

LEG. FINANCE - BILLS 19 / / - 19 / 8 984

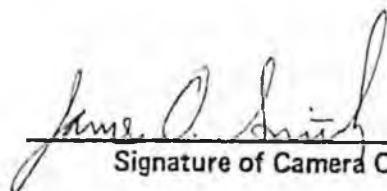
SB 543 thru CSSB 544 am



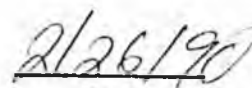
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Signature of Camera Operator



Date

COMMITTEE REPORT

SENATE

FURTHER: _____

Date: _____

Mr. President:

The Committee on _____ has had _____

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title
- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

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 _____

Introduced: 3/17/78
Referred: Health, Education
& Social Services and
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST

2 SENATE BILL NO. 543

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alcoholism grants-in-aid."

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

8 * Section 1. AS 47.30.475(b) is amended to read:

9 (b) Money available under this section shall be awarded by the
10 department to applicants on the basis of community need, as determined
11 under standards developed by the department, and only after considera-
12 tion of comment and advice of the Advisory Board on Alcoholism [THE
13 DEPARTMENT SHALL AWARD GRANTS UNDER THIS SECTION WITH THE ADVICE OF THE
14 ADVISORY BOARD ON ALCOHOLISM, IN THE INTEREST OF PROVIDING OR DEVELOPING
15 A COMPREHENSIVE PROGRAM OF ALCOHOLIC REHABILITATION AND PREVENTION.
16 GRANTS WILL BE AWARDED ON A COMPETITIVE BASIS]. In awarding grants, the
17 [THE] department shall further consider the amount of money that is
18 available for all applications and whether an application would contri-
19 bute to the wise development of a comprehensive program of alcoholic
20 rehabilitation and prevention.

21 * Sec. 2. AS 47.30.475(.) is amended to read:

22 (c) Grants shall be awarded for that portion of the cost of a
23 program which the department determines the community to be served is
24 incapable of bearing [IN A RATIO OF 75 PER CENT STATE MONEY TO 25 PER
25 CENT COMMUNITY MONEY, EXCEPT THAT IN COMMUNITIES DESIGNATED AS POVERTY
26 AREAS THE RATIO SHALL BE 90 PER CENT STATE MONEY TO 10 PER CENT COMMU-
27 NITY MONEY], for the purposes of providing staff, educational materials,
28 and limited improvement, renovation or new construction of facilities
29 for alcoholic detoxification, rehabilitation or "half-way house" care.

1 No grant for improving, renovating or constructing may exceed \$50,000
2 except when there is a lack of applicants for available money and then
3 only with the approval of the Advisory Board on Alcoholism. The depart-
4 ment is not required to award all money available under this program [,
5 OR THE FULL PERCENTAGES SPECIFIED IN THIS SUBSECTION] when another
6 source of money is available or could reasonably be made available to
7 the applicant.

8 * Sec. 3. AS 47.30.475 is amended by adding new subsections to read:

9 (e) No grant may be awarded under this section unless the applica-
10 tion includes a plan which provides for

11 (1) the expenditure of grant money for education and other
12 preventative measures, as well as the treatment of alcoholics;

13 (2) the reception of advice and comment from a local advisory
14 board in the design, implementation, and evaluation of the plan and
15 action to be taken;

16 (3) goals, expressed in terms of a percentage reduction of
17 the number of persons needing the assistance provided by the program
18 receiving a grant under this section.

19 (f) The department shall monitor the implementation of the plan
20 required under (e) of this section, and shall terminate payment of grant
21 money if the plan is not implemented or approval of the program as a
22 public or private treatment program under AS 47.37.140 is not granted
23 within one year of the award of the grant, or is suspended, revoked,
24 limited or restricted. Modification of the plan required by (e) of this
25 section must be approved by the department before implementation of the
26 modification.

27 (g) No grant may be awarded to a program within a municipality
28 whose officers fail to actively enforce its ordinances, the laws of the
29 United States, the laws of the state, and the regulations relating to

1 the manufacture and sale of intoxicating liquors in the state, until the
2 enforcement of the laws and regulations is actively resumed.

3 (h) The department shall provide management training for persons
4 administering a program receiving grant money under this section.

5 (i) The department shall develop, and programs receiving grant
6 money shall implement, a uniform accounting system.

7 * Sec. 4. AS 47.30.477 is amended to read:

8 Sec. 47.30.477. GRANT-IN-AID PROGRAM REGULATIONS. The department
9 shall adopt regulations implementing sec. 475 of this chapter. The
10 regulations shall provide for the method of application, the time for
11 consideration of applications, the processing of applications, the type
12 of record keeping, the requirements for reporting the progress and
13 statistics regarding the program, and the notification of the applicant
14 as to the action taken on the applicatio [, AND THE ISSUANCE OF LICENSES
15 FOR FACILITIES RECEIVING GRANTS-IN-AID UNDER SEC. 475 OF THIS CHAPTER].
16 The department shall also establish the necessary forms of application
17 and may adopt other regulations considered necessary to meet the require-
18 ments of health and safety and the orderly administration of the grant-
19 in-aid program.

20 * Sec. 5. AS 47.37.270(3) is amended to read:

21 (3) "approved public treatment facility" means a treatment
22 agency operating under the direction and control of the office or pro-
23 viding treatment under this chapter through a contract with the office
24 under sec. 130(g) of this chapter or through a grant awarded under
25 AS 47.30.475, and meeting the standards prescribed in sec. 140(a) of
26 this chapter and approved under sec. 140(c) of this chapter;

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

REQUEST

Bill/Resolution No. Senate Bill 543

Title An Act Relating to Alcoholism Grants-in-Aid

Requested by Senate Finance

Date 5/12/78

FISCAL DETAIL

Agency Affected Department of Health & Social Services

Program Category Affected Addictions - Alcoholism and Drug Abuse

Budget Request Unit(s) Affected Administration - Personnel & Support Grant - Contractual

EXPENDITURES (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | 114.2 | 121.0 | 123.3 | 135.9 | 144.1 |
| 200 TRAVEL | | 15.0 | 15.9 | 16.8 | 17.8 | 18.9 |
| 300 CONTRACTUAL | | 104.5 | 110.7 | 117.3 | 124.3 | 131.8 |
| 400 COMMODITIES | | 1.3 | 1.4 | 1.5 | 1.6 | 1.7 |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 391.0 | 415.0 | 440.0 | 466.4 | 494.3 |
| TOTAL | | 626.0 | 664.0 | 703.9 | 746.0 | 790.8 |

FUNDING (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|-----------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | 626.0 | 664.0 | 703.9 | 746.0 | 790.8 |
| FEDERAL FUNDS | | | | | | |
| OTHER (SPECIAL) | | | | | | |

POSITIONS

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | 2 | 2 | 2 | 2 | 2 | 2 |
| PART TIME | 1 | 1 | 1 | 1 | 1 | 1 |
| TEMPORARY | | | | | | |

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

Administration funds are requested at the following level to implement this Bill.

Personnel Services

R 19 Planner

R 18 Drug Abuse Associate Coordinator 114.2

1/2 C/T II (Anchorage Office)

Travel

For New Staff & Advisory Board Members 15.0

Contract

(Staff Support) 4.5

Commodities

(Staff Support) 1.3

135.0

PREPARED BY

DATE

BY

[Handwritten Signature]

DATE

BY

BY

BY

BY

BY

BY

BY

100.0 is requested in "Contractual" to implement followup studies on approximately 200 former clients of selected existing programs to determine whether program treatment resulted in improved condition of clients.

391.0 is requested in "Grants" to meet unmet needs in local community programs currently in existence.

Future Year Costs are computed @ 6% Inflation Per Annum.

Original sponsor: Rules Committee
by request

Offered: 4/25/78
Referrad: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 543

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alcoholism grants-in-aid."

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

8 * Section 1. AS 47.30.475(b) is amended to read:

9 (b) Money available under this section shall be awarded by the
10 department to applicants on the basis of community need, but only if the
11 award is consistent with the annual implementation plan developed under
12 sec. 1513(b)(2) of P.L. 93-641 by the health systems agency for the
13 health system area in which the applicant is located and the state
14 health plan developed by the Statewide Health Coordinating Council under
15 sec. 1524(c)(2)(A) of P.L. 93-641, and only after consideration of
16 comment and advice of the Advisory Board on Alcoholism [THE DEPARTMENT
17 SHALL AWARD GRANTS UNDER THIS SECTION WITH THE ADVICE OF THE ADVISORY
18 BOARD ON ALCOHOLISM, IN THE INTEREST OF PROVIDING OR DEVELOPING A COM-
19 PREHENSIVE PROGRAM OF ALCOHOLIC REHABILITATION AND PREVENTION. GRANTS
20 WILL BE AWARDED ON A COMPETITIVE BASIS]. In awarding grants, the [THE]
21 department shall further consider the amount of money that is available
22 for all applications and whether an application would contribute to the
23 wise development of a comprehensive program of alcoholic rehabilitation
24 and prevention.

25 * Sec. 2. AS 47.30.475(c) is amended to read:

26 (c) Grants shall be awarded for that portion of the cost of a
27 program which the department determines the community to be served is
28 incapable of bearing [IN A RATIO OF 75 PER CENT STATE MONEY TO 25 PER
29 CENT COMMUNITY MONEY, EXCEPT THAT IN COMMUNITIES DESIGNATED AS POVERTY

1 AREAS THE RATIO SHALL BE 90 PER CENT STATE MONEY TO 10 PER CENT COMMU-
2 NITY MONEY], for the purposes of providing staff, educational materials,
3 and limited improvement, renovation or new construction of facilities
4 for alcoholic detoxification, rehabilitation or "half-way house" care.
5 No grant for improving, renovating or constructing may exceed \$50,000
6 except when there is a lack of applicants for available money and then
7 only with the approval of the Advisory Board on Alcoholism. The depart-
8 ment is not required to award all money available under this program [,
9 OR THE FULL PERCENTAGES SPECIFIED IN THIS SUBSECTION] when another
10 source of money is available or could reasonably be made available to
11 the applicant.

12 * Sec. 3. AS 47.30.475 is amended by adding new subsections to read:

13 (e) No grant may be awarded under this section unless the applica-
14 tion includes a plan which provides for

15 (1) the expenditure of grant money for education and other
16 preventative measures, as well as the treatment of alcoholics;

17 (2) the reception of advice and comment from a local advisory
18 board, or, if a local advisory board cannot be formed because the area
19 is sparsely populated, from the governing bodies of private nonprofit
20 health organizations, regarding the design, implementation, and evalua-
21 tion of the plan and action to be taken;

22 (3) goals, expressed in quantifiable terms that express the
23 intended impact of the assistance provided under the plan upon the
24 number of individuals needing or utilizing such assistance;

25 (4) coordination with the goals and objectives of the health
26 systems plan developed by the health systems agencies under sec. 1513-
27 (b)(2) of P.L. 93-641.

28 (f) The department shall monitor the implementation of the plan
29 required under (e) of this section, and shall terminate payment of grant

1 money if the plan is not implemented or approval of the program as a
2 public or private treatment program under AS 47.37.140 is not granted
3 within one year of the award of the grant, or is suspended, revoked,
4 limited or restricted. Modification of the plan required by (e) of this
5 section must be approved by the department before implementation of the
6 modification.

7 (g) The department shall provide management training for persons
8 administering a program receiving grant money under this section.

9 (h) If the department determines, after the award of a grant under
10 (c) of this section, that the community is capable of bearing a greater
11 portion of the cost of a program than originally determined, the depart-
12 ment may

13 (1) reduce the award by that portion of the cost of a program
14 which the department subsequently determined the department could bear;
15 or

16 (2) terminate payment of the grant entirely.

17 * Sec. 4. AS 47.30.477 is amended to read:

18 Sec. 47.30.477. GRANT-IN-AID PROGRAM REGULATIONS. The department
19 shall adopt regulations implementing sec. 475 of this chapter. The
20 regulations shall provide for the method of application, the time for
21 consideration of applications, the processing of applications, the type
22 of record keeping, the requirements for reporting the progress and
23 statistics regarding the program, and the notification of the applicant
24 as to the action taken on the applicatio [, AND THE ISSUANCE OF LI-
25 CENSES FOR FACILITIES RECEIVING GRANTS-IN-AID UNDER SEC. 475 OF THIS
26 CHAPTER]. The department shall also establish the necessary forms of
27 application and may adopt other regulations considered necessary to meet
28 the requirements of health and safety and the orderly administration of
29 the grant-in-aid program.

1 * Sec. 5. AS 47.37.270(3) is amended to read:

2 (3) "approved public treatment facility" means a treatment
3 agency operating under the direction and control of the office or pro-
4 viding treatment under this chapter through a contract with the office
5 under sec. 130(g) of this chapter or through a grant awarded under AS
6 47.30.475, and meeting the standards prescribed in sec. 140(a) of this
7 chapter and approved under sec. 140(c) of this chapter;



Alaska State Legislature

POUCH Y, STATE CAPITOL
JUNEAU, ALASKA 99811
907 465-3800

JOHN SACKETT

To: Senator ~~Glenn Hackney~~, Chairman
Senate ~~Hess~~ Committee
FINANCE

Glenn Hackney

From: Senator George Hohman *GH*

Date: 4/26/78

Re: Proposed changes to SB 543, 551

Per the attached letter, request that the following proposed changes be considered.

Forwarded for your consideration

Glenn H.

YUKON-KUSKOKWIM HEALTH CORPORATION

P. O. Box 528
Bethel, Alaska 99559
(907) 543-2506
(907) 543-2503

March 22, 1978

Senator George Hohman
Pouch WF - State Capital
Juneau, Alaska 99801

Dear George:

Thank you for forwarding Colletta's bill so promptly. I was pleasantly surprised after reading the bill - it seems to be a good first step. There are, however, certain areas of weakness which might be strengthened by amendments. They are as follows:

No. 542, Sec. 47, 37, 045

A loan of 10,000 to foster temperate social activities will not go far in meeting recreational needs of the villages, especially if they decide to build a community building. You could amend this section so that if funds were requested for construction in a rural area, the amount available would reflect construction costs per square foot in the bush.

