

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES, 2005-2006 2977

	for prohibiting the child from attending class or a school-related activity.			
Vermont SB 30	No school shall require a child to take psychiatric drugs as a requisite for attending school; parent or guardian may agree or disagree to allow the child to take psychiatric drugs; prohibits the unlawful possession of methylphenidate (Ritalin), with up to one year in prison or fines of up to \$2,000.	1/23/03	To Senate Committee on Education 1/24/03	
West Virginia SB 122	Requires public schools to comply with provisions of federal law governing release and elicitation of certain information concerning students and their families in connection with mental or health care services. No student may be required to submit to counseling, psychiatric or psychological treatment and experimental procedures, including surveys or tests, without the parents' informed consent. Parents have the right to exclude child from such tests/surveys based on religious, cultural, moral or political beliefs or affiliations.	1/10/03	To Senate Committee on Education 1/10/03	
West Virginia HB 2111	Prohibits teachers and other school personnel from recommending that a pupil is in need of psychiatric treatment or evaluation or psychotropic, mood altering or other mind-altering drugs.	1/10/03	To House Committee on Education 1/10/03	
Arizona HB 2024	A child whose parent, guardian or custodian refuses to put the child on a psychiatric medication or questions the use of a psychiatric medication shall not be considered to be an abused, neglected or dependent child for that reason alone.		PASSED	12/18/03

2004:

State	Description	Introduced	Active	Passed
United States H.R. 1350	Prohibits State and local educational personnel from requiring a child to obtain a prescription for substances covered by the Controlled Substances Act as a condition of attending school, receiving an evaluation under IDEA, or receiving services.	20/3/03	PASSED	19/11/04
New Hampshire HB 551	A committee to study the prescription and use of psychotropic drugs in childcare centers, preschools, and public schools. Unless otherwise ordered by the court, the refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic drug to such child shall not, in and of itself, constitute grounds for a child to be taken into custody.	7/01/04	PASSED	15/06/04
United States H.R. 1350	Prohibits State and local educational personnel from requiring a child to obtain a prescription for substances covered by the Controlled Substances Act as a condition of attending school, receiving an evaluation under IDEA, or receiving services.	20/3/03	PASSED	19/11/04

2005:

State	Description	Introduced	Active	Passed
Florida SB 1090	Creates safeguards for parents in Florida from being coerced to put their children on dangerous psychotropic drugs or from being psychologically evaluated.	March, 2005	PASSED	May 27, 2005
Minnesota SF 2277	Provides that a parent's refusal to consent to the administration of a psychotropic drug or a psychiatric examination of a student shall not be used as grounds, by itself, for prohibiting the child from attending class or participating in a school-related activity. Further, the school district must not recommend that a student use a psychotropic drug.	28/04/05	PASSED	5/5/05

[Print this page](#)[Close Window](#)

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSSB 48(HES)
 (S) Publish Date: 4/13/06
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title: REFUSING PSYCHOTROPIC DRUGS AND TREATMENTS FOR CHILDREN
 RDU: Children's Services
 Component: Front Line Social Workers

Sponsor: DAVIS

Requester: SENATE (HES) Component No. 2305

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 48 proposes to accomplish three major things: 1) prohibit public schools from recommending mental health services and/or psychotropic medication for students; 2) prohibit public schools from reporting suspected abuse or neglect if the only concern is that a parent or guardian refuses to consent to proper mental health treatment for a child; and, 3) prohibit the DHSS from taking custody based solely on a parent or guardian's refusal to consent to proper mental health treatment for a child. There would be no fiscal impact to the department.

Prepared by: Tammy Sandoval, Deputy Commissioner

Division: Office of Children's Services

Approved by: Karleen Jackson, Commissioner

Agency: Department of Health and Social Services

Phone: 465-3191

Date/Time: 03/31/2006

Date: 03/31/2006

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: New Note
 Bill Version: CSSB 48(HESS)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Education & Early Development
 Title: "An Act relating to recommending or refusing RDU: Teaching & Learning Support
psychotropic drugs . . . Component: Student and School Achievement
 Sponsor: Davis
 Requester: (H)HESS Component No.: 2796

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 48 describes specific actions and communications in which school personnel may or may not engage related to psychiatric and behavioral evaluations and treatments. School personnel are prohibited from recommending or requiring that a child take or continue to take a psychotropic drug as a condition for attending school; conducting a psychiatric or behavioral evaluation of a child; recommending a specific physician, psychologist or other health specialist to a parent or guardian; recommending that the parent take a specific course of medical or psychiatric action; and reporting suspected child abuse or neglect based solely on whether a parent or guardian refuses to consent to a course of medical, psychiatric, psychological, or behavioral treatment or evaluation.

This is a zero fiscal note for EED.

Prepared by: Barbara Thompson, Director
 Division: Teaching & Learning Support
 Approved by: Roger Samson, Commissioner
 Agency: Education & Early Development

Phone: 465-8727
 Date/Time: 5/6/06 4:00 p.m.
 Date: 5/6/2006



Methylphenidate: Pros and Cons

What is methylphenidate?

Methylphenidate, usually known by the trade names Ritalin, Concerta, Metadate and others is one medicine used to treat the symptoms of Attention Deficit Hyperactivity Disorder (ADHD). Some children with ADHD do well using behavior training methods, and may not need a medicine. For other children, this medicine can improve attention, focus, goal-directed behavior, and organizational skills. As with any medicine, there are pros and cons to its use.

How does it work?

Methylphenidate is a stimulant medicine. Since children with ADHD are already over-stimulated, it is hard to understand how a stimulant drug will help to calm them down. Researchers think that the area of the brain that controls when to pay attention to certain activities and when to ignore other ones is immature and works poorly in people with ADHD. The medicine stimulates those areas of the brain so that the child can better pay attention and focus on his activities.

What are the pros?

The medicine works quickly so you'll know if it will help or not. The dosage may have to be adjusted by your health care provider. It is fairly inexpensive and has been used for many years. If your child is having problems with attention, focus, and being overactive in school, stimulant medicine may provide some relief. Benefits of this medicine often include:

- less trouble finishing classwork and homework
- less fidgeting e. squirming
- better control of emotions
- less impatience and impulsiveness
- better relationship with family and friends
- increased self-esteem.

What are the cons?

Many parents do not like the idea of medicating their child for any length of time. As with any medicine, it can have side effects. Some children will have few or no side effects. Other children may have to stop using it because of the side effects.

Some common side effects include:

- decrease in appetite
- headaches

- difficulty falling asleep
- irritability
- stomachaches.

Some children may become more active in the evening after the medicine has worn off. This can be an ordeal for families who are tired and stressed out at the end of the day. Some children will have problems sleeping.

Rarely, this medicine causes high blood pressure, weight loss, growth delays, or aggressive behavior. One to two percent of children on this medicine have facial twitches called tics. If your child already had tics, the medicine may make them worse. The tics get better if the medicine is stopped. A few children don't like the way the medicine makes them feel. Most, however, like being better able to concentrate on schoolwork and control their activity level.

About 25% of children with ADHD do not respond to methylphenidate, although some of these children will benefit from other ADHD medicines.

Should my child take methylphenidate?

There are several treatment approaches for ADHD other than medicine, such as:

- changes to the child's education program
- cognitive-behavioral therapy
- parent education
- social skills training.

Discuss the decision to medicate your child with your child's health care providers, school counselors, and teachers. Decide with your doctor if your child's symptoms are causing enough problems that a trial of this medicine is needed.

The medicine is not a cure. There is no cure for ADHD, though medicine can help manage some of the symptoms. If you decide to try medicine, plan a 1 to 4 week trial period. Your child is usually given a small dose at first, so it may be necessary to increase the dose. Be sure to have several people that interact with your child complete rating scales that relate to ADHD behavior after your child has been on the medication for a few weeks. Even if you do decide to try medicine, be sure to get an educational evaluation and use behavioral training methods to help your child as well.

This content is reviewed periodically and is subject to change as new health information becomes available. The information is intended to inform and educate and is not a replacement for medical evaluation, advice, diagnosis or treatment by a healthcare professional.

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Fairbanks Daily News-Miner

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Councilman backs bill affecting psychotropic drugs in schools
By CHRIS ESHLEMAN
Staff Writer

Monday, April 10, 2006 - A Fairbanks City Council member is asking the council to support a bill in Juneau that seeks to bar employees in public schools in Alaska from recommending the use of psychotropic drugs by students.

While he thinks it is rare that schools would require children to take drugs like Ritalin or Adderall as a prerequisite of attending, Councilman Lloyd Hilling said he is concerned that school employees in Alaska can recommend parents put their children on the drugs without enough understanding of the possible and proven side effects psychotropics can have.

"Let's let scientific research prove these psychotropic drugs," Hilling said. "Meanwhile, let's not be pushing them."

Hilling has put forward a resolution to the council that, if approved, would support a bill introduced last year in the Alaska Legislature. The bill, sponsored by state Sen. Bettye Davis, D-Anchorage, would, in part, prohibit school employees from recommending that a child take a psychotropic drug as a condition for attending a public school.

The bill has not moved from the Senate since it was introduced over a year ago, but a Senate committee plans to hold a public hearing on it Wednesday.

In a sponsor statement on her bill, Davis said it is important that only physicians suggest the use of psychiatric medication. Davis said the use of the drugs in schools has increased rapidly in recent years, and points to parents' concern regarding the issue of diagnosis.

"There are documented incidences of highly negative consequences in which psychiatric prescription drugs have been utilized for what are essentially problems of discipline," Davis' statement reads.

Hilling said the roles of schools in the prescription of psychiatric drugs has been a concern of his for years. A teacher at the University of Alaska Fairbanks and former teacher's aide, Hilling said he supports Davis' bill in part because it would help require parents around the state to go to doctors for advice without being biased through conversations with school employees.

Chris Eshleman can be reached at 459-7582 or ceshleman@newsminer.com.

March 23, 2006

Panel Advises Disclosure of Drugs' Psychotic Effects

By GARDINER HARRIS

GAITHERSBURG, Md., March 22 — Stimulants like Ritalin lead a small number of children to suffer hallucinations that usually feature insects, snakes or worms, according to federal drug officials, and a panel of experts said on Wednesday that physicians and parents needed to be warned of the risk.

The panel members said they hoped the warning would prevent physicians from prescribing a second drug to treat the hallucinations caused by the stimulants, which one expert estimated affect 2 to 5 of every 100 children taking them. Instead, they said, the right thing to do in such cases was to stop prescribing the stimulants.

On Feb. 9, a different advisory committee voted 8 to 7 to recommend that the Food and Drug Administration place its most serious warning label, a so-called black box, on the labels of stimulants to warn that they could have dangerous effects on the heart, particularly in adults. That recommendation grew out of reports that 25 people, mostly children, had died suddenly while taking the drugs.

Since Ritalin was first approved in the 1950's, stimulants to treat attention deficit disorder and hyperactivity have become among the most widely prescribed medicines in the world. In the United States alone, about 2.5 million children and 1.5 million adults take them; as many as 10 percent of boys ages 10 to 12 do

In addition to Ritalin, two other stimulants, Adderall and Concerta, are popular.

The drugs have been studied in hundreds of trials over five decades and have proven to be extremely effective. But they have always been controversial, with some experts saying they are overprescribed. It is a measure of the difficulty of uncovering the physiological effects of medicines that experts are only now grappling with some of the drugs' serious, though rare, physical and mental effects.

Dr. Thomas B. Newman, an epidemiologist at the University of California, San Francisco, who is a member of the pediatric advisory committee, estimated that out of 100 patients treated for a year with stimulants, 2 to 5 will suffer serious psychotic episodes like hallucinations.

"It's a small number, but it's real," said Dr. Robert M. Nelson, an intensive-care physician at Children's Hospital of Philadelphia and chairman of the committee.

Dr. Kate Gelperin, an F.D.A. drug-safety specialist, told the committee that the agency had discovered a surprising number of cases in which young children given stimulants suffered hallucinations. Most said that they saw or felt insects, snakes or worms, Dr. Gelperin said.

Dr. Gelperin described the case of a 12-year-old girl who said that insects were crawling under her skin. Another child was found by his parents crawling on the ground and complaining that he was surrounded by cockroaches. In both cases, the hallucinations disappeared after drug therapy was stopped. The boy's doctor persuaded his parents to give him stimulants again, and his hallucinations reappeared.

F.D.A. officials made clear to the advisory panel that they considered the reports of hallucinations a problem that deserved a label warning.

"We were struck by the hallucinations," said Dr. Rosemary Johann-Liang, deputy director of the division of drug-risk evaluation at the F.D.A. "We felt it was a drug effect."

The agency does not have to follow the conclusions of its advisory panels, but it usually does. Dr. Robert Temple, director of the Office of Medical Policy at the agency, said after the meeting that the agency would "turn quite quickly to implementing the recommendations we've gotten."

Dr. Temple added, "The area of uncertainty is what to do about the black-box warning on cardiovascular risks in adults."

After the advisory committee meeting in February, agency officials said they had no intention in the near future of placing such warnings on stimulant labels about their potential heart risks.

Wednesday's panel, made up mostly of experts in pediatric medicine and psychiatry, discussed only the potential risks of the drugs among children, while February's group focused mostly on the risks to adults. The pediatric panel agreed with the earlier group that children who have heart problems should probably not be given stimulants. But most children who die suddenly from heart ailments never knew they were at risk, and most children put on stimulant therapy are not given thorough heart evaluations.

"You can't screen 2.5 million children" with intensive heart evaluation tests, Dr. Nelson said.

Uncle Sam wants you – well, not everyone in prime recruiting age group

By Pauline Jelinek
ASSOCIATED PRESS

9:33 a.m. March 12, 2006

WASHINGTON – Uncle Sam wants YOU, that famous Army recruiting poster says. But does he really?

Not if you're a Ritalin-taking, overweight, Generation Y couch potato – or some combination of the above.

As for that fashionable "body art" that the military still calls a tattoo, having one is grounds for rejection, too.

With U.S. casualties rising in wars overseas and more opportunities in the civilian work force from an improved U.S. economy, many young people are shunning a career in the armed forces. But recruiting is still a two-way street – and the military, too, doesn't want most people in this prime recruiting age group of 17 to 24.

Of some 32 million Americans now in this group, the Army deems the vast majority too obese, too uneducated, too flawed some way, according to its estimates for the current budget year.

"As you look at overall population and you start factoring out people, many are not eligible in the first place to apply," said Doug Smith, spokesman for the Army Recruiting Command.

Some experts are skeptical.

Previous Defense Department studies have found that 75 percent of young people are ineligible for military service, noted Charles Moskos of Northwestern University. While the professor emeritus who specializes in military sociology says it is "a baloney number," he acknowledges he has no figures to counter it.

"Recruiters are looking for reasons other than themselves," said David R. Segal, director of the Center for Research on Military Organization at the University of Maryland. "So they blame the pool."

The military's figures are estimates, based partly on census numbers. They are part of an elaborate analysis the military does as it struggles each year to compete with colleges and companies for the nation's best and brightest, plan for future needs and maintain diversity.

The Census Bureau estimates that the overall pool of people who would be in the military's prime target age has shrunk as American society ages. There were 1 million fewer 18- to 24-year olds in 2004 than in 2000, the agency says.

The pool shrinks to 13.6 million when only high school graduates and those who score in the upper half on a military service aptitude test are considered. The 30 percent who are high school dropouts are not the top choice of today's professional, all-volunteer and increasingly high-tech military force.

Other factors include:

- the rising rate of obesity; some 30 percent of U.S. adults are now considered obese.
- a decline in physical fitness; one-third of teenagers are now believed to be incapable of passing a treadmill test.

■ a near-epidemic rise in the use of Ritalin and other stimulants to treat attention deficit hyperactivity disorder. Potential recruits are ineligible for military service if they have taken such a drug in the previous year.

