S. Gates, Director
Division of Retirement & Benefits
Department of Administration

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL YEAR

First Session - Ninth Legislature

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PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	0/0	0/0
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PREPARED BY: Robert S. Gates

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Division of Retirement & Benefits
Department of Administration

Original: Legislative Finance
Budget and Management

cc: Prime Sponsor (First Legislator Named)

1 IN THE SENATE

BY CHANCE

2 SENATE BILL NO. 20

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to permanent part-time employment in
7 state service; and providing for an effective date."

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

9 * Section 1. AS 39.25.150 is amended by adding a new paragraph to read:

10 (24) the employment of persons in permanent positions on a
11 part-time basis of 15 hours or more a week, including the employment of
12 two persons to fill one permanent full-time position; these employees
13 shall be designated as permanent part-time employees.

14 * Sec. 2. AS 39.30.090 is amended by adding a new paragraph to read:

15 (14) For each permanent part-time employee the state shall
16 contribute one-half the state contribution rate for permanent full-time
17 state employees and the permanent part-time employee, as a condition of
18 employment, shall contribute the other one-half.

19 * Sec. 3. AS 39.30.100(1)(A) is amended to read:

20 (A) an employee who has served in permanent full-time or
21 part-time employment with the same governmental unit for 30 days or
22 more, except an [A PART-TIME,] emergency or temporary employee, and

23 * Sec. 4. AS 39.35.300 is amended by adding a new subsection to read:

24 (b) A permanent part-time employee of the state receives service
25 credit equal to one-half the service credit which would have been earned
26 as a permanent full-time employee.

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28 (A) means a person who receives remuneration for
29 permanent full-time or permanent part-time personal services

1 regularly rendered to an employer or who would receive remuneration
2 except for an authorized leave of absence;

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4 (ii) casual [OR PART-TIME] workers in a position having
5 duties which will not permit at least six months of service during
6 a calendar year,

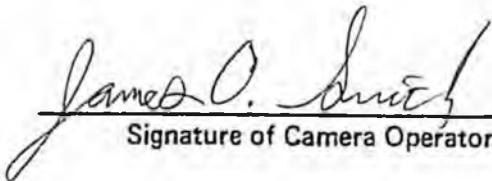
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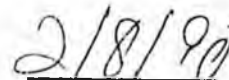


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Signature of Camera Operator


Date

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Introduced: 1/20/75
Referred: State Affairs and
Finance

1 IN THE SENATE

BY CHANCE

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STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

DIVISION OF ADMINISTRATIVE SERVICES
PUBLIC EMPLOYEES' RETIREMENT & TEACHERS' RETIREMENT SYSTEMS,
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JAY S. HAMMOND, Governor

POUCH CR - JUNEAU 99801

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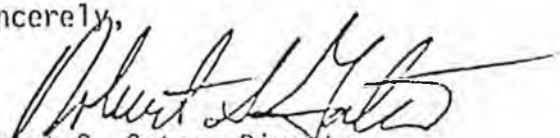
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cc: Senator Genie Chance

FISCAL YEAR
First Session - North Legislature

I. REQUEST

Bill No. Senate Bill 20 and House Bill 22
 Title: Permanent Part-time Employment
 Requested By: Senate State Affairs Date: January 21, 1975
 Return Date Requested: ASAP
 Agency: Administration - Retirement Program: Health Insurance

II. FISCAL DETAIL

Budget Request Unit(s) Affected: ALL

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
100 Benefits	169.8	186.8	205.4	226.0	248.6	273.5
TOTAL	169.8	186.8	205.4	226.0	248.6	273.5

B. FUNDING: (Thousands of dollars)

GENERAL FUND	169.8	186.8	205.4	226.0	248.6	273.5
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	0/0	0/0
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Cost per month for each employee - \$28.30
 Estimated number of employees involved = 500 (does not include U. of A.)
 Cost per month - \$14.2
 Annual Cost - \$169.8

It is assumed that medical insurance premiums will increase 10% each year.

The inclusion of this group would have no administrative cost impact.

IV. ATTACHMENTS

V. DATE: 2/3/75

PREPARED BY: Robert S. Gates

Robert S. Gates, Director
 Division of Retirement & Benefits
 Department of Administration

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

2/8/90
Date

"An Act relating to the Violent Crimes Compensation Board, and providing for an effective date."

COMMITTEE REPORT

3/25/75

HOUSE

REMARKS

Mr. Speaker:

Date 5/1/75

The Committee on FINANCE ~~ENGINEERING~~ has had CSSE 23 AM

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

John Love Chairman

Offered: 3/12/75
Referred: Rules

Original sponsor: Huber

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 23 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Violent Crimes Compensation
7 Board; and providing for an effective date."

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

9 * Section 1. AS 18.67.010 is amended to read:

10 Sec. 18.67.010. PURPOSE. It is the purpose of this chapter to
11 facilitate and permit the payment of compensation to innocent persons
12 injured, [AND] to dependents of persons killed, and to certain other
13 persons who by virtue of their relationship to the victim of a crime
14 incur actual and reasonable expense as a result of certain serious
15 crimes or in attempts to prevent the commission of crime or to appre-
16 hend suspected criminals.

17 * Sec. 2. AS 18.67.020(a) is amended to read:

18 (a) There is the Violent Crimes Compensation Board in the Depart-
19 ment of Health and Social Services composed of three members to be
20 appointed by the governor. One of the members shall be designated as
21 chairman by the governor. At least one member shall be a medical or
22 osteopathic physician licensed to practice in this state and one member
23 shall be an attorney licensed to practice in this state.

24 * Sec. 3. AS 18.67.040(a) is amended to read:

25 Sec. 18.67.040. ACTION ON APPLICATION; HEARINGS. (a) Upon
26 application made under the provisions of this chapter, the board shall
27 consider the application and rule on it. The board may, upon its own
28 motion, order a hearing, specifying the time and place it is to be held;
29 if a hearing is ordered, the board shall give notice to the applicant.

1 If, after consideration without a hearing, the decision is unfavorable
2 to the applicant, in whole or in part, the board shall furnish him
3 a written statement of the reason for the ruling. If, within 30 days
4 after receipt of this statement, the applicant requests a hearing on
5 his application, the board shall specify [FIX] a time and place for a
6 hearing and shall give notice to the applicant. If no request for a
7 hearing is made within the specified time, the decision of the board
8 is final.

9 * Sec. 4. AS 18.67.050 is amended to read:

10 Sec. 18.67.050. ATTORNEY FEES. The board may, as part of an
11 order entered under this chapter, determine and allow reasonable
12 attorney fees, which may not exceed \$2,500 [15 PER CENT OF THE AMOUNT
13 AWARDED AS COMPENSATION UNDER SEC. 70 OF THIS CHAPTER], to be paid
14 [OUT OF BUT NOT] in addition to the amount of the compensation, to
15 the attorney representing the applicant. It is unlawful for the
16 attorney to ask for, contract for, charge, demand, collect or receive a
17 larger sum than the amount allowed by the board in the award of attorney
18 fees. An attorney who violates this section shall forfeit any fee
19 awarded and shall repay the state the fee awarded under this section.