Alternatively you might include a section which states that the State of Alaska would lease village built space to provide supervised temperate social activities. This would encourage Native Corporations to invest in the construction of the building and guarantee them a lease when it was completed. This is what the JHS does with village based clinics. The supervisor's salary and rental monies could come out of the appropriation for programs.

No. 543, Sec. 47, 30, 475b

Both the department of Alcoholism and the Governors Advisory Board on Alcoholism have been non supportive to our attempts to get village based programs funded. Last year we requested funding for Napaskiak, Akiak, Akiachuk and Hooper Bay but only received half the requested amount for Napaskiak. This year we have nine village program proposals to submit but the outlook as far as the state goes for funding is bleak.

Therefore I would recommend several possible amendments to this section:

1. Amend by stating that community need shall be determined by the local access to Alcoholism prevention, treatment and rehabilitation programs or
2. Amend by reorganizing the Governor's Advisory Board so that one half its members come from bush areas.

3. Amend by stating that money under this section shall only be used to start new programs where access to such programs has been nil in the past.

There are strengths in the bill which should be underlined and defended in case of attack. Especially noteworthy are the following sections:

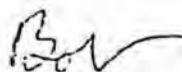
No. 541 - Health education in public schools

No. 544 - Recognizing different alcohol treatment facilities, urban VS rural standards.

No. 551 - Rehabilitation of criminals whose offences are alcohol related.

I believe this bill is a good start and would hope that in future years funding levels would increase in increments as the provision of service is distributed to all Alaskans. Thank you for the opportunity to comment.

Regards,



Bob Hurwitz
Medical Director

BH/nk

SB 543

A STATE DIVISION OF THE
NATIONAL COUNCIL ON ALCOHOLISM

NATIONAL
Council
ON
Alcoholism - ALASKA REGION

4510 International Airport Road, Suite 1
Anchorage, Alaska 99502
Phone 243-4324 or 243-4366

April 13, 1978

Senator Mike Colletta
Pouch V
Juneau, AK 99811

Dear Mike:

Thank you for the Citizen's Legislation Senate Bills 540-552 which were forwarded to us for review. We have the following comments.

Senate Bill 545 "An Act relating to health insurance". We are supportive of mandating alcoholism treatment coverage for all policies, contracts, or prepared plans for individual or group health insurance in Alaska. However, the clause waiving the coverage by the policy holder would make the impact of this insurance negligible. It is foreseen that middle-class individuals in the early to middle stages of alcoholism would choose to waive alcoholism coverage, as having it might indicate to them that they, in fact, have a problem with alcohol. We feel very strongly that "except that this coverage may be waived in writing by the policy-holder of an individual health insurance policy on or before the effective date of that policy," must be deleted.

Senate Bill 540 "An Act making a special appropriation to the Office of Alcoholism in the Department of Health and Social Services for the prevention and treatment of alcohol abuse and alcoholism and providing for an effective date". It appears that the sum of \$8,200,000 is appropriated for administrative functions of the Office of Alcoholism. The language of the Bill appears to provide for planning, coordination, regulation, monitoring, and evaluation of programs and for training, technical assistance to programs. There appears to be no implication, intent, nor definition of providing any of that money directly to programs. We seriously question the need of \$8.2 million in administrative fees for the Office of Alcoholism without provision for a dramatic increase in grant funds.

Senator Mike Colletta

April 13, 1978

Page 2

Senate Bill 541 "An Act relating to health education in public schools". The physical health education provided for in this Act is not mandatory. There is no money allotted for training of teachers. There appears to be no provision for coordination or cooperation by the school districts with health education programs developed by the Office of Alcoholism or other appropriate health and social service divisions. If a Bill such as this passes, we are concerned that it too will be ignored if the provisions are not made mandatory.

Senate Bill 542 "An Act adding to the powers and duties of the Office of Alcoholism." We question the need for establishing standards for training para-professional alcoholism workers. Obviously standards and training are needed for all alcoholism workers. However, as the field becomes more sophisticated the workers will no longer be para-professionals but will be professionals. Individuals with advanced degrees may require training prior to being able to effectively work within the alcoholism field. The standards and training offered by the Office of Alcoholism must be offered to those individuals also considered "professionals". We request that "para" be deleted from section 2 (7). Section 4 (18) is nebulous and appears to be unenforceable. Developing and implementing training programs on alcoholism for employees of state municipal governments and private institutions is extremely important. But to allegedly limit it to those individuals coming in contact with alcoholics is not realistic as we are sure this will be interpreted as individuals working within treatment centers only. If the objective for this section is to assist in the implementation of the establishment of labor-management programs then it should state that the training will be available to anyone who supervises other individuals. Section 5 fund established. There is no indication of the source of money for the proposed revolving loan fund. We believe it should be stated that grant and contract funds shall not be used for this purpose.

Senate Bill 543 "An Act relating to alcoholism grants-in-aid". Section 2 (3) changes the ratio of grant funds from a set ratio 75/25 or 90/10 to a portion which the Department determines the community to be served is incapable of bearing. This portion could be changed by the Department with less than adequate information and input. While we are not totally in agreement with the current ratio of 75/25 or 90/10, we believe that this section needs to be clarified and defined further. The funds from the grant-in-aid appear to be restricted to treatment facilities with the exception of purchase of educational materials, improvements or renovation, or new construction. Stated in this manner, it would prohibit any non-treatment agency such as ourselves, the Anchorage Council on Alcoholism, the Akiachuk Council on Alcoholism, and various other small communities from applying for and receiving state grant-in-aid funds. As the alleged area of emphasis is in prevention and education, we believe that this section must be changed.

Senator Mike Colletta
April 13, 1978
Page 3

Section 3 (E) (1) "No grant may be awarded under this section unless the application includes a plan which provides for the expenditure of grant money for education and other preventative measures as well as the treatment of alcoholics. This again, creates a situation where direct treatment programs are the only programs eligible for grant funds. This must be changed.

Section 3 (E) (3) "Goals expressed in terms of a percentage reduction of the number of persons needing the assistance provided by the program receiving a grant under this section". We believe the word "reduction" should be changed to "increase", as the largest percentage of alcoholics are middle class individuals who do not recognize their problem. Until alcoholism achieves an air of respectability and people are willing to admit they have a problem during the early stages, a program should not be expected to reduce the number of persons needing assistance. Programs should be expected to increase the awareness of the need for assistance, which will in turn increase the number of individuals utilizing the program.

Section 3 (G) "No grant may be awarded to a program within a municipality whose officers fail to actively enforce its ordinances, the laws of the United States, the laws of the State, and the regulations relating to...." We believe this sentence to be too broad and too general while we agree with the intent of this section. We believe it would be totally unenforceable.

Section 3 (I) We would hope that sufficient lead time would be given programs receiving grant funds to implement a uniform accounting system as many programs are multiply funded and such a change could cause severe hardships. One accounting procedure must be maintained in all programs for all grants.

Section 5 (3) "Approved public treatment facility" would appear to be any treatment facility receiving any public money. "Public facility" creates a connotation of the county general hospital, of poor condition, and of snake pit caliber which is not the intention of the definition. If a treatment facility is termed "public" could it have a screening process for client selection or would it by definition be mandated to accept anyone who applied for services? We don't believe the mere act of receiving "public money" should deem a facility to be "public".

Senate Bill 544 "An Act relating to standards for alcohol treatment facilities". Section 2 (A) We seriously question the separation of communities of less than 5,000 from those with more than 5,000 residents. From our review of the population figures for communities within the State of Alaska there appear to be three general categories: 1) those communities with 1-1,000 individuals which are mainly villages; 2) communities with 1,001-4,500 individuals, which are mainly rural in nature, larger than villages but not urban; and 3) 4,501-over which are urban. We urge you to give some consideration

Senator Mike Colletta
April 13, 1978
Page 4

to the village, rural, urban concept as we believe it is unrealistic to require identical standards for Nome and Egegik, which this legislation does.

Senate Bill 546 "An Act establishing a tax credit for contributions to alcoholism programs and providing for an effective date". Our questions only have to do with the difference between a credit versus a tax deduction and would this be in addition to the already approved deduction for donations?

Senate Bill 548 "An Act relating to waiter and waitress permits". While we support and applaud the intent of this bill, we have serious questions concerning Section 2 (B) "the duties of waiters and waitresses employed therein shall be confined to taking orders and serving beverages alcoholic or otherwise and food". Waiters and waitresses also clear tables, sweep floors, wash windows, do dishes, and fill in other places that are needed. Are bartenders to be considered waiters under this legislation? We do not think it appropriate that this legislation define the duties of waiters and waitresses. Furthermore, "waiters and waitresses employed under this section may not solicit or encourage the purchase of beverages, alcoholic or otherwise..." This could be seriously misconstrued by individuals who may think it fun or interesting to prosecute an establishment if the waiter or waitress asks the patron if he wants a cup of coffee. We believe the wording on this bill needs to be reviewed and revised.

Senate Bill 549 "An Act relating to the serving of intoxicating liquor". The term "intoxicating liquor" implies that it does not include beer or wine. We are fully aware that beer and wine are as intoxicating as hard liquor. However, to the general public the word liquor connotes hard liquor and not beer or wine. Perhaps "ethyl alcohol" would be an appropriate substitute for "intoxicating liquor". A single serving needs to be defined. What would happen, for example, to the pitcher of beer or the margarita grande to name but a few of the standard drinks served in bars throughout the state.

Senate Bill 547 "An Act making a special appropriation to the Department of Revenue to increase the number of enforcement personnel employed by the alcoholic beverage control board and providing for an effective date". Our only question with this bill is \$200,000 sufficient to obtain the necessary personnel obviously needed by the alcoholic beverage control board?

Senate Bill 550 "An Act relating to administration and enforcement of alcoholic beverage control statutes in regulations". We support the proposed changes of two miles to five miles and the change of village to "protest area". We also believe the re-issuance is a positive added aspect of the legislation. The proposed suspensions and revocations appear to be adequate if the alcoholic beverage control board obtains sufficient employees to enforce the laws.

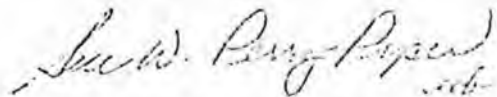
Senator Mike Colletta
April 13, 1978
Page 5

Senate Bill 551 "An Act relating to the rehabilitation of persons who commit criminal offenses as a result of alcohol problems in providing for an effective date". There should be mention of mandatory prompt action being taken for non-compliance of the program of alcohol education or rehabilitation by the convicted person. Without prompt action for noncompliance the law would be worthless.

Senate Bill 552 "An Act relating to alcohol". We were sorry to see that the per se law was not included in this proposed legislation. The per se law says in effect that if a person has a blood alcohol content of .10 he is assumed to be intoxicated and unable to drive. It is our understanding that Anchorage is the only community within Alaska to adopt and enforce the per se law. We were further surprised and disappointed to see that a mandatory 24-hour jail sentence was not proposed for a first offender in addition to the maximum fine of \$1,000 and imprisonment for one year. Studies which have been done nationwide have indicated that 24-hours in jail for a first offender has a maximum impact, whereas three days after a second conviction has a lesser impact.

We hope these comments are helpful to you and the committee.

Sincerely yours,



Suzanne W. Perry-Piper
Executive Director

eab

| BILL REFERENCE | SECTION(S), SPECIFICALLY ENDORSED BY SCHPD | REASON(S) FOR SUPPORT |
|------------------------|---|---|
| B 232 | Municipal sales tax on beverage alcohol | Encourage communities to develop resources and respond appropriately to local alcohol problems. |
| B 240 | <ol style="list-style-type: none"> 1. Compensation for alcohol revenue loss for communities restricting sales. 2. Increased penalties for illegal sales. 3. Prohibition of common carriers from transporting orders of alcoholic beverages to "dry" communities. | Encourage local option in restriction and enforcement of the sale of beverage alcohol. |
| B341/HB 414 | Limitation on liability of health care providers in the administration of blood tests. | Facilitates the enforcement of DWI and DMVI laws. |
| B 167 | Excise tax on beverage alcohol. | <ul style="list-style-type: none"> -Provides additional resources. -Decreases access to beverage alcohol. |
| B 545 ✓ | Third-party reimbursement for treatment of alcoholism. | <ul style="list-style-type: none"> -Makes treatment more accessible financially. -Expands the revenue base for programs. -Permits accurate reporting of medical service utilization. |
| B551/552 ✓ | Establishment of mechanism to assure that alcohol-related convictions obtain screening, referral treatment. | Would force problem drinkers into treatment and hopefully reduce criminal recidivism. |
| B 541 ✓ | K-12 health education to include alcohol and drug education. | All children should receive comprehensive (not categorical) health education appropriate to their age. |
| B 542 ✓ | Alcohol education curriculum. Occupational alcoholism programs. | Education as a preventive measure is endorsed. SCHPD supports a comprehensive health education program rather than allocation of responsibility for specific topics to separate agencies/departments. |
| B 241 B 540 ✓ | Appropriations. | Resources should be available as needed to manage the problem. |
| B 321 | Driving with a .1 BAC is illegal statewide. | Would strengthen enforcement of drunk driving laws. |
| B 242, 542, 543, 544 ✓ | Standards for manpower and treatment services. | Where standards contribute to assurances of quality in services delivery, they are essential to effective health care. |



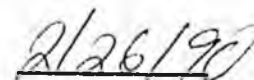
RECORDS CERTIFICATION



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

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSSB 543 am
 Title Relating to alcoholism grants-in-aid
 Requested by _____ Date 6/9/78

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services
 Program Category Affected Addictions - Alcoholism & Drug Abuse
 Budget Request Unit(s) Affected Administration - Personnel & Support Grants/Contract.

