

Leg. Finance-House & Senate Finance Comte Files (1991-1992) 901

1 or person in possession. When, under this section, a nonprofit corporation appears by an officer
2 or employee of the corporation who is not an attorney, the written proceedings shall be in the
3 name of the person representing the corporation and that person is the sole representative of the
4 corporation as between the corporation and the adverse party.

5 * Sec. 3. AS 22.20.040 is amended to read:

6 Sec. 22.20.040. APPEARANCE [IN PERSON OR BY ATTORNEY]. (a) An action or
7 proceeding may be prosecuted or defended by a party in person or by attorney. However,

8 (1) [EXCEPT THAT] the United States [OR A CORPORATION, EITHER
9 PUBLIC OR PRIVATE,] shall appear by an attorney in all cases; and

10 (2) a corporation, either public or private, shall appear by an attorney in all
11 cases unless an exception to the corporation's appearance by an attorney has been explicitly
12 made by law.

13 (b) When [WHERE] a party appears by attorney, the written proceedings shall be in the
14 name of the attorney, who is the sole representative of the client as between the client and the
15 adverse party.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

March 13, 1992

SUBJECT: Senate Bill 392, relating to appearances by attorneys for corporations in civil actions, sectional analysis (Work Order No. 7LS-1905A)

TO: Senator Pat Rodey
ATTN: Katie Drennan

FROM: Jack Chenoweth
Legislative Counsel

Current law (AS 22.20.040) requires that, in civil actions, a corporation--public or private--must be represented by an attorney--that the corporation's "appearance" must be by an attorney.

Bill section 3, an amendment to AS 22.20.040, restates that requirement (separating the two instances in which representation or appearance must be by an attorney--that is, when the party is the United States or a corporation), then revises the requirement to permit an exception to appearance by an attorney for a corporation when an exception has been "explicitly made by law."

An exception to the requirement is made by the new material added by bill section 2. Specifically, a nonprofit housing corporation may designate one of its officers or employees to represent it in maintaining a forcible entry and detainer action under AS 09.45.060 - 09.45.160 against a tenant or person in possession. (Forcible entry and detainer actions may be referred for disposition to the state's District Court. See Alaska Rule of Civil Procedure 85(b).) The bill section further directs that, as with appearances by attorney, when a proceeding goes forward under the exception, the officer or employee who is designated to represent the nonprofit housing corporation is the party responsible for the pleadings and is the sole representative of the corporation whom he or she represents.

The material set out in bill section 1 provides a short summary of the principal features of the measure and the reason for its introduction.

JBC:pl
92-175.plm

Patrick M. Rodey
Senator

Alaska State Legislature



Senate

3111 C. St., Suite 510
Anchorage, Alaska 99503
(907) 561-7618

During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-3793

RECEIVED 4/16 1992

DATE: April 15, 1992

TO : ✓ Senator Pat Pourchot, Co-Chair
Senator Jay Kerttula, Co-Chair
Senate Finance Committee

FROM: Senator Pat Rodey, Sponsor

RE : Senate Bill 392-An Act relating to appearances in civil actions and making an exception from the requirement of representation by an attorney for appearances on behalf of nonprofit housing corporations in certain civil actions

I respectfully request that the Committee consider scheduling the above-referenced bill as soon as possible.

This proposal would remove the inequity in existing law which requires non-profit housing corporations to hire an attorney in forcible entry and detainer (FED) actions. As set forth in AS 22.20.040..."An action or proceeding may be prosecuted or defended by a party in person or by an attorney, except that the United States or a corporation, either public or private, shall appear by an attorney in all cases."

Since the tenants of nonprofit housing corporations are generally low income and unable to pay, the attorney's fees oftentimes must be absorbed by the corporation. Senate Bill 392 would help to reduce the costs of legal representation for nonprofit housing corporations by authorizing corporations to be represented in civil actions by someone other than an attorney and specifically allows (in FED actions) a nonprofit housing corporation to be represented by an officer or employee of the corporation who is not an attorney.

April 15, 1992

Page 2

Re: Senate Bill 392

Provided herein for your consideration are:

- 1) Sectional analysis of Senate Bill 392
- 2) Position paper from the Tlingit-Haida Regional Housing Authority **supporting** the proposal
- 3) Position paper from the Anchorage Neighborhood Housing Services **supporting** the bill
- 4) **Zero fiscal note** from the Court System

I would appreciate your consideration of having the bill scheduled for a hearing in the Senate Finance Committee as soon as possible.

Anchorage
Neighborhood
Housing
Services, Inc.
3700 Woodland Drive
Suite 500
Anchorage, AK 99517
(907) 243-1555
FAX (907) 243-3214



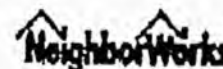
DATE: March 4, 1992
TO: House Labor and Commerce Committee
RE: House Bill 531 / SB 392

BILL PURPOSE
Concerning Nonprofit Representation In Court In Certain Civil Procedures

The purpose of this bill would be to allow nonprofit housing providers the ability to represent themselves in court for Forcible Entry and Detainer (FED) action. Presently, under Alaska Statute, private property owners and property managers may represent themselves in civil action taken for the purposes of forcible entry and detainer under the Alaska Landlord Tenant Law. Corporations are specifically required by statute to be represented by an attorney at all times, regardless of the size of the civil action.

A number of housing providers in the state are nonprofit agencies whose purposes are to provide affordable housing for renters and consequently provide attendant property management services.

Although the task of requiring civil action for eviction purposes is oftentimes unpleasant, it is a necessary fact of property management. Oftentimes, the individual with the most background and knowledge concerning this process is the on-site resident manager. Under Alaska Landlord Tenant Law, an FED action is primarily a proforma matter and the requirement for attorney representation in this action is costly and redundant. This measure will provide a more effective means for civil proceedings in this type of action and provide cost savings to consumers.





Tlingit-Haida Regional Housing Authority

P.O. Box 32237 • Juneau, Alaska 99803-2237 • (907) 780-6868 • Fax: 780-6895



UB 5932
3.9.95

POSITION STATEMENT ON HOUSE BILL 531

My name is Jacqueline L. Johnson and I am the Executive Director of the Tlingit Haida Regional Housing Authority and also the President of the Association of Alaskan Housing Authorities. I am personally in support of this bill and have received endorsement of support from Kim Johnson, Director of Bristol Bay Housing Authority; John Guinn, Director of AVCP Housing Authority and William C. Williams, Director of Interior Regional Housing Authority.

As a employee of the Tlingit Haida Housing Authority for over ten years, I have represented the housing authority many times in the eviction process not knowing I did not have the authority to do so. My decision to support this house bill is based up on the following reasons:

1. Housing authorities provide low income housing. Any costs incurred in the eviction process, such as attorney fees, are passed onto the client who is facing eviction and who most likely was being evicted because they could not make rental payments.

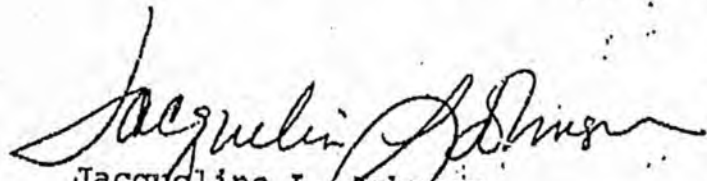
2. Most of our clients only source of affordable housing is in the programs that the Regional Housing Authorities provide. To get back into our housing programs, once evicted, the client must clear all past debts with any housing authority. Excessive eviction costs only prohibit the client from acceptable affordable housing at a later date.

3. Since many of our clients are basically judgement free, meaning they have very few resources to attach even if we received a judgement for the costs, the Housing Authority still has to pay its bills. Therefore, the additional costs get incorporated into the administrative fee and passed on to all participants.

4. For most clients, the eviction procedure is intimidating and even more so when they have to deal with an attorney. Our housing authority provides counseling services and when I represent our housing authority, I feel it is an extension of our services to explain to the client what is going to happen in the court room, what the judge is going ask of me and of them, and most of all, let them know that just because they are having this problem now does not mean that they can not resolve it. I also let them know that I am willing to work with them and assist them. Hopefully, it then becomes a learning experience rather than a road block.

House Bill 531
Page 2

Your support of this bill will not only assist housing authorities to feasibly enforce their own collection policies but will assist low income clients in receiving standard affordable housing.


Jacqueline L. Johnson
Executive Director

SB3094

HOUSE COMMITTEE REPORT

(11)

Date Referred: April 15, 1992

FURTHER REFERRALS:

Date of Committee Action: 4/30/92

The FINANCE Committee considered:

SB 394

SENATE BILL NO. 394

COUNSELING SERVICES GRANT FUND

"An Act creating the Alaska school counseling program grant fund."

RECOMMENDATIONS:

be replaced with _____ the same title

have attached amendments(s) a new title

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact HEC 4/30/92

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<u>Mike Yavane</u> Yavarre	✓	<u>Eden P. Maden</u> Maden		✓	
<u>MANKU Boyer</u> Boyer	✓	<u>Barbara Barnes</u> Barnes		✓	
<u>Kay Brown</u> Brown	✓	<u>Ronald J. Larson</u> Larson		✓	
<u>Robert Koponen</u> Koponen	✓	<u>Pell E. Oja</u>		✓	
<u>A. Ulmer</u> Ulmer	✓				

Mike Yavane E P Maden
CHAIRMAN'S SIGNATURE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 394

Revision Date: _____ Department Affected: EDUCATION
 Title: CREATING THE ALASKA SCHOOL COUNSELOR BRU: EDUCATIONAL PROGRAM SUPPORT
ING PROGRAM GRANT FUND. Component: BASIC EDUCATION AND INSTRUCTIONAL
 Sponsor: SEN. COLLINS IMPROVEMENT
 Requestor: HOUSE FINANCE COMMITTEE COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	150.0	150.0	150.0	150.0	150.0	150.0
MISCELLANEOUS						
TOTAL OPERATING	150.0	150.0	150.0	150.0	150.0	150.0
CAPITAL						

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	150.0	150.0	150.0	150.0	150.0	150.0
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	150.0	150.0	150.0	150.0	150.0	150.0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: CO-CHAIR REP. MIKE NAVARRE *Mike Navarre* Phone: 465-3779
CO-CHAIR REP. EILEEN MACLEAN *E Maclean* Phone: 465-4833
 Division: HOUSE FINANCE COMMITTEE Date: 4/30/92

Approved by Commissioner: _____ Date: _____
 Agency: _____

SENATE BILL NO. 394

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR COLLINS

Introduced: 2/12/92
Referred: Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act creating the Alaska school counseling program grant fund."