20 * Sec. 5. AS 18.67.080(a)(2) is amended to read:

21 (2) In the case of personal injury or death of the victim,
22 to a person responsible or who had been responsible for the maintenance
23 of the victim who has suffered pecuniary loss or incurred expenses as
24 a result of the injury or death; or

25 * Sec. 6. AS 18.67.090 is amended to read:

26 Sec. 18.67.090. RECOVERY FROM COLLATERAL SOURCE. (a) Up to the
27 maximum set in sec. 130(c) of this chapter, the board may award compen-
28 sation for losses and expenses allowable under sec. 110 of this chapter
29 for which the applicant is not compensated by [THE BOARD SHALL DEDUCT

1 FROM COMPENSATION AWARDED UNDER THIS CHAPTER THE PAYMENTS RECEIVED
2 FROM] the offender or [FROM] a person on behalf of the offender, or by
3 [FROM] the United States, a state, or any of its subdivisions or agencies,
4 or a private source or emergency awards under sec. 120 of this chapter,
5 for injury or death compensable under this chapter.

6 (b) If compensation is awarded under this chapter and the person
7 receiving it also receives a collateral sum under (a) of this section
8 which has not been deducted from it, the board may require that he
9 refund either the amount of the collateral sum [HE SHALL REFUND TO THE
10 BOARD THE LESSER OF THE SUMS] or the amount of compensation paid to
11 him under this chapter, whichever is less.

12 (c) Notwithstanding the provisions of (a) and (b) of this section,
13 in the case of the death of a victim, the value of a life insurance
14 policy may not be considered a collateral sum that may be deducted
15 under this section.

16 * Sec. 7. AS 18.67.110(2) is amended to read:

17 (2) loss of earning power as a result of total or partial
18 incapacity of the victim, and reasonable expenses of job retraining of
19 or similar employment-oriented rehabilitative services for the victim;

20 * Sec. 8. AS 18.67.120(i) is amended to read:

21 (1) the amount of the emergency compensation may not exceed
22 \$1,500 [\$500];

23 * Sec. 9. AS 18.67.130(b) is amended to read:

24 (b) No compensation may be awarded if the victim

25 (1) is a relative of the offender;

26 (2) is, at the time of the personal injury or at the time
27 of the injury which results in the death of the victim living with the
28 offender as a member of the same [HIS] family or household, or main-
29 taining a sexual relationship, whether illicit or not, with the offender

1 [PERSON] or with a member of the offender's [HIS] family;

2 (3) violated a penal law of the state, which violation
3 caused or contributed to his injuries or death; or

4 (4) is injured as a result of the operation of a motor
5 vehicle, boat or airplane unless the vehicle was used as a weapon in a
6 deliberate attempt to injure or kill [RUN] the victim [DOWN].

7 * Sec. 10. AS 18.67.130(c) is amended to read:

8 (c) No compensation may be awarded under this chapter in an
9 amount in excess of \$25,000 per victim per incident. However, in the
10 case of the death of a victim who has more than one dependent eligible
11 for compensation, the total compensation which may be awarded as a
12 result of that death may not exceed \$40,000. The board may prorate
13 the total awarded among those dependents according to relative need.
14 All [\$10,000 AND ALL] payments shall be made in a lump sum.

15 * Sec. 11. AS 18.67 is amended by adding a new section to read:

16 Sec. 18.67.175. DUTY TO DISPLAY INFORMATION. (a) Every hospital
17 licensed by this state shall display prominently in its emergency
18 room, main entrance, and business office posters notifying the public
19 of the existence and general provisions of this chapter. The board
20 may set standards for the location of this display and shall provide
21 posters and general information regarding the provisions of this
22 chapter to each hospital and to each physician licensed to practice
23 medicine in the state.

24 (b) Every law enforcement agency in the state shall inform
25 victims of violent crimes, or their surviving dependents, of the
26 provisions of this chapter and shall provide application forms to the
27 victims, or their dependents, who desire to seek compensation under
28 this chapter. The board shall provide application forms, all other
29 documents and general information which law enforcement agencies may

1 require to comply with this subsection.

2 * Sec. 12. This Act takes effect immediately in accordance with AS
3 01.10.070(c).

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Original sponsor: Gruening

Offered: 3/19/75
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 *CS* *SB 23am* CS FOR ~~HOUSE BILL NO. 114 (FIN. TRC)~~

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Violent Crimes Compensation
7 Board; and providing for an effective date."

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

9 * Section 1. AS 18.67.010 is amended to read:

10 Sec. 18.67.010. PURPOSE. It is the purpose of this chapter to
11 facilitate and permit the payment of compensation to innocent persons
12 injured, [AND] to dependents of persons killed, and to certain other
13 persons who by virtue of their relationship to the victim of a crime
14 incur actual and reasonable expense as a result of certain serious
15 crimes or in attempts to prevent the commission of crime or to appre-
16 hend suspected criminals.

17 * Sec. 2. AS 18.67.040(a) is amended to read:

18 Sec. 18.67.040. ACTION ON APPLICATION; HEARINGS. (a) Upon
19 application made under the provisions of this chapter, the board shall
20 consider the application and rule on it. The board may, upon its own
21 motion, order a hearing, specifying the time and place it is to be
22 held; if a hearing is ordered, the board shall give notice to the
23 applicant. If, after consideration without a hearing, the decision is
24 unfavorable to the applicant, in whole or in part, the board shall
25 furnish him a written statement of the reason for the ruling. If,
26 within 30 days after receipt of this statement, the applicant requests
27 a hearing on his application, the board shall specify [FIX] a time
28 and place for a hearing and shall give notice to the applicant. If
29 no request for a hearing is made within the specified time, the

1 IN THE SENATE

BY HUBER

2 SENATE BILL NO. 23

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Violent Crimes Compensation
7 Board; and providing for an effective date."

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

9 * Section 1. AS 18.67.010 is amended to read:

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19 application made under the provisions of this chapter, the board
20 shall consider the application and rule on it. The board may,
21 upon its own motion, order a hearing, specifying the time and place it
22 is to be held; if a hearing is ordered, the board shall give notice to
23 the applicant. If, after consideration without a hearing, the decision
24 is unfavorable to the applicant, in whole or in part, the board shall
25 furnish him a written statement of the reason for the ruling. If, within
26 30 days after receipt of this statement, the applicant requests a hearing
27 on his application, the board shall specify [FIX] a time and place for a
28 hearing and shall give notice to the applicant. If no request for a
29 hearing is made within the specified time, the decision of the board is

1 final.

