

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 00/2

9523 SENATE HEALTH EDUCATION & SOCIAL SERVICES 160

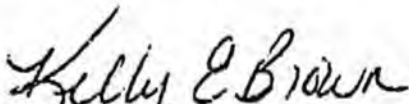
Spring Creek Expansion

Page 2

As more corrections officers move to Seward, they become involved in the local community. These men and women make Seward an even better place to live. They buy homes, shop in the stores, join the PTA, become active in community councils and add revenue to the local tax base. They take advantage of the abundant recreational activities that Seward has to offer. Correctional officers are finding that Seward has a lot to offer. As Seward expands, opportunities for additional and ancillary employment and housing follows. Expanding the Spring Creek Correctional Facility will help the City of Seward in this growth.

SB97 is positive legislation for Alaska; let's work together to make it happen.

Respectfully,

  
Kelly E. Brown  
President

# CITY OF SEWARD

P.O. BOX 167  
SEWARD, ALASKA 99664



- Main Office (907) 224-3331
- Police (907) 224-3338
- Harbor (907) 224-3138
- Fire (907) 224-3445
- Fax (907) 224-3248

February 10, 1997

Senator John Torgerson  
Room 514  
State Capitol  
Juneau, AK 99801-1182

Representative Gary Davis  
Room 420  
State Capitol  
Juneau, AK 99801-1120

Subject: Spring Creek Expansion

I am writing to you to update you on our efforts to promote an expansion of Spring Creek Correctional Facility. As you can see from the attached letter, we quoted a rate of \$52.28 per inmate per day for an expansion. These figures came from City of Seward finance officials and Spring Creek management.

We are hearing a number of misleading things from Juneau which are probably being generated by those who are promoting their own solution to Alaska's prison overcrowding. For your use, the following are a list of those claims and our responses.

1. There is a morale problem at Spring Creek. This is somewhat true.  
People are being hired who are planning to transfer as soon as they are hired. The seven day on/seven day off schedule is a disaster. Any action to expand Spring Creek could, and should, involve direction to encourage local hire, discourage transfer, and eliminate the seven day on/seven day off schedule. This is not the North Slope. There are currently over thirty vacant houses in Seward under \$125,000. As you know Seward is a nice place to live. Direct that new hires and new contracts be on a regular schedule.
2. A private facility is cheaper. True, except for Spring Creek expansion.  
A private facility could be cheaper than any alternative except expansion of Spring Creek. If the goal is hard beds for long term prisoners, any intelligent analysis would show Spring Creek expansion to be the most cost effective. For up to 500 more beds no one can compete with Spring Creek because Spring Creek was originally built to allow for expansion. Also, the staff increments are less demanding. (See the letter from the current Superintendent) A Spring Creek expansion would be cheaper than beds in the Lower 48.

Senator Torgerson  
Representative Davis  
February 10, 1997  
Page 2

3. The City built Spring Creek in 1985 and there were engineering problems and construction cost overruns. Not true.  
The City of Seward financed Spring Creek. ADOT and Corrections designed and built Spring Creek. The contractors and designers were hired and supervised by ADOT. The City played no role. We did get a great rate for the bonds!
4. The State could finance Spring Creek cheaper. Possibly true.  
General Obligation Bonds would normally be cheaper than lease financing. The amount of savings difference between A or AA rated bonds is minimal. My opinion is that GO Bonds are not possible. I wouldn't vote for them, and many Alaskans would not because GO Bonds and conventional prison development is not the most cost effective way to add beds.
5. Seward prison expansion competes with the private jail/prison in Anchorage. Somewhat true.  
See our November 1, 1996 letter to Mr. Ayers. We only compete with the Anchorage facility for long term hard beds. We think we are a better site and for up to 500 long term new beds, a cheaper operation and site. We support the jail in Anchorage. It will ultimately be less expensive to add long term beds to any facility already constructed if an addition is planned.

If there are further public discussions about Spring Creek and how it was built or how it could be expanded please let us know. We are eager to participate. We hear a lot of misinformation and would like to add some accurate information to the mix. The morale comments about Spring Creek are particularly disturbing. That is the State's fault, not Seward's

Sincerely,  
CITY OF SEWARD, ALASKA



RONALD A. GARZINI  
CITY MANAGER

RG:ygw

cc: Honorable Mayor and Members of Council  
Port and Commerce Advisory Board  
Kent Dawson

# CITY OF SEWARD

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November 1, 1996

Mr. Jim Ayers, Chief of Staff  
Office of the Governor  
P.O. Box 110001  
Juneau, AK 99811-0001

Subject: Prison Expansion

Dear Mr. Ayers:

As you know Seward has been very interested in policy discussions regarding the State's plans to meet the growing prison population. Further, as discussions about private vs. public prisons and how to fund needed beds go on endlessly, we see another serious problem evolving besides a shortage of beds.

The prisoner mix at Spring Creek is changing. It was designed and built as a high security facility for long term inmates. Over time as more and more prisoners are exported (all long term high security) Spring Creek's population is becoming more jail like (shorter term). We are becoming concerned that this trend is unhealthy for Spring Creek, its employees and the community. If you talk to employees at Spring Creek they will tell you long term high security does not mix well with the new people.

In the past we have offered to help the State with its shortage of long term beds. We cannot help with short terms beds but we do want to make you aware that we support the immediate development of a jail facility in the Anchorage area. Further, as the jail facility in Anchorage is being built we recommend a 250-bed expansion to Spring Creek to make it possible to return Alaska's exported prisoners.

Working with an Alaska contractor Strand Hunt, our financial advisor, and the Spring Creek operating budget, we forecast a cost for 250 new beds at \$52.28 per day. See the attached memorandum from Finance Director Rick Gifford. That figure includes debt and operations but excludes medical services. This figure is lower than the current cost for exported prisoners. We see no reason to export prisoners when we can compete price wise here in Alaska by further completing the Spring Creek facility.

Regardless of the decision that is made for Spring Creek, a new jail must be built in the Anchorage area as soon as possible. We are ready to support any efforts to that end be they public or private.

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services  
Department of Education  
State of Alaska

# CITY OF SEWARD

P.O. BOX 167  
SEWARD, ALASKA 99664



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Regardless of the decision that is made for Spring Creek, a new jail must be built in the Anchorage area as soon as possible. We are ready to support any efforts to that end be they public or private.

Jim Ayers  
November 1, 1996  
Page 2

As a companion to that effort we hope you will consider allowing us to bid to assist with returning our long term prisoners to Spring Creek.

Sincerely,  
CITY OF SEWARD, ALASKA

**COPY**

LOUIS BENCARDINO  
MAYOR

LB:ygw

cc: Anchorage Mayor Rick Mystrom

Enclosure: October 31, 1996 memorandum from Finance Director Rick Gifford

# MEMORANDUM



DATE: October 31, 1996

TO: Mayor Louis Bencardino

FROM: Rick L. Gifford, Director of Finance *RG*  
& Administrative Services

SUBJ: SCCC Expansion

Per your request, I have reviewed the information provided by the Spring Creek Correctional Center (SCCC) budget, to determine the additional cost per man day for an expansion for an additional 250 residents. The expansion, including the debt service for the expansion will cost approximately \$52.28 per man day for the additional 250 residents. The following computations support the \$52.28 cost per man day:

- ▶ Debt service is \$1,603,545 annually based on financing \$20 million over 30 years at a 7% interest rate. The annual debt service is based on equal payments for 30 years. Annual payments can be structured under several alternatives which could increase or lower the total financing costs.
- ▶ 250 resident increase X 365 days = 91,250 man days annually.
- ▶ 

Annual increment costs	\$ 3,167,710	=	\$34.71 per man day
Annual debt service	<u>1,603,545</u>	=	<u>17.57</u> per man day
Total	<u>\$ 4,771,255</u>	=	<u>\$ 52.28</u> per man day

The above figures do not include medical costs.

If you have any questions or would like to review the above with me, please contact me.

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## DEPARTMENT OF CORRECTIONS

SPRING CREEK CORRECTIONAL CENTER

MILE 5 NASH ROAD  
P.O. BOX 2109  
SEWARD, ALASKA 99664  
PHONE: (907) 224-8200

3 October 1996

Ron Garzini, City Manager  
City of Seward  
Post Office Box 167  
Seward, Alaska 99664

RE: SPRING CREEK CORRECTIONAL CENTER

Dear Mr. Garzini;

The attached is per your request. This does not take into account debt service or medical costs which were reported in my last data as \$8.00 per day, per prisoner.

Alaska supplements the costs of prisoners in Arizona by paying for medical and prisoner salaries.