EXPENDITURES (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------|-----|-----|-----|-----|-----|-----|
| GENERAL FUND | -0- | -0- | -0- | -0- | -0- | -0- |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|-----|-----|-----|-----|-----|-----|
| FULL TIME | -0- | -0- | -0- | -0- | -0- | -0- |
| PART TIME | -0- | -0- | -0- | -0- | -0- | -0- |
| TEMPORARY | -0- | -0- | -0- | -0- | -0- | -0- |

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


 Steve Cowper, Chairman, House
 Finance Committee

IV. DATE 6/9/78 PREPARED BY Milt Barker, Fiscal Analyst
 AGENCY Legislative Finance
 PHONE _____

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

COMMITTEE REPORT

HOUSE

6/7/78

FURTHER: _____

Date: _____

Mr. Speaker:

The Committee on FINANCE has had CS 88 143 am

"An Act relating to alcoholism grants-in-aid."

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title
- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

THE LEGISLATURE OF THE STATE OF ALABAMA
 HOUSE BILL NO. 100

FISCAL NOTE

1977
 1977-78
 Title: Amendments to the Code of Alabama - Drug Abuse
 Requested by: State Board of Health Date: 5/12/77

II. FISCAL DETAIL
 Agency Affected: Department of Health & Social Services
 Program Category Affected: Substance Abuse - Alcoholism and Drug Abuse
 Budget Request Unit(s) Affected: Personnel - Personnel & Support Grants - Contractual

EXPENDITURES (Thousands of Dollars)

| | FY 76 | FY 77 | FY 78 | FY 79 | FY 80 | FY 81 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | 114.2 | 121.0 | 122.3 | 125.9 | 125.1 |
| 200 TRAVEL | | 15.0 | 15.9 | 15.8 | 17.8 | 17.8 |
| 300 CONTRACTUAL | | 191.8 | 119.7 | 117.3 | 127.3 | 131.0 |
| 400 COMMODITIES | | 1.3 | 1.6 | 1.5 | 1.6 | 1.7 |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 351.0 | 415.0 | 470.9 | 455.4 | 470.9 |
| TOTAL | | 673.3 | 662.6 | 727.5 | 726.0 | 746.5 |

FUNDING (Thousands of Dollars)

| | FY 76 | FY 77 | FY 78 | FY 79 | FY 80 | FY 81 |
|-----------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | 626.0 | 666.0 | 703.9 | 716.0 | 728.9 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify) | | | | | | |

POSITIONS

| | 76 | 77 | 78 | 79 | 80 | 81 |
|-----------|----|----|----|----|----|----|
| FULL TIME | 2 | 2 | 2 | 2 | 2 | 2 |
| PART TIME | 1 | 1 | 1 | 1 | 1 | 1 |
| TEMPORARY | | | | | | |

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

As indicated, funds are requested at the following level to implement this Bill.

| | | |
|--------------------|--|-------|
| Personnel Services | | |
| < | R 19 - Personnel | |
| | R 18 - Drug Abuse Treatment Coordination | 114.2 |
| | 1/2 C/T II (backbone) (4770-) | |
| Travel | | |
| | for the Staff & Advisory Board Members | 15.0 |
| Contract | | |
| | (S 100 - 2000 - 10) | 1.5 |
| Commodities | | |
| | (S 100 - 2000 - 10) | 1.3 |

100.0 is reported in "Credits" to replace a balance of 100.00 in
April 1971. The balance of 100.00 is reported in "Credits" to
to determine the amount of the total reported in "Credits" con-
dition of affairs.

381.0 is reported in "Credits" to meet most needs of Year 1971
program currently in existence.

Future Year Costs are computed @ 6% Inflation Per Annum.

POSITION PAPER ON SENATE BILL 543

"Availability of state grants-in-aid"

The Office of Alcoholism and Drug Abuse concurs with the amendments proposed under this bill which would require grants based upon community need, availability of self-funding, the total amount of an availability of total monies for all applicants. This would assist in the correction of the problem of insufficient funding for all applicants and substitute adequate funding for some programs in communities of disadvantaged need and inability to bear the burden of the costs. However, some additional language should be added to reflect the existence and power of Regional Health Systems Agencies (RHSAs), established under PL 92-641 and the State Health Coordinating Council (SHCC) established under SS 13-07.

In actual fact the regional RHA's have "review and approval" authority over Federal alcoholism funds, and, through departmental policy, "review and comment" authority over state grants for all health services. Each RHA has also developed a Regional Health Plan (including Goals and Objectives for Alcoholism and Drug Abuse), while the SHCC is developing a State Health Plan which will include Goals and Objectives for Alcoholism and Drug Abuse. Additionally, the SHCC is required by PL 93-041 to "review and approve" the Annual State Alcoholism Plan required by PL 91-615 for receipt and expenditure of federal alcoholism monies.

To further coordinate matters, federal Indian Alcoholism dollars are exempted from the provisions of PL-92-641, except for review and comment.

The practical implications for the issuance of State Alcoholism Grants to local programs or communities are that: 1) The RHA's review our grants for compliance with the Goals and Objectives of the Regional Health Plans; 2) The RHA's and the SHCC review our annual State Plan for compliance with their regional and statewide plans, and can deny approval of our state plan if it does not conform with theirs.

Therefore, we suggest that section one be rewritten to read as follows:

* Section 1.AS 47.30.475 (b) is amended to read:

- (b) Money available under this section shall be awarded by the department to public and private entities on the basis of community need, as determined by the goals and objectives of the Alcoholism State Plan, the regional health systems agency health plans, and the total community, and only after consideration of the recommendations of the Regional Health Systems Agency and the Governor's Advisory Board on Alcoholism.

The Office concurs with the sense of the amendments which add new subsections "e", "f", and "g", "h", and "i" to Section 3 AS 47.30.475, however, it suggests some additional changes to reflect certain other realities as well. It is suggested that an additional phrase be included in (b) (7) after "advisory board" to read "and the Governor's Advisory Board on Alcoholism and Drug Abuse".

It is suggested that the following language be added to the end of the section: "The department shall report to the Governor and the Legislature on the amount of money awarded under this section and the results of the program." (b) (8)

Original sponsor: Rules Committee
by request

Offered: 4/25/78
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 543 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alcoholism grants-in-aid."

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

8 * Section 1. AS 47.30.475(b) is amended to read:

9 (b) Money available under this section shall be awarded by the
10 department to applicants on the basis of community need, but only if the
11 award is consistent with the annual implementation plan developed under
12 sec. 1513(b)(2) of P.L. 93-641 by the health systems agency for the
13 health system area in which the applicant is located and the state
14 health plan developed by the Statewide Health Coordinating Council under
15 sec. 1524(c)(2)(A) of P.L. 93-641, and only after consideration of
16 comment and advice of the Advisory Board on Alcoholism [THE DEPARTMENT
17 SHALL AWARD GRANTS UNDER THIS SECTION WITH THE ADVICE OF THE ADVISORY
18 BOARD ON ALCOHOLISM, IN THE INTEREST OF PROVIDING OR DEVELOPING A COM-
19 PREHENSIVE PROGRAM OF ALCOHOLIC REHABILITATION AND PREVENTION. GRANTS
20 WILL BE AWARDED ON A COMPETITIVE BASIS]. In awarding grants, the [THE]
21 department shall further consider the amount of money that is available
22 for all applications and whether an application would contribute to the
23 wise development of a comprehensive program of alcoholic rehabilitation
24 and prevention.

25 * Sec. 2. AS 47.30.475 is amended by adding new subsections to read:

26 (e) No grant may be awarded under this section unless the applica-
27 tion includes a plan which provides for

28 (1) the expenditure of grant money for education and other
29 preventative measures, or the treatment of alcoholics;

1 (2) the reception of advice and comment from a local advisory
2 board, or, if a local advisory board cannot be formed because the area
3 is sparsely populated, from the governing bodies of private nonprofit
4 health organizations, regarding the design, implementation, and evalua-
5 tion of the plan and action to be taken;

6 (3) goals, expressed in quantifiable terms that express the
7 intended impact of the assistance provided under the plan upon the
8 number of individuals needing or utilizing such assistance;

9 (4) coordination with the goals and objectives of the health
10 systems plan developed by the health systems agencies under sec. 1513-
11 (b)(2) of P.L. 93-641.

12 (f) The department shall monitor the implementation of the plan
13 required under (e) of this section, and shall terminate payment of grant
14 money if the plan is not implemented or approval of the program as a
15 public or private treatment program under AS 47.37.140 is not granted
16 within one year of the award of the grant, or is suspended, revoked,
17 limited or restricted. Modification of the plan required by (e) of this
18 section must be approved by the department before implementation of the
19 modification.

20 (g) The department shall provide management training for persons
21 administering a program receiving grant money under this section.

22 (h) If the department determines, after the award of a grant under
23 (c) of this section, that the community is capable of bearing a greater
24 portion of the cost of a program than originally determined, the depart-
25 ment may

26 (1) reduce the award by that portion of the cost of a program
27 which the department subsequently determined the department could bear;
28 or

29 (2) terminate payment of the grant entirely.

1 * Sec. 3. AS 47.30.477 is amended to read:

2 Sec. 47.30.477. GRANT-IN-AID PROGRAM REGULATIONS. The department
3 shall adopt regulations implementing sec. 475 of this chapter. The
4 regulations shall provide for the method of application, the time for
5 consideration of applications, the processing of applications, the type
6 of record keeping, the requirements for reporting the progress and
7 statistics regarding the program, and the notification of the applicant
8 as to the action taken on the applicatio [, AND THE ISSUANCE OF LI-
9 CENSES FOR FACILITIES RECEIVING GRANTS-IN-AID UNDER SEC. 475 OF THIS
10 CHAPTER]. The department shall also establish the necessary forms of
11 application and may adopt other regulations considered necessary to meet
12 the requirements of health and safety and the orderly administration of
13 the grant-in-aid program.

14 * Sec. 4. AS 47.37.270(3) is amended to read:

15 (3) "approved public treatment facility" means a treatment
16 agency operating under the direction and control of the office or pro-
17 viding treatment under this chapter through a contract with the office
18 under sec. 130(g) of this chapter or through a grant awarded under AS
19 47.30.475, and meeting the standards prescribed in sec. 140(a) of this
20 chapter and approved under sec. 140(c) of this chapter;
21
22
23
24
25
26
27
28
29

Introduced: 3/17/78
Referred: Health, Education
& Social Services and
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST

2 SENATE BILL NO. 543

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alconolism grants-in-aid."

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

8 * Section 1. AS 47.30.475(b) is amended to read:

9 (b) Money available under this section shall be awarded by the
10 department to applicants on the basis of community need, as determined
11 under standards developed by the department, and only after considera-
12 tion of comment and advice of the Advisory Board on Alcoholism [THE
13 DEPARTMENT SHALL AWARD GRANTS UNDER THIS SECTION WITH THE ADVICE OF THE
14 ADVISORY BOARD ON ALCOHOLISM, IN THE INTEREST OF PROVIDING OR DEVELOPING
15 A COMPREHENSIVE PROGRAM OF ALCOHOLIC REHABILITATION AND PREVENTION.
16 GRANTS WILL BE AWARDED ON A COMPETITIVE BASIS]. In awarding grants, the
17 [THE] department shall further consider the amount of money that is
18 available for all applications and whether an application would contri-
19 bute to the wise development of a comprehensive program of alcoholic
20 rehabilitation and prevention.

21 * Sec. 2. AS 47.30.475(c) is amended to read:

22 (c) Grants shall be awarded for that portion of the cost of a
23 program which the department determines the community to be served is
24 incapable of bearing [IN A RATIO OF 75 PER CENT STATE MONEY TO 25 PER
25 CENT COMMUNITY MONEY, EXCEPT THAT IN COMMUNITIES DESIGNATED AS POVERTY
26 AREAS THE RATIO SHALL BE 90 PER CENT STATE MONEY TO 10 PER CENT COMMU-
27 NITY MONEY], for the purposes of providing staff, educational materials,
28 and limited improvement, renovation or new construction of facilities
29 for alcoholic detoxification, rehabilitation or "half-way house" care.

1 No grant for improving, renovating or constructing may exceed \$50,000
2 except when there is a lack of applicants for available money and then
3 only with the approval of the Advisory Board on Alcoholism. The depart-
4 ment is not required to award all money available under this program [,
5 OR THE FULL PERCENTAGES SPECIFIED IN THIS SUBSECTION] when another
6 source of money is available or could reasonably be made available to
7 the applicant.

8 * Sec. 3. AS 47.30.475 is amended by adding new subsections to read:

9 (e) No grant may be awarded under this section unless the applica-
10 tion includes a plan which provides for

11 (1) the expenditure of grant money for education and other
12 preventative measures, as well as the treatment of alcoholics;

13 (2) the reception of advice and comment from a local advisory
14 board in the design, implementation, and evaluation of the plan and
15 action to be taken;

16 (3) goals, expressed in terms of a percentage reduction of
17 the number of persons needing the assistance provided by the program
18 receiving a grant under this section.

19 (f) The department shall monitor the implementation of the plan
20 required under (e) of this section, and shall terminate payment of grant
21 money if the plan is not implemented or approval of the program as a
22 public or private treatment program under AS 47.37.140 is not granted
23 within one year of the award of the grant, or is suspended, revoked,
24 limited or restricted. Modification of the plan required by (e) of this
25 section must be approved by the department before implementation of the
26 modification.

27 (g) No grant may be awarded to a program within a municipality
28 whose officers fail to actively enforce its ordinances, the laws of the
29 United States, the laws of the state, and the regulations relating to

1 the manufacture and sale of intoxicating liquors in the state, until the
2 enforcement of the laws and regulations is actively resumed.