2 * Sec. 3. AS 18.67.050 is amended to read:

3 Sec. 18.67.050. ATTORNEY FEES. The board may, as part of an order
4 entered under this chapter, determine and allow reasonable attorney fees,
5 which may not exceed 15 per cent of the amount awarded as compensation
6 under sec. 70 of this chapter, to be paid [OUT OF BUT NOT] in addition
7 to the amount of the compensation, to the attorney representing the
8 applicant. It is unlawful for the attorney to ask for, contract for,
9 charge, demand, collect or receive a larger sum than the amount allowed
10 by the board in addition to [IN THE] award. An attorney who violates
11 this section is guilty of a misdemeanor and, upon conviction, is
12 punishable by a fine of not less than \$500, or by imprisonment for not
13 more than one year, or by both, and shall forfeit any fee awarded and
14 shall repay the state the fee awarded under this section.

15 * Sec. 4. AS 18.67.080(a)(2) is amended to read:

16 (2) In the case of personal injury or death of the victim,
17 to a person responsible or who had been responsible for the maintenance
18 of the victim who has suffered pecuniary loss or incurred expenses as a
19 result of the injury or death; or

20 * Sec. 5. AS 18.67.090 is repealed and re-enacted to read:

21 Sec. 18.67.090. LIMITATION ON RECOVERY FROM COLLATERAL SOURCES.
22 The board may deduct from the final compensation awarded under this
23 chapter only that amount awarded to the applicant as emergency compensa-
24 tion under sec. 120 of this chapter.

25 * Sec. 6. AS 18.67.110(2) is amended to read:

26 (2) loss of earning power as a result of total or partial
27 incapacity of the victim, and reasonable expenses of job retraining of
28 or similar employment-oriented rehabilitative services for the victim;

29 * Sec. 7. AS 18.67.120(1) is amended to read:

1 (1) the amount of the emergency compensation may not exceed
2 \$1,500 [\$500];

3 * Sec. 8. AS 18.67.130(b) is amended to read:

4 (b) No compensation may be awarded if the victim

5 (1) is a relative of the offender;

6 (2) is, at the time of the personal injury or at the time of
7 the injury which results in the death of the victim living with the
8 offender as a member of the same [HIS] family or household, or main-
9 taining a sexual relationship, whether illicit or not, with the offender
10 [PERSON] or with a member of the offender's [HIS] family;

11 (3) violated a penal law of the state, which violation caused
12 or contributed to his injuries or death; or

13 (4) is injured as a result of the operation of a motor vehicle,
14 boat or airplane unless the vehicle was used as a weapon in a deliberate
15 attempt to injure or kill [RUN] the victim [DOWN].

16 * Sec. 9. AS 18.67.130(c) is amended to read:

17 (c) No compensation may be awarded under this chapter in an amount
18 in excess of \$25,000 per applicant per incident. However, in the case of
19 the death of a victim who has more than one dependent applying for com-
20 ensation, the total compensation which may be awarded as a result of
21 that death may not exceed \$25,000 awarded for one dependent plus \$5,000
22 for each additional dependent. All [\$10,000 AND ALL] payments shall be
23 made in a lump sum.

24 * Sec. 10. AS 18.67 is amended by adding new sections to read:

25 Sec. 18.67.175. DUTY TO DISPLAY INFORMATION. (a) Every hospital
26 licensed by this state shall display prominently in its emergency room
27 posters notifying the public of the existence and general provisions of
28 this chapter. The board shall set standards for the location of this
29 display and shall provide posters, application forms and general informa-

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tion regarding the provisions of this chapter to each hospital and to each physician licensed to practice medicine in the state.

(b) Every law enforcement agency in the state shall inform victims of violent crimes, or their surviving dependents, of the provisions of this chapter and shall provide application forms to the victims, or their dependents, who desire to seek compensation under this chapter. The board shall provide application forms, all other documents and general information which law enforcement agencies may require to comply with this subsection. The board shall set standards to be followed by law enforcement agencies for this purpose and may require them to file with the board a description of the procedures adopted by each agency to comply.

* Sec. 11. This Act takes effect immediately in accordance with AS 01.10.070(c).

The Legislature of the State of Alaska
FISCAL NOTE

REVISED

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill 23 as originally proposed by Senator Huber
 Title: An Act Relating to the Violent Crimes Compensation Board
 Requested by: _____ Date: 2/26/75
 Return Date Requested: _____
 Agency: Health & Social Services Program: Violent Crimes Compensation

II. FISCAL DETAIL Revised Original Submittal dated 2/20/75 which reflected total Budget Request Unit(s) Affected: 06-67-5-01

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES					5.0	5.
200 TRAVEL		2.0	5.0	5.0	3.0	3.
300 CONTRACTUAL		28.0	34.0	35.0	42.0	44.
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		120.0	190.0	250.0	270.0	300.
TOTAL		150.0	227.0	288.0	318.0	350.

B. FUNDING: (Thousands of dollars)

GENERAL FUND		150.0	227.0	288.0	318.0	350
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	2/	2/	2/	2/	2/1	2/
MAN MONTHS (P./T.)	24/	24/	24/	24/	24/6	24/1

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Under Senate Bill 23 as proposed by Senator Huber the fiscal impact would be reflected in the award area as shown in the fiscal detail; the figures were arrived through:

- 1) projection of present awards and assumption that future Boards would maintain the same policy as prior Boards using new maximum and additional dependents of deceased victims coverage.
- 2) addition of 15% attorney fees instead of deduction from award; based on prior awards wherein claimant was represented by other than Alaska Legal Services.

(cont)

IV. ATTACHMENTS

List of awards made in FY74 with projections under this proposed legislation.

V. DATE: 2/26/75

PREPARED BY: Sarah M. Brown
Admin

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

III. ANALYSIS (continued)

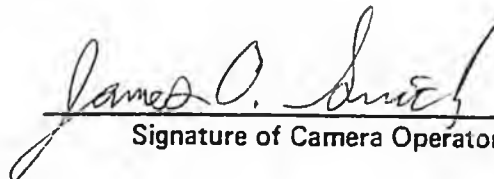
- 3) the added compensation for deceased dependents does not significantly increase awards as this type of claim is limited in numbers (only one has been reported) and only medical and reasonable burial expenses are compensated.
- 4) Although limitation on recovery from collateral sources is restricted to only deduction of an emergency award the Board could conceivably take insurance and other collateral sources into consideration under Section 18.67.110 (1) expenses actually and reasonably incurred.
- 5) Although the hearing requirement on all applications received is modified the requirement of all agencies having applications available would increase the number of questionable claims received and would therefore require more claims to come before a hearing, increasing the amounts needed in travel and contractual services.