Doctors prescribe these drugs to about 2 million children and 1 million adults a month, according to a federal survey. Many more are believed to be using such stimulants recreationally and to stay awake longer to boost academic and physical performance.

Other potential recruits are rejected because they have criminal histories and too many dependents. Subtract 4.4 million from the pool for these people and for the overweight.

Others can be rejected for medical problems, from blindness to asthma. The Army estimate has subtracted 2.6 million for this group.

That leaves 4.3 million fully qualified potential recruits and an estimated 2.3 million more who might qualify if given waivers on some of their problems.

The bottom line: a total 6.6 million potential recruits from all men and women in the 32 million-person age group.

In the budget year that ended last September, 15 percent of recruits required a waiver in order to be accepted for active duty services – or about 11,000 people of some 73,000 recruited.

Most waivers were for medical problems. Some were for misdemeanors such as public drunkenness, resisting arrest or misdemeanor assault – prompting criticism that the Army is lowering its standards.

This year the Army is trying to recruit 80,000 people; all the services are recruiting about 180,000.

about the tattoos: They are not supposed to be on your neck, refer to gang membership, be offensive, or in any way conflict with military standards on integrity, respect and team work. The military is increasingly giving waivers for some types of tattoos, officials said.

■ On the Net:

Defense Department career and aptitude exploration site: www.asvabprogram.com

Find this article at:

<http://www.signonsandiego.com/news/military/20060312-C933-unclesamwantsyou.html>

Check the box to include the list of links referenced in the article.

Sun-Sentinel.com

http://www.sun-sentinel.com/news/nationworld/ats-ap_health12mar16,1,3869296.story?track=1&cset=true

More Kids Are Getting Anti-Psychotic Drugs

By LINDSEY TANNER
AP Medical Writer

March 16, 2006, 8:07 PM EST

CHICAGO -- Soaring numbers of American children are being prescribed anti-psychotic drugs -- in many cases, for attention deficit disorder or other behavioral problems for which these medications have not been proven to work, a study found.

The annual number of children prescribed anti-psychotic drugs jumped fivefold between 1995 and 2002, to an estimated 2.5 million, the study said. That is an increase from 8.6 out of every 1,000 children in the mid-1990s to nearly 40 out of 1,000.

But more than half of the prescriptions were for attention deficit and other non-psychotic conditions, the researchers said.

The findings are worrisome "because it looks like these medications are being used for large numbers of children in a setting where we don't know if they work," said lead author Dr. William Cooper, a pediatrician at Vanderbilt Children's Hospital.

The increasing use of anti-psychotics since the mid-1990s corresponds with the introduction of costly and heavily marketed medications such as Zyprexa and Risperdal. The packaging information for both says their safety and effectiveness in children have not been established.

Anti-psychotics are intended for use against schizophrenia and other psychotic illnesses.

However, attention deficit disorder is sometimes accompanied by temper outbursts and other disruptive behavior. As a result, some doctors prescribe anti-psychotics to these children to calm them down -- a strategy some doctors and parents say works.

The drugs, which typically cost several dollars per pill, are considered safer than older anti-psychotics -- at least in adults -- but they still can have serious side effects, including weight gain, elevated cholesterol and diabetes.

Anecdotal evidence suggests similar side effects occur in children, but large-scale studies of youngsters are needed, Cooper said.

The researchers analyzed data on youngsters age 13 on average who were involved in annual national health surveys. The surveys involved prescriptions given during 119,752 doctor visits. The researchers used that data to come up with national estimates.

Cooper said some of the increases might reflect repeat prescriptions given to the same child, but he said that is unlikely and noted that his findings echo results from smaller studies.

The study appears in the March-April edition of the journal *Ambulatory Pediatrics*.

Heavy marketing by drug companies probably contributed to the increase in the use of anti-psychotic drugs among children, said Dr. Daniel Safer, a psychiatrist affiliated with Johns Hopkins University, who called the potential side effects a concern.

Safer said a few of his child patients with behavior problems are on the drugs after they were prescribed by other doctors. Safer said he has let these children continue on the drugs, but at low doses, and he also does periodic tests for high cholesterol or warning signs of diabetes.

Dr. David Fassler, a University of Vermont psychiatry professor, said more research is needed before anti-psychotics should be considered standard treatment for attention deficit disorders in children.

"Given the frequency with which these medications are being used, there's no question that we need additional studies on both safety and efficacy in pediatric populations," Fassler said.

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Introduced by: Council Member Hilling
Date: April 10, 2006

RESOLUTION NO. 4208

A RESOLUTION IN SUPPORT OF SENATE BILL 48, WHICH WOULD PROHIBIT SCHOOL PERSONNEL FROM RECOMMENDING OR REQUIRING PRECRIPTIONS OF PSYCHOTROPIC DRUGS FOR SCHOOL CHILDREN

WHEREAS, the family of psychotropic drugs, such as the Amphetamine-type Ritalin and Adderall, are often prescribed for school age children in Alaska; and

WHEREAS, school personnel often require or recommend to parents that these drugs be prescribed to ameliorate their children's behavior; and

WHEREAS, such drugs pose significant risk for a multitude of proven negative side effects, including negative transformations of personality and even death; and

WHEREAS, Alaska Senate Bill No. 48, "An Act relating to recommending or refusing psychotropic drugs or certain types of evaluations or treatments for children," is currently being debated in the Alaska State Legislature; and

WHEREAS, the SB 48 would amend the Alaska Statutes by adding 14.30.171, which reads in part "school personnel may not recommend..." [or require that a parent or guardian obtain a prescription for] "...a child to take or continue to take a psychotropic drug..." (a full copy of the Bill is attached);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fairbanks supports adoption of SB 48 and encourages the public to review the Bill and provide input to the legislature.

Passed and Approved this 10th day of April, 2006.

STEVE M. THOMPSON, MAYOR

APPROVED AS TO FORM

ATTEST:

Carol L. Colp CMC, City Clerk

Herbert P. Kuss, City Attorney

*Replaced
w/ \$ Note*

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSSB 48(HES)
(S) Publish Date: 4/13/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Education & Early Development
Title: "An Act relating to recommending or refusing
psychotropic drugs . . . RDU: Teaching & Learning Support
Sponsor: Davis Component: Student and School Achievement
Requester: HESS Component No.: 2796

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2006) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 48 describes specific actions and communications in which school personnel may or may not engage related to psychiatric and behavioral evaluations and treatments. School personnel are prohibited from recommending or requiring that a child take or continue to take a psychotropic drug as a condition for attending school; conducting a psychiatric or behavioral evaluation of a child; recommending a specific physician, psychologist or other health specialist to a parent or guardian; recommending that the parent take a specific course of medical or psychiatric action; and reporting suspected child abuse or neglect based solely on whether a parent or guardian refuses to consent to a course of medical, psychiatric, psychological, or behavioral treatment or evaluation.

Costs for school districts to implement provisions of this bill are indeterminate.

Prepared by: Barbara Thompson, Director
Division: Teaching & Learning Support
Approved by: Karen Rehfeld, Deputy Commissioner
Agency: Education & Early Development

Phone 465-8727
Date/Time 3/31/06 12:30 p.m.
Date 03/31/2006

SB

51

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 51
 (S) Publish Date: 1/12/05

Revision Date/Time (Note if correction):

Dept. Affected: Health & Social Services

Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM

RDU Public Assistance

Component Tribal Assistance

Sponsor (RLS) BY REQUEST OF THE GOVERNOR

Requester GOVERNOR

Component No. 2336

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8
Miscellaneous						
TOTAL OPERATING	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8

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

1002 Federal Receipts						
1003 GF Match	3,685.8	3,685.8	3,685.8	3,685.8	3,685.8	3,685.8
1004 GF						
1037 GF/Mental Health						
1007 Interagency Receipts	408.0	408.0	408.0	408.0	408.0	408.0
Other(Specify Type-do not abbreviate)						
TOTAL	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Under federal law, 12 Alaska Native regional non-profits and the village of Metlakatla are authorized to receive federal funds for the administration of tribal TANF programs. This legislation reauthorizes the Alaska Native family assistance grant program established under Chapter 96, SLA 2000, and gives the Department of Health & Social Services the ability to award and administer state grants to Native non-profit organizations to supplement their federally approved Tribal TANF Assistance programs. Approval of this legislation would maintain support for the three organizations currently running Tribal TANF programs and receiving state supplemental Native family assistance grant funds: TANF - Tanana Chiefs Conference (TCC), Central Council of Tlingit & Haida Indian Tribes of Alaska (T&H) and Association of Village Council Presidents (AVCP). In addition to reauthorizing the existing programs this bill would also include the other nine Alaska native non-profit organizations authorized in federal law to operate tribal TANF programs. Cook Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005. The fiscal note assumes implementation of the CITC

Prepared by: Katherine Farnham
 Division: Public Assistance
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone: 269-7930
 Date/Time: 12/07/2004
 Date: 12/10/2004

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FISCAL NOTE
FN # 1

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION

Analysis Continued:

program as planned and reflects the associated budget impacts.

State supplemental grant to CITC to operate tribal TANF in the Anchorage service area:

Funding for Native TANF program operation comes from the federal TANF block grant and is supplemented by state grant funds that would otherwise be spent to serve the same Native welfare recipients. This fiscal note reflects the 'transfer' of \$4,093.8 state funding to the Tribal Assistance component from the ATAP component to supplement the federal TANF for the operation of tribal TANF by CITC. Funds provided by this state grant will be used for the purpose of providing temporary assistance benefits to eligible families through CITC's tribal TANF program.

<u>Summary of all component impacts for CITCs NEAP</u>	Total	Federal	GFM	I/A
ATAP component	(6,727.0)	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8		3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	<u>-</u>	<u>-</u>
Total net fiscal impact for CITC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: SB 51
 (S) Publish Date: 1/12/05

Revision Date/Time (Note if correction):

Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM

Dept. Affected: Health & Social Services

RDU Public Assistance

Component Work Services

Sponsor (RLS) BY REQUEST OF THE GOVERNOR

Requester GOVERNOR

Component No. 2337

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)
Miscellaneous						
TOTAL OPERATING	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES (0)						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This legislation reauthorizes the Department of Health and Social Services (DHSS) to award and administer state funds under the Alaska Native family assistance grant program to support the operation of federally approved Tribal TANF programs. In addition to reauthorizing the existing programs this bill would also allow DHSS to provide grants to the other nine Alaska native non-profit organizations authorized in federal law to operate tribal TANF programs. Cook Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005.

The fiscal note assumes implementation of the CITC program as planned and reflects the budget impacts. Work Services is a budget category for case management staff and supportive service payments that assist TANF clients from welfare to work. This fiscal note deletes \$1,346.4 federal authority for the decline in Work Services component expenditure due to the transfer of the existing Native Temporary Assistance caseload in Anchorage to CITC.

Prepared by: Katherine Farnham
 Division: Public Assistance
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone 269-7930
 Date/Time 12/07/2004
 Date 12/10/2004

FISCAL NOTE
FN # 2

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION
Analysis Continued: Work Services

<u>Summary of all component impacts for CITCs NEAP</u>	Total	Federal	GFM	I/A
ATAP component	(6,727.0)	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8		3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	-	-
Total net fiscal impact for CITC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: SB 51
 (S ; Publish Date: 1/12/05
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM

RDU Public Assistance

Component ATAP

Sponsor (RLS) BY REQUEST OF THE GOVERNOR

Requester GOVERNOR

Component No. 220

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)
Miscellaneous						
TOTAL OPERATING	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES (0)						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	(563.2)	(563.2)	(563.2)	(563.2)	(563.2)	(563.2)
1003 GF Match	(5,755.8)	(5,755.8)	(5,755.8)	(5,755.8)	(5,755.8)	(5,755.8)
1004 GF						
1037 GF/Mental Health						
1007 Interagency Receipts	(408.0)	(408.0)	(408.0)	(408.0)	(408.0)	(408.0)
Other(Specify Type-do not abbreviate)						
TOTAL	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this Bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation reauthorizes the Department of Health & Social Services (DHSS) to award and administer state funds under the Alaska Native family assistance grant program to support the operation of federally approved Tribal TANF programs. The three organizations currently running programs and receiving Native family assistance grants are: Tanana Chiefs Conference (TCC) in the interior Doyon region, Central Council of Tlingit & Haida Indian Tribes of Alaska (T&H) in SE Alaska, and the Association of Village Council Presidents in the YK Delta. Approval of this legislation maintains state support for these programs at the current, status quo level (no fiscal impact or change for existing Native family assistance programs). In addition to reauthorizing the existing programs this bill would also allow DHSS to provide grants to the other nine Alaska native non-profit organizations authorized in federal law to operate tribal TANF programs. Cool Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005. This fiscal note assumes implementation of the CITC program on July 1, 2005 and reflects the associated budget impacts.

Prepared by: Katherine Farnham

Phone 269-7930

Division: Public Assistance

Date/Time 12/07/2004

Approved by: Joel S. Gilbertson, Commissioner

Date 12/10/2004

Agency: Department of Health and Social Services

FISCAL NOTE
FN # 3

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION

Analysis Continued:

State supplemental grant to CITC to operate tribal TANF in the Anchorage service area:

Funding for tribal TANF program operations comes from the federal TANF block grant and is supplemented by state grant funds that would otherwise be spent to serve the same number of Native families receiving assistance from the State's temporary assistance program. This fiscal note reflects the 'transfer' of \$4,093.8 in state funding from the ATAP component to the Tribal Assistance component to support the operation of tribal TANF administered by CITC. Funds provided by this state grant supplement CITC's federal TANF block grant and will be used for purpose of providing temporary assistance payments to eligible families through the CITC tribal TANF program.

Native Operated TANF programs & Changes in MOE

The state maintenance of effort (MOE) requirement for TANF is based on the state share of AFDC expenditures in FFY1994. In order to earn the annual TANF block grant, states must spend at least 75-80 percent of their FFY 1994 spending. Federal law allows designated Native organizations to operate their own TANF programs and to receive TANF grants directly from the federal government. The federal grants for Native TANF reduce the state block grant amount dollar for dollar. In addition, the required state maintenance of effort (MOE) is reduced.

State general funds savings of roughly \$25 million have been previously deleted from the ATAP budget to a level equal to the minimum 75% MOE amount. Due to CITC implementing a new tribal TANF program, DHSS can reduce the required MOE by an additional \$2,070.0 million GF. This fiscal note changes ATAP component funding sources by deleting \$2,070.0 GF (MOE) and replacing with federal TANF authority. The change in fund source assumes a reduction in state TANF MOE amount due to the implementation of the CITC tribal TANF program.

Delete excess Federal TANF - ATAP caseload transfers to CITC

This fiscal note deletes \$2,633.2 federal budget authority for the projected decline in ATAP component formula payments due to the transfer of the existing Native Temporary Assistance caseload in Anchorage to CITC.

<u>Summary ATAP component impacts</u>	Total	Federal	GFM	I/A
"Transfer" to Tribal Assistance component	(4,093.8)	-	(3,685.8)	(408.0)
Delete GFM to the revised MOE floor	-	2,070.0	(2,070.0)	-
Delete excess federal TANF federal authority	<u>(2,633.2)</u>	<u>(2,633.2)</u>	-	-
ATAP component net change	(6,727.0)	(563.2)	(5,755.8)	(408.0)

<u>Summary of all component impacts for CITC's NEAP</u>	Total	Federal	GFM	I/A
ATAP component	(6,727.0)	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8		3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	-	-
Total net fiscal impact for CITC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: SB 51
 (S) Publish Date: 1/12/05
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM RDU Public Assistance
 Component Child Care Benefits

Sponsor (RLS) BY REQUEST OF THE GOVERNOR

Requester GOVERNOR Component No. 1897

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)
Miscellaneous						
TOTAL OPERATING	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)

CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation reauthorizes the Department of Health & Social Services (DHSS) to award and administer state funds under the Alaska Native family assistance program to support the operation of federally approved Tribal TANF programs. In addition to reauthorizing the existing Native Family Assistance Programs (NFAP), this bill would also allow DHSS to provide grants to the other nine Alaska Native non-profit organizations authorized in federal law to operate tribal TANF programs. Cook Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005.