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

3 * Section 1. PURPOSE. It is the purpose of this Act to

4 (1) provide a comprehensive counseling program to public school students in grades K-
5 12;

6 (2) implement and expand the model school counseling program developed and piloted
7 by the Department of Education as a result of recommendations of the Governor's Interim Commission
8 on Children and Youth;

9 (3) create a fund for providing financial aid to school districts specifically for the purpose
10 of implementing and expanding the model Alaska School Counseling Program.

11 * Sec. 2. AS 14.07.020(a) is amended by adding a new paragraph to read:

12 (15) administer the grants awarded under AS 14.30.750.

13 * Sec. 3. AS 14.30 is amended by adding a new section to read:

14 ARTICLE 10. ALASKA SCHOOL COUNSELING PROGRAM GRANT FUND.

1 Sec. 14.30.750. ALASKA SCHOOL COUNSELING PROGRAM GRANT FUND. (a)
2 The Alaska school counseling program grant fund is established. The fund consists of legislative
3 appropriations and public or private donations made for the purpose of the fund.

4 (b) The department may make grants from the fund to eligible districts in the public
5 school system for a counseling program in grades K-12. The department may not award

6 (1) more than \$50,000 to a school district in a single fiscal year;

7 (2) a grant to a school district under this section for more than three consecutive
8 fiscal years; or

9 (3) a grant to a school district that is greater than 80 percent of a grant awarded
10 to that district under this section in the preceding fiscal year.

11 (c) In this section,

12 (1) "counseling program" means personnel and materials, including professional
13 training in counseling program delivery, and in the use of counseling materials;

14 (2) "school district" has the meaning given in AS 14.30.350.

POSITION PAPER: DEPARTMENT OF EDUCATION

Division Educational Program Support Bill Number SB 394

Bill Title Creating the School Counseling Program Grant Fund.

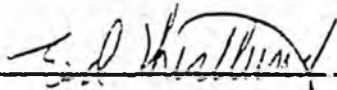
Sponsor Sen. Collins

Position Statement: Explain briefly what the bill does, its impacts and Department's position, i.e., a) support, b) do not support, c) neutral or d) oppose.

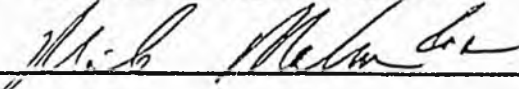
The Department is neutral on this bill, as long as no additional financial burden is placed on school districts and local decision making remains intact.

APPROVED:

Director Ed Westlund Division Educational Program Support

Signature  Date 3-3-92

Commissioner/Deputy Jerry Covey/Karen R. Crane

Signature  Date 3-3-92

Alaska State Legislature

During Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-2828

During Interim
3111 C Street, Suite 540
Anchorage, Alaska 99503
(907) 561-2040

Senator Virginia Collins

SB 394

Alaska School Counseling Program Grant Fund

SB 394 creates the Alaska School Counseling Program Grant Fund consisting of legislative appropriations and public and private donations.

SB 394 authorizes the Department of Education to make grants from the fund to school districts for a counseling program in grades K through 12. It places three limitations on the awarding of these grants: (1) not more than \$50,000 may be given to any district in one year; (2) a district may not receive a grant for more than three consecutive years; and, (3) a grant may not be for more than 80 percent of the prior year's grant.

SB 394 resurrects last year's SB 195 which was vetoed by the governor. The governor was concerned that the bill undermined local school boards' authority to prioritize education expenditures and that it placed on them additional financial burdens.

The Alaska School Counseling Program Grant Fund is intended to attract private monies for the resolution of social ills and to be consonant with the governor's desire to drum up more local participation in providing services communities want to have. It will neither burden nor interfere with local school boards. This has been more clearly communicated with the governor, and I hope it has allayed his concerns.

With the increase in teen pregnancy, drug and alcohol abuse, and suicide among Alaska youth, the Alaska School Counseling Program implements a model program that has received support and has claimed success in thirty other states.

SB 394 will help in extending this unbeatable program throughout Alaska.

Alaska School Counseling Program Grant Fund SB 394

The Alaska School Counseling Program is a new approach to providing counseling services in Alaska's schools. It is a curriculum based student oriented program — an integral part of the total education program. The program is designed to reach all students and to provide them with the skills they need for success in school, work and society.

Twelve Alaskan school counselors and administrators, with the help of the Department of Education and a national leader in counseling, developed a model counseling program for Alaska in 1988. In 1989 the program was piloted, implementing and testing the model. In 1990, the second year of piloting, 34 sites located in 12 school districts participated.

The program has been expanded for the 1991-92 school year bringing four additional school districts aboard. At this time 16 of the 54 Alaska School Districts are participating, representing large, small, urban and rural districts in cities, boroughs, and REAAs. The model works!

The Department of Education has been able to use their Carl Perkins Vocational Education Grant funding to assist with this activity over the past three years. The approximately \$100,000 per year has been able to get the program designed and field tested but is not adequate to provide the start-up costs that are needed across the state. These federal funds are limited and directed primarily at secondary programs, leaving out a great portion of Alaskan students grades K-12 who would benefit from a comprehensive, high quality, student support service

SB 394 addresses a grant program to be set up in the Department of Education. Funds from this account would be used to assist interested districts in:

- 1) beginning a model counseling program,
- 2) restructuring an existing counseling program to the model, and/or
- 3) furthering the model program throughout their district.

Training of personnel is the major expense. It has taken three (3) years to reach all or part of 16 districts. SB 394 grants would assist districts, who voluntarily choose to participate, up to a three year period. The purpose is not to pay personnel for 3 years and then drop the district, but to help a district make the transition. Once schools have the curriculum-based counseling program in place it will be a basic component of the education program and supported as such.

The Alaska School Counseling Program grew out of a need identified by the Governor's Interim Commission on Children and Youth.

*Prepared on behalf of Alaska School Counselor Association
By Wanda J. Cooksey
586-9073*

STATE OF ALASKA

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

GOLDBELT PLACE
801 WEST 10TH STREET
P.O. BOX F
JUNEAU, ALASKA 99811-0500

A school counseling program touches all students, parents and prospective employers. The school counselor plays a critical role in ensuring all students graduate and possess competencies to become high quality workers in their chosen fields, active members in our democratic society and nurturing parents of the next generation.

In our vision of guidance and counseling, school counselors function as proactive partners in the educational reform movement. Counselors are strategically positioned to help students overcome disabling educational, personal, and social problems and to equip them with skills to meet the challenges of a rapidly changing world. During individual planning sessions with students and parents, counselors emphasize the importance of rigorous academic and vocational preparation. Through the guidance curriculum described in this guide, counselors reach all students and help them to acquire essential skills for succeeding in school work and life.

The Alaska School Counseling Program is designed as a model to be tailored to meet the varying needs of students in a wide array of school districts. It is not intended to be mandatory; its use is as a map to guide school districts in strengthening existing programs and creating new ones where none exists. The program is organized in such a way as to promote effective and efficient use of resources and to provide accountability. Further, it emphasizes the need for staff development so counselors, administrators, and other staff members continually improve delivery of services that impact student performance.

The Alaska School Counseling Program is consistent with our state's most basic beliefs about academic excellence, parental involvement, respect for cultural diversity, and pride in self and work. My own background in guidance and counseling tells me this is a model for a high quality program. Implementing this comprehensive approach will have positive and lasting benefits for our Alaskan children.



Jerry Covey
Commissioner

April 14, 1992

Alecia Lybrand, President
Alaska School Counselor Association
c/o Bering Strait School District
P. O. Box 225
Unalakleet, AK 99684

The Honorable Georgianna Lincoln
House of Representatives
Juneau, AK 99684

Dear Representative Lincoln

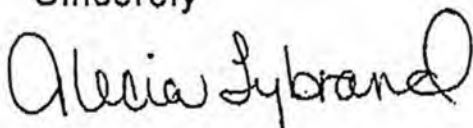
I am writing on behalf of the Alaska School Counseling Association to ask for your continued support for the Alaska School Counseling Grant Fund legislation Senate Bill #394.

As President of ASCA and a rural school itinerant counselor, I understand first-hand the need to expand counseling services to Rural Alaskan Communities. I believe by supporting SB #394 with the accompanying fiscal note we can hasten this process.

The Alaska School Counseling Program is currently being used in 16 school districts across the state. It was piloted for three years and it works! Passage of SB #394 will allow additional districts to implement this successful program.

You have supported us in this endeavor in the past and we appreciate that support and would like to ask for your help again with this bill.

Sincerely



Alecia Lybrand
Counselor



Fairbanks North Star Borough School District

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

P.O. Box 71250 Fairbanks, Alaska 99707-1250 (907) 452-2000

Hunter Elementary School

1630 Gillam Way
Fairbanks, Alaska 99701
(907) 456-5775

April 14, 1992

Rep. Georgianna Lincoln
State Capital
Juneau, Alaska 99801

Dear Representative Lincoln,

I urge you to support Senate Bill 394, A School Counseling Incentive Grant Fund. This bill will help rural Alaska obtain developmental school counseling programs. These programs assess the needs of the individual community and work from the preventive approach to help young people make good choices and decisions. Senate Bill 394 establishes a grant fund to help these programs get started, especially where there is no school counseling program already in place.

To help all the youth of Alaska, please vote to support this bill. Thank you for your support.

Sincerely yours,

A handwritten signature in cursive script that reads "Robbi Nadeau".

Robbi Nadeau
School Counselor

THE COMPREHENSIVE COUNSELING PROGRAM
FOR
ALASKA PUBLIC SCHOOLS



*A GUIDE FOR
PROGRAM DEVELOPMENT
K-12TH GRADE*

ALASKA DEPARTMENT OF EDUCATION,
OFFICE OF ADULT AND VOCATIONAL EDUCATION
P.O. BOX F
JUNEAU, ALASKA 99811

This guide was developed by a statewide task force of school counselors and administrators of education. Alaska State Board of Education endorsed this document as the State Guide for Alaska School Counseling Programs at their regular meeting, May 2, 1989.

This publication is not copyrighted; any or all sections may be duplicated. After an initial free distribution to authorized institutions, additional copies may be purchased for \$5.00 from the Alaska Department of Education, Office of Adult and Vocational Education, and Office of Basic Education. For additional information, please call the Counseling Coordinator at (907) 465-2841.