Victim	Were Awarded	Award Under Huber Amendment	Additional 15% Attorney Fees
74-005	-0-	\$25,000.00	\$7,500.00
74-006	\$ 3,000.00	5,000.00	
74-007	3,000.00	5,000.00	
74-008	3,000.00	5,000.00	
74-009	500.00	5,000.00	
74-010	500.00	5,000.00	
74-011	1,140.00	25,000.00	
74-018	1,178.00	3,200.00	480.00
74-021	2,000.00	2,000.00	300.00
74-022	-0-	25,000.00	
74-022 (a)	2,500.00	5,000.00	
74-022 (b)	2,000.00	5,000.00	
74-022 (c)	2,000.00	5,000.00	
74-022 (d)	2,000.00	5,000.00	
74-022 (e)	1,500.00	5,000.00	
74-023	10,000.00	25,000.00	
74-023 (a)	-0-	5,000.00	
74-023 (b)	-0-	5,000.00	
74-023 (c)	-0-	5,000.00	
74-024	260.42	260.42	
74-025	5,760.00	15,000.00	
74-026	-0-	25,000.00	
74-029	6,950.00	25,000.00	
74-030	-0-	25,000.00	
74-031	651.35	651.35	
74-033	669.83	669.83	
74-038	500.00	500.00	75.00
74-040	7,401.78	7,401.78	1,110.26
74-047	3,816.99	3,816.99	572.55
TOTALS	\$60,328.37	\$273,500.37	\$10,037.81

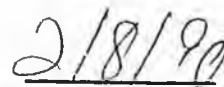


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Signature of Camera Operator



Date

COMMITTEE REPORT

SENATE

3/24/75

Mr. President:

Date 4.14.75

The Committee on FINANCE has had SB 24
~~community mental health services~~
under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH ^{HESS} CS FOR SB 24 AND THAT
CS FOR SB 24 DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

Lee Kay _____

Members NOT concurring in the Majority report:

_____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:

Lee Kay Chairman

The Legislature of the State of Alaska
FISCAL NOTE

First Session -- Ninth Legislature

I. REQUEST

Bill No. CSSB 24
 Title: Community Mental Health Services Act
 Requested by: Senator Bill Ray Date: _____
 Return Date Requested: _____
 Agency: Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL

Operated

Budget Request Unit(s) Affected: Community/Mental Health Centers

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	8.4	8.4	11.2	11.2	11.2	11.2
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	211.7	582.5	1239.2	2002.6	2782.0	3560.4
		(264.4)	(290.8)	(319.9)	(351.9)	(387.1)
TOTAL	220.1	590.9	1250.4	2013.8	2793.2	3571.6

B. FUNDING: (Thousands of dollars)

GENERAL FUND 90-10	220.1	590.9	1250.4	2013.8	2793.2	3571.6
FEDERAL FUNDS						
OTHER	62.2	166.9	368.7	601.5	834.3	1068.2

C. POSITIONS:

PERMANENT/TEMPORARY	3/	3/	3/	4/	4/	4/
MAN MONTHS (P./T.)	36/	36/	36/	48/	48/	48/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

THE LEGISLATURE OF THE STATE OF ALASKA - FISCAL NOTE

The present matching ratio established by policy is to fund 75% of the operating budgets of Ketchikan and Kodiak. In Fiscal Year 1975, the Legislature funded Gateway Community Mental Health Center at 138.4 and Kodiak Aleutian Center at 81.7 for a total of 220.1.

The State also has regional offices in Anchorage, Juneau and Fairbanks, which operated mental health clinics. In Fiscal Year 1975 the Legislature funded Anchorage at 227.1, Juneau at 175.1, and Fairbanks at 205.3 for a total of 607.5.

In Fiscal Year 1975 a total of 827.6 General Funds were appropriated for community mental health programs in Alaska.

The largest community mental health center is in Ketchikan with an operating budget of 231.2 in Fiscal Year 1976. This center has the only community mental health program in Alaska which we feel has an adequate staff to serve the need of its catchment area (population approximately 20,000). This center has a staff of 5 professionals, 1 aide, 1 administrative assistant, and 2 clerical staff. Contrast this with the state-operated clinic in Anchorage of 5 professionals and 2 clerical personnel responsible for a catchment area population of approximately 158,000.

Although it is anticipated that projections of cost will be unique to each community dependent on its geographical locations, its available manpower, its present mental health and its needs, a rough estimate of the cost of a community mental health program resources for Alaska can be projected.

Assuming the Ketchikan program is adequate and by projecting the figures of 20,000 population and a budget of 231.2 to the entire State would indicate that Alaska could develop a statewide community mental health program for approximately 4,639.8. Using the matching formula in this Bill of 75%, the State's General Fund share would be 3,479.9. The State already has a 827.6 General Fund appropriation for community mental health services. Consequently, an additional 2,652.3 would be required. It has been brought to our attention that the 75% match would be inadequate in poverty areas and a 90% match would be more realistic. Below is a list of mental health planning areas and their designation as poverty or non-poverty areas. 13 of the planning areas are designated as poverty areas encompassing 44,000 persons or 13% of the total population (base 330,000).

Utilizing the 90% - 10% matching ratio in the 13 planning districts would increase the total estimated General Fund cost to 3,571.6 or an additional 92.1.

District	Poverty* Non-Poverty	District Center	July 1/73 Population Estimate by Dpt. of Labor
1	Poverty	Barrow	2,814
2	"	Kotzebue	4,352
3	"	Bettles	461
4	"	Fort Yukon	934
5	"	Nome	5,682
6	"	Galena	1,862
7	Non-Poverty	Fairbanks	52,074
8	Poverty	Tok	649
9	"	Bethel	11,784
10	"	Aniak	1,881
11	"	McGrath	585
12	Non-Poverty	Anchorage	158,026
13	Poverty	Glenallen	1,204
14	"	Dillingham	4,858
15	Non-Poverty	Kodiak	8,868
16	Poverty	Sand Point/Unalaska	6,914
17	Non-Poverty	Kenai	13,781
18	"	Seward	2,446
19	"	Valdez	3,903
20	"	Juneau	21,102
21	"	Sitka	11,095
22	"	Ketchikan	13,823

* Poverty areas are determined by 15% or more of the population falling under 125% of the O.E.O. Poverty Guidelines (Per 1970 Census Data).

SENATE FINANCE COMMITTEE ²⁷

LEGISLATIVE INTENT 18

FOR 3

14

COMMITTEE SUBSTITUTE FOR SENATE BILL 24

It is the Intent of the Legislature that an expanded role for Community Mental Health Centers, as provided by CSSB 24, be funded solely through whatever funds are appropriated in the Budget ~~and~~ under State and Community Mental Health Centers and whatever additional Federal funds a community is able to obtain; ~~no~~ The establishment of ~~an ongoing~~ a continuing program of State assistance for Community Mental Health Centers through CSSB 24 ^{is designed to} ~~should~~ facilitate a ~~the~~ community's ~~the~~ acquisition of Federal funding ~~should Federal funding~~ (supplemental appropriations will be considered.)