Sincerely,



Larry Kincheloe  
Superintendent  
Spring Creek Correctional Center

LRK:sjl

pc: Frank Sauser, Director, DOI

POPULATION INCREASE WORKSHEET								
Spring Creek Correctional Center								
Resident Increase 250 / Proposal Worksheet								
Date: October 2, 1996								
Page 1 of 3								
ACCT. CODE	DESCRIPTION	UNITS	COST	INCREMENT ONE-TIME	INCREMENT ANNUALLY	ADDITIONAL COMMENTS	Order #	ETA
71000	PERSONNEL Correctional Officer II	30	\$ 60,000.00		\$ 1,800,000.00	PCN's x 30 x @ \$80,000 yr. =		
.....								
72000	TRAVEL				\$ 2,460.00	FY96 Actual X 51% weighted factor		
72380	Non-Employee/Prisoner Travel							
.....								
73000	CONTRACTUALS							
73100	Professional Services				\$ 600.00	FY96 Actual x 51%		
73320	Telephone				\$ 16,900.00	FY96 Actual x 51%		
73380	Postage				\$ 7,800.00	FY96 Actual x 51%		
73420	Motor Pool Charges				\$ 2,700.00	Patrol & Transporting of prisoners		
73460	Freight				\$ 20,000.00	Freight to Procure Food & Non-Food Related Items		
73560	Printing & Binding				\$ 700.00	Prisoner ID Badges, Movement Passes, etc.		
73600	Utilities				\$ 127,000.00	FY96 Actual x 51% x 35% =		
73700	Minor Repair & Maint.				\$ 2,500.00	Non-recoverable restitution for damaged property		
					\$ 178,200.00	<b>CONTRACTUAL TOTAL</b>		
.....								
74000	SUPPLIES							
74200	Office Supplies				\$ 23,800.00	FY96 Actuals x 51%		
74480	Food Supplies ( incl. 74490 non-food supplies )				\$ 430,000.00	Base = FY96 Actuals ( \$1.57 x 3 x 250 x 365 = )		
74482	Shirts	1000	\$ 7.00	\$ 7,000.00	\$ 7,000.00	Unit cost x 250 @ annual replacement cost.		
74482	Jeans	1000	\$ 7.70	\$ 7,700.00	\$ 3,850.00	Unit cost x 250 @ annual replacement cost x 50%		
74482	Shoes	500	\$ 4.50	\$ 2,250.00	\$ 2,000.00	Estimate		
74482	Socks	1000	\$ 0.65	\$ 650.00	\$ 650.00	Estimate		

POPULATION INCREASE WORKSHEET								
Spring Creek Correctional Center								
Resident Increase 250 / Proposal Worksheet								
Date: October 2, 1996								
Page 2 of 3								
ACCT. CODE	DESCRIPTION Supplies cont'd.	UNITS	COST	INCREMENT ONE-TIME	INCREMENT ANNUALLY	ADDITIONAL COMMENTS	Order #	ETA
74482	Underware Top	1000	\$ 1.54	\$ 1,540.00	\$ 1,550.0	Historic Estimate		
74482	Underware Bottom	1000	\$ 1.32	\$ 1,320.00	\$ 1,350.0	Historic Estimate		
74482	Rubber Boots	250	\$ 9.00	\$ 2,250.00	\$ 1,500.0	Estimate		
74482	Jacket	250	\$ 11.00	\$ 2,750.00	\$ 2,000.0	Historic Estimate		
74482	Bath Towel	500	\$ 2.10	\$ 1,050.00	\$ 1,200.0	Historic Estimate	330859 ?	
74482	Washcloth	500	\$ 1.00	\$ 500.00	\$ 500.0	Historic Estimate		
74482	Laundry Bag	250	\$ 4.30	\$ 1,075.00	\$ 200.0	Historic Estimate		
74482	Baseball Cap	250	\$ 1.87	\$ 468.00	\$ 500.0	Historic Estimate		
74484	Mattress	250	\$ 65.00	\$ 16,250.00	\$ 4,000.0	Historic Estimate	330862	10/8/96
74484	Pillow	250	\$ 6.75	\$ 1,700.00	\$ 850.0	Historic Estimate	330859 ?	
74484	Pillowcase	500	\$ 1.20	\$ 600.00	\$ 600.0	Historic Estimate	330859 ?	
74484	Bedsheet	500	\$ 3.90	\$ 2,000.00	\$ 2,000.0	Historic Estimate	330859 ?	
74484	Blanket	500	\$ 8.17	\$ 2,050.00	\$ 500.0	Historic Estimate		
74486	Soap/Paper Products			\$ 1,000.00	\$ 20,000.0	Historic Estimate		
				\$ 52,153.00	\$ 504,050.0	<b>SUPPLIES TOTALS</b>		
.....								
75000	<b>EQUIPMENT</b>							
	Stainless Steel Dining Tables	52	\$ 1,200.00	\$ 62,400.00	\$ -	Vendor - ACI Wildwood	330858	10/14-31/96
	Metal Wall Lockers	250	\$ 68.00	\$ 17,000.00	\$ -	RFQ Walla Walla - response due 9/13/96	330860	10/10/96
	Metal Wall Shelves	250	\$ 110.00	\$ 27,500.00	\$ -	Vendor - ACI Wildwood	330857	10/14-31/96
	Metal Bunk Beds	250	\$ 242.50	\$ 60,625.00	\$ -	Vendor - ACI Wildwood	330848	10/1-18/96
	Metal Bunk Bed Ladders	125	\$ 52.40	\$ 6,550.00	\$ -	Vendor - ACI Wildwood	330849	10/1-18/96
				\$ 174,075.00	\$ -			
.....								
77000	<b>GRATUITIES</b>							
77000	Prisoner Program Wages	162.5	\$ 0.60		\$ 83,000.0	250 x 65% = 162.5 x \$1.40 day x 365 =		

POPULATION INCREASE WORKSHEET					
Spring Creek Correctional Center					
Resident Increase 250 / Proposal Worksheet					
Date: October 2, 1996					
Page 3 of 3					
COMPONENT SUMMARY: ( This Proposal )				COST PER MAN DAY / This Proposal	
71000	PERSONNEL	\$	-	\$ 2,400,000.00	\$ 26.30
72000	TRAVEL	\$	-	\$ 2,460.00	\$ 0.03
73000	CONTRACTUALS	\$	-	\$ 178,200.00	\$ 1.85
74000	SUPPLIES	\$	52,153.00	\$ 504,050.00	\$ 5.52
75000	EQUIPMENT	\$	174,075.00	\$ -	\$ -
77000	GRATUITIES	\$	-	\$ 83,000.00	\$ 0.81
<b>TOTALS</b>		\$	226,228.00	\$ 3,167,710.00	\$ 34.71
THIS PROPOSAL DOES NOT INCLUDE CONSTRUCTION COSTS AND ONLY EQUIPMENT IDENTIFIED ABOVE.					( Staff to prisoner ratio = 6.25/1 )
FISCAL YEAR COMPARRISONS					
COST PER MAN DAY		FY97 (8/31/86)	FY86	FY95	FY94
71000	PERSONNEL	62.47	\$ 69.50	\$ 71.79	\$ 70.59
72000	TRAVEL	0.06	\$ 0.22	\$ 0.23	\$ 0.17
73000	CONTRACTUALS	2.62	\$ 4.71	\$ 4.86	\$ 5.6
74000	SUPPLIES	5.45	\$ 7.26	\$ 8.86	\$ 6.6
75000	EQUIPMENT	0	\$ 0.41	\$ 0.21	\$ 0.3
77000	GRATUITIES	1.25	\$ 1.34	\$ 1.41	\$ 1.4
<b>TOTAL</b>		71.85	\$ 82.44	\$ 85.36	\$ 84.7
VACANCY FACTOR @ YEAR END		2.90	\$ 6.91	4.09	\$ 3.95

# **STRAND HUNT** **CONSTRUCTION**

September 16, 1996

RECEIVED  
SEP 1 1996  
City of Seward  
2441 Cinnabar Loop Road  
Anchorage, Alaska 99507-3149

Mr. Ron Garzini  
City Manager  
City of Seward  
P. O. Box 167  
Seward, AK 99664

Re: Proposal to the State of Alaska for Spring Creek Correctional Center Expansion

Dear Mr. Garzini:

Strand Hunt Construction would be pleased to have an opportunity to submit a proposal as a team associated with the City of Seward that would be submitted to the State of Alaska for the construction of additional beds to the existing Spring Creek Correctional Facility.

As we have discussed, this proposal should be of great interest to the State for at least three reasons:

1. Inmates are now being shipped out of state. This creates a hardship for families of inmates and does not provide economical benefits to Alaska.
2. Spring Creek Correctional Center was built with a future expansion in mind. The existing facility already has most of the needed infrastructure in place to support several hundred additional beds.
3. The State has looked unfavorable toward both solely private correctional institutions, as well as State owned and run facilities. This proposed blend of private and public groups should be well received.

We have completed an analysis of costs for the construction of a new expansion to be located adjacent to the existing Spring Creek Correctional Center using similar types and grades of materials, to be constructed during the 1997/1998 time period.

We propose to construct 192 additional beds and a courtyard for an amount of \$18,950,000. In addition, we have planned for an additional 192 bed expansion (Phase II) for an amount of \$19,450,000 (subject to price escalation).



Mr. Ron Garzini, City Manager  
City of Seward  
September 16, 1996  
Page two

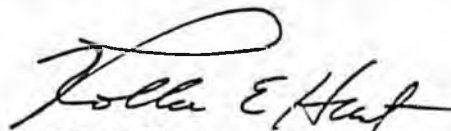
As the next step, we will need to develop costs to guard and maintain inmates so that we can establish a cost per day, per bed, to assure ourselves that we are in a competitive range with out-of-state institutions.

Provided the costs appear reasonable after this review, I would set up a meeting with Governor Tony Knowles to explain our proposal. The State would, most likely, need to see other proposals. We can help develop an RFP package if the Governor would like.

If the above outline seems like a partnership that would be of interest to the City of Seward, I suggest we meet soon to fill in the details that will allow us to move forward together. Please let me know when it would be beneficial to meet and discuss this further.