ALASKA SCHOOL COUNSELING PROGRAM DEFINITION

School counseling is an integral part of the total educational program. It is developmental by design and includes sequential activities organized and implemented by certified school counselors with the support of teachers, administrators, students, and parents. A school counseling program shall deliver services in four areas:

1. Personal and Career Development Curriculum
2. Individual Student Planning
3. Responsive Services
4. System Support

The program addresses the needs of all students by helping them to:

- Acquire and apply knowledge of self and others.
- Develop competencies in career/life planning.
- Achieve educational success.

The philosophy statement from the *Alaska School Counseling Program Guide* best states the change in direction of the program.

Counseling in the school setting has evolved through recognition that individuals living in a dynamic, complex society benefit most from the broad range of learning experiences. Such experiences prepare them to lead productive lives characterized by feelings of self worth. Individual acquisition of knowledge and skills has been and will continue to be a major goal of public education. In addition, parallel efforts to assist students to grow socially and emotionally as well as intellectually and physically are essential. Guidance processes are designed to assist individuals with total development on a K-12 basis. The school counseling program is preventive rather than remedial in nature. It complements the core instructional offerings and involves a cooperative effort among counselors, administrators and classroom teachers.

STRUCTURAL AND PROGRAM COMPONENTS

The state plan for school counseling programs has two major parts with ten components:

Structural Components:

- Program Definition and Philosophy
- Advisory Council
- Budget
- Counseling Program Facilities
- Counseling Resources
- Staffing Patterns

Program Components:

- Personal and Career Development Curriculum
- Individual Student Planning
- Responsive Services
- System Support

WALTER J. HICKEL
GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

June 24, 1991

The Honorable Richard Eliason
President of the Senate
P.O. Box V
Juneau, AK 99811

Dear President Eliason:

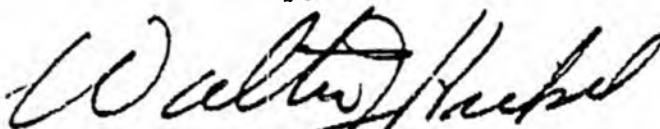
Under the authority of art. II, sec. 15, of the Alaska Constitution, I have vetoed Senate Bill No. 195.

Senate Bill 195 would create a fund to provide financial aid to school districts for the purpose of implementation and expanding Alaska School Counseling programs.

School districts already have the authority to fund counseling projects as they see fit. Our school boards are properly charged with the responsibility of prioritizing these expenditures.

Laudable as the goals of this bill may be it would, in effect, undermine the school board's responsibility of prioritizing education expenditures.

Sincerely,



Walter J. Hickel
Governor

SB3094

SENATE FINANCE COMMITTEE REPORT

DATE: 3/11/92

FURTHER:

DATE TURNED INTO OFFICE: 3-24-92

The Finance Committee considered

SENATE BILL NO. 394

"An Act creating the Alaska school counseling program grant fund."

and recommends:

- replace with _____ CS _____ (FINANCE)
- or adopt previous _____ CS _____ (_____)
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

- do pass
- do not pass
- no recommendation
- individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

SFC for DOE 676.8 3-24-92

appropriation--no fiscal note

DO PASS:

Al Adams
Dick Cheney

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

OTHER RECOMMENDATIONS

Paul Kelly (No Rec)

1. Ken [unclear] do pass

Co-Chair: Signature/Recommendation

(with fiscal note)

2. Pat Sanchez do pass

Co-Chair: Signature/Recommendation

FISCAL NOTE

REQUEST:

Revision Date: 3/24/92 Affected Agency: Education
 Title: Alaska school BRU: EdSupport
counseling program grant fund
 Sponsor: Sen. Collins Components: Basic Ed
 Requestor: Senate Finance Instruct. Improve.

171

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
Personal Services	19.7	19.7	19.7	19.7	19.7	19.7
Travel	1.0	1.0	1.0	1.0	1.0	1.0
Contractual	5.6	5.6	5.6	5.6	5.6	5.6
Supplies	0.5	0.5	0.5	0.5	0.5	0.5
Equipment						
Land & Structures						
Grants, Claims	650.0	650.0	650.0	650.0	650.0	650.0
Miscellaneous						
TOTAL OPERATING	676.8	676.8	676.8	676.8	676.8	676.8

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE						
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FUNDING: (THOUSANDS OF DOLLARS)

General Fund	676.8	676.8	676.8	676.8	676.8	676.8
Federal Fund						
Other						
TOTAL	676.8	676.8	676.8	676.8	676.8	676.8

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	2	2	2	2	2	2
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Prepared By: _____ Date: 3/24/92
 Division: Sen. Jalmar Kerttula, Co-chairman Phone: 465-4985
Senate Finance Committee
 Approved By: *J. Kerttula* 3/24/92
 Agency: _____ Date: _____

DISTRIBUTION (BY PREPARER)
LEGISLATIVE FINANCE
LEGISLATIVE SPONSOR

REQUESTOR
OFFICE OF MANAGEMENT AND BUDGET
AGENCY (IES)

Fiscal Note Analysis
for
SB 394

Act creating the Alaska school counseling program grant fund.

Personal Services:

.33 FTE Education Associate II, Range 15 \$16.9

.10 FTE Clerical Support, Range 8 2.8

Travel:

Lead training for Training Cadre 1.0

Contractual:

Phone, postage, photocopying and
audioconferencing 5.6

Commodities:

General supplies .5

Grants \$650.0

SENATE BILL NO. 394

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR COLLINS

Introduced: 2/12/92
Referred: Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act creating the Alaska school counseling program grant fund."

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

3 * Section 1. PURPOSE. It is the purpose of this Act to

4 (1) provide a comprehensive counseling program to public school students in grades K-
5 12;

6 (2) implement and expand the model school counseling program developed and piloted
7 by the Department of Education as a result of recommendations of the Governor's Interim Commission
8 on Children and Youth;

9 (3) create a fund for providing financial aid to school districts specifically for the purpose
10 of implementing and expanding the model Alaska School Counseling Program.

11 * Sec. 2. AS 14.07.020(a) is amended by adding a new paragraph to read:

12 (15) administer the grants awarded under AS 14.30.750.

13 * Sec. 3. AS 14.30 is amended by adding a new section to read:

14 ARTICLE 10. ALASKA SCHOOL COUNSELING PROGRAM GRANT FUND.

FISCAL NOTE

No. 1

Bill Version: SB 394

(S) Publish Date: 3-11-92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____

Department Affected: Education

Title: Creating the Alaska school counseling program grant fund

BRU: Educational Program Support

Sponsor: Sen. Collins

Component: Basic Education and Instructional

Requestor: (S) HEJS

Improvement

COMPONENT SERIAL NO.

	1	7	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	19.7	19.7	19.7	19.7	19.7	19.7
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL	5.6	5.6	5.6	5.6	5.6	5.6
SUPPLIES	.5	.5	.5	.5	.5	.5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	150.0 <i>+1500</i>	150.0	150.0	150.0	150.0	150.0
MISCELLANEOUS						
TOTAL OPERATING	176.8	176.8	176.8	176.8	176.8	176.8
CAPITAL	0	0	0	0	0	0

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

JK motion to add \$50.0 to grants line - Adopted

GENERAL FUND	176.8	176.8	176.8	176.8	176.8	176.8
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	176.8	176.8	176.8	176.8	176.8	176.8

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	2	2	2	2	2	2
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

This fiscal note assumes retention of existing department staff and resources dedicated to the school counseling function and assumes an allocation of 150.00 to the grant fund. SEE ATTACHED.

Prepared by: Mike Maher
Division: Commissioner's Office

Phone: 465-2800
Date: 3/9/92

Approved by Commissioner: *Mike Maher*
Agency: Education

LaJC Jerry Covey
Date: 3/9/92

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

SENATE BILL NO. 394

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR COLLINS

Introduced: 2/12/92

Referred: Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act creating the Alaska school counseling program grant fund."

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

3 * Section 1. PURPOSE. It is the purpose of this Act to

4 (1) provide a comprehensive counseling program to public school students in grades K-
5 12;

6 (2) implement and expand the model school counseling program developed and piloted
7 by the Department of Education as a result of recommendations of the Governor's Interim Commission
8 on Children and Youth;

9 (3) create a fund for providing financial aid to school districts specifically for the purpose
10 of implementing and expanding the model Alaska School Counseling Program.

11 * Sec. 2. AS 14.07.020(a) is amended by adding a new paragraph to read:

12 (15) administer the grants awarded under AS 14.30.750.

13 * Sec. 3. AS 14.30 is amended by adding a new section to read:

14 ARTICLE 10. ALASKA SCHOOL COUNSELING PROGRAM GRANT FUND.

1 Sec. 14.30.750. ALASKA SCHOOL COUNSELING PROGRAM GRANT FUND. (a)
2 The Alaska school counseling program grant fund is established. The fund consists of legislative
3 appropriations and public or private donations made for the purpose of the fund.

4 (b) The department may make grants from the fund to eligible districts in the public
5 school system for a counseling program in grades K-12. The department may not award

6 (1) more than \$50,000 to a school district in a single fiscal year;

7 (2) a grant to a school district under this section for more than three consecutive
8 fiscal years; or

9 (3) a grant to a school district that is greater than 80 percent of a grant awarded
10 to that district under this section in the preceding fiscal year.

11 (c) In this section,

12 (1) "counseling program" means personnel and materials, including professional
13 training in counseling program delivery, and in the use of counseling materials;

14 (2) "school district" has the meaning given in AS 14.30.350.

FISCAL NOTE

No. 1
 Bill Version: SB 394
 (S) Publish Date: 3-11-92

STATE OF ALASKA
 1992 LEGISLATIVE SESSION

Revision Date: _____
 Title: Creating the Alaska school counseling program grant fund
 Sponsor: Sen. Collins
 Requestor: (S) HESS

Department Affected: Education
 BRU: Educational Program Support
 Component: Basic Education and Instructional Improvement

COMPONENT SERIAL NO.

	1	7	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	19.7	19.7	19.7	19.7	19.7	19.7
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL	5.6	5.6	5.6	5.6	5.6	5.6
SUPPLIES	.5	.5	.5	.5	.5	.5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	150.0 150.0	150.0	150.0	150.0	150.0	150.0
MISCELLANEOUS						
TOTAL OPERATING	176.8	176.8	176.8	176.8	176.8	176.8

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

JK motion to add 750.0 to grants line - Adopted

GENERAL FUND	176.8	176.8	176.8	176.8	176.8	176.8
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	176.8	176.8	176.8	176.8	176.8	176.8

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	2	2	2	2	2	2
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

This fiscal note assumes retention of existing department staff and resources dedicated to the school counseling function and assumes an allocation of 150.00 to the grant fund. SEE ATTACHED.