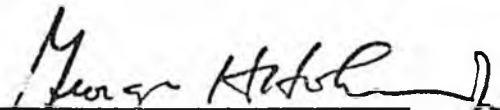
SENATE JOURNAL

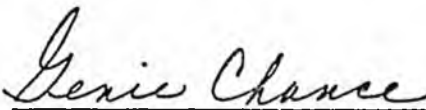
COMMITTEE REPORT ON SENATE BILL 24

Senate Bill 24, relating to community mental health centers, enables the State of Alaska to assist its local communities in planning, organizing and financing locally administered mental health services.

This bill is important to the development of community mental health services in Alaska and will allow local centers to become the primary treatment resource.

A 90/10 funding ratio is included for areas that are designated poverty areas. This will have little fiscal impact overall, but greatly increase effectiveness for small communities.


George Honman
Chairman
Senate Health, Education and
Social Services Committee


Genie Chance
Vice Chairman
Senate Health, Education and
Social Services Committee

District	Poverty * Non-Poverty	District Center	July 1, 1973 Population Estimates by Dept. of Labor
1	Poverty	Barrow	2,814
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22	"	Ketchikan	13,823

In districts in which

(* Poverty areas are determined by 15% or more of the population falling under 125% of the O. E. O. Poverty Guidelines (Per 1970 Census Data)

FILE WITH
BILL

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

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PMS SENATOR BILL RAY

JUN

3108

ALASKA CHAPTER NATIONAL ASSOCIATION OF SOCIAL WORKERS
SUPPORTS (SB24) CONCERNING COMMUNITY MENTAL HEALTH SERVICES.
WE STRONGLY URGE THAT IT BE PASSED OUT OF FINANCE COMMITTEE
AS SOON AS POSSIBLE WITH A DO PASS RECOMMENDATION
CECILIA KLEINKAUF CHAIRMAN SOCIAL ACTION COMMITTEE NASW
4201 MCINNES 99504

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. CSSB 24
 Title: Community Mental Health Services Act
 Requested by: Senator Bill Ray Date: _____
 Return Date Requested: _____
 Agency: Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Community/Mental Health Centers Operated

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	8.4	8.4	11.2	11.2	11.2	11.2
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	211.7	582.5	1239.2	2002.6	2782.0	3560.4
		(264.4)	(290.8)	(319.9)	(351.9)	(387.1)
TOTAL	220.1	590.9	1250.4	2013.8	2793.2	3571.6

B. FUNDING: (Thousands of dollars)

GENERAL FUND 90-10	220.1	590.9	1250.4	2013.8	2793.2	3571.6
FEDERAL FUNDS						
OTHER	62.2	166.9	368.7	601.5	834.3	1068.2

C. POSITIONS:

PERMANENT/TEMPORARY	3/	3/	3/	4/	4/	4/
MAN MONTHS (P./T.)	35/	36/	36/	48/	48/	48/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

In a letter of intent carried on Page 714 of the Senate Journal, the Senate Finance Committee specified that this program "be funded solely through whatever funds are appropriated in the Budget under State and Community Health Centers and whatever additional Federal funds a community is able to obtain." Thus, FY 76 fiscal impact is considered to be 0.

J. H. Hogan

IV. ATTACHMENTS

V. DATE: 3-26-75

PREPARED BY: George M. Hunter

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA - FISCAL NOTE

The present matching ratio established by policy is to fund 75% of the operating budgets of Ketchikan and Kodiak. In Fiscal Year 1975, the Legislature funded Gateway Community Mental Health Center at 138.4 and Kodiak Aleutian Center at 81.7 for a total of 220.1.

The State also has regional offices in Anchorage, Juneau and Fairbanks, which operated mental health clinics. In Fiscal Year 1975 the Legislature funded Anchorage at 227.1, Juneau at 175.1, and Fairbanks at 205.3 for a total of 607.5.

In Fiscal Year 1975 a total of 827.6 General Funds were appropriated for community mental health programs in Alaska.

The largest community mental health center is in Ketchikan with an operating budget of 281.2 in Fiscal Year 1976. This center has the only community mental health program in Alaska which we feel has an adequate staff to serve the need of its catchment area (population approximately 20,000). This center has a staff of 5 professionals, 1 aide, 1 administrative assistant, and 2 clerical staff. Contrast this with the state-operated clinic in Anchorage of 5 professionals and 2 clerical personnel responsible for a catchment area population of approximately 158,000.

Although it is anticipated that projections of cost will be unique to each community dependent on its geographical locations, its available manpower, its present mental health and its needs, a rough estimate of the cost of a community mental health program resources for Alaska can be projected.

Assuming the Ketchikan program is adequate and by projecting the figures of 20,000 population and a budget of 281.2 to the entire State would indicate that Alaska could develop a statewide community mental health program for approximately 4,639.8. Using the matching formula in this Bill of 75%, the State's General Fund share would be 3,479.9. The State already has a 827.6 General Fund appropriation for community mental health services. Consequently, an additional 2,652.3 would be required. It has been brought to our attention that the 75% match would be inadequate in poverty areas and a 90% match would be more realistic. Below is a list of mental health planning areas and their designation as poverty or non-poverty areas. 13 of the planning areas are designated as poverty areas encompassing 44,000 persons or 13% of the total population (base 330,000).

Utilizing the 90% - 10% matching ratio in the 13 planning districts would increase the total estimated General Fund cost to 3,571.6 or an additional 92.1.

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21	"	Sitka	11,095
22	"	Ketchikan	13,823

* Poverty areas are determined by 15% or more of the population falling under 125% of the O.E.O. Poverty Guidelines (Per 1970 Census Data).

Offered: 3/24/75
Referred: Finance

Original sponsor: Chance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 24

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to community mental health services;
7 and providing for an effective date."

8

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

9

* Section 1. AS 47.30 is amended by adding new sections to read:

10

ARTICLE 5. COMMUNITY MENTAL HEALTH SERVICES.

11

Sec. 47.30.520. LEGISLATIVE PURPOSE. It is the purpose of the

12

legislature in enacting the Community Mental Health Services Act to

13

assist local communities in planning, organizing and financing commun-

14

ity mental health services through locally developed, administered and

15

controlled community mental health programs. It is further intended

16

to better utilize existing resources at both state and local levels in

17

order to:

18

(1) develop and implement plans for initiating maximum

19

mental health services based on demonstrated need for services in each

20

geographical planning area, as well as regionalized comprehensive

21

mental health services;

22

(2) improve the effectiveness of existing mental health

23

services;

24

(3) integrate state-operated and community mental health

25

programs into a unified mental health system;

26

(4) provide a means for participation by local communities

27

in the determination of the need for and the allocation of mental

28

health resources;

29

(5) establish a uniform ratio of local and state government

1 responsibility for financing mental health services;

2 (6) provide a means of allocating state mental health funds
3 according to community needs;

4 (7) encourage the full use of all existing public or private
5 agencies, facilities, personnel, and funds to accomplish these objec-
6 tives; and

7 (8) prevent unnecessary duplication and fragmentation of
8 services and expenditures.