The fiscal note assumes implementation of the CITC program on July 1, 2005, and reflects the associated budget impacts. Child Care benefits are direct subsidies paid to childcare providers for TANF families. This fiscal note deletes \$931.5 federal budget authority for the decline in childcare expenditures due to the transfer of the existing Native Temporary Assistance caseload in Anchorage to CITC.

Prepared by: Katherine Farnham
 Division: Public Assistance
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone: 269-7930
 Date/Time: 12/07/2004
 Date: 12/10/2004

STATE OF ALASKA
 2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION
 Analysis Continued: Child Care Benefits

<u>Summary of all component impacts for CITCs NEAP</u>	Total	Federal	GFM	I/A
ATAP component	(6,727.0)	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8		3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	<u>-</u>	<u>-</u>
Total net fiscal impact for CITC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

State of Alaska
Department of Health & Social Services

Frank H. Murkowski
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
FACT SHEET



Joel Gilbertson
Commissioner
907-465-3030
FAX: 907-465-3068
www.hss.state.ak.us

April 18, 2005

Reauthorization of the Native Family Assistance Program Fact Sheet

- Federal law authorizes 13 Alaska Native regional non-profit agencies to deliver their own unique tribal TANF programs to their members. Currently, three non-profit agencies operate tribal TANF programs that serve 995 families in Alaska.
- These tribal agencies have successfully administered TANF programs that reflect the unique needs and conditions in local communities while moving tribal members from welfare to work. Tribes have the knowledge and experience to provide culturally relevant services to their members.
- Tribal TANF programs are funded with federal dollars; tribal providers receive a share of the state's TANF block grant equal to the amount formerly expended by the state to serve tribal members.
- Both Alaska state and tribal officials agree that federal funds alone are insufficient for operation of a viable tribal TANF program. Moreover, federal law requires Alaska tribal TANF programs be comparable to the state-run TANF program. In response, state law passed in 2000 authorizes the Department of Health and Social Services to supplement four of the 13 non-profit agencies with Native Family Assistance Program grants (NFAP). NFAP grants are based on the amount of state funds formerly expended by the state to serve tribal members. This law will sunset on June 30, 2005. In 2004, the three tribal TANF programs currently operating in Alaska received approximately \$8.7 million in NFAP grants.
- Interest in development of tribal TANF programs in Alaska is on the rise. The Division of Public Assistance reports that three additional Native non-profit organizations have formally begun the process of developing tribal TANF programs.

CSSB 51:

- Reauthorizes the Native Family Assistance Program and places its provisions in permanent statute.
- Expands eligibility for NFAP grants to all 13 federally authorized tribal TANF providers.
- Ensures the viability of current tribal TANF programs and supports the development of additional locally operated and culturally relevant Tribal TANF programs.

The net impact of CSSB 51 is a GF savings of \$2,070.0

Summary ATAP component impacts	Federal	GFM	I/A	Total
ATAP component	(563.2)	(5,755.8)	(408.0)	(6,727.0)
Tribal Assistance	-	3,685.8	408.0	4,093.8
Work Services Component	(1,346.4)	-	=	(1,346.4)
Child Care Benefits component	(931.5)	-	-	(931.5)
Total net fiscal impact for CITC Native TANF	(2,841.1)	(2,070.0)		(4,911.1)

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 110601
JUNEAU, ALASKA 99811-0601
PHONE: (907) 465-3030
FAX: (907) 465-3068

March 29, 2005

Honorable Kevin Meyer, Co-Chair
House Finance Committee
Alaska State Capitol; Rm. 515
Juneau, AK 99801-1182

Dear Representative Meyer,

The Department of Health and Social Services respectfully requests a hearing in the House Finance Committee on Senate Bill 51 "An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native Assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

This bill would reauthorize the Alaska Native Family Assistance Grant Program established in Chapter 96, SLA 2000 as a temporary pilot program. In addition to reauthorizing the pilot program on a permanent basis in statute, the bill also would allow the remaining nine Alaska nonprofit organizations authorized in federal law to participate in the program.

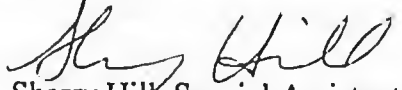
The bill was previously heard by the Senate (CRA) Committee and the Senate (HES) Committee and moved from each committee without amendment. The Senate Finance Committee heard the bill and recommended it be replaced with a Finance Committee Substitute that clarified that in the event of future reductions in federal funds, the State is under no obligation to replace those lost funds with state general funds. The Finance Committee substitute passed the Senate unanimously. The department supports the Senate (FIN) Committee substitute.

House Bill 69 is the companion legislation. The House (CRA) Committee and House (HES) Committee have previously heard the bill. House Bill 69 passed from each committee without amendment.

A copy of Governor Murkowski's transmittal letter providing additional information on the bill and the associated fiscal note should be on file with the committee. A sectional analysis of the bill will be provided to the committee prior to a hearing.

Your favorable consideration of this request will be appreciated.

Sincerely,


Sherry Hill, Special Assistant
Office of the Commissioner

cc: Kevin Jardell, Legislative Director
Office of the Governor

Katherine Farnham, Deputy Commissioner
Office of Children's Services

Sectional Analysis

Bill No. CSSB 51 (FIN)

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date

HB 51 was amended in (S) Finance to include a provision to ensure that the state would not be obligated to fund the NFAP program at current levels, or replace declining federal funds with state general funds.

Section 1:

Amends AS 47.27 by adding a new article authorizing the Department of Health and Social Services (DHSS) to award and administer Alaska Native family assistance program (NFAP) grants. NFAP grants and programs operated under NFAP grants need not conform to legislative provisions authorizing the state administered Alaska Temporary Assistance Program (ATAP).

Outlines requirements for eligibility for an NFAP grant by specifying:

- which entities are eligible for NFAP grants under this legislation. AS 47.27.070 references the 12 Alaska Native non-profit corporations and the Metlakatla Indian Community of the Annette Islands Reserve;
- only tribes with a federally approved tribal TANF plan and those that agree to operate a tribal family assistance program under an approved plan are eligible for grant;
- the plan approved under this section must be operated on a state fiscal year basis;
- the process the department will use for approving an NFAP grant;
- guidelines for determining the grant amount;
- standards the program must meet for plan approval by the department;
- provisions for safeguarding confidentiality record sharing, data and fiscal record collection and exchange, and termination of the program.

Specifies that a person residing in an area covered by a tribal family assistance plan will be served only through that tribal organization and outlines an appeal process.

Requires that a participant in an Alaska Native family assistance program assign to that program all rights to ongoing child support and cooperate with all CSSD enforcement activities unless the program finds the participant has good cause for refusing to cooperate.

Requires a Native family assistance program to provide CSSD with information needed to make a valid child support assignment, and specifies the applicability of AS 25.27 (Child Support Services Agency) to a recipient under an Alaska Native family assistance program.

Clarifies that the department is not obligated to fund an Alaska Native family assistance grant program at a previous funding level or to replace lost federal funds with state funds.

Section 2:

Amends AS 47.27 by adding a new article establishing the authority of DHSS to develop and implement regional public assistance plans and programs and authorizes the department to award contracts for the implementation of regional assistance programs. Contracts under this section are exempt from competitive bid requirements of the state procurement code. Under this section, DHSS can only contract for the implementation of a regional public assistance program if:

- the Alaska Native organization is authorized to operate a federally approved tribal assistance program;
- the organization has been awarded an NFAP grant;
- the regional plan will serve eligible state residents not covered by the federally approved tribal assistance program;
- the organization agrees to provide state public assistance identical to that provided by the federally approved tribal family assistance plan;
- the organization provides an appeals process for applicants or recipients that uses the same methodology available under the federally approved plan.

Mandates that recipient records be kept confidential.

Section 3:

Defines "Alaska Native family assistance grant;" "Alaska Native family assistance programs;" "federally approved tribal family assistance plan.

Section 4:

Provides authority for DHSS to adopt transitional regulations

Section 5:

Provides Revisor's instructions.

Section 6

Establishes an effective date of June 30, 2005.

State of Alaska
Department of Health & Social Services

Frank H. Murkowski
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
FACT SHEET



Joel Gilbertson
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January 10, 2005

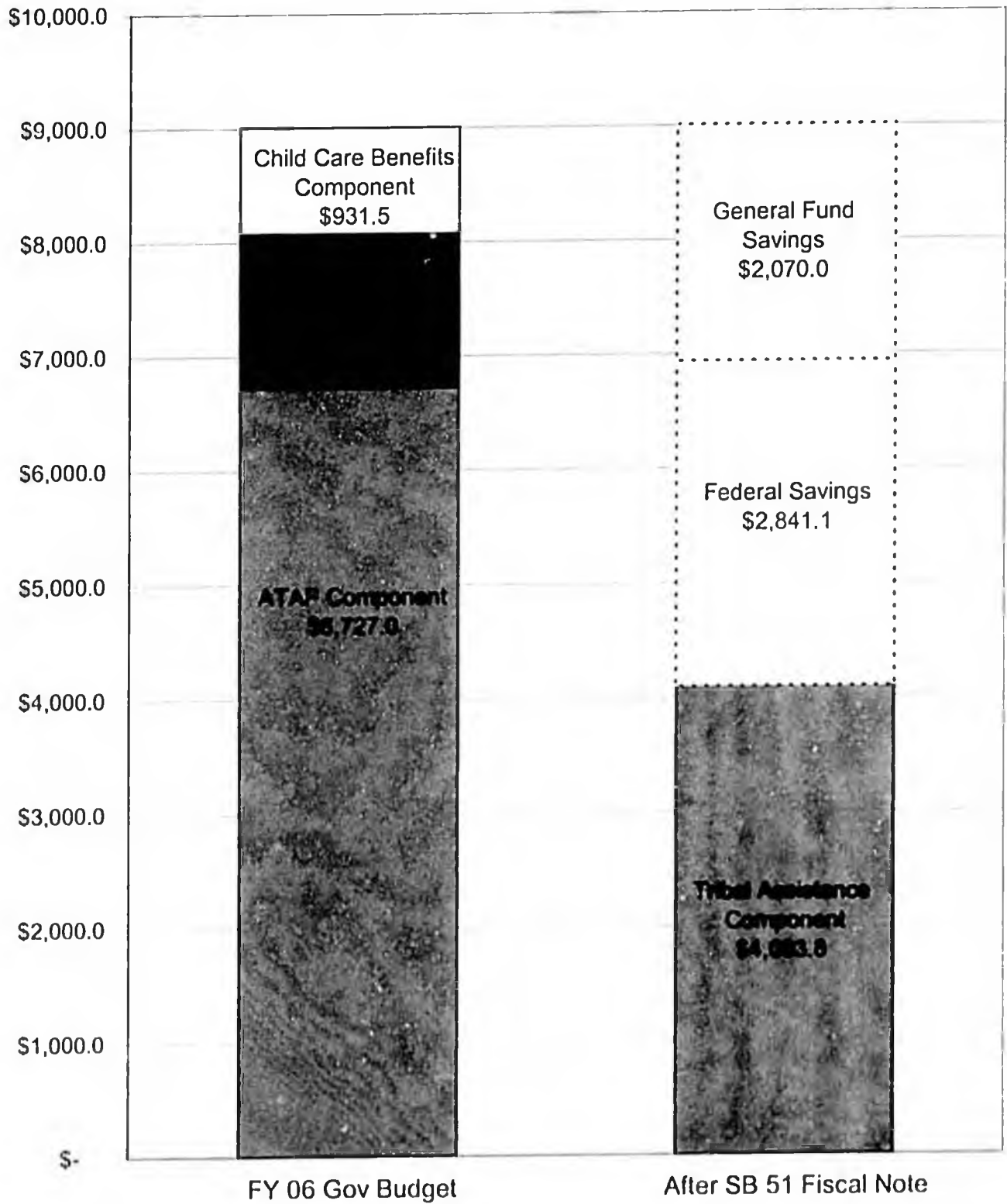
Reauthorization of the Native Family Assistance Program Fact Sheet

- Federal law authorizes 13 Alaska Native regional non-profit agencies to deliver their own unique tribal TANF programs to their members. Currently, three non-profit agencies operate tribal TANF programs that serve 995 families in Alaska.
- These tribal agencies have successfully administered TANF programs that reflect the unique needs and conditions in local communities while moving tribal members from welfare to work. Tribes have the knowledge and experience to provide culturally relevant services to their members.
- Tribal TANF programs are funded with federal dollars; tribal providers receive a share of the state's TANF block grant equal to the amount formerly expended by the state to serve tribal members.
- Both Alaska state and tribal officials agree that federal funds alone are insufficient for operation of a viable tribal TANF program. Moreover, federal law requires Alaska tribal TANF programs be comparable to the state-run TANF program. In response, state law passed in 2000 authorizes the Department of Health and Social Services to supplement four of the 13 non-profit agencies with Native Family Assistance Program grants (NFAP). NFAP grants are based on the amount of state funds formerly expended by the state to serve tribal members. This law will sunset on June 30, 2005. In 2004, the three tribal TANF programs currently operating in Alaska received approximately \$8.7 million in NFAP grants.
- Interest in development of tribal TANF programs in Alaska is on the rise. The Division of Public Assistance reports that three additional Native non-profit organizations have formally begun the process of developing tribal TANF programs.

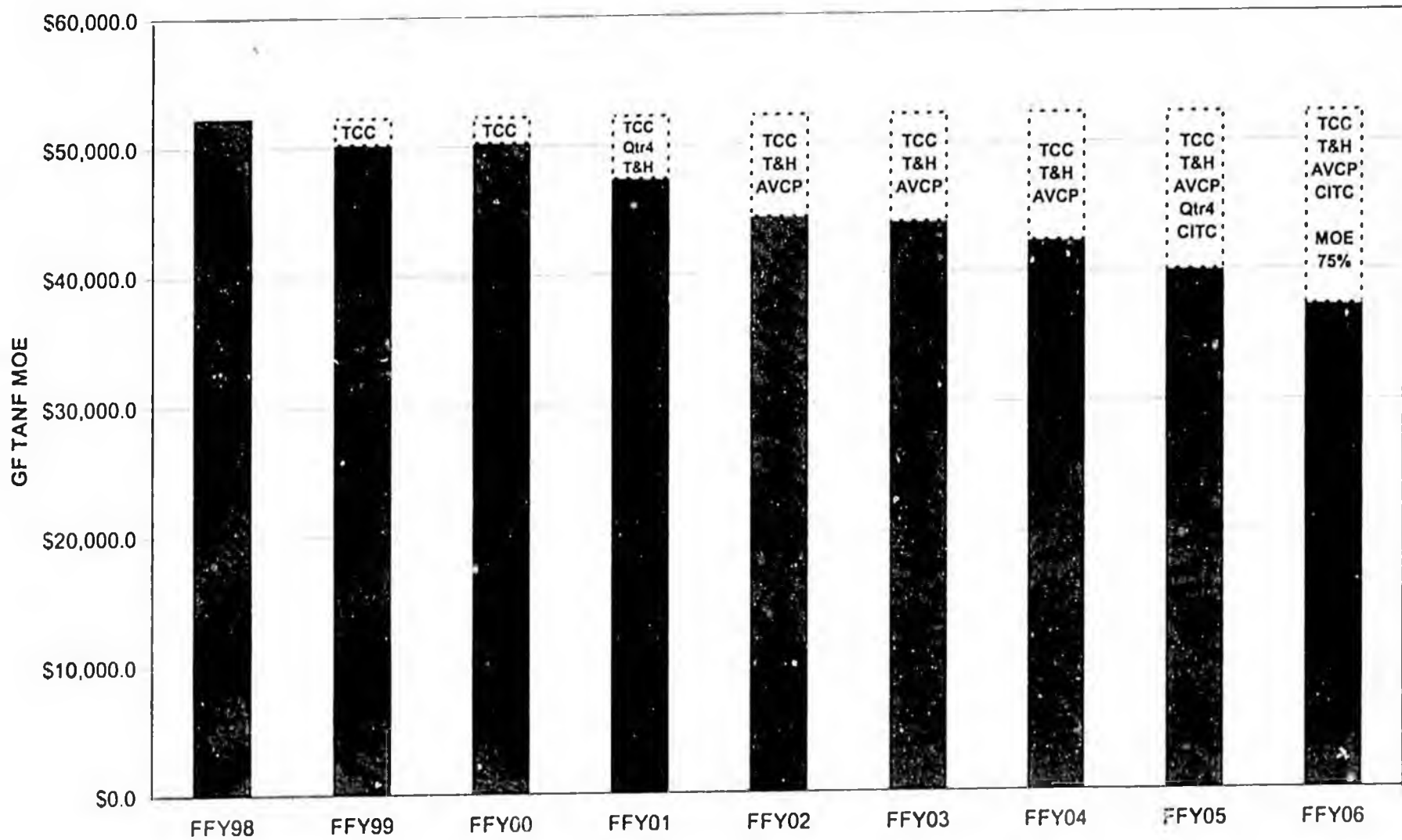
CSSB 51:

- Reauthorizes the Native Family Assistance Program and places its provisions in permanent statute.
- Expands eligibility for NFAP grants to all 13 federally authorized tribal TANF providers.
- Ensures the viability of current tribal TANF programs and supports the development of additional locally operated and culturally relevant Tribal TANF programs.