3 (h) The department shall provide management training for persons
4 administering a program receiving grant money under this section.

5 (i) The department shall develop, and programs receiving grant
6 money shall implement, a uniform accounting system.

7 * Sec. 4. AS 47.30.477 is amended to read:

8 Sec. 47.30.477. GRANT-IN-AID PROGRAM REGULATIONS. The department
9 shall adopt regulations implementing sec. 475 of this chapter. The
10 regulations shall provide for the method of application, the time for
11 consideration of applications, the processing of applications, the type
12 of record keeping, the requirements for reporting the progress and
13 statistics regarding the program, and the notification of the applicant
14 as to the action taken on the applicatio [, AND THE ISSUANCE OF LICENSES
15 FOR FACILITIES RECEIVING GRANTS-IN-AID UNDER SEC. 475 OF THIS CHAPTER].
16 The department shall also establish the necessary forms of application
17 and may adopt other regulations considered necessary to meet the require-
18 ments of health and safety and the orderly administration of the grant-
19 in-aid program.

20 * Sec. 5. AS 47.37.270(3) is amended to read:

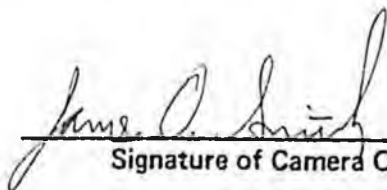
21 (3) "approved public treatment facility" means a treatment
22 agency operating under the direction and control of the office or pro-
23 viding treatment under this chapter through a contract with the office
24 under sec. 130(g) of this chapter or through a grant awarded under
25 AS 47.30.475, and meeting the standards prescribed in sec. 140(a) of
26 this chapter and approved under sec. 140(c) of this chapter;



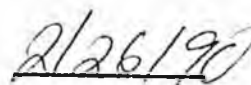
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Signature of Camera Operator



Date

COMMITTEE REPORT
SENATE

FURTHER: NONE

Date: _____

Mr. President:

The Committee on FINANCE has had 138 amendments for alcohol treatment facilities

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title

- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]

Chairman

FISCAL NOTE

REQUEST

Bill/Resolution No. Senate Bill 544

Title "An Act Relating to Standards for Alcohol Treatment Facilities"

Requested by Department of Health and Social Services

Date 3/30/78

FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected Office of Alcoholism and Drug Abuse

Budget Request Unit(s) Affected Administration

EXPENDITURES (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 200 TRAVEL | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 300 CONTRACTUAL | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 400 COMMODITIES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 500 EQUIPMENT | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 600 LAND & STRUCTURES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 700 GRANTS, CLAIMS, ETC. | - 0 - | - 0 - | - 0 - | - 0 - | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars) [No New Funds Required]

| | | | | | | |
|-----------------|-------|-------|--|--|--|--|
| GENERAL FUND | - 0 - | - 0 - | | | | |
| FEDERAL FUNDS | - 0 - | - 0 - | | | | |
| OTHER (Specify) | - 0 - | - 0 - | | | | |

POSITIONS

| | | | | | |
|-----------|--|--------------|--|--|--|
| FULL TIME | | 20% of 1 21B | | | |
| PART TIME | | | | | |
| TEMPORARY | | | | | |

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

Current positions and administrative monetary support will be sufficient to enact the intent of this legislation. We estimate that this would require 20% of the time of one Regional Program Coordinator for a period of six months, for full implementation.

DATE 3/30/78

PREPARED BY Robert L. Cole
 AGENCY Office of Alcoholism and Drug Abuse
 PHONE 586-6201

Robert L. Cole
Robert L. Cole

Legislative Finance
 Budget and Management
 Home Sponsor (First Legislator Named)

(Rev. 12/77)

POSITION PAPER ON SENATE BILL 544

"An Act relating to standards for alcohol treatment facilities"

The Office of Alcoholism and Drug Abuse is in entire agreement with the concept of different Program Standards for alcoholism projects in communities with a population of less than 5000 persons.

In January of 1977 the Office adopted Standards for urban alcoholism facilities and Programs. (7 AAC 29.010/900) with applicability to programs located in Anchorage, Fairbanks, Juneau, Ketchikan, Kodiak, Sitka, and programs located in hospitals, community mental health centers, providing in-patient service, or with an operating budget of \$200,000. or more.

The FY 1978 Annual Supplement to the Alaska State Plan for the Reduction of Alcoholism and Alcohol Abuse recognized the need for additional Standards in stating, "In lieu of specific "rural" standards, those programs funded by the Office which do not qualify as urban, will be considered "approved", until such time as those specific regulations can be written." (p.56)

The Office suggests the addition of two sentence(s) to the proposed amendment to AS 47.37.140. One sentence would be; "The standards shall be enacted in a manner that will provide protection of the health, safety and well-being of clients of the affected programs and protection for the affected programs from exposure to malpractice and liability actions."

(The addition of this language would further clarify the purpose of standards and set out the minimal conditions to be met in the enactment of standards.)

The second sentence would be "The Office shall develop comparable standards for Drug Abuse Treatment Programs." The addition of this language would recognize the fact that we are now a combined office and that the legislature wishes to provide similar protection to Drug Abuse programs and clients.

It is particularly important to note that local alcoholism and drug abuse treatment programs operated by non-profit corporations and municipal governments are exposed to financial and legal liability if they fail to provide a physically safe environment for their clients and a reasonably professional treatment service for their clients. That is, they are sueable entities, as is the State, if it fails to promulgate and enforce reasonable program standards. Additionally private insurance companies will not reimburse for services supplied by non-approved agencies.

In spite of the fact that a few community programs have voiced complaints about our current program and facility standards, most of them recognize that the purposes of standards and counselor certification requirements are: protection of client and provision of quality service to the client; protection of the program from liability exposure; increased program accessibility to public and private insurance carrier payments for service and protection of both sponsoring local governments and the state from liability exposure.

Attention is drawn to the fiscal note and position paper for SB 542 for a related discussion having to do with "Training and Certification"

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES

No new funds are required to implement this Bill.

Recommended by:

Robert L. Cole 4/12/78
Robert L. Cole, Coordinator Date
Office of Alcoholism & Drug Abuse

Approved by:

Helen D. Beirne 4/12/78
Helen D. Beirne Date
Commissioner
Health and Social Services

SB 544

A STATE DIVISION OF THE
NATIONAL COUNCIL ON ALCOHOLISM


National
Council
ON
Alcoholism - ALASKA REGION

4510 International Airport Road, Suite 1
Anchorage, Alaska 99502
Phone 243-4324 or 243-4306

April 13, 1978

Senator Mike Colletta
Pouch V
Juneau, AK 99811

Dear Mike:

Thank you for the Citizen's Legislation Senate Bills 540-552 which were forwarded to us for review. We have the following comments.

Senate Bill 545 "An Act relating to health insurance". We are supportive of mandating alcoholism treatment coverage for all policies, contracts, or prepared plans for individual or group health insurance in Alaska. However, the clause waiving the coverage by the policy holder would make the impact of this insurance negligible. It is foreseen that middle-class individuals in the early to middle stages of alcoholism would choose to waive alcoholism coverage, as having it might indicate to them that they, in fact, have a problem with alcohol. We feel very strongly that "except that this coverage may be waived in writing by the policy-holder of an individual health insurance policy on or before the effective date of that policy," must be deleted.

Senate Bill 540 "An Act making a special appropriation to the Office of Alcoholism in the Department of Health and Social Services for the prevention and treatment of alcohol abuse and alcoholism and providing for an effective date". It appears that the sum of \$8,200,000 is appropriated for administrative functions of the Office of Alcoholism. The language of the Bill appears to provide for planning, coordination, regulation, monitoring, and evaluation of programs and for training, technical assistance to programs. There appears to be no implication, intent, nor definition of providing any of that money directly to programs. We seriously question the need of \$8.2 million in administrative fees for the Office of Alcoholism without provision for a dramatic increase in grant funds.

Senator Mike Colletta
April 13, 1978
Page 2

Senate Bill 541 "An Act relating to health education in public schools". The physical health education provided for in this Act is not mandatory. There is no money allotted for training of teachers. There appears to be no provision for coordination or cooperation by the school districts with health education programs developed by the Office of Alcoholism or other appropriate health and social service divisions. If a Bill such as this passes, we are concerned that it too will be ignored if the provisions are not made mandatory.

Senate Bill 542 "An Act adding to the powers and duties of the Office of Alcoholism." We question the need for establishing standards for training para-professional alcoholism workers. Obviously standards and training are needed for all alcoholism workers. However, as the field becomes more sophisticated the workers will no longer be para-professionals but will be professionals. Individuals with advanced degrees may require training prior to being able to effectively work within the alcoholism field. The standards and training offered by the Office of Alcoholism must be offered to those individuals also considered "professionals". We request that "para" be deleted from section 2 (7). Section 4 (18) is nebulous and appears to be unenforceable. Developing and implementing training programs on alcoholism for employees of state municipal governments and private institutions is extremely important. But to allegedly limit it to those individuals coming in contact with alcoholics is not realistic as we are sure this will be interpreted as individuals working within treatment centers only. If the objective for this section is to assist in the implementation of the establishment of labor-management programs then it should state that the training will be available to anyone who supervises other individuals. Section 5 fund established. There is no indication of the source of money for the proposed revolving loan fund. We believe it should be stated that grant and contract funds shall not be used for this purpose.

Senate Bill 543 "An Act relating to alcoholism grants-in-aid". Section 2 (3) changes the ratio of grant funds from a set ratio 75/25 or 90/10 to a portion which the Department determines the community to be served is incapable of bearing. This portion could be changed by the Department with less than adequate information and input. While we are not totally in agreement with the current ratio of 75/25 or 90/10, we believe that this section needs to be clarified and defined further. The funds from the grant-in-aid appear to be restricted to treatment facilities with the exception of purchase of educational materials, improvements or renovation, or new construction. Stated in this manner, it would prohibit any non-treatment agency such as ourselves, the Anchorage Council on Alcoholism, the Akiachuk Council on Alcoholism, and various other small communities from applying for and receiving state grant-in-aid funds. As the alleged area of emphasis is in prevention and education, we believe that this section must be changed.

Senator Mike Colletta
April 13, 1978
Page 3

Section 3 (E) (1) "No grant may be awarded under this section unless the application includes a plan which provides for the expenditure of grant money for education and other preventative measures as well as the treatment of alcoholics. This again, creates a situation where direct treatment programs are the only programs eligible for grant funds. This must be changed.

Section 3 (E) (3) "Goals expressed in terms of a percentage reduction of the number of persons needing the assistance provided by the program receiving a grant under this section". We believe the word "reduction" should be changed to "increase", as the largest percentage of alcoholics are middle class individuals who do not recognize their problem. Until alcoholism achieves an air of respectability and people are willing to admit they have a problem during the early stages, a program should not be expected to reduce the number of persons needing assistance. Programs should be expected to increase the awareness of the need for assistance, which will in turn increase the number of individuals utilizing the program.

Section 3 (G) "No grant may be awarded to a program within a municipality whose officers fail to actively enforce its ordinances, the laws of the United States, the laws of the State, and the regulations relating to..." We believe this sentence to be too broad and too general while we agree with the intent of this section. We believe it would be totally unenforceable.

Section 3 (I) We would hope that sufficient lead time would be given programs receiving grant funds to implement a uniform accounting system as many programs are multiply funded and such a change could cause severe hardships. One accounting procedure must be maintained in all programs for all grants.

Section 5 (2) "Approved public treatment facility" would appear to be any treatment facility receiving any public money. "Public facility" creates a connotation of the county general hospital, of poor condition, and of snake pit caliber which is not the intention of the definition. If a treatment facility is termed "public" could it have a screening process for client selection or would it by definition be mandated to accept anyone who applied for services? We don't believe the mere act of receiving "public money" should deem a facility to be "public".

Senate Bill 544 "An Act relating to standards for alcohol treatment facilities". Section 2 (A) We seriously question the separation of communities of less than 5,000 from those with more than 5,000 residents. From our review of the population figures for communities within the State of Alaska there appear to be three general categories: 1) those communities with 1-1,000 individuals which are mainly villages; 2) communities with 1,001-4,500 individuals, which are mainly rural in nature, larger than villages but not urban; and 3) 4,501-over which are urban. We urge you to give some consideration

Senator Mike Colletta
April 13, 1978
Page 4

to the village, rural, urban concept as we believe it is unrealistic to require identical standards for None and Egegik, which this legislation does.

Senate Bill 546 "An Act establishing a tax credit for contributions to alcoholism programs and providing for an effective date". Our questions only have to do with the difference between a credit versus a tax deduction and would this be in addition to the already approved deduction for donations?

Senate Bill 548 "An Act relating to waiter and waitress permits". While we support and applaud the intent of this bill, we have serious questions concerning Section 2 (B) "the duties of waiters and waitresses employed therein shall be confined to taking orders and serving beverages alcoholic or otherwise and food". Waiters and waitresses also clear tables, sweep floors, wash windows, do dishes, and fill in other places that are needed. Are bartenders to be considered waiters under this legislation? We do not think it appropriate that this legislation define the duties of waiters and waitresses. Furthermore, "waiters and waitresses employed under this section may not solicit or encourage the purchase of beverages, alcoholic or otherwise..." This could be seriously misconstrued by individuals who may think it fun or interesting to prosecute an establishment if the waiter or waitress asks the patron if he wants a cup of coffee. We believe the wording on this bill needs to be reviewed and revised.

Senate Bill 549 "An Act relating to the serving of intoxicating liquor". The term "intoxicating liquor" implies that it does not include beer or wine. We are fully aware that beer and wine are as intoxicating as hard liquor. However, to the general public the word liquor connotes hard liquor and not beer or wine. Perhaps "ethyl alcohol" would be an appropriate substitute for "intoxicating liquor". A single serving needs to be defined. What would happen, for example, to the pitcher of beer or the margarita grande to name but a few of the standard drinks served in bars throughout the state.