Prepared by: Mike Maher
 Division: Commissioner's Office

Phone: 465-2800
 Date: 3/9/92

Approved by Commissioner: *M. L. Mahan*
 Agency: Education

Jerry Covey
 Date: 3/9/92

Fiscal Note Analysis (continued)
SB 394 Creating the Alaska school counseling program grant fund

Personal Services:

.33 FTE Education Associate II, Range 15	\$16.9
.10 FTE Clerical Support, Range 8	\$2.8

These staff support the grant recipients through coordination of training and provision of resources to implement a comprehensive school counseling program. It is the Department's intention to utilize existing staff and resources to the maximum extent possible, including use of staff funded with a combination of federal and state general funds. The existing staff devoted to the \$100,000 in federal grants program is one Counseling Specialist, two part time Education Associates and clerical support for a total of \$149.5 in personnel, travel, contracts and commodities for FY92.

Travel:

Lead training for Training Cadre \$1.0

Contractual:

Phone, postage, photocopying and audioconferencing \$5.6

Commodities:

General supplies \$.5

Grants:

An allocation of \$150.0 is proposed for the School Counseling grant fund.

03/06/92 S(ITE)

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 394

Revision Date: _____
Title: Creating the School Counseling Program Grant
Fund
Sponsor: Sen. Collins
Requestor: (S) HESS

Department Affected: Education
BRU: Educational Program Support
Component: Basic Education and Instructional
Improvement
COMPONENT SERIAL NO.

	1	7	1
--	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	32.5	32.5	32.5	32.5	32.5	32.5
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL	15.6	15.6	15.6	15.6	15.6	15.6
SUPPLIES	.5	.5	.5	.5	.5	.5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	150.0	150.0	150.0	150.0	150.0	150.0
MISCELLANEOUS						
TOTAL OPERATING	199.6	199.6	199.6	199.6	199.6	199.6

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	199.6	199.6	199.6	199.6	199.6	199.6
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	199.6	199.6	199.6	199.6	199.6	199.6

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	1	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

This fiscal note assumes retention of existing department staff and resources dedicated to the school counseling function and assumes an allocation of \$150.00 to the grant fund.

See attached.

Prepared by: Mike Maher
Division: Commissioner's Office

Phone: 465-2800
Date: 3-3-92

Approved by Commissioner: *Mike Maher*
Agency: Education

Jerry Covey
Date: 3-3-92

S/S 5/4

Fiscal Note Analysis (continued)
SB 394 Creating the Alaska school counseling program grant fund

Personal Services:

1 PT Education Associate II, Range 15	\$25.3
.25 FTE clerical support, Range 8	\$7.2

It is the Department's intention to utilize existing staff and resources to the maximum extent possible, including use of staff funded with a combination of federal and state general funds.

Travel:

Attendance at School Counselor's association training. \$1.0

Contractual:

Fiscal management/subgrant accounting functions	\$10.0
Phone, postage, photocopying and audioconferencing	\$5.6

Commodities:

General supplies \$.5

Grants:

An allocation of \$150.0 is proposed for the School Counseling grant fund.

Alaska State Legislature

During Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-2828



During Interim
3111 C Street, Suite 540
Anchorage, Alaska 99503
(907) 561-2040

Senator Virginia Collins

SB 394

Alaska School Counseling Program Grant Fund

SB 394 creates the Alaska School Counseling Program Grant Fund consisting of legislative appropriations and public and private donations.

SB 394 authorizes the Department of Education to make grants from the fund to school districts for a counseling program in grades K through 12. It places three limitations on the awarding of these grants: (1) not more than \$50,000 may be given to any district in one year; (2) a district may not receive a grant for more than three consecutive years; and, (3) a grant may not be for more than 80 percent of the prior year's grant.

SB 394 resurrects last year's SB 195 which was vetoed by the governor. The governor was concerned that the bill undermined local school boards' authority to prioritize education expenditures and that it placed on them additional financial burdens.

The Alaska School Counseling Program Grant Fund is intended to attract private monies for the resolution of social ills and to be consonant with the governor's desire to drum up more local participation in providing services communities want to have. It will neither burden nor interfere with local school boards. This has been more clearly communicated with the governor, and I hope it has allayed his concerns.

With the increase in teen pregnancy, drug and alcohol abuse, and suicide among Alaska youth, the Alaska School Counseling Program implements a model program that has received support and has claimed success in thirty other states.

SB 394 will help in extending this unbeatable program throughout Alaska.

WALTER J. HICKEL
GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

June 24, 1991

The Honorable Richard Eliason
President of the Senate
P.O. Box V
Juneau, AK 99811

Dear President Eliason:

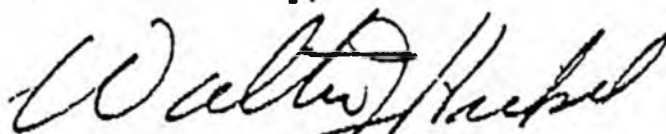
Under the authority of art. II, sec. 15, of the Alaska Constitution, I have vetoed Senate Bill No. 195.

Senate Bill 195 would create a fund to provide financial aid to school districts for the purpose of implementation and expanding Alaska School Counseling programs.

School districts already have the authority to fund counseling projects as they see fit. Our school boards are properly charged with the responsibility of prioritizing these expenditures.

Laudable as the goals of this bill may be it would, in effect, undermine the school board's responsibility of prioritizing education expenditures.

Sincerely,



Walter J. Hickel
Governor



Southwest Region Schools

P.O. Box 90
Dillingham, Alaska 99576
Phone (907) 842-5287



April 15, 1991

State Senator Virginia Collins
Juneau, Alaska

Dear Senator Collins,

This letter comes to you to express support for and documentation of need for the passage of Senate Bills 195 and 196.

As a supervisor for Counseling in a rural Alaskan Community, I highly endorse the idea of a School Counseling Grant fund to supplement and/or establish Counseling in the Bush. The need is tremendous! There are so many critical issues that must be addressed if students are to



Southwest Region Schools

P.O. Box 90
Dillingham, Alaska 99576
Phone (907) 842-5287



succeed! The "whole child" must
be taken in consideration. Our
"Student Outcomes" ^{Chpt. 173} are clearly
centered on many areas that
require the intervention of a
trained Counselor (ex) increasing
self-esteem, learning to form
satisfying relationships etc.

Aside from that the very
real issues of substance abuse,
teen pregnancy, lack of goals,
domestic violence, are needs
that require professional
counselor's interventions and
prevention!!

Please consider the need
in rural Alaska! Thank you for
your efforts!

Sincerely,
(Ruth L. Reichen)



WASILLA HIGH SCHOOL

MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT

701 Bogard Wasilla, Alaska 99687



Main office-(907)376-5341
Attendance Office-373-1572

Jane A. Feisthamel Ed.D - Principal
Dwight Probasco - Assistant Principal
Leonard Lusk - Assistant Principal

April 12, 1991

Senator Virginia Collins
Alaska Legislature

Reference: Senate Bills 195 and 196

On behalf of counselors and other staff currently working as a Pilot Site for development of the Alaska School Counseling Program, I would like to encourage your support for these two bills. Continuation of the funding for the ASCP Pilot Project grant funds would enable us to continue improving our services to all students. The ASCP follows closely State Board of Education student outcome goals. We intend to enable all of our schools to participate in implementing this model for next year. Funding for guidance and counseling programs in the state education budget and SB 195 and 196 would help enable us to meet these important outcomes for all students. We appreciate your support.

Sincerely,

Jim Hoiem
Guidance Counselor



HOMER HIGH SCHOOL
KENAI PENINSULA BOROUGH SCHOOL DISTRICT



600 E. FAIRVIEW
HOMER, ALASKA 99803-7661
PHONE: (907) 235-8188
FAX: (907) 235-8833

"MARINERS"

DENNIS DEMPSEY, PRINCIPAL
MICHAEL BUNDY, ASST. PRINCIPAL
BOB MACAULAY, ATH. DIRECTOR

April 4, 1991

Senator Arliss Sturgulawski
P.O. Box V
Juneau, Alaska 99811

Dear Senator Sturgulewaki,

This is a letter of support for Senate Bill 195, the Alaska School Counselor Program Grant Fund.

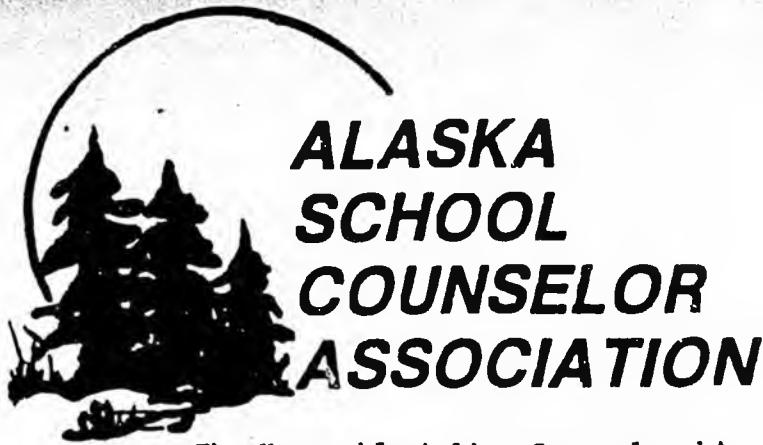
We are part of the pilot program and found it to be an extremely beneficial improvement to our current guidance counseling curriculum. Through this program we learned how to organize our counseling duties, which enables us to provide more services to more students.

Thank you for your consideration.

Sincerely,

Kathy Hill

Kathy Hill, Guidance Counselor
Homer Junior High School



**ALASKA
SCHOOL
COUNSELOR
ASSOCIATION**

Rod Poole, Gov't Relations Chair
Alaska School Counselor Association
c/o Sitka High School
1000 Lake Street Extension
Sitka, AK 99835
January 7, 1991

The Honorable Arliss Sturgulewski
P. O. Box V-Legislature
Juneau, Alaska 99811

Dear Senator Sturgulewski:

As Government Relations Chair for the Alaska School Counselor Association, I am pleased to write to you with an update from our organization. Enclosed you will find a legislative proposal which is reasonable and positive, an effort to make school counseling more available to more of Alaska's children and teens.