FY06 Budget Impact for State-CITC Transfer



**TANF General Fund Maintenance of Effort (MOE)
Spending and Savings Due to Tribal TANF**



Native Family Assistance Program

Report to the Alaska Legislature on the Pilot Projects



Department of Health and Social Services
Division of Public Assistance
January 2005

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Alaska Native Family Assistance Program Pilot Projects

Executive Summary

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) ended the individual entitlement to welfare cash benefits and established a cap on federal funding in the form of a fixed block grant. In exchange for this new method of funding, states were allowed more flexibility in the administration of their Temporary Assistance for Needy Families (TANF) programs.

PRWORA also gave American Indian and Alaska Native organizations authority, as well as access to federal funding, to operate TANF programs through their own tribal organizations. In response, 37 tribal TANF programs currently operate on behalf of 175 tribes and serve over 8,400 families nationwide. A 2001 report published by the National Congress of American Indians estimates that a third of all American Indian and Alaska Native TANF recipients received support through tribal TANF programs in 2001.



PRWORA also specifies which Native entities are eligible to operate tribal TANF programs in Alaska. These are limited to the Metlakatla Indian Community of the Annette Island Reserve and the twelve Alaska Native regional non-profit corporations.

The 21st Alaska Legislature passed Chapter 96, SLA 2000 that allows the Alaska Department of Health and Social Services to supplement four of the thirteen federally authorized tribal TANF providers in Alaska with "Native Family Assistance Program" grants (NFAP). NFAP was authorized as a pilot program with a sunset date of June 30, 2005. The legislation also required the Department of Health and Social Services to deliver a report detailing the status of the tribal TANF pilot programs operating in Alaska, and making recommendations for the reauthorization and expansion of the NFAP program.

Three tribal TANF programs are currently operating in Alaska. The Tanana Chiefs Conference in the Doyon Region, the Central Council of Tlingit and Haida Indian Tribes in the Sealaska Region of southeast Alaska, and the Association of Village Council Presidents in the Yukon-Kuskokwim delta Calista Region now serve a total of 970 families, nearly 20% of all families receiving TANF services in Alaska. Consistent with the TANF goal of family self-sufficiency, tribal TANF programs in Alaska strongly support moving tribal members from welfare to work. Since the first Alaska tribal TANF program began operation in 1999, the number of Alaska Native tribal TANF recipients has dropped by over 33 percent.

From the outset, the State of Alaska has supported the establishment and development of the tribal TANF programs. The NFAP program affirms the state's interest in promoting regional responsibility and local control for public assistance programs in Alaska. Families served by

tribal TANF programs have been successful in leaving welfare for employment and self-sufficiency. Moreover, interest in the development of Tribal TANF programs is increasing. Three additional tribal organizations have begun the process of formally planning their tribal TANF program.

The Alaska Department of Health and Social Services makes the following recommendations in regard to the Native Family Assistance Program:

Reauthorize the Native Family Assistance Program.

Across the nation, federal welfare reform has been successful in moving families from welfare to work. The three tribal programs currently operating in Alaska have successfully administered TANF programs that reflect the unique needs and conditions in local communities while effectively moving tribal members towards self-sufficiency through employment. Tribes have a better grasp of social and economic conditions that inform their work and allow them to tailor services based on the unique needs of local communities. This local presence and familiarity with village and community life puts the tribes in the best position to administer their programs and to successfully promote self-sufficiency for their clients.

Both state and tribal officials agree that federal funds alone are insufficient for the successful operation of a tribal TANF program that is comparable to the state run program. Supplementing tribal TANF programs with Native Family Assistance grants will maximize federal block grant funds available to tribes, and will promote effective welfare-to-work service delivery models for rural Alaska. The Alaska Legislature should pass the Governor's proposed legislation that will make the NFAP program permanent.

Expand availability of Native Family Assistance grants to all tribal groups authorized in federal law to operate tribal TANF programs.

Three additional Native non-profits not currently authorized to receive Native Family Assistance Grants are actively planning tribal TANF programs as authorized in federal law. At least one additional non-profit has expressed interest revealing a strong trend toward development of tribal TANF programs in Alaska. Expansion of the availability of Native Family Assistance grants will ensure that all tribal organizations federally authorized to deliver tribal TANF programs will have the opportunity to access the necessary state resources and provide effective and innovative public assistance programs to their members.

Alaska Native Family Assistance Program Pilot Projects

Introduction

The 21st Alaska Legislature passed Chapter 96, SLA 2000 authorizing the Alaska Department of Health and Social Services (DHSS) to award and administer Alaska Native Family Assistance Program (NFAP) grants to Native non-profit organizations operating tribal Temporary Assistance for Needy Families (TANF) programs. The law provides that these grants are available on a pilot basis to four Alaska Native tribal entities: Metlakatla Indian Community of the Annette Island Reserve, the Association of Village Council Presidents, the Tanana Chiefs Conference, and the Tlingit-Haida Central Council. The law also requires DHSS to report to the Governor and the Legislature on the status of these pilot programs, and to make recommendations regarding the continuation of the NFAP program and expansion of the program to make grants available to all Alaska Native non-profit organizations authorized to receive federal funds to operate tribal TANF programs in Alaska. Chapter 96, SLA 2000 will sunset on June 30, 2005.

This report will provide background on the authorization and funding of tribal TANF programs, present information on the status of tribal TANF programs operating in Alaska, and make recommendations as to the continuation and expansion of the NFAP grant program.

Background

The passage of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), commonly known as "welfare reform," changed the face of welfare in America. After years of growing caseloads, the new law ended the individual entitlement to welfare cash benefits and established a cap on federal funding in the form of a fixed block grant. In exchange for this new method of funding, states were allowed a great deal more flexibility in the administration of their programs. This devolution of authority to states was similarly extended to American Indian and Alaska Native organizations. For the first time in history, Native people were authorized by the federal government to run a major welfare program through their own tribal governments and organizations.

To be eligible to operate a tribal TANF program, a Native entity must complete a Tribal Family Assistance Plan and submit it for approval to the Secretary of the U.S. Department of Health and Human Services. The plan must outline the tribe's approach to providing welfare-related services, specify which entity or entities will be providing the services, define the population and service area, provide that duplicative services will not be provided by a state or other tribe, identify employment opportunities in the area and how the tribe will enhance those opportunities for TANF recipients, and apply certain fiscal accounting and auditing procedures.

As of FY 2002, 36 tribal TANF plans were approved to operate on behalf of 175 tribes serving over 8,400 families nationwide. A 2001 report published by the National Congress of American Indians estimates that a third of all American Indian and Alaska Native TANF recipients

received support through tribal TANF programs in 2001. Figure 1 shows the growth in tribal TANF programs since their inception in 1997.

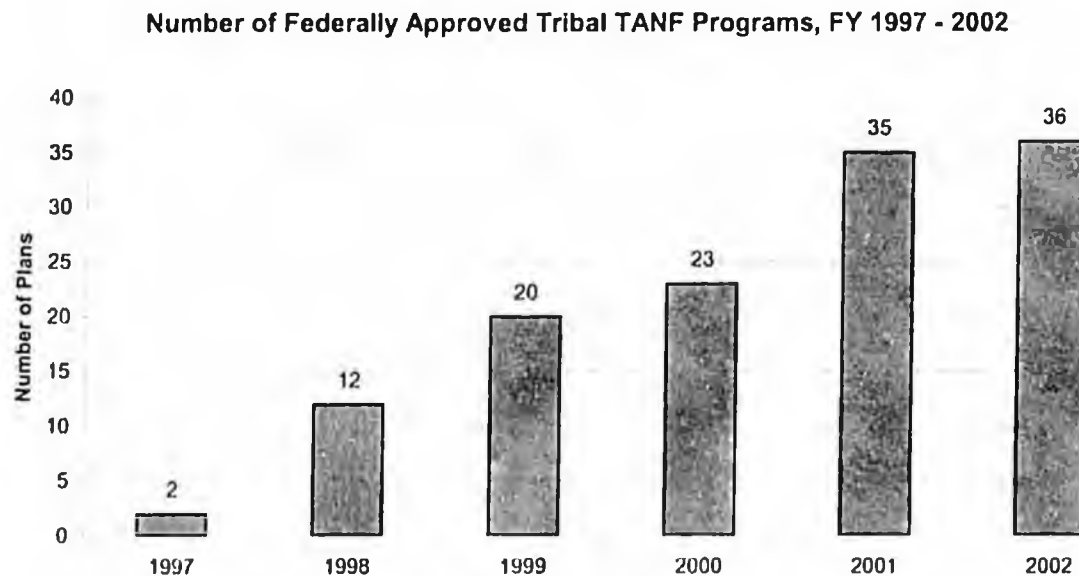


Figure 1

PRWORA also specifies which Native entities are eligible to operate Tribal TANF programs in Alaska. These are limited to the Metlakatla Indian Community of the Annette Island Reserve and the twelve Alaska Native regional non-profit corporations: Arctic Slope Native Association, Kawerak, Inc., Maniilaq Association, Association of Village Council Presidents, Inc., Tanana Chiefs Conference, Cook Inlet Tribal Council, Bristol Bay Native Association, Aleutian and Pribilof Islands Association, Chugachmiut, Tlingit and Haida Central Council, Kodiak Area Native Association, and Copper River Native Association. The law also contains a special rule for Alaska requiring certain aspects of tribal programs to be comparable to the state's TANF program. The federal Department of Health and Human Services in consultation with the tribes and the State of Alaska established these "comparability criteria" to include certain program eligibility criteria, benefit levels, minor parent requirements, work participation and child support enforcement. Chapter 96, SLA 2000, which established the Native Family Assistance Program, mirrors federal law by authorizing the state to coordinate with these Native organizations in the development of their Native family assistance programs.

Alaska currently has three tribal TANF programs serving nearly 20% of all TANF families in Alaska. From the outset, the State of Alaska has supported the establishment and development of the tribal TANF programs. Just as the devolution of authority from the federal government to the state has allowed for the success of welfare reform in Alaska, so has the authority granted to Native organizations provided a better framework for meeting the unique circumstances facing Alaska Native families on welfare. Programs run locally by Native organizations are more culturally relevant, better attuned to local economic circumstances, and better coordinated with other social services provided by Native organizations. Tribal TANF programs provide for an

added measure of Native self-governance and self-determination and ultimately, are better equipped to achieve the purposes of PRWORA.

Funding Tribal TANF: Federal Block Grant & Alaska Native Family Assistance Program

The federal funding provisions regarding tribal TANF programs are contained in Section 412 of PRWORA. The law establishes that the federal Department of Health and Human Services fund tribes who have submitted an approved tribal family assistance plan with a portion of the state's TANF block grant. The share of the state's block grant that is transferred to a tribal TANF program is based on the amount of federal funds spent by the state in 1994 for Native families residing in the service area identified by the tribe in their tribal family assistance plan.

While PRWORA is silent on the issue of state funding for tribal TANF programs, both the state Department of Health and Social Services and the TANF-authorized tribes concur that in order for tribal organizations to successfully operate state-comparable programs, they require both federal and state financial support. This agreement, along with interest of three Alaska tribal entities in providing TANF programs, provided the impetus for passage of Chapter 96, SLA 2000 and the development of the Native Family Assistance Program (NFAP) in Alaska.

The principle that guides the level of state funding provided to tribal TANF programs through NFAP grants is that the amount should be fair and equitable when compared to the level of state funding for the Alaska Temporary Assistance Program. To achieve this end, the state considers the total amount of federal and state money that would otherwise be used to provide Temporary Assistance to Native families living in the designated service area in a given base year. Five funding categories are included: cash benefits, childcare assistance, work services (case management, supportive services, transportation, client training, etc.), eligibility determination services and administration. From this total, the federal block grant and the state's share of child support collected on behalf of the tribal TANF families are deducted. The difference is issued as a Native family assistance grant. The state grant has been considered a block grant so that the Native program operates under the same fixed funding parameters as the state's TANF program.

NFAP grants are negotiated yearly with tribal TANF providers and funds are transferred on a quarterly basis. NFAP grants are expended solely on cash benefit payments, except for administrative costs not to exceed 15 percent of the total grant amount.

There are currently three Tribal TANF programs receiving Native Family Assistance Grants: the Tanana Chiefs Conference (TCC), the Tlingit and Haida Central Council (T&H), and the Association of Village Council Presidents (AVCP).

Table 1 shows the amounts granted between FY 1999 and FY 2004.

Native Family Assistance Grants, FY 1999 - 2004

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	Total
Tanana Chiefs	\$2,405,200	\$2,405,200	\$2,405,200	\$2,405,200	\$2,405,200	\$2,405,200	\$14,431,200
Tlingit & Haida			\$2,575,500	\$2,575,500	\$2,575,500	\$2,575,500	\$10,302,000
Assoc. of Village Council Presidents			\$3,740,400	\$3,740,400	\$3,740,400	\$3,740,400	\$24,733,200
TOTAL	\$2,405,200	\$2,405,200	\$8,721,100	\$8,721,100	\$8,721,100	\$8,721,100	\$39,694,800

Table 1

Native Family Assistance Program Grant Oversight

Tribal providers who receive NFAP grants enter into a contractual agreement with the State of Alaska to provide timely and accurate cash assistance, eligibility services, case management and other welfare-to-work services, supportive services, child care assistance and administrative support to all eligible families living within their service area. The contract requires tribal providers to report monthly to DPA describing the amount of grant funds expended for TANF program benefits. Contract provisions also include an agreement between tribal providers and the state to share information, work cooperatively and coordinate services to eligible families.

The NFAP contract requires that tribes establish an eligibility and data management computer system that will capture and provide information needed for an interface between the Division of Public Assistance Eligibility Information System (EIS), the Child Support Services Division (CSSD) and the tribal program. The tribal program must agree to cooperate with CSSD to establish paternity and to establish, modify, or enforce a child support order for a dependent child.

The NFAP contract allows DPA to monitor and evaluate the tribal TANF program to assure that grant money is being used to serve eligible families. Such oversight items may include:

- Accurate eligibility and benefit determinations;
- Penalties, sanctions, and disqualification;
- Benefits issuance;
- Maximum payment levels;
- Minor Parent living arrangement and school attendance requirements;
- Child support cooperation;
- Coordination with other public assistance programs such as Medicaid, Food Stamps, Adult Public Assistance, Chronic and Acute Medical Assistance, and General Relief Assistance;
- Adequate case file documentation;
- Adequate and timely notice of adverse actions;
- Tracking 60-month time limit and appropriate exemptions; and
- Fair Hearing and Appeal process.