Senate Bill 547 "An Act making a special appropriation to the Department of Revenue to increase the number of enforcement personnel employed by the alcoholic beverage control board and providing for an effective date". Our only question with this bill is \$200,000 sufficient to obtain the necessary personnel obviously needed by the alcoholic beverage control board?

Senate Bill 550 "An Act relating to administration and enforcement of alcoholic beverage control statutes in regulations". We support the proposed changes of two miles to five miles and the change of village to "protest area". We also believe the re-issuance is a positive added aspect of the legislation. The proposed suspensions and revocations appear to be adequate if the alcoholic beverage control board obtains sufficient employees to enforce the laws.

Senator Mike Colletta
April 13, 1978
Page 5

Senate Bill 551 "An Act relating to the rehabilitation of persons who commit criminal offenses as a result of alcohol problems in providing for an effective date". There should be mention of mandatory prompt action being taken for non-compliance of the program of alcohol education or rehabilitation by the convicted person. Without prompt action for noncompliance the law would be worthless.

Senate Bill 552 "An Act relating to alcohol". We were sorry to see that the per se law was not included in this proposed legislation. The per se law says in effect that if a person has a blood alcohol content of .10 he is assumed to be intoxicated and unable to drive. It is our understanding that Anchorage is the only community within Alaska to adopt and enforce the per se law. We were further surprised and disappointed to see that a mandatory 24-hour jail sentence was not proposed for a first offender in addition to the maximum fine of \$1,000 and imprisonment for one year. Studies which have been done nationwide have indicated that 24-hours in jail for a first offender has a maximum impact, whereas three days after a second conviction has a lesser impact.

We hope these comments are helpful to you and the committee.

Sincerely yours,



Suzanne W. Perry-Piper
Executive Director

eab

Original sponsor: Rules Committee
by request

Offered: 4/19/78
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to standards for alcohol treatment
7 facilities."

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

9 * Section 1. In recognition of the fact that the standards for alcohol
10 treatment facilities currently employed by the Department of Health and
11 Social Services are not entirely appropriate to facilities in the rural
12 communities of the state, it is the intent of the legislature that standards
13 more responsive to rural needs and conditions be adopted for application to
14 alcohol treatment facilities in rural communities.

15 * Sec. 2. AS 47.37.140(a) is repealed and re-enacted to read:

16 (a) The office shall establish separate standards for (1) faci-
17 lities in communities having a population of less than 5,000, and (2)
18 facilities in communities having a population of 5,000 or more; and
19 shall fix the fees to be charged for the required inspections of those
20 facilities. Every facility shall meet the applicable standards before
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22 shall be enacted in a manner that will provide protection of the health,
23 safety and well-being of clients of the affected programs and protection
24 for the affected programs from exposure to malpractice and liability
25 actio. .

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COMMITTEE REPORT

SENATE

3/17/78

FURTHER: FINANCE

Date: _____

Mr. President:

The Committee on HEALTH EDUCATION & SOCIAL SERVICES has had SB 544 standards for alcohol treatment facilities

under consideration and (a majority of the committee) (the committee reports it back as follows)

() recommends it do pass () recommends it do not pass

() recommends it do pass with attached amendment(s)

() recommends it be replaced with CS for SB 544

and _____ () new title () same title

() AND attaches a Letter of Intent () New Fiscal Note

() reports it back without recommendation

() and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

3 bills - NO REC
Ed Wilson No Rec

| BILL REFERENCE | SECTION(S) SPECIFICALLY ENDORSED BY SCHPD | REASON(S) FOR SUPPORT |
|-------------------------|---|---|
| SB 232 | Municipal sales tax on beverage alcohol | Encourage communities to develop resources and respond appropriately to local alcohol problems. |
| SB 240 | <ol style="list-style-type: none"> 1. Compensation for alcohol revenue loss for communities restricting sales. 2. Increased penalties for illegal sales. 3. Prohibition of common carriers from transporting orders of alcoholic beverages to "dry" communities. | Encourage local option in restriction and enforcement of the sale of beverage alcohol. |
| SB341/HB 414 | Limitation on liability of health care providers in the administration of blood tests. | Facilitates the enforcement of DWI and DMVI laws. |
| SB 167 | Excise tax on beverage alcohol. | <ul style="list-style-type: none"> -Provides additional resources. -Decreases access to beverage alcohol. |
| SB 545 ✓ | Third-party reimbursement for treatment of alcoholism. | <ul style="list-style-type: none"> -Makes treatment more accessible financially. -Expands the revenue base for programs. -Permits accurate reporting of medical service utilization. |
| SB551/552 ✓ | Establishment of mechanism to assure that alcohol-related convictions obtain screening, referral treatment. | Would force problem drinkers into treatment and hopefully reduce criminal recidivism. |
| SB 541 ✓ | K-12 health education to include alcohol and drug education. | All children should receive comprehensive (not categorical) health education appropriate to their age. |
| SB 542 ✓ | Alcohol education curriculum. Occupational alcoholism programs. | Education as a preventive measure is endorsed. SCHPD supports a comprehensive health education program rather than allocation of responsibility for specific topics to separate agencies/departments. |
| SB 241 | Appropriations. | Resources should be available as needed to manage the problem. |
| SB 540 ✓ | Driving with a .1 BAC is illegal statewide. | Would strengthen enforcement of drunk driving laws. |
| SB 242, 542, 543, 544 ✓ | Standards for manpower and treatment services. | Where standards contribute to assurances of quality in services delivery, they are essential to effective health care. |

Original sponsor: Rules Committee
by request

Offered: 4/19/78
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

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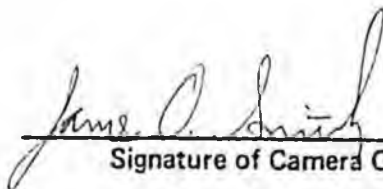
16 (a) The office shall establish separate standards for (1) faci-
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23 safety and well-being of clients of the affected programs and protection
24 for the affected programs from exposure to malpractice and liability
25 actions.



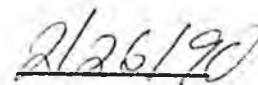
RECORDS CERTIFICATION



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

COMMITTEE REPORT

HOUSE

6/7/73

FURTHER: _____

Date: _____

Mr. Speaker:

The Committee on FINANCE has had CS 344 am

"An Act relating to standards for alcohol treatment facilities."

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 _____ new title same title
- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

POSITION PAPER ON SENATE BILL 544

"An Act relating to standards for alcohol treatment facilities"

The Office of Alcoholism and Drug Abuse is in entire agreement with the concept of different Program Standards for alcoholism projects in communities with a population of less than 5000 persons.

In January of 1977 the Office adopted Standards for urban alcoholism facilities and Programs. (7 AAC 29.010/900) with applicability to programs located in Anchorage, Fairbanks, Juneau, Ketchikan, Kodiak, Sitka, and programs located in hospitals, community mental health centers, providing in-patient service, or with an operating budget of \$200,000. or more.

The FY 1978 Annual Supplement to the Alaska State Plan for the Reduction of Alcoholism and Alcohol Abuse recognized the need for additional Standards in stating, "In lieu of specific "rural" standards, those programs funded by the Office which do not qualify as urban, will be considered "approved", until such time as those specific regulations can be written." (p.56)

The Office suggests the addition of two sentence(s) to the proposed amendment to AS 47.37.140. One sentence would be; "The standards shall be enacted in a manner that will provide protection of the health, safety and well-being of clients of the affected programs and protection for the affected programs from exposure to malpractice and liability actions."

(The addition of this language would further clarify the purpose of standards and set out the minimal conditions to be met in the enactment of standards.)

The second sentence would be "The Office shall develop comparable standards for Drug Abuse Treatment Programs." The addition of this language would recognize the fact that we are now a combined office and that the legislature wishes to provide similar protection to Drug Abuse programs and clients.

It is particularly important to note that local alcoholism and drug abuse treatment programs operated by non-profit corporations and municipal governments are exposed to financial and legal liability if they fail to provide a physically safe environment for their clients and a reasonably professional treatment service for their clients. That is, they are sueable entities, as is the State, if it fails to promulgate and enforce reasonable program standards. Additionally private insurance companies will not reimburse for services supplied by non-approved agencies.

In spite of the fact that a few community programs have voiced complaints about our current program and facility standards, most of them recognize that the purposes of standards and counselor certification requirements are: protection of client and provision of quality service to the client; protection of the program from liability exposure; increased program accessibility to public and private insurance carrier payments for service and protection of both sponsoring local governments and the state from liability exposure.

Attention is drawn to the fiscal note and position paper for SB 542 for a related discussion having to do with "Training and Certification"

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES

No new funds are required to implement this Bill.

Recommended by:

Robert L. Cole 4/12/78
Robert L. Cole, Coordinator Date
Office of Alcoholism & Drug Abuse

Approved by:

Helen D. Beirne 4/12/78
Helen D. Beirne Date
Commissioner
Health and Social Services

FISCAL NOTE

REQUEST

Bill/Resolution No. Senate Bill 544

Title "An Act Relating to Standards for Alcohol Treatment Facilities"

Requested by Department of Health and Social Services

Date 3/30/78

IV. FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected Office of Alcoholism and Drug Abuse

Budget Request Unit(s) Affected Administration

EXPENDITURES (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 200 TRAVEL | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 300 CONTRACTUAL | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 400 COMMODITIES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 500 EQUIPMENT | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 600 LAND & STRUCTURES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 700 GRANTS, CLAIMS, ETC. | - 0 - | - 0 - | - 0 - | - 0 - | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars)

[No New Funds Required]

| | | | | | | |
|-----------------|-------|-------|--|--|--|--|
| GENERAL FUND | - 0 - | - 0 - | | | | |
| FEDERAL FUNDS | - 0 - | - 0 - | | | | |
| OTHER (Specify) | - 0 - | - 0 - | | | | |

POSITIONS

| | | | | | |
|-----------|--|--------------|--|--|--|
| FULL TIME | | 20% of 1 21B | | | |
| PART TIME | | | | | |
| TEMPORARY | | | | | |

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

Current positions and administrative monetary support will be sufficient to enact the intent of this legislation. We estimate that this would require 20% of the time of one Regional Program Coordinator for a period of six months, for full implementation.

DATE 3/30/78

PREPARED BY

Robert L. Cole

AGENCY

Office of Alcoholism and Drug Abuse

PHONE

586-6201

Legislative Finance

Budget and Management

Home Sponsor (First Legislator Named)

Original sponsor: Rules Committee
by request

Offered: 4/19/78
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to standards for alcohol treatment
7 facilities."

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

9 * Section 1. In recognition of the fact that the standards for alcohol
10 treatment facilities currently employed by the Department of Health and
11 Social Services are not entirely appropriate to facilities in the rural
12 communities of the state, it is the intent of the legislature that standards
13 more responsive to rural needs and conditions be adopted for application to
14 alcohol treatment facilities in rural communities.

15 * Sec. 2. AS 47.37.140(a) is repealed and re-enacted to read:

16 (a) The office shall establish separate standards for (1) faci-
17 lities in communities having a population of less than 5,000, and (2)
18 facilities in communities having a population of 5,000 or more; and
19 shall fix the fees to be charged for the required inspections of those
20 facilities. Every facility shall meet the applicable standards before
21 it is approved as a public or private treatment facility. The standards
22 shall be enacted in a manner that will provide protection of the health,
23 safety and well-being of clients of the affected programs and protection
24 for the affected programs from exposure to malpractice and liability
25 actions.

Introduced: 3/17/78
Referred: Health, Education
& Social Services and
Finance

BY THE RULES COMMITTEE
BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 544

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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20 facilities. Every facility shall meet the applicable standards before
21 it is approved as a public or private treatment facility. The standards
22 shall concern only the health conditions to be met and standards of
23 treatment to be afforded patients.

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Original sponsor: Rules Committee
by request

Offered: 4/19/78
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 544 am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to standards for alcohol treatment
7 facilities."

8

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

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* Section 1. Recognizing the standards for rural alcohol treatment
10 facilities currently employed by the Department of Health and Social Services
11 are not entirely appropriate, it is the intent of the legislature that
12 standards more responsive to rural needs and conditions be adopted.

13

* Sec. 2. AS 47.37.140(a) is repealed and re-enacted to read:

14

(a) The office shall establish standards for facilities; these
15 standards may vary in their requirements and stringency according to
16 the population, price level, remoteness, access to transportation,
17 and availability of ancillary services of the area to be served; and
18 shall fix the fees to be charged for the required inspections of those
19 facilities. Every facility shall meet the applicable standards before
20 it is approved as a public or private treatment facility. The standards
21 shall be enacted in a manner that will provide protection of the health,
22 safety and well-being of clients of the affected programs and protection
23 for the affected programs from exposure to malpractice and liability
24 actions.

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Original sponsor: Rules Committee
by request

Offered: 4/19/78
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 544

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - SECOND SESSION

5

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FISCAL NOTE

REQUEST

Bill/Resolution No. Senate Bill 544

Title "An Act Relating to Standards for Alcohol Treatment Facilities"

Requested by Department of Health and Social Services

Date 3/30/78

FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected Office of Alcoholism and Drug Abuse

Budget Request Unit(s) Affected Administration

EXPENDITURES (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 200 TRAVEL | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 300 CONTRACTUAL | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 400 COMMODITIES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 500 EQUIPMENT | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 600 LAND & STRUCTURES | - 0 - | - 0 - | - 0 - | - 0 - | | |
| 700 GRANTS, CLAIMS, ETC. | - 0 - | - 0 - | - 0 - | - 0 - | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars) [No New Funds Required]

| | | | | | | |
|-----------------|-------|-------|--|--|--|--|
| GENERAL FUND | - 0 - | - 0 - | | | | |
| FEDERAL FUNDS | - 0 - | - 0 - | | | | |
| OTHER (Specify) | - 0 - | - 0 - | | | | |

POSITIONS

| | | | | | |
|-----------|--|--------------|--|--|--|
| FULL TIME | | 20% of 1 21B | | | |
| PART TIME | | | | | |
| TEMPORARY | | | | | |

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

Current positions and administrative monetary support will be sufficient to enact the intent of this legislation. We estimate that this would require 20% of the time of one Regional Program Coordinator for a period of six months, for full implementation.