Very truly yours,

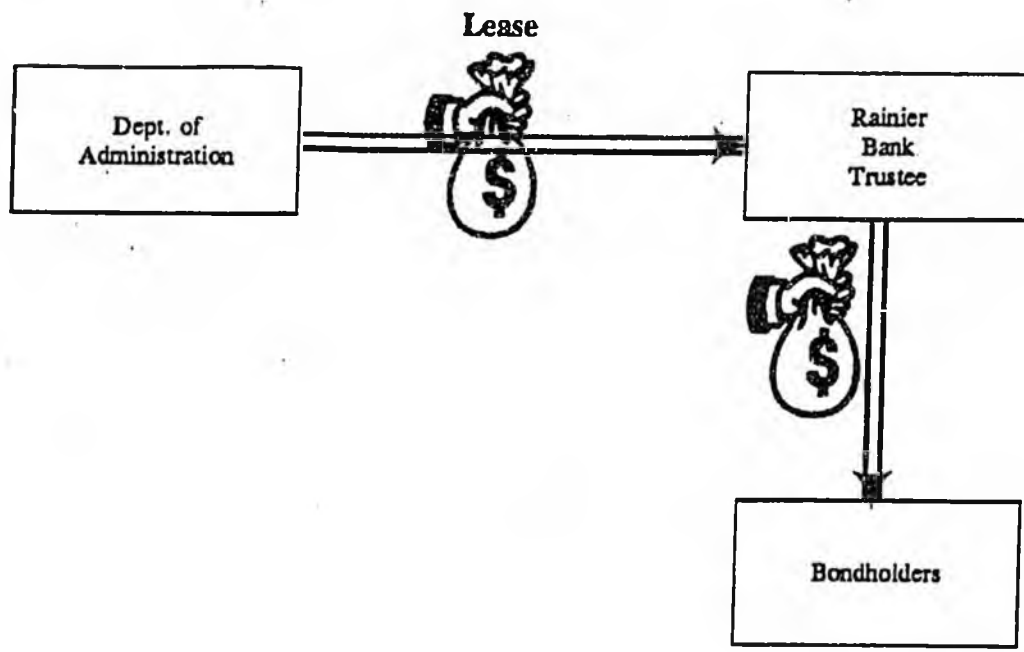
STRAND HUNT CONSTRUCTION, INC.



Rollie E. Hunt  
President

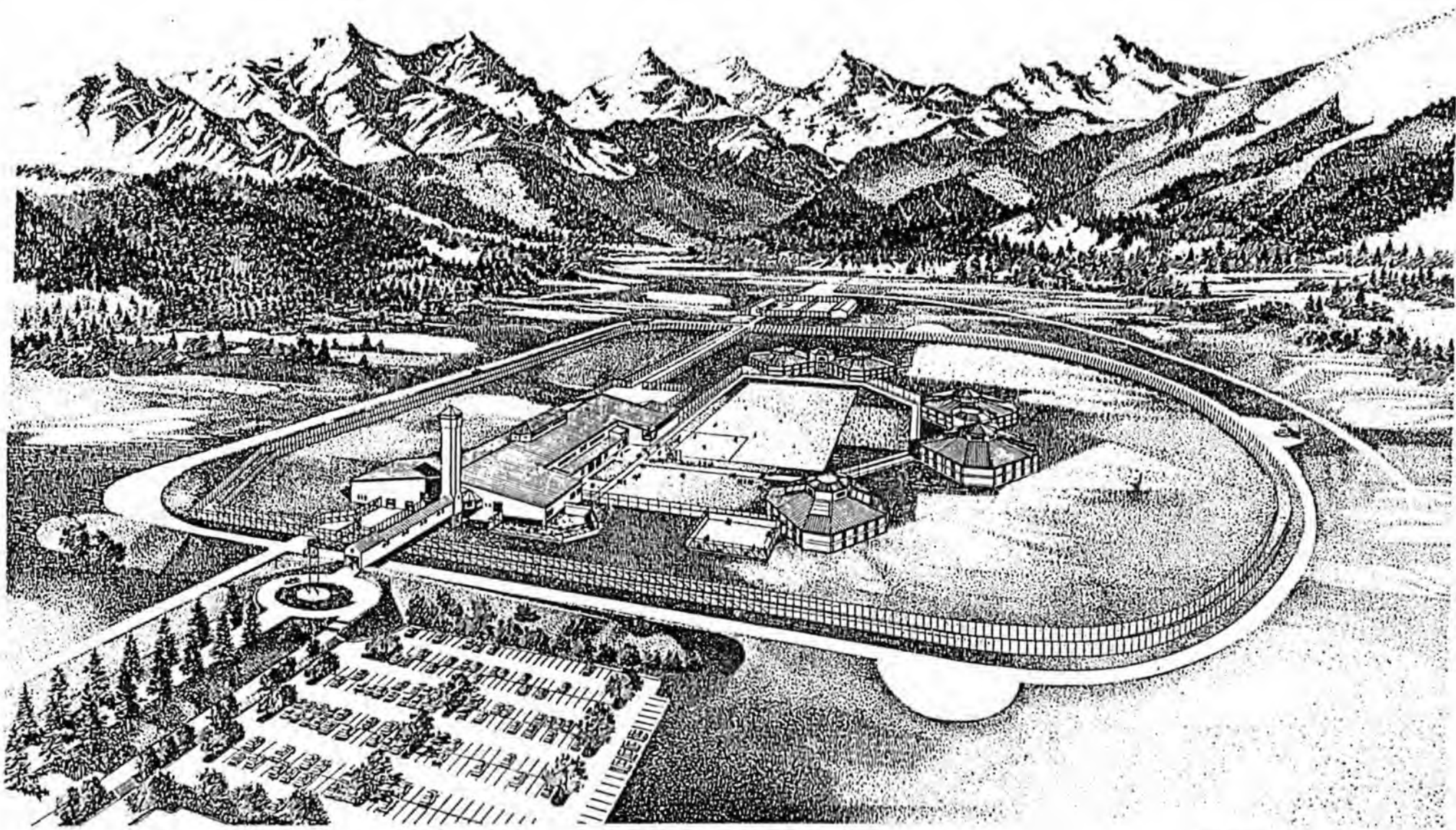
c/ Thomas W. Presnell





Note: No Seward Involvement

**1985 PRISON LEASE  
Payment Process**

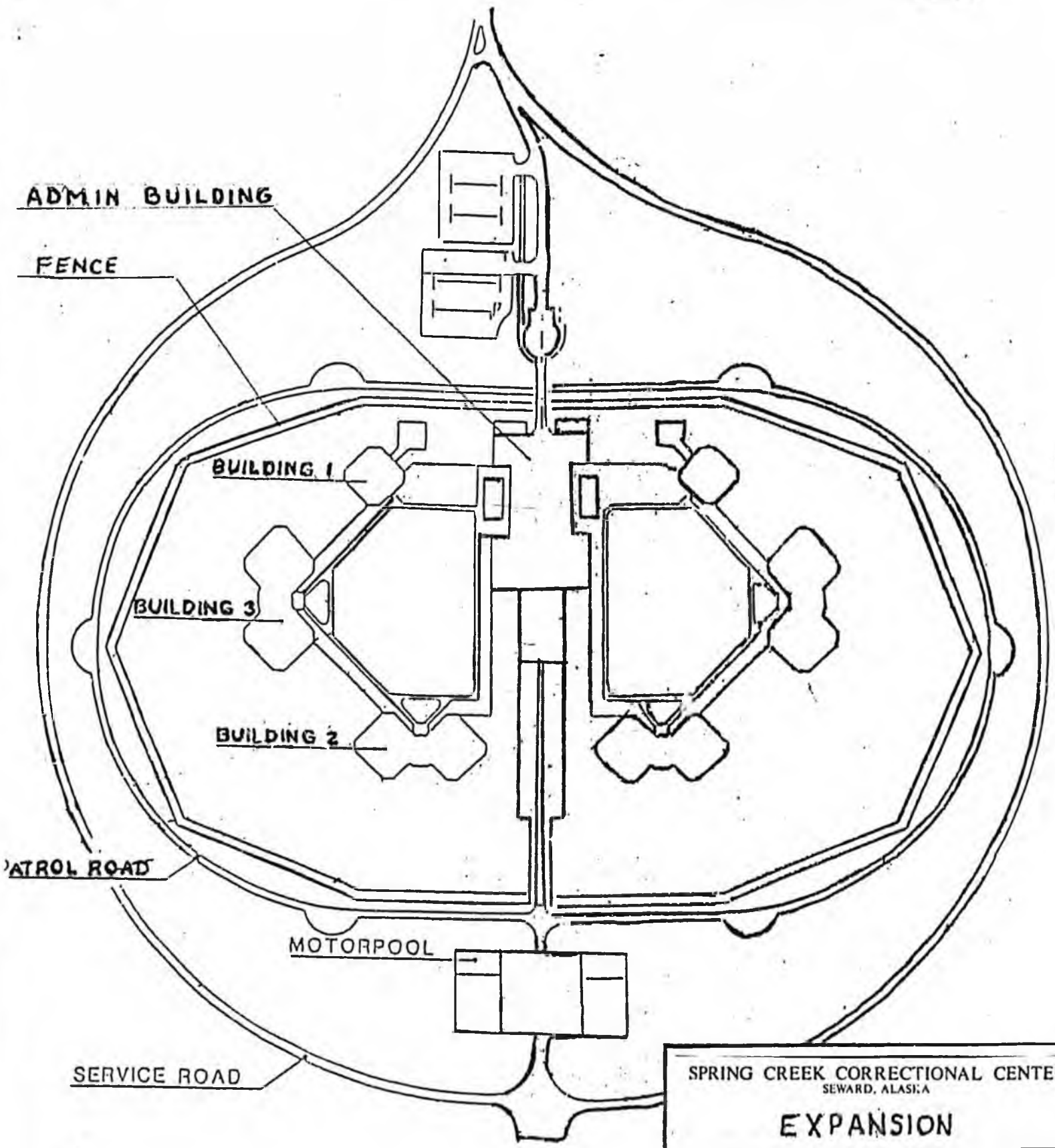


*Peter Management & Engineering Corporation  
McGraw-Hill of Alaska Inc. Anchorage  
Paul Green, Architect*