9 Sec. 47.30.530. DUTIES OF DEPARTMENT. The department shall
10 administer the provisions of secs. 520 - 620 of this chapter and shall

11 (1) define and develop standards for various levels and
12 qualities of mental health care;

13 (2) provide fiscal and professional technical assistance in
14 planning, organizing, developing, implementing, and administering
15 local mental health services;

16 (3) develop budgets, receive and disburse state appropria-
17 tions and funds in accordance with the provisions of secs. 520 - 620
18 of this chapter;

19 (4) establish standards of education and experience for
20 professional, technical and administrative personnel employed in com-
21 munity mental health services;

22 (5) assist the community in establishing the organization
23 and operation of community mental health services;

24 (6) develop a standardized system for measuring and report-
25 ing to the department the types, quantities and quality of services;
26 and a cost accounting system which will demonstrate the cost of various
27 levels and qualities of care;

28 (7) provide each local community planning and services
29 delivery entity with statistics, reports, and other data relevant to

1 development of indices indicating the need for mental health services,
2 or relevant to evaluating the effectiveness of existing services;

3 (8) review each local community plan and require each plan
4 to include

5 (A) an affirmative showing that the most effective and
6 economic use will be made of all available public and private
7 resources in the community including careful consideration of the
8 most effective and economic alternative forms and patterns of
9 services;

10 (B) a five-year projection of needs, services and
11 resources; and

12 (C) adequate provisions for review and evaluation of
13 services provided in the local community;

14 (9) adopt regulations and establish priorities, after con-
15 sultation with local communities affected and in conjunction with a
16 state mental health advisory council, which are necessary to carry out
17 the purposes of secs. 520 - 620 of this chapter.

18 Sec. 47.30.540. ELIGIBLE LOCAL COMMUNITY ENTITIES. (a) A city
19 or borough government or other political subdivision of the state, a
20 nonprofit corporation, or a combination of these, is eligible to
21 receive funds and administer local programs under secs. 520 - 620 of
22 this chapter. In order to insure equitable access to funds and pro-
23 grams through the state, the department shall determine appropriate
24 geographical areas to be served by local programs in consultation with
25 representatives of the geographical areas in question.

26 (b) The entity designated by the department in the local area as
27 the organizational unit to receive funds under secs. 520 - 620 of this
28 chapter and to administer the program shall insure a broad base of
29 community support as evidenced by a governing board reasonably

1 representative of the professional, civic, and citizen groups in the
2 community. No more than two members, or 40 per cent of the membership,
3 whichever is greater, may be providers of services under the program.
4 In order to receive funds under secs. 520 - 620 of this chapter, a
5 local community entity shall agree to

6 (1) give priority to mental health programs and services
7 that have a maximum impact on other tax funded programs;

8 (2) furnish services through a qualified staff meeting
9 reasonable standards of experience and training;

10 (3) conform to a state cost accounting system showing the
11 true cost of services rendered, collect fees for services according to
12 a schedule based on an analysis of reasonable ability to pay, and pro-
13 vide that no person shall be refused services because of inability to
14 pay for those services;

15 (4) maintain adequate clinical and administrative records
16 and to furnish periodic reports to the department;

17 (5) furnish the department an annual report of the preceding
18 fiscal year, including an evaluation of the effectiveness of the
19 previous year's programs and their costs; and

20 (6) furnish the department each year a satisfactory annual
21 update of a long-range planning and budget statement that describes
22 program goals for the coming year, the steps and resources necessary
23 to implement the goals, the projected means by which these resources
24 will be secured and the procedures necessary to evaluate the program.

25 (c) Members of local governing boards may be reimbursed for
26 necessary travel expenses incurred in the organization and operation
27 of local programs as may be determined by the department.

28 Sec. 47.30.550. COST-SHARING FORMULA; LIMITATIONS. If the
29 department finds that it is necessary for the purposes of secs. 520 -

1 620 of this chapter, the department may enter into a contract with an
2 eligible community entity under which the department purchases commun-
3 ity mental health services from the entity in accordance with the
4 community entity's approved plan and secs. 520 - 620 of this chapter.
5 The department shall purchase the services by participating in 75 per
6 cent of the eligible costs of the services to be furnished under the
7 plan subject to the availability of state funds to the department for
8 implementing secs. 520 - 620 of this chapter. In districts designated
9 by the department as poverty areas, the department shall purchase the
10 services by participating in 90 per cent of the eligible costs.

11 Sec. 47.30.560. FUNDS FOR LOCAL PROGRAMS. The contracts for
12 services provided for in secs. 520 - 620 of this chapter shall be
13 reviewed, revised if necessary, and approved at the expiration of each
14 contract year. A contract shall be approved if the department finds
15 that the community entity has complied with its plan, secs. 520 - 620 of
16 this chapter, and any applicable regulations adopted by the department.
17 Expenditures for the purchase of services shall be made in accordance
18 with the approved contract, budgets and program projections.

19 Sec. 47.30.570. ELIGIBLE COSTS; MAINTENANCE OF LOCAL EFFORT. The
20 department shall adopt regulations specifying the types of services and
21 program costs eligible for state participation. These regulations shall
22 include

23 (1) a provision excluding capital expenditures as eligible
24 costs; and

25 (2) a requirement that the community entity contractor or
26 applicant agrees as a condition of contract approval that it will not
27 supplant existing local fund support of community mental health services
28 with funds received under secs. 520 - 620 of this chapter and that it
29 will continue local funding support of community mental health services,

1 in any year in which it contracts with the department, at a level that
2 is at least equal to the local funding support in the previous year.

3 Sec. 47.30.580. COMPREHENSIVE SERVICES. Plans and regulations
4 adopted under secs. 520 - 620 of this chapter shall allow local programs
5 sufficient administrative and program flexibility so that local com-
6 munity mental health programs may be joined with other programs such as
7 mental retardation programs, drug abuse programs, alcoholism programs
8 and comprehensive mental health services programs.

9 Sec. 47.30.590. PATIENT RIGHTS AND THE CONFIDENTIAL NATURE OF
10 RECORDS AND INFORMATION. The department shall adopt regulations to
11 assure patient rights and to safeguard the confidential nature of records
12 and information about the recipients of services provided under secs.
13 520 - 620 of this chapter. The regulations shall require that local
14 community entities develop and include in any plan submitted for approval
15 adequate provisions for safeguarding confidential information. The
16 department's regulations shall provide for disclosure of confidential
17 information to mental health professionals providing services to a
18 recipient and to other appropriate service agencies when it is in the
19 defined best interests of the patient.