3/30/78

PREPARED BY Robert L. Cole
 AGENCY Office of Alcoholism and Drug Abuse
 PHONE 586-6201

Legislative Finance
 Budget and Management
 Home Sponsor (First Legislator Named)

POSITION PAPER ON SENATE BILL 544

"An Act relating to standards for alcohol treatment facilities"

The Office of Alcoholism and Drug Abuse is in entire agreement with the concept of different Program Standards for alcoholism projects in communities with a population of less than 5000 persons.

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The FY 1978 Annual Supplement to the Alaska State Plan for the Reduction of Alcoholism and Alcohol Abuse recognized the need for additional Standards in, stating, "In lieu of specific "rural" standards, those programs funded by the Office which do not qualify as urban, will be considered "approved", until such time as those specific regulations can be written." (p.56)

The Office suggests the addition of two sentence(s) to the proposed amendment to AS 47.37.140. One sentence would be: "The standards shall be enacted in a manner that will provide protection of the health, safety and well-being of clients of the affected programs and protection for the affected programs from exposure to malpractice and liability actions."

(The addition of this language would further clarify the purpose of standards and set out the minimal conditions to be met in the enactment of standards.)

The second sentence would be "The Office shall develop comparable standards for Drug Abuse Treatment Programs." The addition of this language would recognize the fact that we are now a combined office and that the legislature wishes to provide similar protection to Drug Abuse programs and clients.

It is particularly important to note that local alcoholism and drug abuse treatment programs operated by non-profit corporations and municipal governments are exposed to financial and legal liability if they fail to provide a physically safe environment for their clients and a reasonably professional treatment service for their clients. That is, they are sueable entities, as is the State, if it fails to promulgate and enforce reasonable program standards. Additionally private insurance companies will not reimburse for services supplied by non-approved agencies.

In spite of the fact that a few community programs have voiced complaints about our current program and facility standards, most of them recognize that the purposes of standards and counselor certification requirements are: protection of client and provision of quality service to the client; protection of the program from liability exposure; increased program accessibility to public and private insurance carrier payments for service and protection of both sponsoring local governments and the state from liability exposure.

Attention is drawn to the fiscal note and position paper for SB 542 for a related discussion having to do with "Training and Certification"

FOOD AND NUTRITION DEPARTMENT / HEALTH AND SOCIAL SERVICES

No new funds are required to implement this Bill.

Recommended by:

Robert L. Cole 4/12/78
Robert L. Cole, Coordinator Date
Office of Alcoholism & Drug Abuse

Approved by:

Helen D. Beirne 4/12/78
Helen D. Beirne Date
Commissioner
Health and Social Services

SB 544

A STATE DIVISION OF THE
NATIONAL COUNCIL ON ALCOHOLISM


National
Council
on
Alcoholism - ALASKA REGION

451 International Airport Road, Suite 1
Anchorage, Alaska 99502
Phone 243-4321 or 243-4306

April 13, 1978

Senator Mike Colletta
Pouch V
Juneau, AK 99811

Dear Mike:

Thank you for the Citizen's Legislation Senate Bills 540-552 which were forwarded to us for review. We have the following comments.

Senate Bill 545 "An Act relating to health insurance". We are supportive of mandating alcoholism treatment coverage for all policies, contracts, or prepared plans for individual or group health insurance in Alaska. However, the clause waiving the coverage by the policy holder would make the impact of this insurance negligible. It is foreseen that middle-class individuals in the early to middle stages of alcoholism would choose to waive alcoholism coverage, as having it might indicate to them that they, in fact, have a problem with alcohol. We feel very strongly that "except that this coverage may be waived in writing by the policy-holder of an individual health insurance policy on or before the effective date of that policy," must be deleted.

Senate Bill 540 "An Act making a special appropriation to the Office of Alcoholism in the Department of Health and Social Services for the prevention and treatment of alcohol abuse and alcoholism and providing for an effective date". It appears that the sum of \$8,200,000 is appropriated for administrative functions of the Office of Alcoholism. The language of the Bill appears to provide for planning, coordination, regulation, monitoring, and evaluation of programs and for training, technical assistance to programs. There appears to be no implication, intent, nor definition of providing any of that money directly to programs. We seriously question the need of \$8.2 million in administrative fees for the Office of Alcoholism without provision for a dramatic increase in grant funds.

Senator Mike Colletta
April 13, 1978
Page 2

Senate Bill 541 "An Act relating to health education in public schools". The physical health education provided for in this Act is not mandatory. There is no money allotted for training of teachers. There appears to be no provision for coordination or cooperation by the school districts with health education programs developed by the Office of Alcoholism or other appropriate health and social service divisions. If a Bill such as this passes, we are concerned that it too will be ignored if the provisions are not made mandatory.

Senate Bill 542 "An Act adding to the powers and duties of the Office of Alcoholism." We question the need for establishing standards for training para-professional alcoholism workers. Obviously standards and training are needed for all alcoholism workers. However, as the field becomes more sophisticated the workers will no longer be para-professionals but will be professionals. Individuals with advanced degrees may require training prior to being able to effectively work within the alcoholism field. The standards and training offered by the Office of Alcoholism must be offered to those individuals also considered "professionals". We request that "para" be deleted from section 2 (7). Section 4 (18) is nebulous and appears to be unenforceable. Developing and implementing training programs on alcoholism for employees of state municipal governments and private institutions is extremely important. But to allegedly limit it to those individuals coming in contact with alcoholics is not realistic as we are sure this will be interpreted as individuals working within treatment centers only. If the objective for this section is to assist in the implementation of the establishment of labor-management programs then it should state that the training will be available to anyone who supervises other individuals. Section 5 fund established. There is no indication of the source of money for the proposed revolving loan fund. We believe it should be stated that grant and contract funds shall not be used for this purpose.

Senate Bill 543 "An Act relating to alcoholism grants-in-aid". Section 2 (3) changes the ratio of grant funds from a set ratio 75/25 or 90/10 to a portion which the Department determines the community to be served is incapable of bearing. This portion could be changed by the Department with less than adequate information and input. While we are not totally in agreement with the current ratio of 75/25 or 90/10, we believe that this section needs to be clarified and defined further. The funds from the grant-in-aid appear to be restricted to treatment facilities with the exception of purchase of educational materials, improvements or renovation, or new construction. Stated in this manner, it would prohibit any non-treatment agency such as ourselves, the Anchorage Council on Alcoholism, the Akiachuk Council on Alcoholism, and various other small communities from applying for and receiving state grant-in-aid funds. As the alleged area of emphasis is in prevention and education, we believe that this section must be changed.

Senator Mike Colletta
April 13, 1978
Page 3

Section 3 (E) (1) "No grant may be awarded under this section unless the application includes a plan which provides for the expenditure of grant money for education and other preventative measures as well as the treatment of alcoholics. This again, creates a situation where direct treatment programs are the only programs eligible for grant funds. This must be changed.

Section 3 (E) (3) "Goals expressed in terms of a percentage reduction of the number of persons needing the assistance provided by the program receiving a grant under this section". We believe the word "reduction" should be changed to "increase", as the largest percentage of alcoholics are middle class individuals who do not recognize their problem. Until alcoholism achieves an air of respectability and people are willing to admit they have a problem during the early stages, a program should not be expected to reduce the number of persons needing assistance. Programs should be expected to increase the awareness of the need for assistance, which will in turn increase the number of individuals utilizing the program.

Section 3 (G) "No grant may be awarded to a program within a municipality whose officers fail to actively enforce its ordinances, the laws of the United States, the laws of the State, and the regulations relating to..." We believe this sentence to be too broad and too general while we agree with the intent of this section. We believe it would be totally unenforceable.

Section 3 (I) We would hope that sufficient lead time would be given programs receiving grant funds to implement a uniform accounting system as many programs are multiply-funded and such a change could cause severe hardships. One accounting procedure must be maintained in all programs for all grants.

Section 5 (3) "Approved public treatment facility" would appear to be any treatment facility receiving any public money. "Public facility" creates a connotation of the county general hospital, of poor condition, and of snake pit caliber which is not the intention of the definition. If a treatment facility is termed "public" could it have a screening process for client selection or would it by definition be mandated to accept anyone who applied for services? We don't believe the mere act of receiving "public money" should deem a facility to be "public".

Senate Bill 544 "An Act relating to standards for alcohol treatment facilities". Section 2 (A) We seriously question the separation of communities of less than 5,000 from those with more than 5,000 residents. From our review of the population figures for communities within the State of Alaska there appear to be three general categories: 1) those communities with 1-1,000 individuals which are mainly villages; 2) communities with 1,001-4,500 individuals, which are mainly rural in nature, larger than villages but not urban; and 3) 4,501-over which are urban. We urge you to give some consideration

Senator Mike Colletta
April 13, 1978
Page 4

to the village, rural, urban concept as we believe it is unrealistic to require identical standards for None and Egegik, which this legislation does.

Senate Bill 546 "An Act establishing a tax credit for contributions to alcoholism programs and providing for an effective date". Our questions only have to do with the difference between a credit versus a tax deduction and would this be in addition to the already approved deduction for donations?

Senate Bill 548 "An Act relating to waiter and waitress permits". While we support and applaud the intent of this bill, we have serious questions concerning Section 2 (B) "the duties of waiters and waitresses employed therein shall be confined to taking orders and serving beverages alcoholic or otherwise and food". Waiters and waitresses also clear tables, sweep floors, wash windows, do dishes, and fill in other places that are needed. Are bartenders to be considered waiters under this legislation? We do not think it appropriate that this legislation define the duties of waiters and waitresses. Furthermore, "waiters and waitresses employed under this section may not solicit or encourage the purchase of beverages, alcoholic or otherwise..." This could be seriously misconstrued by individuals who may think it fun or interesting to prosecute an establishment if the waiter or waitress asks the patron if he wants a cup of coffee. We believe the wording on this bill needs to be reviewed and revised.

Senate Bill 549 "An Act relating to the serving of intoxicating liquor". The term "intoxicating liquor" implies that it does not include beer or wine. We are fully aware that beer and wine are as intoxicating as hard liquor. However, to the general public the word liquor connotes hard liquor and not beer or wine. Perhaps "ethyl alcohol" would be an appropriate substitute for "intoxicating liquor". A single serving needs to be defined. What would happen, for example, to the pitcher of beer or the margarita grande to name but a few of the standard drinks served in bars throughout the state.

Senate Bill 547 "An Act making a special appropriation to the Department of Revenue to increase the number of enforcement personnel employed by the alcoholic beverage control board and providing for an effective date". Our only question with this bill is \$200,000 sufficient to obtain the necessary personnel obviously needed by the alcoholic beverage control board?

Senate Bill 550 "An Act relating to administration and enforcement of alcoholic beverage control statutes in regulation". We support the proposed changes of two miles to five miles and the change of village to "protest area". We also believe the re-issuance is a positive added aspect of the legislation. The proposed suspensions and revocations appear to be adequate if the alcoholic beverage control board obtains sufficient employees to enforce the laws.

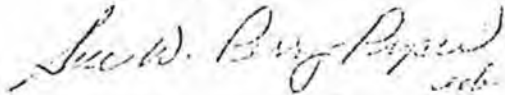
Senator Mike Colletta
April 13, 1978
Page 5

Senate Bill 551 "An Act relating to the rehabilitation of persons who commit criminal offenses as a result of alcohol problems in providing for an effective date". There should be mention of mandatory prompt action being taken for non-compliance of the program of alcohol education or rehabilitation by the convicted person. Without prompt action for noncompliance the law would be worthless.

Senate Bill 552 "An Act relating to alcohol". We were sorry to see that the per se law was not included in this proposed legislation. The per se law says in effect that if a person has a blood alcohol content of .10 he is assumed to be intoxicated and unable to drive. It is our understanding that Anchorage is the only community within Alaska to adopt and enforce the per se law. We were further surprised and disappointed to see that a mandatory 24-hour jail sentence was not proposed for a first offender in addition to the maximum fine of \$1,000 and imprisonment for one year. Studies which have been done nationwide have indicated that 24-hours in jail for a first offender has a maximum impact, whereas three days after a second conviction has a lesser impact.

We hope these comments are helpful to you and the committee.

Sincerely yours,



Suzanne W. Perry-Piper
Executive Director

eeb

POSITION PAPER ON SENATE BILL 551 & 552 COMBINED

"An Act relating to the rehabilitation of persons who commit criminal offenses as a result of alcohol problems; and providing for an effective date."

The office is supportive of the concept of this legislation but feels compelled to suggest some clarification and amendments to the bill.

First, the language of the bill is so broad that it would appear that courts could sentence violent felons to treatment programs outside of Correctional Institutions, either before, during after or in lieu of a prison sentence upon conviction of a violent felony.

It has never been the position of the alcoholism field to argue that being intoxicated or alcoholic, was a legitimate defense for the commission of a violent crime against persons, or for the commission of a criminal act which negligently placed other persons in physical jeopardy (i.e. OMVI). Our position on that matter would be that, upon conviction of a serious violent crime against a person or persons, the convicted offender should be remanded to a correctional facility to serve his sentence for his crime and that such sentence should be fully served prior to his referral to any outside alcoholism treatment or education agency.