STATE OF ALASKA  
CORRECTION DEPARTMENT  
**SPRING CREEK CORRECTIONAL CENTER**  
SIWARD, ALASKA

ALASKA DEPARTMENT OF CORRECTIONS  
COMMISSIONER ROGER V. JAMES  
GENERAL INVESTMENT IN TRANSPORTATION AND PUBLIC UTILITIES

NORTH



SPRING CREEK CORRECTIONAL CENTER  
SEWARD, ALASKA

EXPANSION

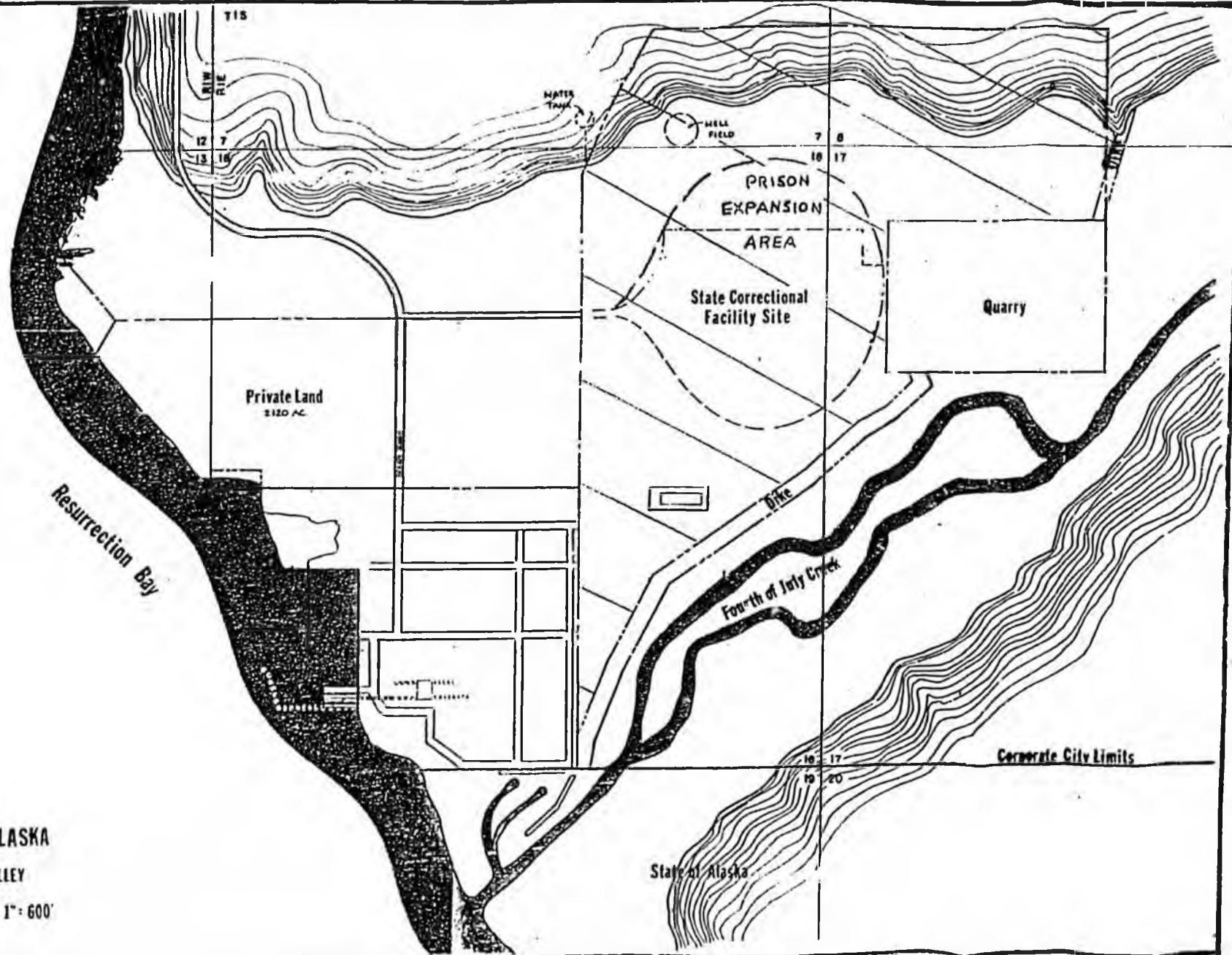


PRISON PROPERTY  
± 325 ACRES

CITY OF SEWARD, ALASKA

FOURTH OF JULY CREEK VALLEY

Scale: 1" = 600'



# MEMORANDUM



**DATE:** March 10, 1997

**TO:** Senator John Torgerson

**FROM:** Ron Garzini, City Manager *RAG*  
Rick L. Gifford, Director of Finance *RHG*  
& Administrative Services

**SUBJECT:** Fiscal Note for SB 97 by the Department of Revenue

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## Notes:

1. The debt service schedule proposed by the Department of Revenue is fine. The City used a little higher interest rate in order to be on the conservative side.
2. The City would like to see the lease/purchase be between the City and the Department of Administration. We envision a true lease. The Department of Administration can seek input from other departments, but the more departments involved in the agreement, the more complicated and costly the project becomes.
3. The City will obtain the financing, build the expansion project and turn the keys over to the State when completed. We have no objection to providing appropriate funding for the State to conduct inspections and reviews. Again the fewer agencies involved, the more efficient this project can proceed.
4. The City does not plan to refinance the existing SCC facility debt, however the City will contact Ford Motor Credit to examine all options. We worked constructively with Ford Motor Credit in the past.
5. The current agreement between the City and the State provides that the State will assume ownership at the end of the term of the lease agreement, however if the State ceases to operate the facility as a prison, the property would revert to the City. The City utilized its State selection rights to obtain the property initially and would use it for industrial purposes.

DRAFT

DRAFT

## ALASKA'S CORRECTIONS PLAN

<u>LOCATION</u>	<u>NEW BEDS</u>	<u>CONST. COSTS</u>	<u>OP. COSTS</u>
Anchorage (replace 6 <sup>th</sup> Ave. Jail)	260 (400 bed facility)	\$60,000	\$8,076
Palmer (medium security)	221	\$13,050	\$3,763
Hiland Mountain	0 (create women's unit)	\$1,000	0
Mat-Su Pre-Trial	64	\$6,000	\$1,107
Yukon-Kuskokwim (Bethel)	48	\$5,000	\$963
Fairbanks	80	\$10,250	\$2,266
North Slope Borough	50	??	??
Wildwood (Kenai)	149	\$29,200	\$2,111
Spring Creek (Seward)	166-250	\$25,000	\$7,380
Lemon Creek (Juneau)	64	\$9,000	\$1,931
Totals:	<hr/> 1102 - 1186	<hr/> \$158,500	<hr/> \$27,597

# ALASKA'S CORRECTIONS PLAN

Three components:

- Limit the number of prisoners going into the "hard bed" system (to the extent that this can be done in a manner that is consistent with public safety)
- Expand the number of "hard beds" to keep up with the growing numbers
- Get the prisoners out of "hard beds" quicker (to the extent that this can be done in a manner that is consistent with public safety)

Pursue expansion options that are:

- Safe
- Statewide (comprehensive)
- Meet regional needs
- Involve community participation (gov't to gov't)
- Cost effective

**S B**

**g g**

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 2/24/97

FURTHER: Finance

Date of 5-Day Notice: 2/27/97  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 3/5/97

HESS Committee considered

SENATE BILL NO. 99

"An Act relating to health care data and registration of births."

and recommends:

be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to the \_\_\_\_\_ Committee

**Senate Bill:**  
 same title  
 new title  
**House Bill:**  
 same title  
 technical title  
 new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
<b>CHAIR:</b> <i>GRW</i>	✓	<b>CHAIR:</b>			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
Health + Social Services	2/27/97	✓	

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 99

Revision Date: \_\_\_\_\_  
Title: An act relating to health care data  
and registration of births  
Sponsor: Senate HESS  
Requestor: Senate HESS

Dept. Affected: Health and Social Services  
BRU: State Health Services  
Component: Bureau of Vital Statistics  
COMPONENT SERIAL NO. 961  
See also (SN#): 296

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGES 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 (please specify)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Should this bill not pass, the state would lose \$420.0/year in federal grant funds for the establishment of a cancer registry to monitor the occurrences within the state.