20 Sec. 47.30.600. APPLICABILITY TO EXISTING PROGRAMS. No local
21 community entity existing on January 1, 1974 that received state funds
22 for a community mental health services program in the fiscal year ending
23 June 30, 1974 may receive less state support through the purchase of
24 services under secs. 520 - 620 of this chapter in the fiscal year ending
25 June 30, 1975 than it received in the preceding fiscal year. In order
26 to assure the continuity of state support of existing programs the
27 department may waive requirements of secs. 520 - 620 of this chapter in
28 approving contracts with existing entities for the fiscal year ending
29 June 30, 1975, only.

1 Sec. 47.30.605. MENTAL HEALTH ADVISORY COUNCIL. (a) There shall
2 be a Mental Health Advisory Council appointed by the governor to advise
3 and assist the department in initiating and implementing community
4 mental health services. The council consists of 12 appointed voting
5 members who are interested and knowledgeable in mental health. No more
6 than four members should be providers of direct mental health services.

7 (b) The council shall

8 (1) advise the division on the state mental health plans
9 before implementation of these plans;

10 (2) periodically review all mental health services in the
11 state, reports of which shall be prepared and submitted to the governor,
12 the legislature, the department and the Comprehensive Health Advisory
13 Council;

14 (3) conduct independent investigations and studies as may be
15 necessary;

16 (4) recommend rules, regulations and standards for the admin-
17 istration of community mental health services;

18 (5) encourage coordination on a regional basis, of community
19 mental health services to insure nonduplication and nonfragmentation of
20 services.

21 (c) The council shall meet at the call of the chairman but shall
22 meet at least once quarterly.

23 (d) Members of the council are not entitled to a salary, but are
24 entitled to per diem, reimbursement for travel, and other expenses
25 authorized by law for other boards.

26 Sec. 47.30.610. DEFINITIONS. In secs. 520 - 610 of this chapter

27 (1) "department" means the Department of Health and Social
28 Services;

29 (2) "poverty area" means a district in which 15 per cent or

1 more of the population, based upon 1970 census data, falls under 125
2 per cent of the Office of Economic Opportunity poverty guidelines.

3 Sec. 47.30.620. SHORT TITLE. Sections 520 - 620 of this chapter
4 may be cited as the Community Mental Health Services Act.

5 * Sec. 2. This Act takes effect July 1, 1975.
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1 IN THE SENATE

BY CHANCE

2 SENATE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to community mental health services;
7 and providing for an effective date."

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

9 * Section 1. AS 47.30 is amended by adding new sections to read:

10 ARTICLE 5. COMMUNITY MENTAL HEALTH SERVICES.

11 Sec. 47.30.520. LEGISLATIVE PURPOSE. It is the purpose of the
12 legislature in enacting the Community Mental Health Services Act to
13 assist local communities in planning, organizing and financing commun-
14 ity mental health services through locally developed, administered and
15 controlled community mental health programs. It is further intended
16 to better utilize existing resources at both state and local levels in
17 order to:

18 (1) develop and implement plans for initiating maximum
19 mental health services based on demonstrated need for services in each
20 geographical planning area, as well as regionalized comprehensive
21 mental health services;

22 (2) improve the effectiveness of existing mental health
23 services;

24 (3) integrate state-operated and community mental health
25 programs into a unified mental health system;

26 (4) provide a means for participation by local communities
27 in the determination of the need for and the allocation of mental
28 health resources;

29 (5) establish a uniform ratio of local and state government

1 responsibility for financing mental health services;

2 (6) provide a means of allocating state mental health funds
3 according to community needs;

4 (7) encourage the full use of all existing public or private
5 agencies, facilities, personnel, and funds to accomplish these objec-
6 tives; and

7 (8) prevent unnecessary duplication and fragmentation of
8 services and expenditures.

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12 qualities of mental health care;

13 (2) provide fiscal and professional technical assistance in
14 planning, organizing, developing, implementing, and administering
15 local mental health services;

16 (3) develop budgets, receive and disburse state appropria-
17 tions and funds in accordance with the provisions of secs. 520 - 620
18 of this chapter;

19 (4) establish standards of education and experience for
20 professional, technical and administrative personnel employed in com-
21 munity mental health services;

22 (5) assist the community in establishing the organization
23 and operation of community mental health services;

24 (6) develop a standardized system for measuring and report-
25 ing to the department the types, quantities and quality of services;
26 and a cost accounting system which will demonstrate the cost of various
27 levels and qualities of care;

28 (7) provide each local community planning and services
29 delivery entity with statistics, reports, and other data relevant to

1 development of indices indicating the need for mental health services,
2 or relevant to evaluating the effectiveness of existing services;

3 (8) review each local community plan and require each plan
4 to include

5 (A) an affirmative showing that the most effective and
6 economic use will be made of all available public and private
7 resources in the community including careful consideration of the
8 most effective and economic alternative forms and patterns of
9 services;

10 (B) a five-year projection of needs, services and
11 resources; and

12 (C) adequate provisions for review and evaluation of
13 services provided in the local community;

14 (9) adopt regulations and establish priorities, after con-
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16 state mental health advisory council, which are necessary to carry out
17 the purposes of secs. 520 - 620 of this chapter.

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22 this chapter. In order to insure equitable access to funds and pro-
23 grams through the state, the department shall determine appropriate
24 geographical areas to be served by local programs in consultation with
25 representatives of the geographical areas in question.

26 (b) The entity designated by the department in the local area as
27 the organizational unit to receive funds under secs. 520 - 620 of this
28 chapter and to administer the program shall insure a broad base of
29 community support as evidenced by a governing board reasonably

1 representative of the professional, civic, and citizen groups in the
2 community. No more than two members, or 40 per cent of the membership,
3 whichever is greater, may be providers of services under the program.
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5 local community entity shall agree to

6 (1) give priority to mental health programs and services
7 that have a maximum impact on other tax funded programs;

8 (2) furnish services through a qualified staff meeting
9 reasonable standards of experience and training;

10 (3) conform to a state cost accounting system showing the
11 true cost of services rendered, collect fees for services according to
12 a schedule based on an analysis of reasonable ability to pay, and pro-
13 vide that no person shall be refused services because of inability to
14 pay for those services;

15 (4) maintain adequate clinical and administrative records
16 and to furnish periodic reports to the department;

17 (5) furnish the department an annual report of the preceding
18 fiscal year, including an evaluation of the effectiveness of the
19 previous year's programs and their costs; and

20 (6) furnish the department each year a satisfactory annual
21 update of a long-range planning and budget statement that describes
22 program goals for the coming year, the steps and resources necessary
23 to implement the goals, the projected means by which these resources
24 will be secured and the procedures necessary to evaluate the program.

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26 necessary travel expenses incurred in the organization and operation
27 of local programs as may be determined by the department.