An alternative for serious violent offenders would be to institute an alcoholism treatment/education program within the correctional facility, either by funding Corrections directly for that purpose, or by funding the alcoholism programs one extra position each, in every community where a correctional facility or a major court exists, for an "Offender Alcoholism Treatment Specialist", to provide treatment services, either in the correctional facility, or at the program site for less serious offenders. Either option would require additional funds.

The office supports the notion of referral to treatment/education programs, in lieu of actual jail time served, for less serious offenders. However, experience has taught us that there can be substantial logistical problems inherent in such an effort. The best example is the OMVI diversion project in Anchorage.

That program, jointly funded by the Office of Alcoholism and Drug Abuse and the Highway Safety Planning Agency of the Department of Public Safety, has been highly successful in that convicted OMVI offenders from all the Anchorage courts are typically referred to it for diagnostic screening. Serious problem drinkers are sent to treatment by the courts through the screening agency as part of their OMVI sentence. Social drinkers who inadvertently commit an OMVI offense are sent to Alcohol Education classes, in addition to their sentence. The OMVI diversion program personnel diagnose the cases, make recommendations to the courts, execute the court's treatment/education orders, monitor offender compliance with the court order, and follow up on the condition of the offender after treatment/education.

This small program, with an annual budget of 60,000 - 80,000 dollars, and two personnel, has processed some 1500 OMVI offenders in Anchorage, for the courts, for this fiscal year. The judges are greatly pleased with its performance.

DEPARTMENT OF ALCOHOLISM AND SOCIAL SERVICES

The program has been plagued however, by the following problems:

- 1) under funding,
- 2) lack of administrative authority for management of misdemeanor cases after case disposition,
- 3) difficulty in getting local treatment programs to accept clients under court authority, and
- 4) the emergence of private "alcohol education schools" not controlled by public law, rule or regulation.

While these problems have not been insurmountable, they do illustrate what can happen to a good and simple idea, when actual implementation is attempted. That the program is doing well; is a function of prior planning and training.

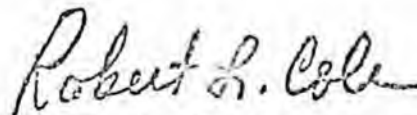
In the present case, a statewide program of treatment/education for all persons convicted of alcohol related crimes, we suggest that at least six months should be spent in developing a plan for action, as state-wide implementation of the intent will require the cooperation of all judges, prosecutors, local police, State Troopers, the alcoholism treatment programs and the Division of Corrections.

Developing such a plan would include; System Design, identification of potential problem areas; resolution of problem areas; additional staff for coordination between courts and community treatment resources; a training program for program personnel, judges, prosecutors, police, Troopers and Corrections personnel and the design of a monitoring system to measure the efficiency and effectiveness of the program.

The office is supportive of the concept of this bill, with the caveat that attention must be paid to the issues raised herein and a suitable source of revenue, if the implementation of the intent is to be successful.

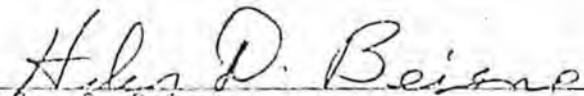
The attached fiscal note displays a cost estimate for 100% implementation for the next several years at basic minimum levels.

Recommended by:



Robert L. Cole, Coordinator Date
Office of Alcoholism & Drug Abuse

Approved by:



Helen D. Beirne
Commissioner
Health and Social Services

ALCOHOLISM AND DRUG ABUSE DIVISION

FISCAL NOTE

Request No. _____
 Budget Item No. _____
 Title: _____
 Requested by: _____ Date: _____

FISCAL DETAIL

Agency Affected: Department of Public Safety
 Program Category Affected: Highway Safety Division
 Budget Request Unit(s) Affected: Project Coordination

EXPENDITURES (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|----------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | 475.0 | 675.3 | 715.8 | 758.7 | 804.3 |
| COMMODITIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | | | | | |

FUNDING (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|-----------------|-------|-------|-------|-------|-------|-------|
| FEDERAL FUND | | 475.0 | 675.3 | 715.8 | 758.7 | 804.3 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify) | | | | | | |

POSITIONS

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

This fiscal note displays one way of funding the proposed activity at 100% level in a five-year fashion for each five years. It assumes that local existing alcoholic treatment and/or education programs will carry out the program in 16 affected communities or counties that in each community, at least one additional staff person will be needed to implement the program; that an implementation plan will be developed the first six months of the first year and that staff will receive training the last six months of the first year and that an annual contract will be let in subsequent years for monitoring and program evaluation. Costs could be cut by implementing the program in 10 regions, or high volume court locations, as well as by generating program revenue through client fees for screening (for those able to pay).

PREPARED BY: _____
 AGENCY: _____
 FISCAL YEAR: _____

By: [Signature]

Assumptions of Preparation of the Fiscal Note

- 1) Program activity will be restricted to Communities with 1) Superior Court and/or District Court, and; 2) Alcoholism Treatment/Education programs in place, and/or; 3) A state Correctional facility in place.
- 2) Six months spent in first year on system design through contract.
- 3) Staff hired first year for each affected program at Range 16, Step A, includes eight staff for twelve months and twelve staff for six months.
- 4) Contractual funds for training and evaluation of system elements for last six months of first fiscal year.
- 5) Inflationary increase of 6% per annum for system maintenance after first fiscal year.

Affected Communities Meeting Criteria in Item (1) above:

- | | |
|--------------|----------------|
| 1. Anchorage | 9. Dillingham |
| 2. Fairbanks | 10. Kotzebue |
| 3. Juneau | 11. Seward |
| 4. Ketchikan | 12. Valdez |
| 5. Kodiak | 13. Barrow |
| 6. Sitka | 14. Cordova |
| 7. Nome | 15. Petersburg |
| 8. Bethel | 16. Wrangell |

First Year Budget

- | | |
|--|-----------|
| 1) Systems Planning (contract) six months plus travel est. 0 | \$ 50,000 |
| 2) Funds through grants for 20 Referral coordinators (Range 16, Step A, 0 2255/ each including fringe benefits. Eight Referral Coordinators x 12 months and Twelve Referral Coordinators x 6 mo. | \$378,000 |
| 3) Training and Evaluation of System Implementation for last six (6) months of first fiscal year est. 0. | \$ 46,100 |
| Total First Year Estimated Cost | \$475,000 |

Second Year Budget

- | | |
|--|-----------|
| 1) Contract funds for monitoring and re-training of new staff est. 0 \$53,000 for full year. | \$ 53,000 |
| 2) Grant funds for 20 community programs for maintenance of 16 referral coordinators - est. 0 for full 12 months @ \$2256 each, plus 6 C.O.I. increase (\$2391 each x 20 = \$47,820) | \$572,100 |

3) Continuing Training and evaluation
(+ 6%) \$ 48,900

Second Year Total \$675,300

Third Year Budget

1) Contract funds + 5% C.O.L.A. increase \$ 56,200

2) Maintenance of 20 Referral Coordinator
positions @ \$2391 each + 6% \$607,800
(20 x \$2534 x 12)

3) Continuing Training and Evaluation + 6% \$ 51,800

Third Year Total \$715,800

Fourth Year Budget

1) Contract funds + 6% C.O.L.A. increase \$ 59,600

2) Maintenance of 20 Referral Coordinator
positions @ 2534 each + 6% \$544,200
(20 x \$2094 x 12)

3) Continuing training and evaluation + 6% \$ 54,900

Fourth Year Total \$753,700

Fifth Year Total

1) Contract funds + 6% C.O.L.A. increase \$ 63,200

2) Maintenance of 20 Referral Coordinator
positions @ \$2586 each + 6% \$602,400
(20 x \$2686 x 12)

3) Continuing Training and Evaluation + 6% \$ 58,200

Fifth Year Total \$804,300

Total Estimated Five Year Cost \$3,429,100

| BILL REFERENCE | SECTION(S), SPECIFICALLY ENDORSED BY SCHPD | REASON(S) FOR SUPPORT |
|-------------------------|---|---|
| B 232 | Municipal sales tax on beverage alcohol | Encourage communities to develop resources and respond appropriately to local alcohol problems. |
| B 240 | <ol style="list-style-type: none"> 1. Compensation for alcohol revenue loss for communities restricting sales. 2. Increased penalties for illegal sales. 3. Prohibition of common carriers from transporting orders of alcoholic beverages to "dry" communities. | Encourage local option in restriction and enforcement of the sale of beverage alcohol. |
| SB341/HB 414 | Limitation on liability of health care providers in the administration of blood tests. | Facilitates the enforcement of DWI and DMVI laws. |
| SB 167 | Excise tax on beverage alcohol. | <ul style="list-style-type: none"> -Provides additional resources. -Decreases access to beverage alcohol. |
| SB 545 ✓ | Third-party reimbursement for treatment of alcoholism. | <ul style="list-style-type: none"> -Makes treatment more accessible financially. -Expands the revenue base for programs. -Permits accurate reporting of medical service utilization. |
| SB551/552 ✓ | Establishment of mechanism to assure that alcohol-related convictions obtain screening, referral treatment. | Would force problem drinkers into treatment and hopefully reduce criminal recidivism. |
| SB 541 ✓ | K-12 health education to include alcohol and drug education. | All children should receive comprehensive (not categorical) health education appropriate to their age. |
| SB 542 ✓ | Alcohol education curriculum. Occupational alcoholism programs. | Education as a preventive measure is endorsed. SCHPD supports a comprehensive health education program rather than allocation of responsibility for specific topics to separate agencies/departments. |
| SB 241 | Appropriations. | Resources should be available as needed to manage the problem. |
| SB 540 ✓ | Driving with a .1 BAC is illegal statewide. | Would strengthen enforcement of drunk driving laws. |
| SB 242, 542, 543, 544 ✓ | Standards for manpower and treatment services. | Where standards contribute to assurances of quality in services delivery, they are essential to effective health care. |

Handwritten signature/initials

Municipality
of
Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502
(907) 274-2525

GEORGE M. SULLIVAN,
MAYOR

MUNICIPAL HEALTH COMMISSION

April 28, 1978

Authy
7

John Sackett, Chairman
Senate Finance Committee
Pouch V
Juneau, Alaska 99811

Dear Mr. Sackett:

The Municipal Health Commission has reviewed and made a recommendation on SB 545 that is presently in your committee.

The Municipal Health Commission is a 33 member, community based group of concerned citizens. The Commission reviews community health issues, grants, problems, and legislation and makes recommendations to the Municipal, State and Federal governments and legislative bodies, the general public, and the Regional Health Systems Agency. The Commission membership must meet rigid legal requirements that assure broad demographic and occupational representation as well as a consumer majority.

Attached is the review and recommendation on SB 545 as approved by the Municipal Health Commission on April 26, 1978. We hope that your committee will consider our review and recommendation before making a decision on this bill.

Thank you very much.

Sincerely,

Charles Rigden

Charles Rigden, Chairman
Municipal Health Commission

Attachment

LEGISLATIVE REVIEW & RECOMMENDATIONS
OF THE MUNICIPAL HEALTH COMMISSION

1. BILL NUMBER AND TOPIC: Senate Bill 545 - An act relating to health insurance.
2. WHAT IS THE CURRENT STATUS OF THE BILL? Presently in Senate HESS with additional referral to Senate Finance.
WHAT IS THE TIME FRAME FOR INFLUENCING THE BILL'S OUTCOME BY THIS COMMITTEE OR COMMISSION? This legislative session.
3. WHAT DOES THE BILL DO? Provides for Alcoholism treatment benefits to be required unless waved by the policy holder in health insurance policies.
4. WHO DOES IT AFFECT? Insurance companies and all individuals in the State purchasing health insurance.
5. HOW MUCH DOES IT COST? Unknown.
6. IS IT DIRECTED TO A SPECIFIC GEOGRAPHIC AREA? No.
7. IS IT DIRECTED TO A SPECIFIC GROUP? Yes.
WHO? Insurance companies and people purchasing health insurance.
HOW DOES IT AFFECT OTHERS? May reduce alcohol related accidents by stimulating more individuals to receive alcoholism treatment - may increase costs of purchasing health insurance.
8. WHAT ARE ITS STRENGTHS? 1) Encourages alcoholism treatment for individuals that otherwise would not have sought out treatment. 2) Improves data base by encouraging diagnosis of alcoholism where previously the true diagnosis was disguised to receive insurance benefits. 3) Encourages private enterprise to establish alcoholism treatment programs thereby reducing need for tax money to support alcoholism treatment programs.
9. WHAT ARE ITS DRAWBACKS, WEAKNESSES? Does not speak to minimum benefits for alcoholism treatment which should be established in conjunction with appropriate planning agencies.
10. IS THE IDEA NEW? No.
ARE THERE PRECEDENTS? Yes.
WHERE? Various other states.
11. HOW WOULD THIS BILL AFFECT THE ANCHORAGE HEALTH SERVICES PLAN? Strengthen the plan by fulfilling specific objectives and activities listed
12. WHAT IS THE COMMITTEE'S RECOMMENDATION? That House Bill 545 become law.

Introduced: 3/17/78
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE
BY REQUEST

2 SENATE BILL NO. 545

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to health insurance."

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

8 * Section 1. AS 21.89 is amended by adding a new section to read:

9 Sec. 21.89.050. ALCOHOLISM UNDER HEALTH INSURANCE. All policies,
10 contracts or prepaid plans for individual or group health insurance
11 issued or delivered in the state on or after the effective date of this
12 Act shall provide that alcoholism is an illness and that benefits for
13 treatment of alcoholism may not be less than for any other illness,
14 except that this coverage may be waived in writing by the policyholder
15 of an individual health insurance policy on or before the effective date
16 of the policy.