Prepared by: Peter M. Nakamura, MD, MPH  
Division: Public Health  
Approved by Commissioner: Karen Perdue, Commissioner  
Agency: Department of Health & Social Services

Phone: (907) 465-3090  
Date: 02/25/97  
Date: 2/27/97

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FISCAL IMPACT:

NCNE

FISCAL NOTE ATTACHED

**BACKGROUND/LEGISLATIVE INTENT**

This bill was introduced by the HESS committee at the request of the Department. It will accomplish changes in current law needed to: 1) achieve program efficiencies possible with advanced technology by eliminating the need for individual hospital signatures on birth certificates allowing full implementation of the Electronic Birth Certificate; 2) clarify rules for filing and registering births occurring on moving conveyances or in international water or air space en route to Alaska; 3) establish a statewide cancer registry under a 5-year federal grant of \$420,000 annually. The grant requires protections for data and access to data for research purposes as well as protection from civil liabilities for providers who report required data.

**ANALYSIS OF BILL/PROGRAM EFFECTS**

Sections 1 & 2 establish civil immunity for providers who disclose health care data on diseases and conditions which must be reported to the Department and assures access to health records needed to carry out public health activities and to conduct research for the purposes of protecting or promoting public health. These provisions protect providers for mandatory reporting of health information needed for effective public health surveillance, analysis, prevention, and disease control efforts. Without these provisions the Department will become ineligible to receive grant funding to establish a registry of cancer occurrences within the state - an increasingly vital activity as cancer has become the leading cause of death.

Sections 3 & 4 make changes in AS 18.50.160(a) to fully implement the Electronic Birth Certificate system and take full advantage of more efficient technology by: 1) allowing certification to occur by an electronic process rather than only by signature on a paper certificate; 2) shifting place of filing to recognize electronic filing at the bureau; 3) reducing filing time from 7 to 5 days to comply with requirements of the National Center for Health Statistics. They also clarify rules for filing and registering births occurring on moving conveyances in international waters or air space or foreign waters or air space en route to Alaska. This complies with the model Vital Statistics Act.

**AMENDMENTS PROPOSED**

DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
Position and Sectional Analysis  
SB 99

The Department strongly supports this bill. It accomplishes two important objectives by (1) allowing the department to establish and maintain a statewide cancer registry under a 5-year \$420,000 annual grant; (2) increase program efficiency by allowing the Department to take advantage of new technology.

Section 1: Grants civil immunity to persons who report health care data to the Department when the reports are made in compliance with AS 18.05 and attendant regulations. This immunity protects the person reporting the information regardless of how the Department uses the information. This protection is necessary to make the Department eligible to receive grant funds to establish a statewide cancer registry.

Section 2: Grants the Department the right to examine health care records of anyone providing health care services to patients that would identify patients or establish characteristics of an identified patient with a reportable condition or disease. It allows the Department to conduct research using information reported to the Department while requiring the Department to keep reported information confidential. It allows the Department to release this information to other persons for clinical, epidemiological or other public health research so long as the information is kept confidential and not released to other persons without Departmental consent. Finally, information reported under this section is exempt for freedom of information requests.

Section 3: Clarifies the rules for reporting and registering births that occur on moving conveyances in international waters or air space or foreign waters or air space en route to Alaska and bring Alaska statutes on such reporting into compliance with the model Vital Statistics Acts. It reduces the filing time from 7 to 5 days to comply with requirements of the National Center for Health Statistics.

Section 4: Clarifies the rules for reporting of births that occur en route to a birthing institution, allow the Department to fully implement the Electronic Birth Certificate system by allowing electronic certification of births rather than only by signature on a piece of paper and by moving the place of filing to recognize electronic filing at the Bureau of Vital Statistics.

ALASKA STATE

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# HOSPITAL & NURSING HOME

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ASSOCIATION

Senator Gary Wilken, Chair  
Senate HESS Committee  
Room 510, Capitol Building  
Juneau, AK 99811

March 5, 1997

RE: Senate Bill 99 "an Act relating to health care data and registration of births."

Dear Senator Wilken:

The members of the Alaska State Hospital and Nursing Home Association support Senate Bill 99 which is scheduled for a hearing before your committee today.

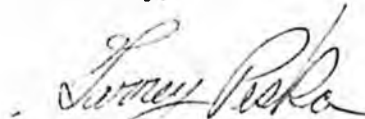
Section 1 of this bill provides immunity for a person who reports health care data required by law to be reported to the Department of Health and Social Services.

Section 2 clarifies that the Department has the right to access health care records to conduct epidemiological or other public health research.

Sections 3 & 4 clarify and simplify the process for registration of births.

We respectfully request that you support Senate Bill 99 and pass it from the HESS committee today.

Sincerely,



Garrey Peska  
Financial Consultant

# HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES

P.O. BOX V, JUNEAU 99811

(907) 465-3759



## SPONSOR STATEMENT

SCS HB 114 (FIN)

*Companion Bill to SB 99*

"An Act relating to health care data and registration of births."

This bill will accomplish changes in law needed to assure that the Department of Health and Social Services has access to information on diseases and conditions of public health significance essential to carrying out disease surveillance, control, and prevention activities.

It will establish explicit civil immunity for providers who comply with requirements to report health care data and assure access by DHSS to health records needed to carry out its mandates and to conduct research for the purposes of protecting and promoting public health. These provisions are required to continue eligibility for a Federal grant of \$420,000 per year which supports operation of a registry of cancer occurrences within the state - an increasingly vital activity as cancer has become the leading cause of death.

HB 114 will also make changes needed to fully implement the Electronic Birth Certificate system and clarify rules for filing and registering births occurring en route to Alaska. The bill will:

- allow certification of births to occur by an electronic process rather than only by signature on a paper certificate and shift the place of filing to recognize electronic filing;
- reduce filing time from 7 to 5 days to comply with requirements of the National Center for Health Statistics;
- clarify rules for filing and registering births occurring on moving conveyances in international waters or air space or foreign waters or air space en route to Alaska to comply with the model Vital Statistics Act.

The Senate Finance Committee amended the bill to make it clear that the Department of Health and Social Services has access to patient records for only diseases and conditions of public health significance. The bill does NOT grant the department unlimited access to patient records and data. With this amendment, the bill is supported by the Alaska State Hospital and Nursing Home Association and the American Cancer Society.

### CANCER REGISTRY BILL ISSUES RESOLVED

House Bill 114 as originally introduced included language that would allow the department to inspect health care records maintained by providers that would identify patients or establish characteristics of an identified patient with a condition or disease required to be reported to protect public health.

ASHNHA members objected saying that language was too broad and subjective. The department agreed to an ASHNHA amendment that would allow inspection of records identifying patients with cancer required to be reported under the National Cancer Registries Act or with a birth defect or infectious disease.

The department and ASHNHA agreed on another amendment that clarifies that releasing data from medical records (including names, etc.) under this law will not constitute a breach of confidentiality. A third amendment states that data may be obtained from medical records but the actual records will be inspected, not obtained, by the department.

With support from ASHNHA and the department, the bill passed out of Senate Finance this week. It is expected to pass this year.

### Need for public health access to medical records

- Individual physicians report only a minimal amount of information about a person who is diagnosed with a disease that is required to be reported to protect the public health.
  - The goal is to identify that the disease has been suspected or diagnosed.
  - Individual physicians are not required to then fill out detailed case forms that include the important, detailed information needed to characterize risk factors, verify the diagnosis, and obtain information on symptoms, lab results and treatment.
  - The acquisition of the detailed information is done by public health nurses and physicians. This protects the physician from undue burdensome paperwork. It enables the physician to concentrate on treating the patient and public health physicians to concentrate on protecting those other than the patient.
  
- The process of disease reporting and obtaining information to protect the public health is a partnership between the attending physician and the public health professionals.

Examples of the types of detailed information that are obtained by public health from medical records.

- Cancer
  - Diagnostic information
  - Primary site of the cancer
  - Histologic type, behavior, grade
  - Method of diagnostic confirmation
  - State of disease
  
- Tuberculosis
  - Dates of past TB skin tests.
  - History of past TB infection, site, extent of disease, lab results, type and duration of treatment.
  - Other illness that might affect selection of drugs used to treat.
  - Lab results of the sensitivity of the organism to antibiotics.



DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

Public Health Service

Centers for Disease Control  
and Prevention (CDC)  
Atlanta GA 30341-3724

August 8, 1997

Peter Nakamura, MD MPH  
Director of Public Health  
PO Box 110610  
Juneau AK 99811-0610

Dear Dr. Nakamura:

I am writing to address concerns that have arisen regarding the reporting of personal identifying information for individuals with cancer. The failure to collect and report this information has serious implications for Federal reporting requirements as prescribed in the Cancer Registries Amendment Act of 1992 (PL 102-515), for central cancer registry operations, and in light of the Health Insurance Portability and Accountability Act of 1996, sponsored by Senators Kennedy and Kassebaum.

Public Law 102-515 requires that all participants funded through the National Program of Cancer Registries (currently, 42 states and the District of Columbia) collect, for each form of in-situ and invasive cancer (with the exception of basal and squamous cell carcinoma), demographic information (including personal identifiers - such as, but not limited to, name, address, social security number), information on the industrial or occupational history, administrative information, and pathology data characterizing the cancer. In addition, all five states and six metropolitan area registries funded through the National Cancer Institute's (NCI) Surveillance, Epidemiology, and End Results Program (SEER) are required to collect similar personal identifying information. And finally, states that are not currently funded through the Centers for Disease Control and Prevention or NCI (i.e. Tennessee and Delaware) collect this information from their reporting medical facilities. That is to say, all state central cancer registries in existence (49) collect personal identifiers.