28 Sec. 47.30.550. COST-SHARING FORMULA; LIMITATIONS. If the
29 department finds that it is necessary for the purposes of secs. 520 -

1 620 of this chapter, the department may enter into a contract with an
2 eligible community entity under which the department purchases communi-
3 ty mental health services from the entity in accordance with the
4 community entity's approved plan and secs. 520 - 620 of this chapter.
5 The department shall purchase the services by participating in 75 per
6 cent of the eligible costs of the services to be furnished under the
7 plan subject to the availability of state funds to the department for
8 implementing secs. 520 - 620 of this chapter.

9 Sec. 47.30.560. FUNDS FOR LOCAL PROGRAMS. The contracts for
10 services provided for in secs. 520 - 620 of this chapter shall be
11 reviewed, revised if necessary, and approved at the expiration of each
12 contract year. A contract shall be approved if the department finds
13 that the community entity has complied with its plan, secs. 520 - 620
14 of this chapter, and any applicable regulations adopted by the depart-
15 ment. Expenditures for the purchase of services shall be made in
16 accordance with the approved contract, budgets and program projections.

17 Sec. 47.30.570. ELIGIBLE COSTS; MAINTENANCE OF LOCAL EFFORT.
18 The department shall adopt regulations specifying the types of services
19 and program costs eligible for state participation. These regulations
20 shall include

21 (1) a provision excluding capital expenditures as eligible
22 costs; and

23 (2) a requirement that the community entity contractor or
24 applicant agrees as a condition of contract approval that it will not
25 supplant existing local fund support of community mental health ser-
26 vices with funds received under secs. 520 - 620 of this chapter and
27 that it will continue local funding support of community mental health
28 services, in any year in which it contracts with the department, at a
29 level that is at least equal to the local funding support in the

1 previous year.

2 Sec. 47.30.580. COMPREHENSIVE SERVICES. Plans and regulations
3 adopted under secs. 520 - 620 of this chapter shall allow local pro-
4 grams sufficient administrative and program flexibility so that local
5 community mental health programs may be joined with other programs
6 such as mental retardation programs, drug abuse programs, alcoholism
7 programs and comprehensive mental health services programs.

8 Sec. 47.30.590. PATIENT RIGHTS AND THE CONFIDENTIAL NATURE OF
9 RECORDS AND INFORMATION. The department shall adopt regulations to
10 assure patient rights and to safeguard the confidential nature of
11 records and information about the recipients of services provided
12 under secs. 520 - 620 of this chapter. The regulations shall require
13 that local community entities develop and include in any plan submitted
14 for approval adequate provisions for safeguarding confidential infor-
15 mation. The department's regulations shall provide for disclosure of
16 confidential information to mental health professionals providing
17 services to a recipient and to other appropriate service agencies when
18 it is in the defined best interests of the patient.

19 Sec. 47.30.600. APPLICABILITY TO EXISTING PROGRAMS. No local
20 community entity existing on January 1, 1974 that received state funds
21 for a community mental health services program in the fiscal year
22 ending June 30, 1974 may receive less state support through the pur-
23 chase of services under secs. 520 - 620 of this chapter in the fiscal
24 year ending June 30, 1975 than it received in the preceding fiscal
25 year. In order to assure the continuity of state support of existing
26 programs the department may waive requirements of secs. 520 - 620 of
27 this chapter in approving contracts with existing entities for the
28 fiscal year ending June 30, 1975, only.

29 Sec. 47.30.605. MENTAL HEALTH ADVISORY COUNCIL. (a) There shall

1 be a Mental Health Advisory Council appointed by the governor to advise
2 and assist the director of the division of mental health in initiating
3 and implementing community mental health services. The council con-
4 sists of nine appointed voting members who are interested and knowledge-
5 able in mental health. At least one but no more than two of the members
6 shall be members of the Department of Health and Social Services Advisory
7 Board. No more than three members should be providers of direct mental
8 health services.

9 (b) The council shall

10 (1) advise the division on the state mental health plans
11 before implementation of these plans;

12 (2) periodically review all mental health services in the
13 state, reports of which shall be prepared and submitted to the governor,
14 the legislature, the department and the Comprehensive Health Advisory
15 Council;

16 (3) conduct independent investigations and studies as may be
17 necessary;

18 (4) recommend rules, regulations and standards for the
19 administration of community mental health services;

20 (5) encourage coordination on a regional basis, of community
21 mental health services to insure nonduplication and nonfragmentation of
22 services.

23 (c) The council shall meet at the call of the chairman but shall
24 meet at least once quarterly.

25 (d) Members of the council are not entitled to a salary, but are
26 entitled to per diem, reimbursement for travel, and other expenses
27 authorized by law for other boards.

28 Sec. 47.30.610. DEFINITIONS. In secs. 520 - 610 of this chapter
29 "department" means the Department of Health and Social Services.

1 Sec. 47.30.620. SHORT TITLE. Sections 520 - 620 of this chapter
2 may be cited as the Community Mental Health Services Act.

3 * Sec. 2. This Act takes effect July 1, 1975.
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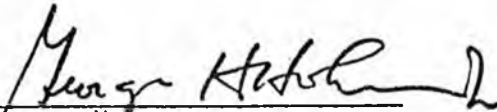
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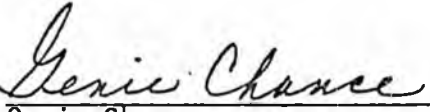
COMMITTEE REPORT ON SENATE BILL 24

Senate Bill 24, relating to community mental health centers, enables the State of Alaska to assist its local communities in planning, organizing and financing locally administered mental health services.

This bill is important to the development of community mental health services in Alaska and will allow local centers to become the primary treatment resource.

A 90/10 funding ratio is included for areas that are designated poverty areas. This will have little fiscal impact overall, but greatly increase effectiveness for small communities.


George Hohman
Chairman
Senate Health, Education and
Social Services Committee


Genie Chance
Vice Chairman
Senate Health, Education and
Social Services Committee

District	Poverty * Non-Poverty	District Center	July 1, 1973 Population Estimates by Dept. of Labor
1	Poverty	Barrow	2,814
2	"	Kotzebue	4,352
3	"	Bettles	461
4	"	Fort Yukon	934
5	"	Nome	5,682
6	"	Galena	1,862
7	Non-poverty	Fairbanks	52,074
8	Poverty	Tok	649
9	"	Bethel	11,784
10	"	Aniak	1,881
11	"	McGrath	585
12	Non-poverty	Anchorage	158,026
13	Poverty	Glenallen	1,204
14	"	Dillingham	4,858
15	Non-poverty	Kodiak	8,868
16	Poverty	Cold Bay	6,914
17	Non-poverty	Kenai	13,781
18	"	Seward	2,446
19	"	Valdez	3,903
20	"	Juneau	21,102
21	"	Sitka	11,095
22	"	Ketchikan	13,823

In districts in which

* [Poverty areas are determined by] 15% or more of the population falling under 125% of the O. E. O. Poverty Guidelines (Per 1970 Census Data)

five in ten