Should the tribal TANF provider fail to comply with the terms of the NFAP grant, DPA has the authority to suspend the grant until the provider takes corrective action or successfully appeals the suspension. To date, no tribal provider has been found to be out of compliance with the terms of their NFAP grant.

Development of Tribal TANF Programs in Alaska

The decision to assume responsibility for a tribal TANF program is a significant and complex decision for tribal organizations. Operating TANF presents important opportunities, but can also pose risks that may result in harm to the most vulnerable tribal members. To mitigate these risks and to build consensus among members, tribal TANF providers in Alaska undertook a rigorous decision-making and planning process.



The first step in planning for tribal TANF involved consensus building among tribal members. Tribal providers conducted regional, local and village meetings and teleconferences to discuss state and federal welfare reform legislation and its implications for Tribal TANF programs. Region-wide surveys of tribal preferences in program design were conducted and draft concept papers based on consensus elements of the survey were developed and circulated for discussion.

The thirteen Alaska tribes federally authorized to operate TANF programs worked cooperatively with the State of Alaska to reach agreement on the outline for a draft Tribal Family Assistance Plan (TFAP). A group known as the "Single Point of Contact" state and tribal representatives, or SPOC group, met regularly with a Native rights attorney hired by the tribes to come to consensus on such issues as the definition of a tribal service area, who would be served by a tribal TANF program, and the of comparability of state and tribal TANF programs. The SPOC group developed a model TFAP that became the template for Tribal TANF plans in Alaska.

Each tribal provider developed a draft TFAP that was reviewed by villages and communities in the service area. Final drafts of the plans were reviewed and approved by the Board of Directors of each Tribal entity and submitted to the Federal Department of Health and Human Services. Federal staff reviewed each tribe's plan and provided feedback as part of the approval process.

The experiences of Alaska's tribal TANF providers indicate that developing a sound TFAP requires more than meeting statutory requirements and following DIHS rules. The tribes have to define their own objectives and rules, negotiate terms with the state, and assemble resources for planning and start-up. Tribes decide to operate their own TANF program primarily because they believe they provide a better service to their members and achieve better employment outcomes by coordinating with Native employment programs. The TFAP is an opportunity to articulate the mission and goals of the tribal TANF program and to design the program

accordingly, including defining expectations for participation, acceptable work activities and sanction policies.

All three tribal TANF providers worked with the state in developing their TFAPs, and also received federal guidance. State staff provided information and guidance about staffing levels, policy and procedures and information systems needed to operate their programs. The state provided training and technical assistance including the collocation of state staff at tribal program facilities to assist in ongoing training and support.

While the state provided valuable technical assistance to help tribes develop their TANF plans, PRWORA does not provide any start-up funds to support planning or information system development prior to the approval of a tribal plan by DHHS and the subsequent grant award. In-kind support such as useful information, data and insights were garnered from staff working in related federally funded programs such as Native Employment Works (NEW) and the Workforce Investment Act (WIA). This lack of federal start-up, technical assistance and planning funds is a concern of states and has been noted as a deficiency in federal law that must be addressed.

Although the tribal providers in Alaska encountered challenges, they developed transition strategies and implemented tribal TANF operations that enabled start-up and continued service delivery. Important elements of these strategies included gradual transitions to tribal program operation, continuation of state involvement in program operations for an interim period, maintenance of good working relationships with the state TANF agency and adjustment of policies and procedures as needed.

Structure and Philosophy of Tribal TANF Programs in Alaska

Federal law provides tribes the flexibility to design and implement their TANF programs in a manner that addresses the unique needs and circumstances of their members. They can define such elements as the program service area, service population (e.g., all Native families in the service area or only enrolled members of the tribe), time limits, benefits and services, the definition of "family," eligibility criteria, and work activities. Tribes have the ability to establish, through negotiation with the federal Department of Health and Human Services, their own program work participation rate targets and required work hours. Tribes must provide the rationale for proposed work requirements, including how they are consistent with the purposes of TANF and with the economic conditions and resources available to the tribe.

The tribal TANF programs also recognize the role of traditional tribal activities in the lives of their members and have incorporated them into their program structure. They accept traditional activities such as subsistence fishing, hunting, and gathering as well as traditional crafts as legitimate work participation. Because many TANF participants have little experience with work in a cash economy, these traditional activities can be critical to the growth of a sense of responsibility and to the development of employment skills.

The location and accessibility of tribal TANF programs help overcome employment barriers in rural Alaska. Often state TANF offices and resources are not available to village residents living far off the road system. Tribal TANF programs have developed program offices in towns and

villages throughout rural Alaska bringing critical TANF services to families in their own communities. Tribal TANF programs have also been successful in coordinating the various human service programs they offer such as employment, workforce development, training and social services. This holistic approach results in efficient services that promote the health and self-sufficiency of the entire family.

Tribes administering TANF programs have the option to administer their programs utilizing Public Law 102-477, which authorizes the integration of various employment, training, and related services provided by tribal governments under a Bureau of Indian Affairs approved 477 plan. Currently, 11 of the 36 Tribal TANF programs are administered under this program including the three programs in Alaska. The tribes that utilize this option do so to integrate and consolidate their TANF programs with other related and complementary support programs. This allows tribes to simplify their budgeting, operating, and reporting systems, while maximizing their resources and service delivery capabilities. Financial reporting relating to the TANF program has been integrated to the maximum extent possible, while still meeting the minimum statutory requirement for ensuring proper expenditure of TANF funds. Performance reporting must of necessity be maintained separately in order to meet minimum statutory and regulatory reporting requirements.

Tribal TANF providers may also develop their own strategies for achieving the program goal of family self-sufficiency. The tribal TANF programs, like the state's Alaska Temporary Assistance Program (ATAP), have adopted a philosophy that emphasizes work as a means of independence from public assistance. Along with a cash benefit, each program offers services that promote rapid employment, self-sufficiency, and family stability. Tribes have adopted strategies designed to prepare TANF participants for employment including adult education, job skill training, and work experience, and to eliminate barriers to employment by addressing such problems as lack of quality and affordable childcare, domestic violence, health and mental health difficulties, and untreated alcohol or substance abuse.

Status of Tribal TANF Programs in Alaska

Currently, tribal TANF programs in Alaska are serving a total of 970 families. Approximately forty percent of families have one child and 30 percent have two children.

Consistent with the goal of self-sufficiency, tribal TANF programs strongly support moving tribal members from welfare to work with an average of 40 percent of adults engaged in work or work participation activities. Since the first Alaska tribal TANF program began operation in 1999, the number of Alaska Native tribal TANF recipients has dropped by over 33 percent.

While tribal TANF results are below the state caseload reduction of 52 percent, this is a positive result when considering the challenge of securing employment in rural areas served by the state's tribal TANF programs. Figure 2 compares caseload reduction in the Alaska Temporary Assistance program with that of the three tribal TANF programs.

Comparison of Temporary Assistance, TCC, T&H, and AVCP Native TANF Cases

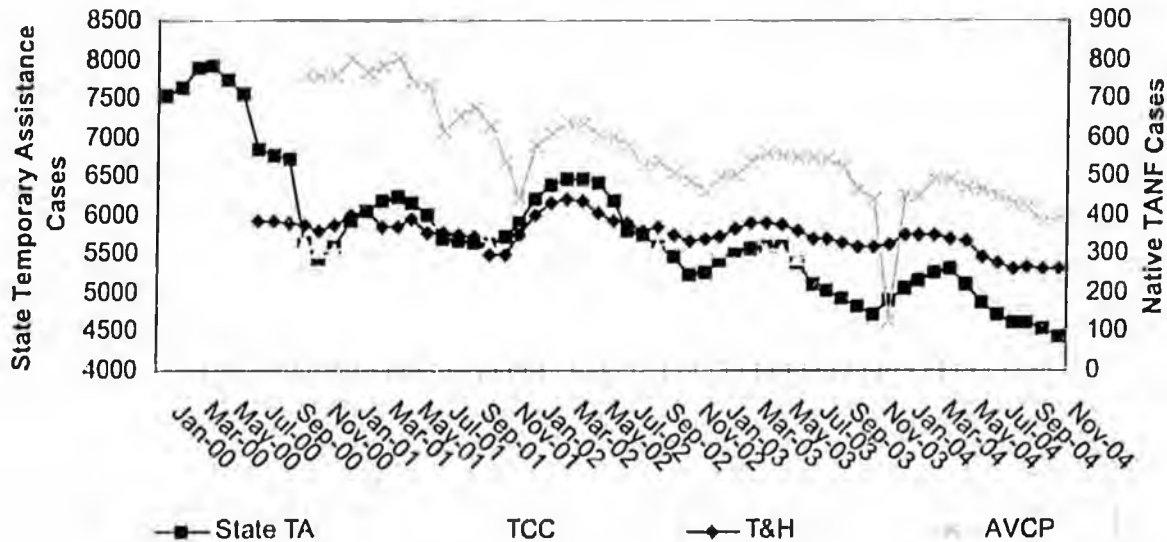


Figure 2

Tanana Chiefs "Athabascan Self-Sufficiency Assistance Partnership Program" (ASAP)

The service area for the ASAP program includes Fairbanks and 42 villages in Doyon Region of interior Alaska. This program serves all families in which the head of the household is Alaska Native or American Indian. The program began operation in October 1998, and in FY 2004 served an average of 315 families per month.

The ASAP program 2003 funding includes \$5,312.1 in federal funding and \$2,405.2 in state funding through the NFAP grant program. During FY 2003 the ASAP program provided services to approximately 1,618 clients including 289 families receiving childcare assistance for 468 children. The program authorized approximately \$1.8 million in cash benefits to eligible recipients and over \$253,000 in direct client or supportive services.

The goal of the ASAP program is to strengthen individuals, their families and their communities by increasing their capacities to support each other through meaningful work and employment, and to develop local resources and jobs to decrease dependency on cash assistance programs. The program is based on four guiding principals; every family has basic needs, which must be met; every family has something to offer their community; it takes a lot of work to meet the needs of a family and a community; and in every community, everyone should support themselves and each other by the work that they do.

Services provided by the ASAP program include case management, on-the-job training, short term job training, counseling and skill building, help with child care expenses, referrals for paid employment, referrals for community work services, structured job search to teach specific job search skills, transitional services including child care assistance and post-employment services, GED or high school instruction, vocational training, and higher education. Additional services

offered to families include financial literacy training, mentorship from members of the local community and linkages to therapeutic treatment options.



An innovative feature of the ASAP program is a one-stop service center in each of the village council offices. This model of service coordination promotes a holistic focus on family needs and allows TCC to deliver a variety of services efficiently and effectively. Prior to the transition to the one-stop service centers, there was a zero percent overall work participation rate for village-based TANF recipients. Now, the ASAP program has met its work participation requirements, put families into work, offered

opportunities for training and matched parents with specialized resources.

The ASAP program has also promoted financial self-sufficiency with the Earned Income Tax Credit (EITC) Program. The program helped 774 recipients apply for the EITC on their tax returns, with approximately \$570,000 realized in tax refunds. During the next fiscal year ASAP will offer EITC preparation seminars through a contract with Alaska Business Development Center and in conjunction with the University of Alaska. This program will assist working TANF recipients as well as those who have left ASAP to participate in the EITC program to augment their household income.

Community collaborations enhance services provided to recipients. In 2003 the ASAP program partnered with the State of Alaska Department of Labor and Workforce Development to present the Fairbanks Job Fair. Eighty-six employers and over 2,400 individuals participated making this the largest job fair ever in Alaska. Through a partnership with the TCC Tribal College, staff at the ASAP program began the training to become Certified Career Development Facilitators (CDF). CDF's are qualified to work in Career Resource Centers, Welfare to Work programs, as well as a variety of workforce development settings.

Faith-based partnerships are also a feature of ASAP. Love In the Name of Christ (Love, INC) provides "Hope Seminars" focusing on a range of skills including cooking on a tight budget, time and credit management, marriage and family communication, and purchasing and caring for a car. Successful completion of the two-day seminar enables an individual to be eligible for the Love, INC vehicle donation program. Through a partnership with TCC Old Minto Recovery and St. Mathews Church, the ASAP program offers "Strengthening the Families." This eight-week course is designed to strengthen family communication, encourage prevention of substance abuse for the youth, and assist high-risk families with essential skills for rebuilding a healthy family life.

The ASAP program has been successful in reducing the program caseload and putting people to work. During FY 2003, 265 clients were placed in unsubsidized employment. Between FY 2002 and FY 2003, the TCC caseload dropped by 5 percent. Since the time TCC began their

TANF program, their caseload has dropped approximately 16 percent. Figure 3 shows the changes in caseload since the program began.

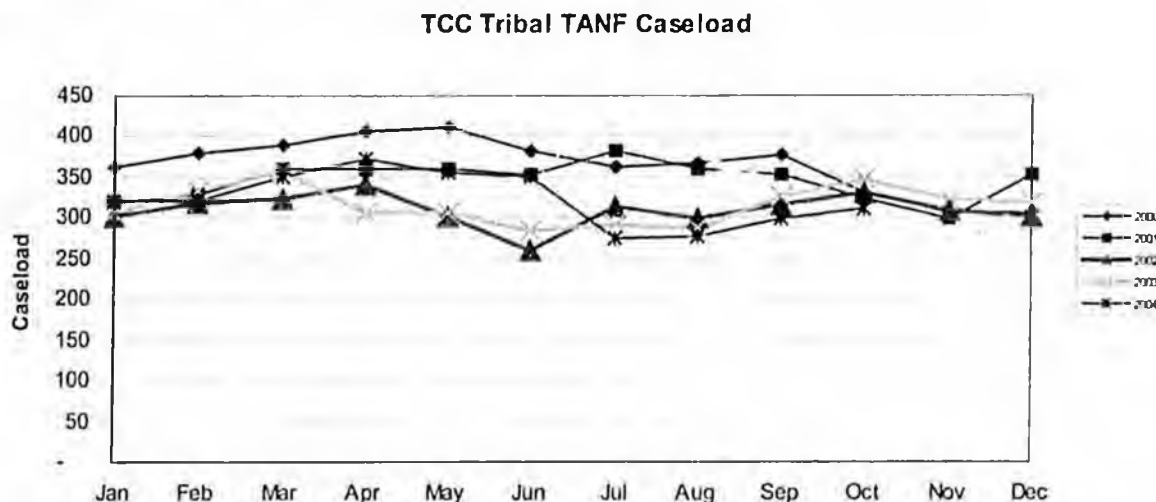


Figure 3

Central Council of Tlingit and Haida TANF Program

The T&H program serves Southeast Alaska, with eligibility restricted to households where at least one member is Alaska Native and enrolled or eligible for membership in a federally recognized tribe in the service area. These tribes include Angoon, Klukwan, Haines, Craig, Douglas, Hoonah, Hydaburg, Kake, Kasaan, Ketchikan, Klawock, Pelican, Petersburg, Saxman, Skagway, Tenakee, Wrangell, Sitka, Yakutat, and Juneau. The program began operation in July 2000. In FY 2003, the T&H program served an average of 315 families per month.

The 2003 T&H TANF program funding includes \$ 2,367,150 million in federal funding and \$2,575,500 in state funding through the Native Family Assistance Grant program.

During FY 2003 the T&H TANF program provided services to approximately 350 clients including 208 families receiving childcare assistance for 624 children. The program authorized approximately \$2,642,315 million in cash benefits to eligible recipients and over \$801,000 in direct client or supportive services.