Since I have been sending legislative packets for five years now from ASCA, you are already aware that our state is involved in a counseling pilot project program. If you are new to the legislature, this information may not be familiar to you. From the time that the state Board of Education adopted the Alaska School Counseling Program Guide as the official state model on May 2, 1989, interest has grown rapidly. The model guide is now being piloted in about two dozen schools around the state. A copy of the Alaska School Counseling Program brochure is also enclosed for you and your staff to review. You will find this informative.

You will also want to know that ASCA has engaged the services of Ms. Wanda Cooksey as our professional representative in Juneau during the 1991 legislative session. With her educational experience and legislative staff experience, she is uniquely qualified to speak to school counseling concerns.

No doubt you are aware that the Governor's Interim Commission called for initiating, expanding, and funding school counseling programs K-12 for Alaska. ASCA Executive Board and membership, Alaska State Vocational Association Executive Board and membership, Elementary and Secondary Principals and Superintendents have all gone on the record calling for K-12 school counseling programs in Alaska. NOW is the time to take concrete steps in that direction. We hope you will give serious consideration to our legislative proposal for the sake of Alaska's next generations.

Sincerely,

A handwritten signature in dark ink that reads "Rod Poole". The signature is written in a cursive, flowing style.

Rod Poole, Counselor, Sitka High School

cc: Cindy Folsom, ASCA President
Alecia Lybrand, ASCA President-Elect
Robbi Nadeau, ASCA Past President
Wanda Cooksey, ASCA Professional Representative in Juneau

WHY NOT HERE?

by Rod Poole, Government Relations Chair

Alaska School Counselor Association
December 3, 1990

There is a very strong legislative movement nationally towards providing funding for K-12 counseling programs in school districts across the nation. Congress is currently considering funding an Elementary School Counseling Demonstration Act to encourage hiring of additional school counselors around the nation in accordance with good standards of professional school counseling procedures.

In Alaska, the Governor's Interim Commission called for the hiring of more school counselors around the state. The Elementary/Secondary Principals, Superintendents, Alaska State Vocational Association and Executive Board, and Alaska School Counselor Association and Executive Board have all called for K-12 school counseling programs statewide.

We have a terrific school counseling pilot program going currently around the state in an ever-growing number of sites. Currently a small amount of money is channeled to some of the pilot sites through the Office of Adult and Vocational Education to provide training for site counselors and principals to gear up to put the model plan into use in as many schools as possible. This model plan was developed by a task force of counselors and administrators in 1988 and 1989. After the model was approved unanimously by the State Board of Education on May 2, 1989, as the official state counseling model, the pilot project got underway full-steam.

I propose that the state legislature in Alaska set aside a specific amount of money, \$ 1,000,000, through the Department of Education budget, either within the regular DOE budget or as a separate incentive grant to be offered to districts which either want to 1) hire more school counselors or 2) want to pay to provide pilot program training for their current counselors and principals. If the grant were to be awarded to hire a new counselor, then it could be issued in the amount of perhaps \$ 40,000.00 or \$ 50,000.00 per site to help defray the cost of hiring the new staff person. Local districts would have to pay the rest, whether salary or benefits, retirement contribution, or whatever the local contract required. Districts that participate in the grant application process would have to agree to structure their programs in accordance with the official model program.

**Recent Events in the K-12 Counseling Movement in Alaska
by Rod Poole, ASCA Government Relations Chairperson, 1-7-91**

February of 1987, 1988, 1989, 1990--Proclamation of School Counseling Week in Alaska, to coincide with national week.

Jan., 1988--Governor's Interim Commission on Children and Youth calls for state "to initiate and expand school counseling programs in grades K-12, especially at the elementary level."

Feb., 1988--Office of Adult and Vocational Education funds development of K-12 counseling model for Alaska. Task Force is selected, starts work in Juneau, second meeting in October, 1988.

October, 1988--Alaska School Counselor Association meeting in Anchorage unanimously adopts resolution for Alaska to establish and fund K-12 counseling programs statewide. Same resolution is adopted by Elementary/Secondary Principals and Alaska State Vocational Association in Oct., by Superintendents in November.

February, 1989--final meeting of Task Force group, completion of comprehensive K-12 Alaska School Counseling Program Guide.

May 2, 1989--Alaska State Board of Education unanimously adopts National School Boards Association resolution calling on local school boards to support comprehensive guidance and counseling programs K-12. The Board also unanimously adopts and accepts the Alaska School Counseling Program Guide as the official model for Alaska and encourages its use in Alaska schools.

May, 1989--Legislature funds a full-time statewide counseling coordinator position for the first time since the mid-70's.

September, 1989--selection of 7 official pilot sites for the implementation of the Alaska School Counseling Program Guide.

October, 1989--formal training for all pilot sites in Soldotna with about one dozen schools actually represented.

March, 1990--Dr. Christine Jensen begins work as full-time counseling coordinator for Alaska.

September, 1990--pilot project training in Juneau and Mat-Su for new groups of pilot schools.

October, 1990--training for second year pilot sites in Anchorage. ASCA membership unanimously approves proposal for legislature to set up state grants to get districts to hire school counselors and put state model into practice in more pilot sites.

November, 1990--ASCA Executive Board contracts with Wanda Cooksey to be the ASCA professional representative to 1991 legislature.

January, 1991--ASCA legislative proposal to all 60 legislators.



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W 33RD AVENUE
ANCHORAGE, ALASKA 99503
907) 274-0536
FAX: (907) 274-0551

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090
FAX: (907) 586-2744

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
907) 456-4435
FAX: (907) 456-2159

Alaska School Counseling Program Grant

RE: SB 195

NEA-Alaska believes that the shortage of school counselors in Alaska public schools is perhaps the greatest weakness in our schools. The problem is especially acute in the primary through eighth grades but is certainly serious in all of our schools.

We believe the number of counselors should be no less than one for every 250 elementary students, or major fraction thereof, or every 175 students of combined grades K-12 or major fraction thereof. In every case there should be at least one certificated school counselor in every school.

It is important that our school counselors have training in drug and alcohol abuse, suicide prevention, crisis intervention and related mental health areas--as well as other guidance skills required by their duties.

The Department of Education should have the financial and technical support needed to implement and expand the model school counseling program developed and piloted by the Department as a result of recommendations of the Governor's Interim Commission on Children and Youth.

It is good public policy to provide funding for the department for grants to school districts to implement counseling programs--including personnel and materials. Each school district should be encouraged to apply for the grants.

NEA-Alaska believes such grants are only a stop-gap measure and should not be construed as meeting the state obligation to provide adequate counseling services for the schools. A far better social and educational policy would be to provide additional funding on a yearly basis to each school district for counselors on a formula as stated above. Such funding should be in addition to the current foundation allotment.

We believe improved counseling services in our Alaska Public schools will greatly enhance the learning of our students and help our children better work through many of the social and educational problems maturing youngsters face in our rapidly changing environment.

LE04/Counselng/dl



ALASKA ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •
326 Fourth St., Suite 408, Juneau, AK 99801-1101 (907) 586-9702 FAX (907) 586-5879

POSITION STATEMENT

SB 195/SB196

'COUNSELING SERVICES GRANT PROGRAM'

The Alaska Council of School Administrators supports the concept of counseling in the k-12 school program and supports the grant program which will provide incentives for those schools who have not implemented a counseling program, the ability to start a pilot project if they desire to do so.

We recognize the complexity of today's society and the need for a variety of services to the children in schools to provide them with the necessary tools to be successful learners and to become productive members of society.

We caution the legislature on mandating programs and would strongly encourage the continued flexibility for the local school district to make the final determination as to the level and involvement they desire in the counseling project as well as other individual programs which are currently before the legislature.

We also recognize that school counseling has taken on a new meaning in order to meet the changing needs in our schools. The pilot projects which have taken place over the past two years have proven the value to the total commitment to children by the school district.

Alaska School Counseling Program Grant Fund SB 394

The Alaska School Counseling Program is a new approach to providing counseling services in Alaska's schools. It is a curriculum based student oriented program — an integral part of the total education program. The program is designed to reach all students and to provide them with the skills they need for success in school, work and society.

Twelve Alaskan school counselors and administrators, with the help of the Department of Education and a national leader in counseling, developed a model counseling program for Alaska in 1988. In 1989 the program was piloted, implementing and testing the model. In 1990, the second year of piloting, 34 sites located in 12 school districts participated.

The program has been expanded for the 1991-92 school year bringing four additional school districts aboard. At this time 16 of the 54 Alaska School Districts are participating, representing large, small, urban and rural districts in cities, boroughs, and REAAs. The model works!

The Department of Education has been able to use their Carl Perkins Vocational Education Grant funding to assist with this activity over the past three years. The approximately \$100,000 per year has been able to get the program designed and field tested but is not adequate to provide the start-up costs that are needed across the state. These federal funds are limited and directed primarily at secondary programs, leaving out a great portion of Alaskan students grades K-12 who would benefit from a comprehensive, high quality, student support service

SB 394 addresses a grant program to be set up in the Department of Education. Funds from this account would be used to assist interested districts in:

- 1) beginning a model counseling program,
- 2) restructuring an existing counseling program to the model, and/or
- 3) furthering the model program throughout their district.

Training of personnel is the major expense. It has taken three (3) years to reach all or part of 16 districts. SB 394 grants would assist districts, who voluntarily choose to participate, up to a three year period. The purpose is not to pay personnel for 3 years and then drop the district, but to help a district make the transition. Once schools have the curriculum-based counseling program in place it will be a basic component of the education program and supported as such.

The Alaska School Counseling Program grew out of a need identified by the Governor's Interim Commission on Children and Youth.

*Prepared on behalf of Alaska School Counselor Association
By Wanda J. Cooksey
586-9073*

Alaska School Counseling Program

SB 195 and SB 196

The Alaska School Counseling Program is a student oriented program that is curriculum based. The 1990-91 school year is the second year of a pilot program in Alaska.

In 1988, a group of 12 Alaskan school counselors and administrators, with the help of the Department of Education and a national leader in counseling, developed a model counseling program for Alaska. In 1989 the program was piloted, implementing and testing the model. In 1990, the second year of piloting, 34 sites located in 12 school districts are participating.