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A STATE DIVISION OF THE
NATIONAL COUNCIL ON ALCOHOLISM



National
Council
on
Alcoholism - ALASKA REGION

4510 International Airport Road, Suite 1
Anchorage, Alaska 99502
Phone 243-4321 or 243-4306

April 13, 1978

Senator Mike Colletta
Pouch V
Juneau, AK 99811

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*A Private Non-Profit Corporation Dedicated to the Goal of the Adoption by Alaskans of a Positive,
Supportive and Knowledgeable Attitude Toward the Solution of the Problems of Alcoholism and Alcohol Abuse*

Senator Mike Colletta
April 13, 1978
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Senate Bill 541 "An Act relating to health education in public schools". The physical health education provided for in this Act is not mandatory. There is no money allotted for training of teachers. There appears to be no provision for coordination or cooperation by the school districts with health education programs developed by the Office of Alcoholism or other appropriate health and social service divisions. If a Bill such as this passes, we are concerned that it too will be ignored if the provisions are not made mandatory.

Senate Bill 542 "An Act adding to the powers and duties of the Office of Alcoholism." We question the need for establishing standards for training para-professional alcoholism workers. Obviously standards and training are needed for all alcoholism workers. However, as the field becomes more sophisticated the workers will no longer be para-professionals but will be professionals. Individuals with advanced degrees may require training prior to being able to effectively work within the alcoholism field. The standards and training offered by the Office of Alcoholism must be offered to those individuals also considered "professionals". We request that "para" be deleted from section 2 (7). Section 4 (18) is nebulous and appears to be unenforceable. Developing and implementing training programs on alcoholism for employees of state municipal governments and private institutions is extremely important. But to allegedly limit it to those individuals coming in contact with alcoholics is not realistic as we are sure this will be interpreted as individuals working within treatment centers only. If the objective for this section is to assist in the implementation of the establishment of labor-management programs then it should state that the training will be available to anyone who supervises other individuals. Section 5 fund established. There is no indication of the source of money for the proposed revolving loan fund. We believe it should be stated that grant and contract funds shall not be used for this purpose.

Senate Bill 543 "An Act relating to alcoholism grants-in-aid". Section 2 (3) changes the ratio of grant funds from a set ratio 75/25 or 90/10 to a portion which the Department determines the community to be served is incapable of bearing. This portion could be changed by the Department with less than adequate information and input. While we are not totally in agreement with the current ratio of 75/25 or 90/10, we believe that this section needs to be clarified and defined further. The funds from the grant-in-aid appear to be restricted to treatment facilities with the exception of purchase of educational materials, improvements or renovation, or new construction. Stated in this manner, it would prohibit any non-treatment agency such as ourselves, the Anchorage Council on Alcoholism, the Akiachuk Council on Alcoholism, and various other small communities from applying for and receiving state grant-in-aid funds. As the alleged area of emphasis is in prevention and education, we believe that this section must be changed.

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Section 3 (E) (1) "No grant may be awarded under this section unless the application includes a plan which provides for the expenditure of grant money for education and other preventative measures as well as the treatment of alcoholics. This again, creates a situation where direct treatment programs are the only programs eligible for grant funds. This must be changed.

Section 3 (E) (3) "Goals expressed in terms of a percentage reduction of the number of persons needing the assistance provided by the program receiving a grant under this section". We believe the word "reduction" should be changed to "increase", as the largest percentage of alcoholics are middle class individuals who do not recognize their problem. Until alcoholism achieves an air of respectability and people are willing to admit they have a problem during the early stages, a program should not be expected to reduce the number of persons needing assistance. Programs should be expected to increase the awareness of the need for assistance, which will in turn increase the number of individuals utilizing the program.

Section 3 (G) "No grant may be awarded to a program within a municipality whose officers fail to actively enforce its ordinances, the laws of the United States, the laws of the State, and the regulations relating to..." We believe this sentence to be too broad and too general while we agree with the intent of this section. We believe it would be totally unenforceable.

Section 3 (I) We would hope that sufficient lead time would be given programs receiving grant funds to implement a uniform accounting system as many programs are multiply funded and such a change could cause severe hardships. One accounting procedure must be maintained in all programs for all grants.

Section 5 (3) "Approved public treatment facility" would appear to be any treatment facility receiving any public money. "Public facility" creates a connotation of the county general hospital, of poor condition, and of snake pit caliber which is not the intention of the definition. If a treatment facility is termed "public" could it have a screening process for client selection or would it by definition be mandated to accept anyone who applied for services? We don't believe the mere act of receiving "public money" should deem a facility to be "public".

Senate Bill 544 "An Act relating to standards for alcohol treatment facilities". Section 2 (A) We seriously question the separation of communities of less than 5,000 from those with more than 5,000 residents. From our review of the population figures for communities within the State of Alaska there appear to be three general categories: 1) those communities with 1-1,000 individuals which are mainly villages; 2) communities with 1,001-4,500 individuals, which are mainly rural in nature, larger than villages but not urban; and 3) 4,501-over which are urban. We urge you to give some consideration

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to the village, rural, urban concept as we believe it is unrealistic to require identical standards for Home and Egegik, which this legislation does.

Senate Bill 546 "An Act establishing a tax credit for contributions to alcoholism programs and providing for an effective date". Our questions only have to do with the difference between a credit versus a tax deduction and would this be in addition to the already approved deduction for donations?

Senate Bill 548 "An Act relating to waiter and waitress permits". While we support and applaud the intent of this bill, we have serious questions concerning Section 2 (B) "the duties of waiters and waitresses employed therein shall be confined to taking orders and serving beverages alcoholic or otherwise and food". Waiters and waitresses also clear tables, sweep floors, wash windows, do dishes, and fill in other places that are needed. Are bartenders to be considered waiters under this legislation? We do not think it appropriate that this legislation define the duties of waiters and waitresses. Furthermore, "waiters and waitresses employed under this section may not solicit or encourage the purchase of beverages, alcoholic or otherwise..." This could be seriously misconstrued by individuals who may think it fun or interesting to prosecute an establishment if the waiter or waitress asks the patron if he wants a cup of coffee. We believe the wording on this bill needs to be reviewed and revised.

Senate Bill 549 "An Act relating to the serving of intoxicating liquor". The term "intoxicating liquor" implies that it does not include beer or wine. We are fully aware that beer and wine are as intoxicating as hard liquor. However, to the general public the word liquor connotes hard liquor and not beer or wine. Perhaps "ethyl alcohol" would be an appropriate substitute for "intoxicating liquor". A single serving needs to be defined. What would happen, for example, to the pitcher of beer or the margarita grande to name but a few of the standard drinks served in bars throughout the state.

Senate Bill 547 "An Act making a special appropriation to the Department of Revenue to increase the number of enforcement personnel employed by the alcoholic beverage control board and providing for an effective date". Our only question with this bill is \$200,000 sufficient to obtain the necessary personnel obviously needed by the alcoholic beverage control board?

Senate Bill 550 "An Act relating to administration and enforcement of alcoholic beverage control statutes in regulations". We support the proposed changes of two miles to five miles and the change of village to "protest area". We also believe the re-issuance is a positive added aspect of the legislation. The proposed suspensions and revocations appear to be adequate if the alcoholic beverage control board obtains sufficient employees to enforce the laws.

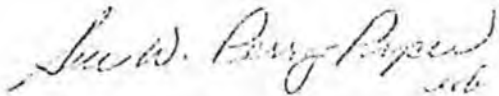
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Senate Bill 551 "An Act relating to the rehabilitation of persons who commit criminal offenses as a result of alcohol problems in providing for an effective date". There should be mention of mandatory prompt action being taken for non-compliance of the program of alcohol education or rehabilitation by the convicted person. Without prompt action for noncompliance the law would be worthless.

Senate Bill 552 "An Act relating to alcohol". We were sorry to see that the per se law was not included in this proposed legislation. The per se law says in effect that if a person has a blood alcohol content of .10 he is assumed to be intoxicated and unable to drive. It is our understanding that Anchorage is the only community within Alaska to adopt and enforce the per se law. We were further surprised and disappointed to see that a mandatory 24-hour jail sentence was not proposed for a first offender in addition to the maximum fine of \$1,000 and imprisonment for one year. Studies which have been done nationwide have indicated that 24-hours in jail for a first offender has a maximum impact, whereas three days after a second conviction has a lesser impact.

We hope these comments are helpful to you and the committee.

Sincerely yours,



Suzanne W. Perry-Piper
Executive Director

eab

From the National Clearinghouse for Alcohol Information of the National Institute on Alcohol Abuse and Alcoholism

Re SB 545

3rd Party Coverage Cuts Nonalcoholism Care Cost

A large-scale study in California has demonstrated that, when comprehensive insurance benefits for the treatment of alcoholism are provided, the cost of nonalcoholism health care may be reduced by some 25 percent per month for the alcoholic person.

In addition, figures from a 23-month pilot program for California State employees and their families showed that, when the alcoholic patient enters treatment, the frequency of inpatient care decreases and less expensive forms of care such as outpatient treatment are used more frequently.

The study project, which served about 337,000 beneficiaries and was funded by the State, also further confirmed the feasibility of providing a uniform and comprehensive model of insurance coverage for alcoholism treatment at a moderate increase in premium cost. The added cost for this coverage during the pilot program was figured at \$2.05 per year or 17 cents per month.

This cost figure was based on a relatively low utilization of the alcoholism benefits, noted Drs. Harold D. Holder and Jerome B. Hallan of H-2, Inc., a research firm in Raleigh, N.C., which was commissioned by the National Institute on Alcohol Abuse and Alcoholism to study the impact of the program. Utilization was especially low in the first 12 months of the 23-month period, but increased substantially the last 11 months, they said.

The project, which was under the supervision of the California Office of Alcoholism Program Management, provided a uniform set of alcoholism treatment benefits which included inpatient care of up to 27 days a year (including 6 days' detoxification), residential care of up to 30 days a year,

and outpatient care of up to 45 visits a year.

Total benefits paid for the cost of treating the 766 patients served in the program were about \$459,000. The insurance carriers' administrative costs of \$94,000 brought the overall program cost to \$553,000, or an average benefit cost of about \$600 per patient.

The program paid for 422 inpatient admissions at an average cost of \$1,392, representing about 83 percent of the total dollar benefits paid. Outpatient care services were utilized by 542 persons, with an average of 9.2 visits per patient at an average cost of \$17 per visit, or 16 percent of the total benefits paid. Recovery home care was the least utilized service with 15 admissions at an average cost of \$451.

General hospitals accounted for about 38 percent of the 422 admissions, alcohol treatment units in a general hospital for about 35 percent, and special

alcoholism treatment hospitals for 21 percent.

The physician was the most frequent provider of outpatient care and the paraprofessional was the next most frequently used. The latter had the lowest average cost per visit—\$15.

The estimate of a 25 percent drop in nonalcoholism care costs for a family after the alcoholic member began alcoholism treatment was based largely on a longitudinal study of the general health care experience of 240 families included in the pilot program coverage. Care was provided by the program to 462 alcoholic members of these families.

The cost of general health care for these 462 persons averaged \$179.50 per person a month before alcoholism treatment began, but dropped to \$133.22 after the start of treatment, Drs. Holder and Hallan reported. Thus, the saving was about \$46 a month in nonalcohol related health care costs, or a total of about \$370 per person for the time that care costs were followed.

Projecting this figure to embrace all of the 766 persons who used alcoholism benefits in the program, the researchers

came up with a total cost savings of \$283,297. Based on the ratio of this figure to total alcoholism care costs of \$690,500 in the program, they found that for each \$1 spent by the pilot program on alcoholism treatment, there was at least a 42-cent savings to the insurance carriers in the care of the alcoholic person.

The insurance coverage was provided through nine different carriers. However, more than 90 percent of the beneficiary population was covered by three carriers—Kaiser Foundation Group Plans, Blue Cross/Blue Shield, and California Western Occidental.

When the project ended in May 1976, the Kaiser Plans were the only carrier of the nine to continue providing alcoholism treatment benefits modeled after the pilot program, doing so at a small increase in the monthly premium. This carrier, which provides prepaid coverage, had the lowest per-visit charges among the nine.

For more information on the study, write: Jerome B. Hallan, Dr. P.H., H-2, Inc., 7334 Chapel Hill Rd., Raleigh, N.C. 27607.

Pamphlet Warns on Drinking in Pregnancy

The woman who is pregnant or plans to become pregnant is the target of a new pamphlet being distributed by the National Institute on Alcohol Abuse and Alcoholism.

The pamphlet, "Alcohol and Your Unborn Baby," states that drinking by the expectant mother could endanger the health of the fetus and suggests that, if she chooses to drink, she should limit her intake per day to no more than one ounce of absolute alcohol — the approximate equivalent of two mixed drinks, each containing one ounce of distilled spirits; or two five-ounce glasses of wine; or two 12-ounce cans of beer.

Publication of the pamphlet is part of a national effort by

NIAAA to raise public awareness about the dangers posed to the fetus by drinking during pregnancy. The campaign particularly emphasizes the risk of developing the fetal alcohol syndrome (FAS)—a specific pattern of physical, mental and behavioral abnormalities that can occur in the offspring of women who drink heavily during pregnancy.

The possibility that even moderate drinking by the pregnant woman can harm the unborn baby is still being investigated, as is the effect of binge drinking, the pamphlet notes. Also being studied is the possible role of other risk factors, such as smoking and poor nutrition, in FAS.

The pamphlet tells where to

get help for drinking problems and also touches on the use of other drugs during pregnancy, alternatives to drinking, and ways of coping with anxiety and depression.

"Alcohol and Your Unborn Baby" is being distributed through the National Clearinghouse for Alcohol Information to obstetrician-gynecologists' offices and for use in supermarket displays. Copies have also been sent to state alcoholism authorities, prevention coordinators, and program directors.

Single copies of the pamphlet are available by writing Dept. FAS, National Clearinghouse for Alcohol Information, P.O. Box 2345, Rockville, Md. 20852.