The overriding goal of the T&H tribal TANF program is to assist families to become self-sufficient. The program emphasizes work as a means to self-sufficiency with the expectation that both parents of children needing assistance must work to the extent of their ability. Program participants are encouraged to complete at least a high school education (or its equivalent), so that they can enjoy greater opportunities to obtain work that will produce sufficient income to support their families and contribute to their community. The program aims to discourage unwed pregnancies and works with all sectors of the community to discourage out-of-wedlock pregnancies, especially among teens, and encourages family stability by requiring teen parents to remain in their parents' or another responsible adult's home.

Services provided by the T&H TANF program include case management, adult basic education, employment assessment, adult vocational training and higher education, work experience and on-the-job training, job search skills and post-employment services. A variety of supportive services are offered to families who are actively participating in seeking employment, in school or in training including childcare, transportation, work clothing, tools for work, food and shelter assistance and linkages to therapeutic treatment options.

Service coordination is a key feature of the T&H TANF program. In 1994, T&H was the first Native American agency to utilize PL 102-477 to integrate a variety of services under their Employment and Training Division. Internally, the T&H TANF program coordinates with its Division of Employment and Training to utilize the services of Tribal Vocational Rehabilitation, childcare, Adult Vocational Training, Tribal Employment Rights and the Youth Opportunity Program.

Additional internal coordination includes Central Council Tribal Family and Youth Services, Headstart, and Tribal enrollment services for medical and mental health services. State agency partners in the delivery of services to TANF recipients include the Division of Public Assistance, the Department of Labor and Workforce Development, Child Support Services, the Division of Vocational Rehabilitation and the Office of Children's Service. Community partnerships with the Southeast Regional Resource Center, Catholic Community Services, St. Vincent DePaul, and women's shelters such as Aiding Women and Rape Emergencies (AWARE) help to address the needs of families with barriers to work.

The T&H TANF program has been successful in reducing the program caseload and putting people to work. During FY 2003, 270 clients were placed in unsubsidized employment. Between FY 2002 and FY 2003, the T&H caseload dropped by 5 percent. Since the time T&H began their TANF program, their caseload has dropped approximately 7 percent. Figure 2 below shows the changes in caseload since the program began.

T&H Tribal TANF Caseload

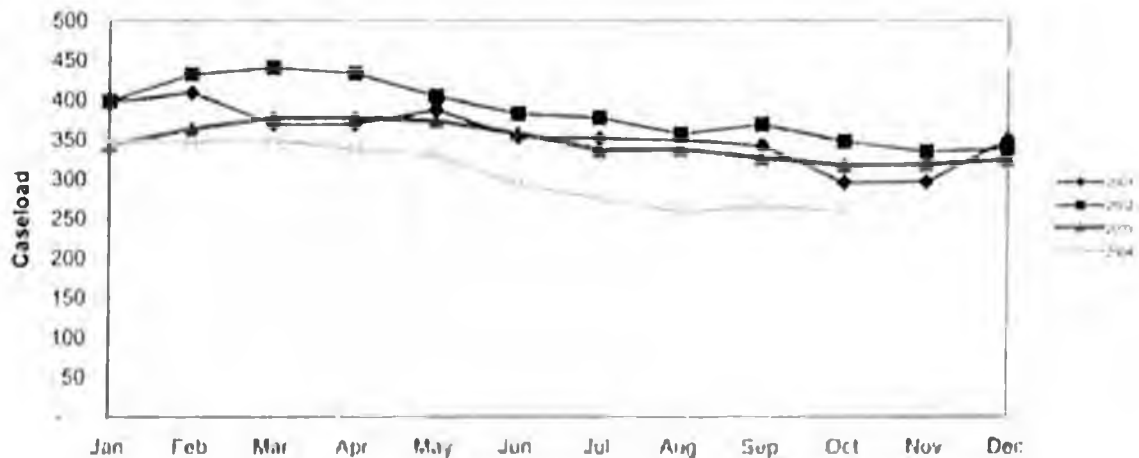


Figure 2

Association of Village Council Presidents TANF Program

The AVCP program serves Bethel and the 56 federally recognized tribes surrounding the Yukon-Kuskokwim Delta. In order to provide state public assistance in a uniform and cost effective manner, this program is designated as a "regional public assistance program," as it serves all Alaska Native families as well as non-Native families in the service area. This program began operation in October 2000. In FY 2003, the AVCP program served an average of 510 families per month.

The 2003 AVCP TANF program funding included \$5,420.8 in federal funding and \$3,740,400 in state funding through the Native Family Assistance Grant program. During FY 2003 the ASAP program provided services to approximately 550 clients including 18 families receiving childcare assistance for 36 children. The program authorized approximately \$3.4 million in cash benefits to eligible recipients.

The overriding goal of AVCP TANF is to assist families to become self-sufficient through employment. The program provides comprehensive services that meet the basic needs of families throughout the region while improving communities and strengthening individuals. Work and supportive services are offered internally or through referrals to community agencies.

The AVCP TANF program coordinates internally with other AVCP services and programs, in particular the Education, Employment, Training and Childcare Division (EET&CC). Services include adult vocational training, employment services, and Head Start. EET&CC services promote economic and social development of tribal members in order to reduce joblessness and to more fully develop the academic, occupational and literacy skills that make individuals more competitive in the workforce. State agency partners in the delivery of services to TANF recipients include the Division of Public Assistance, the Department of Labor and Workforce Development and Child Support Services in the Department of Revenue.

The AVCP TANF program has been successful in reducing the program caseload and putting people to work. Between FY 2002 and FY 2003, the T&H caseload dropped by 10 percent. Since the time AVCP began their TANF program, their caseload has dropped approximately 40 percent. Figure 5 below shows the changes in caseload since the program began.

AVCP Tribal TANF Caseload

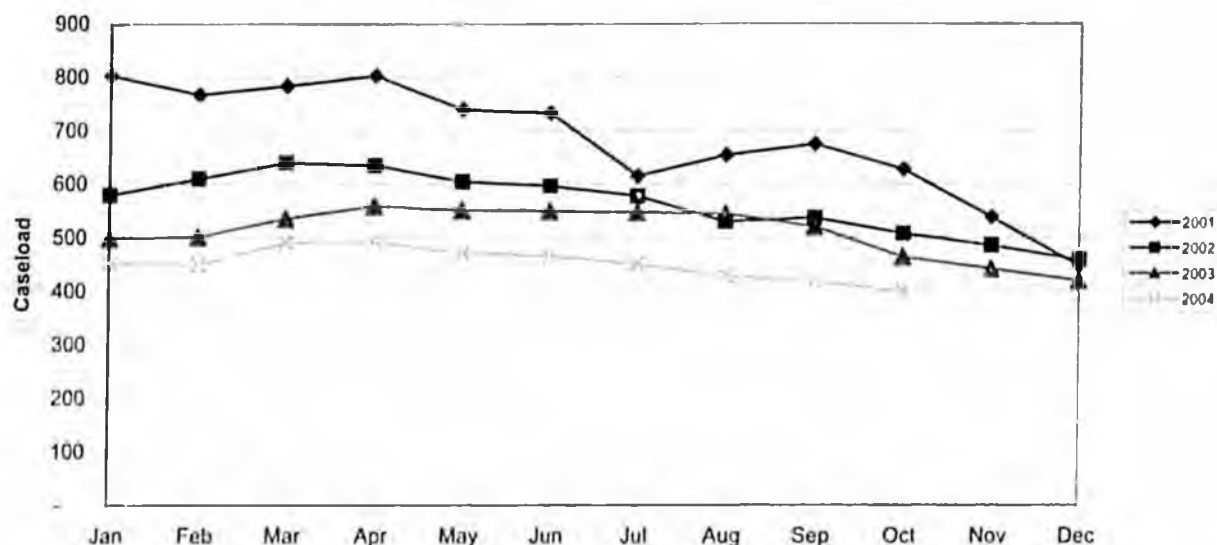


Figure 5

Obstacles and Lessons Learned

A common difficulty for tribes in Alaska was the development, operation and maintenance of computer information systems to support TANF operations. A TANF information system must support enrollment of program participants and help tribes track and report services provided and participant activities. Information systems are also crucial to the exchange of data with TANF partners such as the Alaska Child Support Services Division.

Unlike states, tribes did not receive funding to develop their own TANF information systems. In response, the state provided seed money to tribes to purchase a computer software product designed specifically for tribal TANF programs. The tribes are using this product with varying level of success and continue to struggle with the need to provide accurate data to state and federal agencies.

Because of the limitations of their own computer systems capacity, there is growing interest among tribal TANF providers in contracting with the state for use of the Eligibility Information System (EIS) used to administer programs in the Division of Public Assistance. Cook Inlet Tribal Council, scheduled to begin providing tribal TANF in July 2005, has made the decision to use EIS for at least two years while developing their own system. Two of the three groups currently providing tribal TANF have also expressed interest in converting to EIS. Using the EIS system may yield significant savings and efficiencies, particularly with respect to data transfers between agencies. The state will continue to support usage of EIS for tribal TANF programs in Alaska.

Trends in Tribal TANF

Interest in the development of Tribal TANF programs is on the increase. As of the current date, three additional groups have formally initiated planning for tribal TANF programs.

Cook Inlet Tribal Council. Cook Inlet Tribal Council, Inc. (CITC) provides social, educational and employment services to Alaska Natives and Native Americans living in the Cook Inlet region. Established in 1983 by Cook Inlet Region, Inc. (CIRI) as a nonprofit social service agency, CITC administers over forty culturally appropriate programs designed to assist individuals and families to achieve self-sufficiency. Annually these programs serve an average of 13,000 Alaska Natives and Native Americans.

Over the last 20 years, Cook Inlet Tribal Council has grown from a staff of fifteen employees and total revenue of \$91,863 to a large and complex Native corporation, with over 245 employees and an annual operating budget in excess of \$31 million in the Year 2003. CITC's continuum of services runs through five departments: Substance Abuse Services, Youth Development Services, Educational Services Systems, Employment and Training Services, and Family Services.

CITC is preparing to add TANF to their comprehensive array of family services. With a planned start date of July 2005, the CITC Tribal TANF program will serve approximately 700 families in the Anchorage area.

Bristol Bay Native Association. The Bristol Bay Native Association (BBNA) is an alliance of 30 Tribal Councils from villages in the Bristol Bay area of southwest Alaska. A non-profit service agency, BBNA provides educational, social and workforce development services to families and individuals as well as economic development opportunities for the region. BBNA is in the early planning phase of their TANF program with a scheduled start date of October 2005. The proposed program will serve approximately 125 families in the Bristol Bay region.

Maniilaq. Additionally, the Maniilaq Association has recently begun formal planning for a TANF program to serve Northwest Alaska. Maniilaq is the non-profit Native Consortium located in the hub village of Kotzebue, providing tribal, health and social services to native and non-native residents of the Northwest Arctic Borough and Pt. Hope. The proposed program will serve approximately 145 families.

Recommendations

Reauthorize the Native Family Assistance Program.

Across the nation, federal welfare reform has been successful in moving families from welfare to work. One of the main reasons for this success has been the fact that the federal welfare reform law afforded the states the flexibility to design and run their own unique TANF programs. In the same light, the federal law allows Alaska Native tribes to run their own programs designed by their members, locally controlled, and culturally relevant. Tribes have a better grasp of social and economic conditions that inform their work and allow them to tailor services based on the

unique needs of local communities. This local presence and familiarity with village and community life puts the tribes in the best position to administer their programs and to successfully promote self-sufficiency for their clients.

The Native Family Assistance Grant program affirms the state's interest in promoting regional responsibility and local control for public assistance programs in Alaska. The three tribal programs currently operating have successfully administered TANF programs that reflect the unique needs and conditions in local communities and have been proven effective in moving tribal members towards self-sufficiency through employment. The single regional public assistance program operating in the Yukon-Kuskokwim area of Alaska that serves both Native and non-Native families in the region has been shown to be administratively efficient and cost effective. Reauthorization of the Native Family Assistance program will ensure that tribal groups currently delivering TANF services will continue to provide comparable and culturally relevant services in their own villages and communities, and may also improve the delivery of the Temporary Assistance program in rural areas.

Both state and tribal officials agree that federal funds alone are insufficient for the successful operation of a tribal TANF program that is comparable to the state run program. Supplementing tribal TANF programs with Native Family Assistance grants will maximize federal block grant funds available to tribes, and will promote effective welfare-to-work service delivery models for rural Alaska. The Alaska Legislature should pass the Governor's proposed legislation that will make the NFAP program permanent.

Expand availability of Native Family Assistance grants to all tribal groups authorized in federal law to operate tribal TANF programs.

Two additional Native non-profits not currently authorized to receive Native Family Assistance Grants are actively planning tribal TANF programs as they are authorized to do in federal law. At least one additional non-profit has expressed interest revealing a strong trend toward development of tribal TANF programs in Alaska. Expansion of the availability of Native Family Assistance grants will ensure that all tribal organizations federally authorized to deliver tribal TANF programs will have the opportunity to access the necessary state resources and provide effective and innovative public assistance programs to their members.

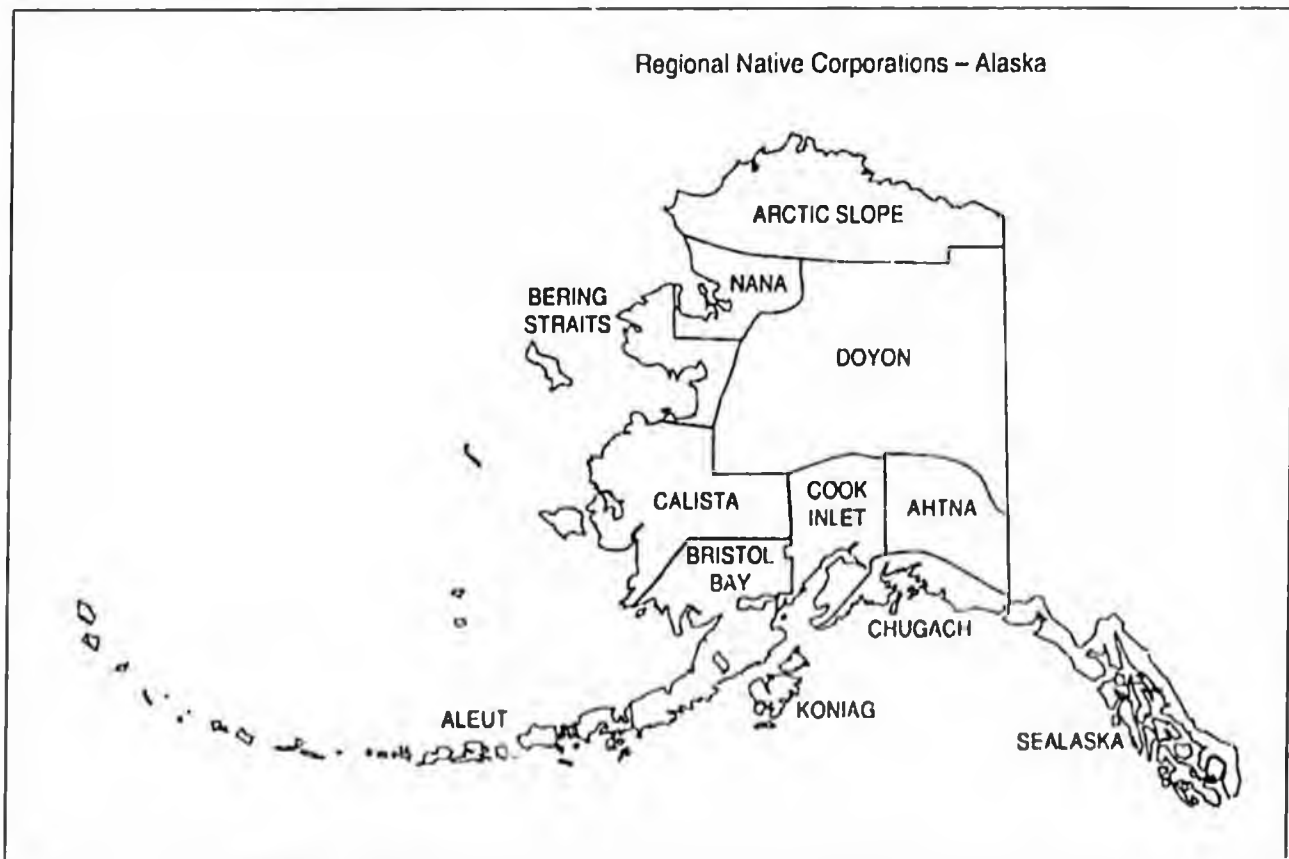
Appendix A

**Table and Map: Regional Native Corporations and their
Non-Profit Organizations**

Regional Native Corporations and their Non-Profit Organizations

Alaska Native Regional Corporations	Regional Non-Profit Organization
Arctic Slope Regional Corporation	Arctic Slope Native Association
Bering Straits Native Corporation	Kawerak, Inc.
Nana	Maniilaq Association
Calista Corporation	Association of Village Council Presidents, Inc
Doyon, Limited	Tanana Chiefs Conference
Cook Inlet Region, Inc.	Cook Inlet Tribal Council
Bristol Bay Native Corporation	Bristol Bay Native Association
Aleut Corporation	Aleutian and Pribilof Islands Association
Chugach Alaska Corporation	Chugachmiut
Sealaska Corporation	Tlingit and Haida Central Council
Koniag, Inc.	Kodiak Area Native Association
Ahtna, Inc.	Copper River Native Association
Metlakatla Indian Community of the Annette Island Reserve *	

* The only Indian Reservation in Alaska



Appendix B

**Selected Sections from PL 104-193, the Personal Responsibility and Work
Opportunities Reconciliation Act (PRWORA)**

**Section 412. Direct Funding and Administration by Indian Tribes
Section 419. Definitions**

SEC. 412. DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.