Personal identifiers are absolutely essential to the operations of state central cancer registries to ensure accurate cancer data. For example, personal identifiers are required for record linkage procedures to identify multiple reports from more than one reporting source (i.e. hospital, lab, or clinic). Cancer case reports from multiple reporting sources may be incomplete, provide contradictory information, or may be identical. Thus, the central registry must identify the multiple reports on the same person, reconcile any inconsistencies, and prepare a composite set of values for each patient and tumor, incorporating information from a variety of sources. Such case consolidation procedures are absolutely critical in order to avoid over counting of cancer cases that would result in inaccurate and inflated cancer incidence rates.

Personal identifiers are also absolutely necessary to assure completeness of cancer data. Personal identifiers are required to link cancer registry data to death certificates in the state to identify

previously unreported cases of cancer, to obtain new cancer information about the person previously unavailable (follow-back procedures), and to document vital status. Death clearance is an essential step in achieving complete population-based reporting. It serves as a check on completeness of reporting from other sources and often identifies cases which should have been reported from those reporting sources but were not. In addition, the proportion of cancer cases identified only by a death certificate ("death certificate only"=DCO) is an important standard measure of the quality of cancer case finding used by all other state cancer registries.

Personal identifiers are essential to fulfil requirements for cancer case-sharing agreements. The central registry must collect information about all cancers occurring in its coverage area, regardless of state residence. For the purpose of completeness of reporting, central registries should provide case information on a nonresident to the population-based registry covering the patient's place of residence once formal case sharing agreements are established. If Alaska did not collect personal identifiers, case-sharing would not be possible with other states—thus, eliminating an important source of cancer information about Alaska citizens diagnosed or treated in other states.

The collection of personal identifiers is consistent with national trends in the private health care industry and the public sector to streamline and standardize the electronic exchange of health information. For example, the Health Insurance Portability and Accountability Act of 1996 (A.K.A. Kennedy-Kassebaum Bill) recently signed into law prescribes national administrative simplification through development and adoption of national standards for "transaction and data elements for such transactions, to enable health information to be exchanged electronically" including "individually identifiable health information". The Act also clearly recognizes the need to protect the privacy and confidentiality of such health information by imposing substantial penalties of \$50,000 to \$250,000 and/or prison terms for "wrongful disclosure of individually identifiable health information". The Kennedy-Kassebaum Law goes further to state "nothing in this part shall be construed to invalidate or limit the authority, power, or procedures established under any law providing for the reporting of disease or injury, child abuse, birth, or death, public health surveillance, or public health investigation or intervention".

Complete, quality, and timely data are necessary if data are to be used to: monitor trends in cancer incidence and mortality; to guide cancer control program planning and evaluation; to assist in prioritizing health resource allocations; to advance population-based epidemiologic and health services research; and, to serve as the foundation of a national comprehensive cancer control strategy. Without personal identifying information, the ability to ensure complete, quality, and timely data is compromised.

If I can further address any concerns, please contact me at (770) 488-4227.

Sincerely yours,



Daniel Miller, M.D., M.P.H.  
Chief  
Epidemiology and Statistics Branch  
Division of Cancer Prevention and Control  
National Center for Chronic Disease  
Prevention and Health Promotion

cc: Jean Roche

ORDER ADOPTING, AMENDING, OR REPEALING REGULATIONS OF  
THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES

The attached 16 pages of regulations, dealing with disease reporting are hereby adopted and certified to be a correct copy of the regulations that the Department of Health and Social Services adopts, amends, or repeals under the authority of AS 18.05.030, AS 18.05.040, AS 18.05.044, and AS 18.05.046 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

The regulations adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: Dec. 18, 1995  
Tulsa, ALA.  
(city where dated)

Karen Perdue  
Karen Perdue  
Commissioner  
Department of Health and Social Services

*Ranked reg#  
No 137  
1/19/96*

FILING CERTIFICATION

I, Fran Ulmer, Lieutenant Governor for the State of Alaska, certify that on \_\_\_\_\_, 1995, at \_\_\_\_\_ .m., I filed the attached regulations according to the provisions of AS 44.62.040-44.62.120.

\_\_\_\_\_  
Lieutenant Governor

Effective \_\_\_\_\_.

Register \_\_\_\_\_.

**CHAPTER 27. PREVENTIVE MEDICAL SERVICES.** →

Publisher: Please contact  
Capitol  
office  
pending.  
D&B

Article 1. Control of Diseases of Public Health Significance  
(7 AAC 27.005 - 7 AAC 27.080).

[NOTE TO PUBLISHER: Please make appropriate  
corrections to the section listing for  
Article 1.]

7 AAC 27.005 is amended to read:

7 AAC 27.005. REPORTING BY HEALTH CARE PROVIDERS. (a) The following common diseases of public health significance must be reported by the physician, nurse, or other health care professional who prescribes for or attends a person with these diseases or suspected diseases: amebiasis, botulism, brucellosis, campylobacter, chlamydia, cryptosporidium, diphtheria, giardia, gonorrhoea, hepatitis (type A, [OR] B, or C [NON A - NON B]), hemophilus influenzae type B meningitis, legionnaire's disease, Lyme disease, meningococcal meningitis, mumps, paralytic shellfish poisoning, pertussis, psittacosis, Reye's Syndrome, rheumatic fever, rubella, rubeola, salmonella, shigella, syphilis, trichinosis, tuberculosis, tularemia, typhoid, yersinia, severe reactions to any vaccination, and epidemic outbreaks or unusual incidences of infectious [COMMUNICABLE] disease.

-1-  
Regulations adopted 12/18/95 by Health  
& Social Services

Register \_\_\_\_\_ 1996 HEALTH AND SOCIAL SERVICES

(b) The following rare diseases of public health significance must be reported by the physician, nurse, or other health care professional who prescribes for or attends a person with these diseases or suspected diseases: (i) ~~anthrax~~, acquired immune deficiency syndrome (AIDS), cholera, echinococcus, encephalitis, leprosy, malaria, poliomyelitis, plague, rabies, smallpox, tetanus, and yellow fever.

(c) Reports must be submitted to the division (DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH,) orally or on a form provided by the division (DIVISION OF PUBLIC HEALTH) promptly after first discovering or suspecting the existence of the disease or disease outbreak. Each report must give the name, address, age, sex, and race of the person diagnosed as having the reported disease [,] and the name and address of the health care provider reporting the disease.

(d) Outbreaks or unusual incidences of diseases <sup>that</sup> ~~which~~ are known or suspected to be related to exposure to environmental toxic or hazardous material must be reported by the physician, nurse, or other health care professional who prescribes for or attends those affected. (Eff. 8/21/74, Register 51; am 9/20/75, Register 55; am 3/28/84, Register 89; am / / , Register )

Authority: AS 18.05.040 [(1)]

Register \_\_\_\_\_ 1996 HEALTH AND SOCIAL SERVICES

7 AAC 27.007 is amended to read:

7 AAC 27.007. REPORTING BY LABORATORIES. (a) Public, private, military, hospital, or other laboratories performing serologic, immunologic, microscopic, biochemical, or cultural tests within the State of Alaska must report evidence of [ANY OF] the following diseases of public health significance at the time of identification or suspected identification: amebiasis, anthrax, botulism, brucellosis, campylobacter, chlamydia, cryptosporidium, cholera, diphtheria, echinococcus, E. coli 0157:H7, [ENTEROPATHOGENIC ESCHERICHIA COLI,] giardia, gonorrhea, hepatitis (Type A, [OR] B, or C), influenza, Legionella pneumophila, leprosy, [LEPTOSPIROSIS,] malaria, meningitis, meningococcal disease, mumps, pertussis, plague, poliomyelitis, psittacosis, rabies (human or animal), rubella, rubeola, salmonella, shigella, smallpox, syphilis, tetanus, trichinosis, tuberculosis, tularemia, typhus, yellow fever, and Yersinia enterocolitica.

(b) Reports must be submitted to the division [DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH,] orally or on a form provided by the division [DIVISION OF PUBLIC HEALTH,] or on a legible copy of the original laboratory report form promptly after the examination or test is performed. Each notification must give the date and result of the test performed,

Register \_\_\_\_\_, \_\_\_\_\_ 1996 HEALTH AND SOCIAL SERVICES

the name or identification code sufficient to identify the patient to the health care provider, and, when available, the age of the person from whom the specimen was obtained [,] and the name and address of the health care provider for whom the examination or test was performed.

(c) When acting on the basis of information received from laboratory notification, the division [DIVISION OF PUBLIC HEALTH] will not, except in instances of overriding public health considerations, contact the patient without first requesting [AND OBTAINING] the permission of the physician or other health care provider.

(d) Repealed / / .

(Eff. 8/21/74, Register 51; am 9/20/75, Register 55; am 3/28/84, Register 89; am / / , Register )

Authority: AS 18.05.040 [(1)]

7 AAC 27.008 is repealed:

7 AAC 27.008. REPORTING BY HOSPITALS. Repealed / / .

7 AAC 27.010 is amended to read:

7 AAC 27.010. CONTROL OF COMMUNICABLE DISEASES IN MAN. (a)

The provision on methods of control of communicable diseases outlined in the *Control of Communicable Diseases in Man*.