Forty-two, or 78%, of Alaska's school districts are not yet participating in the program. The Department of Education has been able to use their Carl Perkins Vocational Education Grant funding to assist with this activity over the past two years. The approximately \$100,000 per year has been able to

get the program designed and started but is not adequate to provide the start-up costs that are needed across the state. These federal funds are limited and directed primarily at secondary programs, leaving out a great portion of Alaskan students grades K-12 who would benefit from a comprehensive, high quality, student support service. These services are directed at assisting students with skills to help them succeed in school, work and society. Alaska has approximately 475 school sites. Presently 441 sites, or 93% of the schools, are excluded from the Alaska School Counseling Program.

SB 195 and SB 196 address the need through a grant program providing incentive grants on a diminishing basis over a period of three years. A grant, as called for in SB 196, would provide excellent assistance to districts desiring to implement or further this program.

The grant account would be available to help school districts or school sites:

- Begin a program—Phase I
- Move to Phase II
- Implement program district-wide.

The funds would primarily provide assistance for:

- Counselor, teacher, administrator inservice training
- Materials for counselors and classroom teachers
- Completion of the Curriculum Guides, Scope and Sequence and Needs Assessment Instruments.

It is anticipated that the Alaska School Counseling Program needs financial assistance for getting it into the schools. Once schools have a curriculum-based program in place, it will be a basic component of the education program and supported as such.

The Alaska School Counseling Program grew out of a need identified by the Governor's Interim Commission on Children and Youth.

*Prepared on behalf of Alaska School Counselor Association
by Wanda J. Cooksey
586-9073*

EVERY DAY 2,989 AMERICAN CHILDREN SEE THEIR PARENTS DIVORCED.

EVERY 26 SECONDS, A CHILD RUNS AWAY FROM HOME.

EVERY 47 SECONDS, A CHILD IS ABUSED OR NEGLECTED.

EVERY 8 SECONDS OF THE SCHOOL DAY, A CHILD DROPS OUT.

EVERY DAY, SIX TEENAGERS COMMIT SUICIDE.

(Source: Children's Defense Fund, 1990)



FOR MANY PEOPLE, THE WORD "COUNSELOR" BRINGS TO MIND THE IMAGE OF SOMEONE THEY SEE ONCE OR TWICE DURING THEIR HIGH SCHOOL YEARS. THE STEREOTYPIC SCHOOL GUIDANCE COUNSELOR OF 20 YEARS AGO WAS THE PERSON WHO GAVE TESTS, PASSED OUT INFORMATION, HELPED HIGH SCHOOL STUDENTS WITH THEIR CLASS SCHEDULES, FILLED OUT COLLEGE APPLICATIONS, AND OFTEN ACTED AS A DISCIPLINARIAN. BUT THIS IS NOT AN ACCURATE PICTURE OF WHO ELEMENTARY SCHOOL COUNSELORS ARE AND WHAT THEY DO. FOR MANY CHILDREN, THE SCHOOL COUNSELOR MAY BE THE ONE PERSON WITH WHOM THEY FEEL SAFE AND CAN CONFIDE IN. UNLIKE TEACHERS, COUNSELORS DO NOT GRADE STUDENTS. CAN OFTEN MEET WITH THEM INDIVIDUALLY, AND DO NOT CHANGE CLASSES FROM YEAR TO YEAR.

(Source: "Children Achieving Potential: An Introduction to Elementary Counseling and State-Level Policies" by American Association for Counseling and Development and the National Conference of State Legislatures, 1990)

THE COMPREHENSIVE COUNSELING PROGRAM
FOR...
ALASKA PUBLIC SCHOOLS...



*A GUIDE FOR
PROGRAM DEVELOPMENT
K-12TH GRADE*

ALASKA DEPARTMENT OF EDUCATION,
OFFICE OF ADULT AND VOCATIONAL EDUCATION
P.O. BOX F
JUNEAU, ALASKA 99811

This guide was developed by a statewide task force of school counselors and administrators of education. Alaska State Board of Education endorsed this document as the State Guide for Alaska School Counseling Programs at their regular meeting, May 2, 1989.

This publication is not copyrighted; any or all sections may be duplicated. After an initial free distribution to authorized institutions, additional copies may be purchased for \$5.00 from the Alaska Department of Education, Office of Adult and Vocational Education, and Office of Basic Education. For additional information, please call the Counseling Coordinator at (907) 465-2841.

ALASKA SCHOOL COUNSELING PROGRAM DEFINITION

School counseling is an integral part of the total educational program. It is developmental by design and includes sequential activities organized and implemented by certified school counselors with the support of teachers, administrators, students, and parents. A school counseling program shall deliver services in four areas:

1. Personal and Career Development Curriculum
2. Individual Student Planning
3. Responsive Services
4. System Support

The program addresses the needs of all students by helping them to:

- Acquire and apply knowledge of self and others.
- Develop competencies in career/life planning.
- Achieve educational success.

The philosophy statement from the *Alaska School Counseling Program Guide* best states the change in direction of the program.

Counseling in the school setting has evolved through recognition that individuals living in a dynamic, complex society benefit most from the broad range of learning experiences. Such experiences prepare them to lead productive lives characterized by feelings of self worth. Individual acquisition of knowledge and skills has been and will continue to be a major goal of public education. In addition, parallel efforts to assist students to grow socially and emotionally as well as intellectually and physically are essential. Guidance processes are designed to assist individuals with total development on a K-12 basis. The school counseling program is preventive rather than remedial in nature. It complements the core instructional offerings and involves a cooperative effort among counselors, administrators and classroom teachers.

STRUCTURAL AND PROGRAM COMPONENTS

The state plan for school counseling programs has two major parts with ten components:

Structural Components:

- Program Definition and Philosophy
- Advisory Council
- Budget
- Counseling Program Facilities
- Counseling Resources
- Staffing Patterns

Program Components:

- Personal and Career Development Curriculum
- Individual Student Planning
- Responsive Services
- System Support

SB395

HOUSE COMMITTEE REPORT

(11)

Date Referred: April 11, 1992

FURTHER REFERRALS:

Date of Committee Action: 5/11/92

The FINANCE Committee considered:

SB 395

SENATE BILL NO. 395

MEDICAID IN CERTAIN ADOPTION CASES

"An Act relating to Medicaid coverage for certain persons under the age of 21 for whom an adoption assistance agreement is in effect; and providing for an effective date."

- RECOMMENDATIONS: [] the same title
 be replaced with _____ [] a new title
- [] have attached amendments(s)
- [] do pass
- [] do not pass
- [] no recommendations
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

- ATTACHES NEW FISCAL NOTE(S): (Dept) _____
- [] fiscal impact _____
- [] zero fiscal note _____

- APPROVES PREVIOUS: (Dept/Date) _____
- (2)
 [] fiscal note(s) DHSS 2/24/92
- [] zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Mike Navarre</i> Navarre	✓				
<i>Navarro Boyer</i> Boyer	X				
<i>Tom Brown</i> BROWN	✓				
<i>[Signature]</i> Koppala	✓				
<i>[Signature]</i> Lanson	X				
<i>[Signature]</i> Phillips	✓				
<i>[Signature]</i> Sharp	✓				
<i>[Signature]</i> Kimm	X				

Mike Navarre

 *CO/CHAIRMAN'S SIGNATURE

FISCAL NOTE

No. 1

Bill Version: SB 395

(S) Publish Date: 2-26-92

STATE OF ALASKA

1992 LEGISLATIVE SESSION

Revision Date: 2/25/92 Department Affected: DH&SS

Title: An Act Relating to Medicaid BRU: Medical Assistance

Coverage Component: Medicaid

Sponsor: Collins

Requestor: _____ COMPONENT SERIAL NO.

0	2	2	9
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	326.1	413.8	523.9	664.2	838.4	1,061.4
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	326.1	413.8	523.9	664.2	838.4	1,061.4

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING (Thousands of Dollars)

GENERAL FUNDS	163.0	206.9	261.9	332.1	419.2	530.7
FEDERAL FUNDS	163.0	206.9	261.0	332.1	419.2	530.7
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	326.1	413.8	523.9	664.2	838.4	1,061.4

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY:	0	0	0	0	0	0

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.)

See attached

Prepared by: Kimberly B. Busch, Director *Kimberly Busch* Phone: 907-465-3355

Division: Medical Assistance Date: 2-25-92

Approved by Commissioner: Theodore A. Malat, M.D., M.P.H.

Agency: Health and Social Services *Malat* Date: 2/26/92

Distribution (by Preparer: Leg. Fil

Impacted Agency(ies)

Rev 10/7/91

FN DHSS medical Assistance

Page 1 of 2

Fiscal Note Attachment

The Division of Family and Youth Services currently pays a direct monthly reimbursement to adoptive parents to pay for the medical needs of an adoptive child with special medical or rehabilitative needs. This bill would authorize Alaska to add the Medicaid option to provide coverage for these state-subsidized adoptive children. Medicaid would then provide for payment of these children's medical needs, eliminating the need for direct reimbursement from the Division of Family and Youth Services and accessing federal Medicaid funding available to the State at a 50 percent match rate.

The Division of Family and Youth Services will spend \$258,192, all from the state general fund, on direct reimbursement to adoptive parents in FY 92. These funds currently provide payment for medical services averaging \$326 per month to 66 special needs adoptive children. With addition of the Medicaid option to cover this group of children, the FY 93 cost shifts to the Division of Medical Assistance Medicaid program. Then adoptive parents will no longer be reimbursed directly for the child's medical expenses, but will be provided with Medicaid coupons for payment of the child's medical services.

The Medicaid cost in FY 93 will be \$326,112, anticipating a 20 percent growth in the current caseload of 66 children and 5.5 percent medical expense inflation rate. This calculation is detailed below:

FY 92: 66 children X \$326 per month = \$21,516 X 12 months =
\$258,192

FY 93 \$326 X 5.5% inflation rate = \$344
66 children X 20% caseload growth = 79
79 children X \$344 X 12 months = \$326,112 total funds
 \$163,056 GF
 \$163,056 FED

FY 94 - 98: For future years, we assume the same caseload and inflation growth rates.

Because this is a Medicaid option, the federal government will contribute 50% of the total costs.

Total savings to the State are the amount of Federal funds (\$163,056 in FY 93).

Cross reference: Fiscal note by the Division of Family and Youth Services

FISCAL NOTE

No. 2

Bill Version: SB 395

(S) Publish Date: 2-26-92

STATE OF ALASKA

1992 LEGISLATIVE SESSION

Revision Date: _____

Department Affected:

Title: An Act Relating to Medicaid

BRU: Family & Youth Purchased Services

Coverage: _____

Component: Foster Care

Sponsor: Senator Collins

Requestor: _____

COMPONENT SERIAL NO.