“(a) GRANTS FOR INDIAN TRIBES-

“(1) TRIBAL FAMILY ASSISTANCE GRANT-

“(A) IN GENERAL- For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each Indian tribe that has an approved tribal family assistance plan a tribal family assistance grant for the fiscal year in an amount equal to the amount determined under subparagraph (B), and shall reduce the grant payable under section 403(a)(1) to any State in which lies the service area or areas of the Indian tribe by that portion of the amount so determined that is attributable to expenditures by the State.

“(B) AMOUNT DETERMINED-

“(i) IN GENERAL- The amount determined under this subparagraph is an amount equal to the total amount of the Federal payments to a State or States under section 403 (as in effect during such fiscal year) for fiscal year 1994 attributable to expenditures (other than child care expenditures) by the State or States under parts A and F (as so in effect) for fiscal year 1994 for Indian families residing in the service area or areas identified by the Indian tribe pursuant to subsection (b)(1)(C) of this section.

“(ii) USE OF STATE SUBMITTED DATA-

“(I) IN GENERAL- The Secretary shall use State submitted data to make each determination under clause (i).

“(II) DISAGREEMENT WITH DETERMINATION- If an Indian tribe or tribal organization disagrees with State submitted data described under subclause (I), the Indian tribe or tribal organization may submit to the Secretary such additional information as may be relevant to making the determination under clause (i) and the Secretary may consider such information before making such determination.

“(2) GRANTS FOR INDIAN TRIBES THAT RECEIVED JOBS FUNDS-

“(A) IN GENERAL- The Secretary shall pay to each eligible Indian tribe for each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002 a grant in an amount equal to the amount received by the Indian tribe in fiscal year 1994 under section 482(i) (as in effect during fiscal year 1994).

“(B) ELIGIBLE INDIAN TRIBE- For purposes of subparagraph (A), the term ‘eligible Indian tribe’ means an Indian tribe or Alaska Native organization that conducted a job opportunities and basic skills training program in fiscal year 1995 under section 482(i) (as in effect during fiscal year 1995).

“(C) USE OF GRANT- Each Indian tribe to which a grant is made under this paragraph shall use the grant for the purpose of operating a program to make work activities available to members of the Indian tribe.

“(D) APPROPRIATION- Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$7,638,474 for

each fiscal year specified in subparagraph (A) for grants under subparagraph (A).

'(b) 3-YEAR TRIBAL FAMILY ASSISTANCE PLAN-

'(1) IN GENERAL- Any Indian tribe that desires to receive a tribal family assistance grant shall submit to the Secretary a 3-year tribal family assistance plan that--

'(A) outlines the Indian tribe's approach to providing welfare-related services for the 3-year period, consistent with this section;

'(B) specifies whether the welfare-related services provided under the plan will be provided by the Indian tribe or through agreements, contracts, or compacts with intertribal consortia, States, or other entities;

'(C) identifies the population and service area or areas to be served by such plan;

'(D) provides that a family receiving assistance under the plan may not receive duplicative assistance from other State or tribal programs funded under this part;

'(E) identifies the employment opportunities in or near the service area or areas of the Indian tribe and the manner in which the Indian tribe will cooperate and participate in enhancing such opportunities for recipients of assistance under the plan consistent with any applicable State standards; and

'(F) applies the fiscal accountability provisions of section 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

'(2) APPROVAL- The Secretary shall approve each tribal family assistance plan submitted in accordance with paragraph (1).

'(3) CONSORTIUM OF TRIBES- Nothing in this section shall preclude the development and submission of a single tribal family assistance plan by the participating Indian tribes of an intertribal consortium.

'(c) MINIMUM WORK PARTICIPATION REQUIREMENTS AND TIME LIMITS- The Secretary, with the participation of Indian tribes, shall establish for each Indian tribe receiving a grant under this section minimum work participation requirements, appropriate time limits for receipt of welfare-related services under the grant, and penalties against individuals--

'(1) consistent with the purposes of this section;

'(2) consistent with the economic conditions and resources available to each tribe; and

'(3) similar to comparable provisions in section 407(e).

'(d) EMERGENCY ASSISTANCE- Nothing in this section shall preclude an Indian tribe from seeking emergency assistance from any Federal loan program or emergency fund.

'(e) ACCOUNTABILITY- Nothing in this section shall be construed to limit the ability of the Secretary to maintain program funding accountability consistent with--

'(1) generally accepted accounting principles; and

'(2) the requirements of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

'(f) PENALTIES-

'(1) Subsections (a)(1), (a)(6), and (b) of section 409, shall apply to an Indian tribe with an approved tribal assistance plan in the same manner as such subsections apply to a State.

'(2) Section 409(a)(3) shall apply to an Indian tribe with an approved tribal assistance plan by substituting 'meet minimum work participation requirements established under section 412(e)' for 'comply with section 407(a)'.

'(g) DATA COLLECTION AND REPORTING- Section 411 shall apply to an Indian tribe with an approved tribal family assistance plan.

'(h) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA-

'(1) IN GENERAL- Notwithstanding any other provision of this section, and except as provided in paragraph (2), an Indian tribe in the State of Alaska that receives a tribal family assistance grant under this section shall use the grant to operate a program in accordance with requirements comparable to the requirements applicable to the program of the State of Alaska funded under this part. Comparability of programs shall be established on the basis of program criteria developed by the Secretary in consultation with the State of Alaska and such Indian tribes.

'(2) WAIVER- An Indian tribe described in paragraph (1) may apply to the appropriate State authority to receive a waiver of the requirement of paragraph (1).

SEC. 419. DEFINITIONS.

'As used in this part:

'(1) ADULT- The term 'adult' means an individual who is not a minor child.

'(2) MINOR CHILD- The term 'minor child' means an individual who--

'(A) has not attained 18 years of age; or

'(B) has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).

'(3) FISCAL YEAR- The term 'fiscal year' means any 12-month period ending on September 30 of a calendar year.

'(4) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION-

'(A) IN GENERAL- Except as provided in subparagraph (B), the terms 'Indian', 'Indian tribe', and 'tribal organization' have the meaning given such terms by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

'(B) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA- The term 'Indian tribe' means, with respect to the State of Alaska, only the Metlakatla Indian Community of the Annette Islands Reserve and the following Alaska Native regional nonprofit corporations:

'(i) Arctic Slope Native Association.

'(ii) Kawerak, Inc.

'(iii) Maniilaq Association.

'(iv) Association of Village Council Presidents.

'(v) Tanana Chiefs Conference.

'(vi) Cook Inlet Tribal Council.

'(vii) Bristol Bay Native Association.

'(viii) Aleutian and Pribilof Island Association.

'(ix) Chugachmuit.

'(x) Tlingit Haida Central Council.

'(xi) Kodiak Area Native Association.

'(xii) Copper River Native Association.

'(5) STATE- Except as otherwise specifically provided, the term 'State' means the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa.



COOK INLET
TRIBAL
COUNCIL, INC.

COOK INLET TRIBAL COUNCIL

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

FACT SHEET

- CITC has been providing TANF (Welfare to Work) case management services as a vendor for the State since 1997 (8 years). During this tenure CITC has been a key player in the successful decline of State TANF roles.
- 1994 TANF caseload for Anchorage was 1,123; it is currently 692 (as of 11/2004). During this period, Anchorage experienced an increase in Native population from 12,000 (1990 US Census) to approx. 46,000 (2000 US Census); yet the TANF participant role decreased by 62%.
- Supports the Governor's mandate of local control and downsizing of State Government.
- Makes the delivery of Tribal Temporary Assistance to Needy Families service delivery uniform throughout the State, as the majority of Alaska Native and American Indians in Alaska are currently being provided TANF services at other Native regional tribal social services agencies including Tanana Chiefs, Central Council of Tlingit and Haida Indian Tribes and the Association of Village Council Presidents.
- CITC is a fully integrated one-stop employment, social service, and substance abuse treatment agency.
- Data and financial reporting & tracking will be a non-issue for CITC. CITC will be using the State of Alaska, DHSS Eligibility Management System interfaced with our own sophisticated information technology (IT) & accounting infrastructure.
- CITC currently provides IT services for 5 non-profit agencies in 25 locations (413 end users) and accounting services for 39 non-profits, consistently having no financial single audit findings.

Gloria O'Neill, CEO and President
Contact Person: Molly Merritt-Duren, MS Ed.

(907) 265-5915

SB

51

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/10/05

FURTHER:

REPORTED OUT
MAR 01 2005
SENATE FINANCE
COMMITTEE

DATE TURNED
IN TO OFFICE: 3/01/05

Finance Committee considered

SENATE BILL NO. 51

SB 51 PUBLIC ASSISTANCE PROGRAMS

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

and recommends:

- be replaced with _____ CS SB 51 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#
HSS Tribal Grant	12/10/04	4,093.8			1
HSS Work Service	12/10/04	(1,346.4)			2
HSS ATAP	12/10/04	(4,327.0)			3
HSS Child Care	12/10/04	(931.5)			4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

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MAR 01 2005

SENATE FINANCE COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 51
 (S) Publish Date: 1/12/05
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM

RDU Public Assistance

Component Tribal Assistance

Sponsor (RLS) BY REQUEST OF THE GOVERNOR

Requester GOVERNOR

Component No. 2336

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8
Miscellaneous						
TOTAL OPERATING	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8

CAPITAL EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011

CHANGE IN REVENUES (0)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match	3,685.8	3,685.8	3,685.8	3,685.8	3,685.8	3,685.8
1004 GF						
1037 GF/Mental Health						
1007 Interagency Receipts	408.0	408.0	408.0	408.0	408.0	408.0
Other(Specify Type-do not abbreviate)						
TOTAL	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8	4,093.8

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Under federal law, 12 Alaska Native regional non-profits and the village of Metlakatla are authorized to receive federal funds for the administration of tribal TANF programs. This legislation reauthorizes the Alaska Native family assistance grant program established under Chapter 96, SLA 2000, and gives the Department of Health & Social Services the ability to award and administer state grants to Native non-profit organizations to supplement their federally approved Tribal TANF Assistance programs. Approval of this legislation would maintain support for the three organizations currently running Tribal TANF programs and receiving state supplemental Native family assistance grant funds: TANF - Tanana Chiefs Conference (TCC), Central Council of Tlingit & Haida Indian Tribes of Alaska (T&H) and Association of Village Council Presidents (AVCP). In addition to reauthorizing the existing programs this bill would also include the other nine Alaska native non-profit organizations authorized in federal law to operate tribal TANF programs. Cook Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005. The fiscal note assumes implementation of the CITC.

Prepared by: Katherine Farnham
 Division: Public Assistance
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone: 269-7930
 Date/Time: 12/07/2004
 Date: 12/10/2004

FISCAL NOTE
FN # 1

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION

Analysis Continued:

program as planned and reflects the associated budget impacts.

State supplemental grant to CITC to operate tribal TANF in the Anchorage service area:

Funding for Native TANF program operation comes from the federal TANF block grant and is supplemented by state grant funds that would otherwise be spent to serve the same Native welfare recipients. This fiscal note reflects the 'transfer' of \$4,093.8 state funding to the Tribal Assistance component from the ATAP component to supplement the federal TANF for the operation of tribal TANF by CITC. Funds provided by this state grant will be used for the purpose of providing temporary assistance benefits to eligible families through CITC's tribal TANF program.

<u>Summary of all component impacts for CITCs NEAP</u>	Total	Federal	GFM	I/A
ATAP component	(6,727.0)	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8		3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	<u>-</u>	<u>-</u>
Total net fiscal impact for CITC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

MAR 01 2005

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: SB 51
 (S) Publish Date: 1/12/05
 Dept. Affected: Health & Social Services
 RDU Public Assistance
 Component Work Services

Revision Date/Time (Note if correction):
 Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM
 Sponsor (RLS) BY REQUEST OF THE GOVERNOR
 Requester GOVERNOR

Component No. 2337

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(1,346.4)	(1,346.4)	(1,346.4)	1,346.4	(1,346.4)	(1,346.4)
Miscellaneous						
TOTAL OPERATING	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)

CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)	(1,346.4)

Estimate of any current year (FY2005) cost: _____
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation reauthorizes the Department of Health and Social Services (DHSS) to award and administer state funds under the Alaska Native family assistance grant program to support the operation of federally approved Tribal TANF programs. In addition to reauthorizing the existing programs this bill would also allow DHSS to provide grants to the other nine Alaska native non-profit organizations authorized in federal law to operate tribal TANF programs. Cook Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005.

The fiscal note assumes implementation of the CITC program as planned and reflects the budget impacts. Work Services is a budget category for case management staff and supportive service payments that assist TANF clients from welfare to work. This fiscal note deletes \$1,346.4 federal authority for the decline in Work Services component expenditure due to the transfer of the existing Native Temporary Assistance caseload in Anchorage to CITC.

Prepared by: Katherine Farnham Phone: 269-7930
 Division: Public Assistance Date/Time: 12/07/2004
 Approved by: Joel S. Gilbertson, Commissioner Date: 12/10/2004
 Agency: Department of Health and Social Services

FISCAL NOTE

FN # 2

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION

Analysis Continued: Work Services

<u>Summary of all component impacts for CTCs SEAP</u>	Total	Federal	GFM	I/A
ATAP component	16,727.0	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8		3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	<u>-</u>	<u>-</u>
Total net fiscal impact for CTC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

MAR 01 2005

SENATE FINANCE COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: SB 51
 (S) Publish Date: 1/12/05
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM

RDU Public Assistance

Component ATAP

Sponsor (RLS) BY REQUEST OF THE GOVERNOR

Requester GOVERNOR

Component No. 220

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)
Miscellaneous						
TOTAL OPERATING	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts	(563.2)	(563.2)	(563.2)	(563.2)	(563.2)	(563.2)
1003 GF Match	(5,755.8)	(5,755.8)	(5,755.8)	(5,755.8)	(5,755.8)	(5,755.8)
1004 GF						
1037 GF/Mental Health						
1007 Interagency Receipts	(408.0)	(408.0)	(408.0)	(408.0)	(408.0)	(408.0)
Other(Specify Type-do not abbreviate)						
TOTAL	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)	(6,727.0)

Estimate of any current year (FY2005) cost:

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation reauthorizes the Department of Health & Social Services (DHSS) to award and administer state funds under the Alaska Native family assistance grant program to support the operation of federally approved Tribal TANF programs. The three organizations currently running programs and receiving Native family assistance grants are: Tanana Chiefs Conference (TCC) in the interior Doyon region, Central Council of Tlingit & Haida Indian Tribes of Alaska (T&H) in SE Alaska, and the Association of Village Council Presidents in the YK Delta. Approval of this legislation maintains state support for these programs at the current, status quo level (no fiscal impact or change for existing Native family assistance programs). In addition to reauthorizing the existing programs this bill would also allow DHSS to provide grants to the other nine Alaska native non-profit organizations authorized in federal law to operate tribal TANF programs. Cook Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005. This fiscal note assumes implementation of the CITC program on July 1, 2005 and reflects the associated budget impacts.