Register \_\_\_\_\_ 1996 HEALTH AND SOCIAL SERVICES

(AMERICAN PUBLIC HEALTH ASSOCIATION,] ~~SIXTEENTH~~ [THIRTEENTH] Edition 1995 [1981], American Public Health Association are adopted by reference as the regulations governing "Preventive Measures," "Control of Patients, Contacts and the Immediate Environment," and "Epidemic Measures."

(b) The provisions of (a) of this section are not applicable to the control of rabies in animals or to [ON] the reporting of diseases of public health significance. (Eff. 6/10/62, Register 6; am 8/21/74, Register 51; am 3/28/84, Register 89; am / / , Register )  
Authority: AS 18.05.040 [(1)]

Editor's note: Control of Communicable Diseases in Man. Sixteenth Edition, 1995 is on file in the lieutenant governor's office and is available from the American Public Health Association, 1015 15th Street, NW, Washington, DC 20005, phone (202) 789-5600.

7 AAC 27 is amended by adding a new section to read:

7 AAC 27.011. CANCER REGISTRY. (a) A hospital, physician, surgeon, or other health care facility or practitioner diagnosing or providing treatment for a cancer patient in the State of Alaska shall report the information specified in (b) of this section to the division, within six months of the date of diagnosis.

Register \_\_\_\_\_ 1996 HEALTH AND SOCIAL SERVICES

(b) The following must be provided for each form of in-site and invasive cancer, with the exception of basal cell and squamous cell carcinoma of the skin:

(1) information about the patient including, as a minimum, name, date of birth, sex, race, community of residence, date of diagnosis, primary site, and name of attending or admitting health care provider; and

(2) pathological data characterizing the cancer including the cancer sites, stage of disease, and type of treatment. (Eff. / / , Register )

Authority: AS 18.05.030  
AS 18.05.040  
AS 18.05.044

7 AAC 27 is amended by adding a new section to read:

7 AAC 27.012. BIRTH DEFECTS REGISTRY. (a) A hospital, physician, surgeon, or other health care facility or practitioner diagnosing or providing treatment to a patient less than six years old with a birth defect listed in (b) of this section shall report to the division, within three months of the date of diagnosis or treatment, information about the patient including name, date of birth, place of birth, sex, race, community of residence, date of diagnosis, and specific type of each birth defect diagnosed or treated.

**SB**

**100**

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 2/21/97

FURTHER: Finance

Date of 5-Day Notice: 2/27/97  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 3/5/97

HESS Committee considered      SENATE BILL NO. 100

"An Act relating to grant authority for services for developmentally delayed or disabled children and their families."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DQ PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
Health + Social Services	2/27/97	✓	

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB100

Revision Date: \_\_\_\_\_  
 Title: An Act relating to grant authority for services  
to developmentally disabled children & their families  
 Sponsor: Senate HESS by Request  
 Requestor: Senate HESS

Dept. Affected: Health and Social Services  
 BRU: State Health Services  
 Component: Infant Learning Program Grants  
 COMPONENT SERIAL NO. 298  
 See also (SN#): \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

CHANGES IN REVENUES ( )						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact.

Prepared by: Peter Nakamura, Director  
 Division: Public Health  
 Approved by Commissioner: Karen Perdue, Commissioner  
 Agency: Department of Health & Social Services

Phone: 465-3090  
 Date: 02/27/97  
 Date: 2/27/97

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# Alaska State Legislature



Senator Gary Wilken, Chairman  
Senator Loren Leman, Vice Chairman  
Senator Lyda Green  
Senator Jerry Ward  
Senator Johnny Ellis

State Capitol  
Room 510  
Juneau, Alaska 99801  
(907) 465-3762

## Senate Committee on Health, Education and Social Services

### SENATE HESS COMMITTEE SPONSOR STATEMENT

#### SB 100 – Developmentally Disabled Children/Grants

Senate Bill 100 will allow the Department of Health and Social Services (DHSS) to award grants under the Infant Learning Program (ILP). The ILP grants provide home-based therapy and education services to infants birth through 2 years of age who have moderate to severe mental or physical handicaps. The capacity for development is at its maximum during an infant's first years, thus early identification of developmental delays is critical.

DHSS has provided grants to providers of services for developmentally delayed or disabled infants since FY 77. The Department of Law recently determined that DHSS does not have explicit, statutory grant-making authority. Passage of this legislation will provide that authority and allow the DHSS to continue this grant program as it has operated in the past.

The Governor's Council on Disabilities and Special Education strongly supports passage of SB 100.

Alaska State Legislature  
House Finance Committee

REPRESENTATIVE  
MARK HANLEY

Co-Chair  
(907) 465-4939  
Fax (907) 465-2418

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State Capitol, Juneau, Alaska 99801-1182

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GENE THERIAULT

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Fax (907) 488-4271

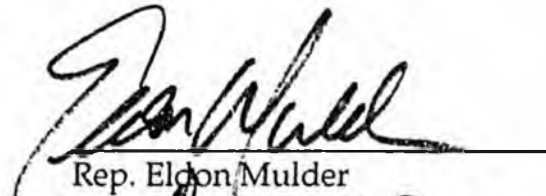
House Finance Committee Waiver Request

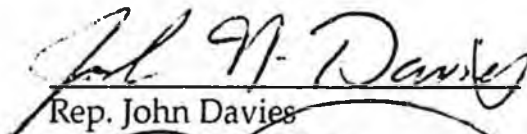
Bill Number: SB 100

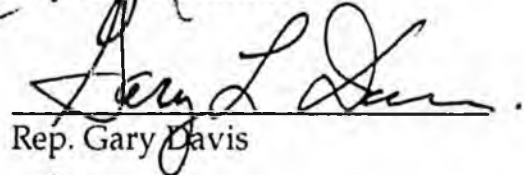
Short Title: DEVELOPMENTALLY DISABLED CHILDREN/GRANTS

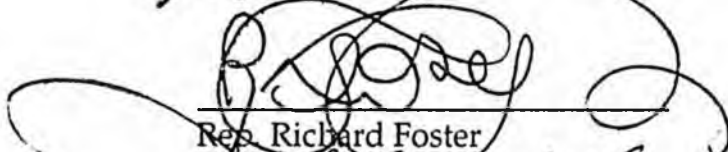
I have no objection to the waiver of this bill from a House Finance Committee hearing.

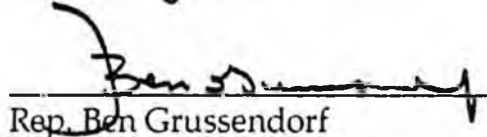
  
Rep. Mark Hanley

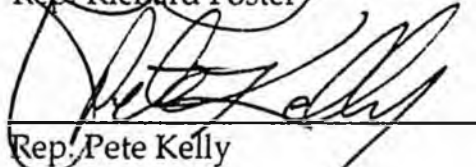
  
Rep. Eldon Mulder

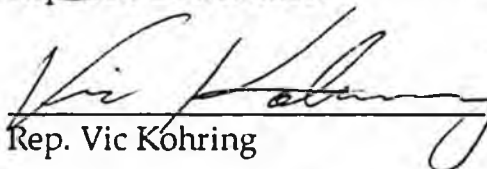
  
Rep. John Davies

  
Rep. Gary Davis

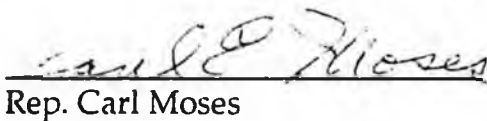
  
Rep. Richard Foster

  
Rep. Ben Grussendorf

  
Rep. Pete Kelly

  
Rep. Vic Kohring

  
Rep. Terry Martin

  
Rep. Carl Moses

Fiscal Notes: Zero fiscal note - DHSS, Infant Learning Program Grants

Recommendations from previous committee: (H)HESS 3DP 2NR



**- SB 100 - GRANT AUTHORITY FOR SERVICES FOR DEVELOPMENTALLY  
DISABLED CHILDREN AND THEIR FAMILIES**

The Infant Learning Program is funded through two components in the budget.

- The Infant Learning Program (ILP) component contains \$868.6 in State General Funds and \$3603.3 in General Fund Mental Health Trust, all funds are budgeted in the grant line in the ILP component.
- \$1658.2 in U.S. Department of Education federal funds are budgeted in the Maternal Child Health component, 85% of which are in the grant and contract lines, 5% goes to the federally required Interagency Coordinating Council (Governor's Council on Disabilities and Special Education) the remaining 10 % are used administer the grants, contracts, and other direct services.

The Infant Learning Program has been funded by the Alaska legislature since FY77 and has been in continuous operation in Alaska for 20 years.

Provided by the Department of Health and Social Services

## **ADMINISTRATION COMMENTS - SB 100 - GRANT AUTHORITY FOR SERVICES FOR DEVELOPMENTALLY DISABLED CHILDREN AND THEIR FAMILIES**

The administration supports Senate Bill 100.