7	2	5	2
---	---	---	---

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(326.1)	(413.3)	(523.9)	(664.2)	(338.4)	(1,061)
MISCELLANEOUS						
TOTAL OPERATING	(326.1)	(413.3)	(523.9)	(664.2)	(838.4)	(1,061)

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING (Thousands of Dollars)

GENERAL FUNDS	(326.1)	(413.8)	(523.9)	(664.2)	(838.4)	(1,061.4)
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY:						

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

DFYS saves cost of medical portion of program as shown.

50% Federal participation in funding achieved by this method.

Prepared By: Brian Saylor, Acting Director

Phone: 465-3633

Division: Family and Youth Services

Date: 2/25/92

Approved by Commissioner: Theodore A. Mala, MD, MPH

Agency: Department of Health and Social Services

Date: 2/25/92

Distribution (by Preparer, Leg)

FA: DHSS Family & Youth Purchased Services impacted Agencies

FISCAL NOTE ATTACHMENT

SB 395: AN ACT RELATING TO MEDICAID COVERAGE

Adoption Assistance Fiscal note

1. DFYS surveyed 1/3 of their 9/91 state subsidized adoption caseload to determine to the portion of the caseload receiving extra funds for medical needs (26 of the 37, or 73%) and the average payment for medical needs per child (\$326 per month).

Current FY 92 caseload is 90 children; 73% with medical needs = 66.

2. 66 children with special medical needs x average monthly payment of \$326 = \$21,516 x 12 months = \$258,192 in FY 92.

To estimate future-growth, we considered the fact the DFYS has had a major permanency planning move over the last two years, to address the problem of children remaining in long term foster care without permanent homes. This effort to "catch up" requires a continued growth rate over the next few years, although it is expected to level off within the next three to five years, as the effects of the permanency planning effort reduce the backlog and the family preservation efforts reduce the number of the new cases. The 20% figure is a best estimate based on current growth patterns. The Anchorage CFI of 5.5% is used to estimate growth in costs.

FY 93: 20% caseload growth = 79 (66 x 20%) Avg. month pymt \$326
x 5.5% cost increase = \$344 x 79 x 12 = \$326,112

FY 94: 79 x 20% = 95 \$344 x 5.5% = \$363 \$363 x 95 x 12
= \$413,820

FY 95: 95 x 20% = 114 \$363 x 5.5% = \$383 \$383 x 114 x 12
= 523,944

FY 96: 114 x 20% = 137 \$383 x 5.5% = \$404 \$404 x 137 x 12
= \$664,176

FY 97: 137 x 20% = 164 \$404 x 5.5% = 426 \$426 x 164 x 12
= \$838,368

FY 98: 164 x 20% = 197 \$426 x 5.5% = \$449 \$449 x 197 x 12
= \$1,061,436

SENATE BILL NO. 395

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR COLLINS

Introduced: 2/12/92
Referred: HES, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to Medicaid coverage for certain persons under the age of 21 for whom
2 an adoption assistance agreement is in effect; and providing for an effective date."

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

4 * Section 1. AS 47.07.020(b) is amended to read:

5 (b) In addition to the persons specified in (a) of this section, the following optional
6 groups of persons for whom the state may claim federal financial participation are eligible for
7 medical assistance:

8 (1) persons eligible for but not receiving assistance under any plan of the state
9 approved under 42 U.S.C. 601 - 615 (Title IV-A, Social Security Act, Aid to Families with
10 Dependent Children) or 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act, Supplemental
11 Security Income);

12 (2) persons in a general hospital, skilled nursing facility, or intermediate care
13 facility, who, if they left the facility, would be eligible for assistance under one of the federal
14 programs specified in (1) of this subsection;

1 (3) persons under age 21 who are under supervision of the department, for whom
2 maintenance is being paid in whole or in part from public funds, and who are in foster homes
3 or private child-care institutions;

4 (4) aged, blind, or disabled persons, who, because they do not meet income and
5 resources requirements, do not receive supplemental security income under 42 U.S.C. 1381 -
6 1383c (Title XVI, Social Security Act), and who do not receive a mandatory state supplement,
7 but who are eligible, or would be eligible if they were not in a skilled nursing facility or
8 intermediate care facility, to receive an optional state supplementary payment;

9 (5) persons under age 21 who are in an institution designated as an intermediate
10 care facility for the mentally retarded and who are financially eligible as determined by the
11 standards of the federal aid to families with dependent children program;

12 (6) persons in a medical or intermediate care facility whose income while in the
13 facility does not exceed 300 percent of the supplemental security income benefit rate under 42
14 U.S.C. 1381 - 1383c (Title XVI, Social Security Act) but who would not be eligible for an
15 optional state supplementary payment if they left the hospital or other facility;

16 (7) persons under age 21 who are receiving active treatment in a psychiatric
17 hospital and who are financially eligible as determined by the standards of 42 U.S.C. 601 - 615
18 (Title IV-A, Social Security Act, Aid to Families with Dependent Children);

19 (8) persons under age 21 and not covered under (a) of this section[,] who would
20 be eligible for benefits under the federal aid to families with dependent children program[,]
21 except that they have the care and support of both their natural and adoptive parents;

22 (9) pregnant women not covered under (a) of this section and who meet the
23 income and resource requirements of the federal aid to families with dependent children program;

24 (10) persons under age 21 not covered under (a) of this section who the state
25 has determined cannot be placed for adoption without medical assistance because of special
26 need for medical or rehabilitative care and for whom there is in effect a state adoption
27 assistance agreement under AS 25.23.190 - 25.23.240 [REPEALED].

28 * Sec. 2. AS 47.07.035 is amended by adding a new paragraph to read:

29 (25) individuals under age 21 who the state has determined cannot be placed for
30 adoption without medical assistance because of special need for medical or rehabilitative care and
31 for whom there is in effect a state adoption assistance agreement under AS 25.23.190 -

1 **25.23.240.**

2 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).

PROPOSITION PAPER
STATE OF ALASKA ★ DEPARTMENT OF HEALTH & SOCIAL SERVICES

FEB 26 1992

"An Act relating to Medicaid coverage for certain persons under the age of 21 for whom an adoption assistance agreement is in effect; and providing for an effective date"

SB No. 395 will add a new group to the list in AS 47.07.020 of persons eligible for coverage under Medicaid in Alaska. This new group consists of children under the age of 21 who have special medical needs, who are therefore difficult to place for adoption, and for whom there is in effect a state adoption assistance agreement. The bill would make this new group the last to be eliminated from Medicaid coverage under AS 47.07.035 if there are insufficient appropriations to cover all optional services and groups.

ANALYSIS

At present, adoptive parents of these children are subsidized by the state under AS 25.23.190 -- AS 25.23.210. State money often pays for the cost of medical care provided for these children. Under the federal Medicaid program, a state may select these children as an optional group to be covered by Medicaid. The statutory changes made by the bill would not change the subsidy payments made to the adoptive parents, and there would be no additional requirements imposed on them. The changes would not increase the number of children served, nor the total amount being paid. SB No. 395 would simply allow one-half of the cost of the medical care being paid for by the state to be paid instead with federal money.

Savings to the State in the first full year alone will exceed \$163,000.

POSITION

The Department supports the passage of SB No. 395. Given Alaska's short and long-term revenue picture, it is important that we take advantage of every legitimate opportunity we have to reduce state expenditures by claiming on federal matching funds for the necessary medical services we furnish to needy Alaskans.

Recommended by: Kimberly B. Busch
Kimberly B. Busch
Director
Div. of Medical Assistance

Date: _____

Approved by: Theodore A. Mulla
Theodore A. Mulla, MD, MPH
Commissioner

Date: 26 Feb 92

DHSS POSITION

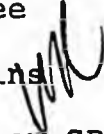
Alaska State Legislature

During Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-2828

During Interim
3111 C Street, Suite 540
Anchorage, Alaska 99503
(907) 561-2040

Senator Virginia Collins

To: Rep. Mike Navarre, Co-Chair
House Finance Committee

From: Senator Virginia Collins 

Re: Request for a hearing on SB 395
(Medicaid coverage in certain adoption cases)

Date: May 4, 1992

Please schedule SB 395 for a hearing before your committee.

SB 395 allows the state to collect approximately \$2 million from the federal Medicaid program over the next six years for those in state custody who need medical care in order to be placed for adoption.

Persons with special medical needs under the age of 21, of whom the state has custody, are difficult to place for adoption. Under AS 25.23.190-.210 (relating to adoption assistance), the state pays for the cost of care provided these children and young adults.

With the passage of SB 395, federal Medicaid could be used to provide health care coverage for this group.

For FY 93 alone, the bill will help pay for the medical care of 66 special-needs children.

It is estimated that SB 395 will save the state:

\$163,000 for FY 93,
\$206,900 for FY 94,
\$261,900 for FY 95,
\$332,100 for FY 96,
\$419,200 for FY 97,
\$530,700 for FY 98.

Thank you for your consideration of this request.

Alaska State Legislature

During Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-2828

During Interim
3111 C Street, Suite 540
Anchorage, Alaska 99503
(907) 561-2040

Senator Virginia Collins

SB 395

Medicaid Coverage for Certain Adoptees

SB 395 would allow the state to collect federal Medicaid dollars for those in state custody who need medical care in order to be placed for adoption.

Persons with special medical needs under the age of 21, of whom the state has custody, are difficult to place for adoption. Under AS 25.23.190 - .210 (relating to adoption assistance), the state pays for the cost of care provided these children and young adults.

With the passage of SB 395, federal Medicaid could be used to provide health care coverage for this group.

The bill would also make this group the last to be eliminated from Medicaid coverage if sufficient funding were not available.

SB 395 would not affect the payments made to parents who adopt these children nor would it place additional requirements on them.

The bill does not increase the number of children being served nor does it increase the total amount being paid for their medical care.

In an era of projected declines in state revenues, SB 395 is a revenue generator, saves the state money, and does not require any expenditure of state monies.

Sponsor Statement



Alaska State Legislature

Please enter into the record my testimony to the H.F.S.S
 committee name
 hearing April 10 8:30AM
 committee on SB 395, dated 4-7-92
 bill/subject

In May of 1990 a special needs child was placed in our home as a foster child. We are currently adopting this child. This child's medications cost over \$300 per month, this is a condition that he will outgrow between the ages of 7-12, however, this is his medication needs right now. I know of other children currently in state custody in similar situations. It is not fair to expect potential parents to pay this. Most of these children are very difficult to care for ~~now~~ anyway - Please don't make it any worse! Children belong in homes and cost is a major factor regarding adoption. Please allow Medicaid to continue to pay. (I have to work or I would be at teleconference)

Signed: Jacqui P. Swayne
 Testifier

J P Swayne

Representing (Optional)

2755 Parkwood Wasilla AK 99654

Address

376-7403

Phone No.