Prepared by: Katherine Farnham
 Division: Public Assistance
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone: 269-7930
 Date/Time: 12/07/2004
 Date: 12/10/2004

FISCAL NOTE
FN # 3

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION
Analysis Continued:

State supplemental grant to CITC to operate tribal TANF in the Anchorage service area.

Funding for tribal TANF program operations comes from the federal TANF block grant and is supplemented by state grant funds that would otherwise be spent to serve the same number of Native families receiving assistance from the State's temporary assistance program. This fiscal note reflects the 'transfer' of \$4,093.8 in state funding from the ATAP component to the Tribal Assistance component to support the operation of tribal TANF administered by CITC. Funds provided by this state grant supplement CITC's federal TANF block grant and will be used for purpose of providing temporary assistance payments to eligible families through the CITC tribal TANF program.

Native Operated TANF programs & Changes in MOE

The state maintenance of effort (MOE) requirement for TANF is based on the state share of AFDC expenditures in FFY1994. In order to earn the annual TANF block grant, states must spend at least 75-80 percent of their FFY 1994 spending. Federal law allows designated Native organizations to operate their own TANF programs and to receive TANF grants directly from the federal government. The federal grants for Native TANF reduce the state block grant amount dollar for dollar. In addition, the required state maintenance of effort (MOE) is reduced.

State general funds savings of roughly \$25 million have been previously deleted from the ATAP budget to a level equal to the minimum 75% MOE amount. Due to CITC implementing a new tribal TANF program, DHSS can reduce the required MOE by an additional \$2,070.0 million GF. This fiscal note changes ATAP component funding sources by deleting \$2,070.0 GF (MOE) and replacing with federal TANF authority. The change in fund source assumes a reduction in state TANF MOE amount due to the implementation of the CITC tribal TANF program.

Delete excess Federal TANF - ATAP caseload transfers to CITC

This fiscal note deletes \$2,633.2 federal budget authority for the projected decline in ATAP component formula payments due to the transfer of the existing Native Temporary Assistance caseload in Anchorage to CITC.

<u>Summary ATAP component impacts</u>	Total	Federal	GFM	I/A
"Transfer" to Tribal Assistance component	(4,093.8)	-	(3,685.8)	(408.0)
Delete GFM to the revised MOE floor	-	2,070.0	(2,070.0)	-
Delete excess federal TANF federal authority	<u>(2,633.2)</u>	<u>(2,633.2)</u>	-	-
ATAP component net change	(6,727.0)	(563.2)	(5,755.8)	(408.0)

<u>Summary of all component impacts for CITC's NEAP</u>	Total	Federal	GFM	I/A
ATAP component	(6,727.0)	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8	-	3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	-	-
Total net fiscal impact for CITC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

MAR 01 2005

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: SB 51
 (S) Publish Date: 1/12/05
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title REAUTHORIZATION OF NATIVE FAMILY ASSISTANCE GRANTS PROGRAM

RDU Public Assistance

Component Child Care Benefits

Sponsor (RLS) BY REQUEST OF THE GOVERNOR

Requester GOVERNOR

Component No. 1897

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)
Miscellaneous						
TOTAL OPERATING	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)

CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)	(931.5)

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation reauthorizes the Department of Health & Social Services (DHSS) to award and administer state funds under the Alaska Native family assistance program to support the operation of federally approved Tribal TANF programs. In addition to reauthorizing the existing Native Family Assistance Programs (NFAP), this bill would also allow DHSS to provide grants to the other nine Alaska Native non-profit organizations authorized in federal law to operate tribal TANF programs. Cook Inlet Tribal Council (CITC) plans to begin operating a tribal TANF program in July 2005.

The fiscal note assumes implementation of the CITC program on July 1, 2005, and reflects the associated budget impacts. Child Care benefits are direct subsidies paid to childcare providers for TANF families. This fiscal note deletes \$931.5 federal budget authority for the decline in childcare expenditures due to the transfer of the existing Native Temporary Assistance caseload in Anchorage to CITC.

Prepared by: Katherine Farnham
 Division: Public Assistance
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone: 269-7930
 Date/Time: 12/07/2004
 Date: 12/10/2004

FISCAL NOTE

FN # 4

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. SB 51

ANALYSIS CONTINUATION

Analysis Continued: Child Care Benefits

<u>Summary of all component impacts for CITCs/NEAP</u>	Total	Federal	GFM	I/A
ATAP component	(6,727.0)	(563.2)	(5,755.8)	(408.0)
Tribal Assistance	4,093.8		3,685.8	408.0
Work Services component	(1,346.4)	(1,346.4)	-	-
Child Care Benefits component	<u>(931.5)</u>	<u>(931.5)</u>	<u>-</u>	<u>-</u>
Total net fiscal impact for CITC Native TANF	(4,911.1)	(2,841.1)	(2,070.0)	-

SENATE FINANCE
COMMITTEE #1

ADOPTED
3/1/05

Amendment Number: #1

Bill Number: SB 51

Sponsor: Green Date: 3/1/05

Logged In By: Mindy

24-GS1089A.1

Mischel

3/1/05

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GREEN

TO: SB 51

1 Page 9, following line 18:

2 Insert a new subsection to read:

3 "(p) Nothing in this section requires the department to continue to fund an Alaska
4 Native family assistance grant program at a level funded before the current grant period or to
5 replace federal funds for the program with state funding."

SENATE FINANCE COMMITTEE
3 / 1 / 2005 COMMITTEE ACTION

Bill Number	SB 51		
Amendment	#1		
Motion	to adopt		
<u>Motion by</u>	Wilken		
<u>Objection by</u>	None		
Removed			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Bunde			
Senator Dyson			
Senator Hoffman			
Senator Olson			
Senator Stedman			
Co-Chair Wilken			
Co-Chair Green			
<u>Tally</u>			
Yea			
Nay			
Absent			
MOTION	ADOPTED		

CS FOR SENATE BILL NO. 51(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to contracts for the provision of state public assistance to certain
2 recipients in the state; providing for regional public assistance plans and programs in
3 the state; relating to grants for Alaska Native family assistance programs; relating to
4 assignment of child support by Alaska Native family assistance recipients; relating to
5 paternity determinations and genetic testing involving recipients of assistance under
6 Alaska Native family assistance programs; and providing for an effective date."

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

8 * Section 1. AS 47.27 is amended by adding a new section to read:

9 Article 3. Alaska Native Family Assistance Grants.

10 Sec. 47.27.200. Alaska Native family assistance grants. (a)

11 Notwithstanding any contrary provision of this chapter, and in addition to grants
12 awarded under AS 47.27.050, the Department of Health and Social Services may
13 award and administer Alaska Native family assistance grants in accordance with this

1 section. Unless specified otherwise in this section, the provisions of AS 47.27.010 -
 2 47.27.085 do not apply to grants under this section or to an Alaska Native family
 3 assistance program operated under such a grant. To be awarded a grant under this
 4 section, an applicant shall

5 (1) meet the requirements of AS 47.27.070;

6 (2) have received approval for, and have agreed to operate, a federally
 7 approved tribal family assistance plan in this state;

8 (3) agree to operate the plan approved under this section on a state
 9 fiscal year basis; and

10 (4) meet the other requirements of this section.

11 (b) If an organization intends to apply for a grant under this section, the
 12 organization shall first submit to the department a letter of intent along with a copy of
 13 the proposed federal tribal family assistance plan that will be submitted to the federal
 14 government for approval. The organization shall make its submission to the
 15 department at least six months before the proposed effective date of the federal tribal
 16 family assistance plan. The department shall review the submission and notify the
 17 organization of significant deficiencies that would make the organization ineligible to
 18 be considered for an Alaska Native family assistance grant without significant changes
 19 to the federal tribal family assistance plan regardless of whether federal approval is
 20 received or whether federal grant money is awarded for implementation of that plan.
 21 The organization may make a supplemental submission to the department to resolve
 22 deficiencies noted by the department. If, after departmental review and supplemental
 23 revision, an organization's plan remains eligible for consideration for a grant award
 24 under this section, the department shall notify the organization that the organization
 25 may submit a proposal for a grant award after the organization has received notice of
 26 federal approval of the federal tribal family assistance plan and the pending award of
 27 federal grant money. The commissioner may waive the time deadline specified in this
 28 subsection if the commissioner

29 (1) enters into a joint planning agreement between the department and
 30 the organization; or

31 (2) finds good cause and the waiver is in the state's best interest.

1 (c) If the department awards a grant under this section, the grant must be in an
2 amount that

3 (1) for the first fiscal year under the plan accepted by the department,
4 represents a fair and equitable portion of the state appropriations for the state public
5 assistance program administered under this chapter intended to serve the state
6 residents who will be served by the plan; and

7 (2) for the second and subsequent state fiscal years under the plan
8 accepted by the department, represents a fair and equitable portion of state
9 appropriations made for public assistance programs that is allocated for Alaska Native
10 family assistance grants to be awarded under this section in order to serve the state
11 residents who will be served by the plan; if the money is not allocated for these grants,
12 the amounts shall be made in the same manner as described in (1) of this subsection.

13 (d) For an organization to be eligible to be awarded a grant under this section,
14 the organization's proposal must include

15 (1) documentation that the organization

16 (A) has received federal approval of its federal tribal family
17 assistance plan to operate a tribal assistance program in this state; and

18 (B) will receive a grant directly from the federal government to
19 implement the federal tribal family assistance plan;

20 (2) a plan for operation of the Alaska Native family assistance grant
21 that meets the requirements of (e) of this section; and

22 (3) if the commissioner determines that a federally approved tribal
23 family assistance plan would be a cost-effective and efficient means of administering
24 the program established in this chapter in that region of the state and the needs of state
25 public assistance recipients receiving assistance under this chapter can be met through
26 a contract awarded under AS 47.27.300, the organization's agreement to enter into a
27 contract with the department to provide state public assistance to those eligible state
28 residents in the region who are not included in the population to be served by the
29 federally approved tribal family assistance plan.

30 (e) An organization's plan for operation of the Alaska Native family assistance
31 grant must

1 (1) be designed to facilitate self-sufficiency of assistance recipients in
2 the region specified in the federally approved tribal family assistance plan by
3 addressing the conditions specific to that region;

4 (2) provide for a reasonable pattern of service delivery from all
5 providers serving that region;

6 (3) serve a specified region that consists of a geographically cohesive
7 group of communities that share similar interests, resources, and traditions;

8 (4) establish the same maximum number of months of benefits as is
9 established for the state program under AS 47.27.015(a)(1); and

10 (5) provide for administration of the grant money received under this
11 section to establish a program in accordance with the plan accepted by the department
12 and in compliance with other requirements of this section; the program must include
13 the following standards for providing assistance to eligible families:

14 (A) only families with at least one dependent child or a woman
15 in the last trimester of pregnancy are eligible for assistance paid from an
16 Alaska Native family assistance grant;

17 (B) amounts for assistance provided from an Alaska Native
18 family assistance grant to eligible families may not exceed the amounts
19 specified under AS 47.27.025(b) when combined with assistance provided
20 under the federally approved tribal family assistance grant;

21 (C) to remain eligible for assistance paid from an Alaska
22 Native family assistance grant, a minor parent of a dependent child must meet
23 the requirements of AS 47.27.027;

24 (D) families receiving assistance paid from an Alaska Native
25 family assistance grant shall comply with the provisions of AS 47.27.035(a)
26 regarding participation in work activities;

27 (E) families receiving assistance paid from Alaska Native
28 family assistance grant money shall comply with the provisions of (l) - (n) of
29 this section regarding assignment of support rights and cooperation with the
30 child support services agency;

31 (F) the organization has an impartial appeals process to allow

1 affected families in the region of the state covered by the plan accepted by the
2 department to have a fair hearing.

3 (f) The department may award a grant under this section only if the
4 department determines that the proposal, including a plan for operation of the grant,
5 meets the criteria specified in (d) and (e) of this section and that an award of the grant
6 to the organization would be in the public interest. The grant agreement must state
7 that the Alaska Native family assistance program will require all program participants
8 to assign child support rights to the Alaska Native family assistance program unless
9 the Alaska Native organization elects to require participants to assign those child
10 support rights to the state. The department may not distribute grant money until a
11 grant agreement between the organization and the department is executed that meets
12 the requirements of this section.

13 (g) Records pertaining to recipients of assistance from an Alaska Native
14 family assistance grant awarded under this section are confidential public assistance
15 records under AS 47.05.020 and regulations adopted under AS 47.05.020. Use and
16 misuse of these records are subject to the provisions of AS 47.05.030. It is an official
17 purpose under AS 47.05.020 for an organization receiving a grant under this section
18 and the department or another agency of the state to exchange information concerning
19 recipients of assistance under this section if the information requested is for purposes
20 directly connected with the administration of a grant under this section.

21 (h) An organization receiving a grant under this section shall provide to the
22 department a copy of its quarterly report made under 42 U.S.C. 611. The organization
23 shall have its financial records audited annually by a certified public accountant
24 authorized to practice under AS 08.04. The department may prescribe the form and
25 specify the information required to document compliance with this section.

26 (i) If an organization wishes to terminate its program before the end of the
27 time period for which the grant was awarded under this section, the organization must
28 obtain the consent of the department or provide notice to the department 120 days
29 before the anticipated date of termination. At the end of a grant agreement or by early
30 termination under this section, the organization shall provide an inventory of property
31 valued at \$1,000 or over and purchased, in whole or in part, with grant money

1 awarded under this section. The department shall notify the organization of the
2 required disposition of the property listed on the inventory.

3 (j) If the department awards a grant under this section, a person applying for
4 assistance under this chapter who is covered by the federally approved tribal family
5 assistance plan in that region of the state may obtain assistance from the department
6 only through the organization designated by the department to serve the region. A
7 person aggrieved by a decision made by an organization under a grant awarded under
8 this section may use the appeal procedure specified in AS 47.27.300(e).

9 (k) Notwithstanding (j) of this section, a person applying for assistance under
10 this chapter in a region of the state that is served by both an Alaska Native family
11 assistance program that receives a grant under this section and a program administered
12 directly by the department may request to receive assistance under the program
13 administered directly by the department by applying to the department under this
14 subsection and in accordance with regulations adopted under this subsection. The
15 department shall approve the application if the department finds that the applicant has
16 shown that special circumstances exist that support the request to use the state
17 program.

18 (l) A participant in an Alaska Native family assistance program shall assign to
19 the Alaska Native family assistance program, unless the program has elected to require
20 assignment to the state, all rights to ongoing child support that accrues after the
21 effective date of the assignment for the support of the individuals in the family for
22 whom assistance is provided, but not to exceed the total amount of assistance paid by
23 the Alaska Native family assistance program to the family. The assignment takes
24 effect when information required under (n) of this section is provided to the child
25 support services agency following the determination of eligibility. Except with
26 respect to any unpaid support that accrued under the assignment, the assignment
27 terminates when the family ceases to participate in the Alaska Native family assistance
28 program. All assignments to an Alaska Native family assistance program of unpaid
29 child support obligations transfer to the state upon the termination of an Alaska Native
30 family assistance program.

31 (m) An Alaska Native family assistance program participant shall cooperate