SB395

SENATE FINANCE COMMITTEE REPORT

DATE: 2/26/92

FURTHER:

DATE TURNED INTO OFFICE: 03/05/92

The Finance Committee considered

SENATE BILL NO. 395

"An Act relating to Medicaid coverage for certain persons under the age of 21 for whom an adoption assistance agreement is in effect; and providing for an effective date."

and recommends:

- replace with _____ CS _____ (FINANCE)
- or adopt previous _____ CS _____ (_____)
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

- do pass
- do not pass
- no recommendation
- individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes (326.1) HESS 02/25/92
326.1 HESS 02/26/92

DO PASS:

[Signatures]

OTHER RECOMMENDATIONS:

1. *[Signature]*
Co-Chair: Signature/Recommendation

2. *[Signature]*
Co-Chair: Signature/Recommendation

FISCAL NOTE

No. 1

Bill Version: SB 395

(S) Publish Date: 2-26-92

STATE OF ALASKA

1992 LEGISLATIVE SESSION

Revision Date: 2/25/92

Department Affected: DH&SS

Title: An Act Relating to Medicaid Coverage

BRU: Medical Assistance

Component: Medicaid

Sponsor: Collins

Requestor: _____ COMPONENT SERIAL NO.

0	2	2	9
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	326.1	413.8	523.9	664.2	838.4	1,061.4
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	326.1	413.8	523.9	664.2	838.4	1,061.4

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING (Thousands of Dollars)

GENERAL FUNDS	163.0	206.9	261.9	332.1	419.2	530.7
FEDERAL FUNDS	163.0	206.9	261.0	332.1	419.2	530.7
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	326.1	413.8	523.9	664.2	838.4	1,061.4

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY:	0	0	0	0	0	0

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.)

See attached

Prepared by: Kimberly B. Busch, Director *Kimberly B. Busch* Phone: 907-465-3355

Division: Medical Assistance Date: 2-25-92

Approved by Commissioner: Theodore A. Nala, M.D., M.P.H

Agency: Health and Social Services *Collins* Date: 2/26/92

Distribution (by Preparer: Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies))

Fiscal Note Attachment

The Division of Family and Youth Services currently pays a direct monthly reimbursement to adoptive parents to pay for the medical needs of an adoptive child with special medical or rehabilitative needs. This bill would authorize Alaska to add the Medicaid option to provide coverage for these state-subsidized adoptive children. Medicaid would then provide for payment of these children's medical needs, eliminating the need for direct reimbursement from the Division of Family and Youth Services and accessing federal Medicaid funding available to the State at a 50 percent match rate.

The Division of Family and Youth Services will spend \$258,192, all from the state general fund, on direct reimbursement to adoptive parents in FY 92. These funds currently provide payment for medical services averaging \$326 per month to 66 special needs adoptive children. With addition of the Medicaid option to cover this group of children, the FY 93 cost shifts to the Division of Medical Assistance Medicaid program. Then adoptive parents will no longer be reimbursed directly for the child's medical expenses, but will be provided with Medicaid coupons for payment of the child's medical services.

The Medicaid cost in FY 93 will be \$326,112, anticipating a 20 percent growth in the current caseload of 66 children and 5.5 percent medical expense inflation rate. This calculation is detailed below:

FY 92: 66 children X \$326 per month = \$21,516 X 12 months = \$258,192

FY 93 \$326 X 5.5% inflation rate = \$344
66 children X 20% caseload growth = 79
79 children X \$344 X 12 months = \$326,112 total funds
 \$163,056 GF
 \$163,056 FED

FY 94 - 98: For future years, we assume the same caseload and inflation growth rates.

Because this is a Medicaid option, the federal government will contribute 50% of the total costs.

Total savings to the State are the amount of Federal funds (\$163,056 in FY 93).

Cross reference: Fiscal note by the Division of Family and Youth Services

FISCAL NOTE

No. 2

Bill Version: SB 395

(S) Publish Date: 2-26-92

STATE OF ALASKA

1992 LEGISLATIVE SESSION

Revision Date: _____

Department Affected: _____

Title: An Act Relating to Medicaid

BRU: Family & Youth Purchased Services

Coverage: _____

Component: Foster Care

Sponsor: Senator Collins

Requestor: _____

COMPONENT SERIAL NO.

1	2	5	2
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(326.1)	(413.3)	(523.9)	(664.2)	(338.4)	(1,061)
MISCELLANEOUS						
TOTAL OPERATING	(326.1)	(413.3)	(523.9)	(664.2)	(838.4)	(1,061)
CAPITAL						

REVENUE FUND SOURCE:

FUNDING (Thousands of Dollars)

GENERAL FUNDS	(326.1)	(413.8)	(523.9)	(664.2)	(838.4)	(1,061.4)
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY:						

Estimate of current year Impact:

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

DFYS saves cost of medical portion of program as shown.

50% Federal participation in funding achieved by this method.

Prepared By: Brian Saylor, Acting Director

Phone: 465-3633

Division: Family and Youth Services

Date: 2/25/92

Approved by Commissioner: Theodore A. Mala, MD, MPH

Agency: Department of Health and Social Services

Date: 2/25/92

FISCAL NOTE ATTACHMENT

SB 395: AN ACT RELATING TO MEDICAID COVERAGE

Adoption Assistance Fiscal note

1. DFYS surveyed 1/3 of their 9/91 state subsidized adoption caseload to determine to the portion of the caseload receiving extra funds for medical needs (26 of the 37, or 73%) and the average payment for medical needs per child (\$326 per month).

Current FY 92 caseload is 90 children; 73% with medical needs = 66.

2. 66 children with special medical needs x average monthly payment of \$326 = \$21,516 x 12 months = \$258,192 in FY 92.

To estimate future growth, we considered the fact the DFYS has had a major permanency planning move over the last two years, to address the problem of children remaining in long term foster care without permanent homes. This effort to "catch up" requires a continued growth rate over the next few years, although it is expected to level off within the next three to five years, as the effects of the permanency planning effort reduce the backlog and the family preservation efforts reduce the number of the new cases. The 20% figure is a best estimate based on current growth patterns. The Anchorage CPI of 5.5% is used to estimate growth in costs.

FY 93: 20% caseload growth = 79 (66 x 20%) Avg. month pymt \$326
x 5.5% cost increase = \$344 x 79 x 12 = \$326,112

FY 94: 79 x 20% = 95 \$344 x 5.5% = \$363 \$363 x 95 x 12
= \$413,820

FY 95: 95 x 20% = 114 \$363 x 5.5% = \$383 \$383 x 114 x 12
= 523,944

FY 96: 114 x 20% = 137 \$383 x 5.5% = \$404 \$404 x 137 x 12
= \$664,176

FY 97: 137 x 20% = 164 \$404 x 5.5% = 426 \$426 x 164 x 12
= \$838,368

FY 98: 164 x 20% = 197 \$426 x 5.5% = \$449 \$449 x 197 x 12
= \$1,061,436

NEW BILL IN
COMMITTEE 2-26-92

SENATE BILL NO. 395

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR COLLINS

Introduced: 2/12/92
Referred: HES, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to Medicaid coverage for certain persons under the age of 21 for whom
2 an adoption assistance agreement is in effect; and providing for an effective date."

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

4 * Section 1. AS 47.07.020(b) is amended to read:

5 (b) In addition to the persons specified in (a) of this section, the following optional
6 groups of persons for whom the state may claim federal financial participation are eligible for
7 medical assistance:

8 (1) persons eligible for but not receiving assistance under any plan of the state
9 approved under 42 U.S.C. 601 - 615 (Title IV-A, Social Security Act, Aid to Families with
10 Dependent Children) or 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act, Supplemental
11 Security Income);

12 (2) persons in a general hospital, skilled nursing facility, or intermediate care
13 facility, who, if they left the facility, would be eligible for assistance under one of the federal
14 programs specified in (1) of this subsection;

1 (3) persons under age 21 who are under supervision of the department, for whom
2 maintenance is being paid in whole or in part from public funds, and who are in foster homes
3 or private child-care institutions;

4 (4) aged, blind, or disabled persons, who, because they do not meet income and
5 resources requirements, do not receive supplemental security income under 42 U.S.C. 1381 -
6 1383c (Title XVI, Social Security Act), and who do not receive a mandatory state supplement,
7 but who are eligible, or would be eligible if they were not in a skilled nursing facility or
8 intermediate care facility, to receive an optional state supplementary payment;

9 (5) persons under age 21 who are in an institution designated as an intermediate
10 care facility for the mentally retarded and who are financially eligible as determined by the
11 standards of the federal aid to families with dependent children program;

12 (6) persons in a medical or intermediate care facility whose income while in the
13 facility does not exceed 300 percent of the supplemental security income benefit rate under 42
14 U.S.C. 1381 - 1383c (Title XVI, Social Security Act) but who would not be eligible for an
15 optional state supplementary payment if they left the hospital or other facility;

16 (7) persons under age 21 who are receiving active treatment in a psychiatric
17 hospital and who are financially eligible as determined by the standards of 42 U.S.C. 601 - 615
18 (Title IV-A, Social Security Act, Aid to Families with Dependent Children);

19 (8) persons under age 21 and not covered under (a) of this section[,] who would
20 be eligible for benefits under the federal aid to families with dependent children program[,]
21 except that they have the care and support of both their natural and adoptive parents;

22 (9) pregnant women not covered under (a) of this section and who meet the
23 income and resource requirements of the federal aid to families with dependent children program;

24 (10) persons under age 21 not covered under (a) of this section who the state
25 has determined cannot be placed for adoption without medical assistance because of special
26 need for medical or rehabilitative care and for whom there is in effect a state adoption
27 assistance agreement under AS 25.23.190 - 25.23.240 [REPEALED].

28 * Sec. 2. AS 47.07.035 is amended by adding a new paragraph to read:

29 (25) individuals under age 21 who the state has determined cannot be placed for
30 adoption without medical assistance because of special need for medical or rehabilitative care and
31 for whom there is in effect a state adoption assistance agreement under AS 25.23.190 -