### **Reasons for Support**

SB 100 is needed because the Department of Health and Social Services has drafted revised regulations which will bring the infant learning program into compliance with federal law (Individuals with Disabilities Education Act). The revised regulations cannot be reviewed by the Department of Law until grant authority is listed in the statute:

1. SB 100 will provide grant authority in the authorizing statute for services to developmentally delayed or disabled children and their families and directs the department to put grant authority language in the regulations necessary to implement those services.
2. The legislature provides funds for the Infant Learning Program in the grants line, SB100 will make the authorizing statute consistent with this legislative intent and will allow the department to move forward with revising regulations for this program.
3. The Department of Law has requested that this change be made to the statute to clarify the language for grant authority.
4. There is no fiscal impact related to this bill.

### **Administration Efforts Currently Underway To Address Issues in SB 100**

1. The Department of Health and Social Services has been issuing grants under the department's general grant authority and through the legislatures appropriation of funds in the grants line but cannot go forward with needed regulation revisions until the statute is updated to include grant authority.
2. The Governor's Council on Disabilities and Special Education, the Department's federally mandated advisory council for the Individuals with Disabilities Education Act has provided written support for this bill.

**Provided by the Department of Health and Social Services**

**Lindstrom, Elmer A.**

---

**From:** Diven, Mary R.  
**To:** Lindstrom, Elmer A.  
**Cc:** Pearson, Karen E; Muth, Pamela T; Whistler, Brad J.  
**Subject:** 20-LS0563/A  
**Date:** Tuesday, February 11, 1997 8:36AM

Morning Elmo,

Received a copy of the memo from Terri Lauterbach (legislative legal staff) to Sen Wilken regarding the language for the Infant Learning Program authority to issue grants.

It is fine with us to change the language to read "covered services to children eligible under this chapter and their families." The families are not eligible unless the child is, which is probably why it originally read "children eligible". If the original language is going to prevent the families from receiving services, or confuse the issue then, by all means, please change it. The intent is that the children and their families will receive services.

Let me know if you have additional questions.

↳ appears to me that the prudent thing to do would be to expand the language to be on the safe-side. I'll stop by later — have me paged thru my office if you need me quickly

Elmer

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

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


130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

February 10, 1997

**SUBJECT:** Services for Developmentally Disabled Children (Work Order No. 20-LS0563\A)

**TO:** Senator Gary Wilken  
Attn: Sheila Peterson

**FROM:** Terri Lauterbach   
Legislative Counsel

Enclosed is a draft of your request that would authorize a grant program relating to services for developmentally disabled children.

The material you submitted specified that the grants could be awarded for "covered services to **children** eligible under this chapter." (emphasis added) I have kept the language the same in the enclosed draft. However, I wonder if this is more narrow than intended. Under AS 47.20.080, both the child and the child's family are eligible for services and it is a family service plan that is developed under AS 47.20.090(b)(2). Do you want to include services to the families under the grant program? If so, the language in the enclosed draft should be changed.

TML:gc  
97-075.glc

Enclosure

**SENATE BILL NO.**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTIETH LEGISLATURE - FIRST SESSION**

**BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Introduced:**

**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to grant authority for services for developmentally delayed or**  
2 **disabled children."**

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

4 **\* Section 1. AS 47.20 is amended by adding a new section to read:**

5 **Sec. 47.20.075. Grant authority.** The department may award grants for  
6 covered services to children eligible under this chapter.

7 **\* Sec. 2. AS 47.20.110(a) is amended to read:**

8 (a) The department shall adopt regulations necessary to implement this chapter,  
9 including regulations

10 (1) for personnel development, including preservice and in-service  
11 training programs for providers of early intervention services;

12 (2) to govern resolution of intra-agency and interagency disputes about  
13 the provision of services under this chapter and the financial responsibility of the  
14 respective parties for those services;

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(3) that ensure that services are provided to children and their families in a timely manner pending the resolution of disputes among public agencies or service providers;

(4) providing for due process with respect to the rights of children and parents who are eligible for services under this chapter; the regulations must provide that during the pendency of a complaint about a change in services, the child and family shall continue to receive the prior services unless the state and the family otherwise agree, or, if the complaint relates to an application for initial services, the child and family shall receive the services that are not in dispute; and

(5) for the award of grants under this chapter.



**TONY KNOWLES, GOVERNOR**  
State of Alaska

**GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION**

P.O. Box 240249 • Anchorage, Alaska 99524-0249 • Phone: 907-269-8990 • Fax: 907-269-8995

February 25, 1997

RECEIVED

MAR 14 1997

Senate HESS Committee  
Senator Gary Wilken, Chair  
Room 510 State Capitol  
Juneau, AK 99801-1182

Dear Senators,

The Governor's Council on Disabilities and Special Education is supporting SB 100 for "developmentally delayed or disabled children and their families." This bill will allow the Department of Health and Social Services to award grants under the Infant Learning Program (AS 47.20).

The Infant Learning Program is essential to Alaskan families because it offers services that prevent or reduce the effects of delays and disabilities for infants and toddlers. A part of our mission is to assist the State in developing a comprehensive, coordinated, and multi-disciplinary early intervention system that is seamless. SB 100 will create this seamless system for early intervention funding.

We would like to see this bill pass as law. Please remember the importance of the Infant Learning Program for Alaskan families when you are considering SB 100.

Thank you for your support of SB 100. If you have questions, please feel free to call at 269-8990.

Sincerely,

*Nancy Dodge*

Nancy Dodge  
Chair

cc: Elmer Lindstrom, Special Asst.



TONY KNOWLES, GOVERNOR  
State of Alaska

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

P.O. Box 240249 • Anchorage, Alaska 99524-0249 • Phone: 907-269-8990 • Fax: 907-269-8995

FAX COVER

TO: Sen. Wiken's      DATE: 3/14/97  
           office

FROM: Leannella      PAGES TO FOLLOW: 1

MESSAGE: Here is the Letter of support  
for SB 100 from the Council. I am  
sending a hard copy in the mail.  
I have faxed a letter to Sen. Sharps  
office also.

FAX: 269-8995

**SB 100 – Developmentally Disabled Children/Grants**  
**(Prime Sponsor – Senate HESS Committee)**

Senate Bill 100 will allow the Department of Health and Social Services (DHSS) to award grants under the Infant Learning Program (ILP). The ILP grants provide home-based therapy and education services to infants birth through 2 years of age who have moderate to severe mental or physical handicaps. The capacity for development is at its maximum during an infant's first years, thus early identification of developmental delays is critical.

DHSS has provided grants to providers of services for developmentally delayed or disabled infants since FY 77. The Department of Law recently determined that DHSS does not have explicit, statutory grant-making authority. Passage of this legislation will provide that authority and allow the DHSS to continue this grant program as it has operated in the past.

The Governor's Council on Disabilities and Special Education strongly supports passage of SB 100.

# Alaska State Legislature

Senator Gary Wilken, Chairman  
Senator Loren Leman, Vice Chairman  
Senator Lyda Green  
Senator Jerry Ward  
Senator Johnny Ellis



State Capitol  
Room 510  
Juneau, Alaska 99801  
(907) 465-3762

## Senate Committee on Health, Education and Social Services

### MEMORANDUM

**TO:** Representative Pete Kott, Chairman  
House Rules Committee

**FROM:** Senator Gary Wilken, Chairman  
Senate HESS Committee

**DATE:** May 6, 1997

**RE:** SB 100 – Developmentally Disabled Children/Grant

I respectfully request that the House Rules Committee schedule SB 100, relating to developmentally disabled children, for a floor vote as soon as possible. There is no fiscal impact with this bill.

Senate Bill 100 provides authority to the Department of Health and Social Services to award grants under the Infant Learning Program (ILP). The ILP grants offer home-based therapy and education services to infants, birth through 2 years of age, who have moderate to severe mental or physical handicaps.

Thank you very much for your consideration of this request.

*Gary Wilken*

**SB**

**102**

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 2/24/97

FURTHER: Judiciary  
Finance

Date of 5-Day Notice: 3/6/97  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 4/11/97

HESS Committee considered SENATE BILL NO. 102  
"An Act relating to the eligibility of aliens for state public assistance and medical assistance programs affected by federal welfare reform legislation; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ ( )
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ ( )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DQ PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>[Signature]</i>			
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>	✓		
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S): *Fiscal Notes accompanying Governor's bill*

Department	Date	Zero	Fiscal
H+SS - Med. Assistance	2/5/97	✓	
H+SS - Med. Assistance	2/5/97	✓	
H+SS - Public Assistance	2/5/97		✓
H+SS - Public Assistance	2/5/97		✓
H+SS - Public Assistance	2/5/97		✓

PREVIOUS FISCAL NOTE(S):\*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

FISCAL NOTE

Bill Version: SB102  
(S) Publish Date: 2/24/96

Revision Date: \_\_\_\_\_  
Title: An Act relating to the eligibility of aliens for state public assistance and medical assistance programs  
Sponsor: Rules Committee  
Requestor: Governor

Dept. Affected: Health and Social Services  
BRU: Public Assistance  
Component: PFD Hold Harmless  
COMPONENT SERIAL NO. 225  
See also (SN#): \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(37.3)	(69.2)	(96.2)	(119.0)	(138.4)	(138.4)
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>(37.3)</b>	<b>(69.2)</b>	<b>(96.2)</b>	<b>(119.0)</b>	<b>(138.4)</b>	<b>(138.4)</b>

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ( )						
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FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY98	FY99	FY00	FY01	FY02	FY03
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1050 PFD Funds	(37.3)	(69.2)	(96.2)	(119.0)	(138.4)	(138.4)
<b>TOTAL</b>	<b>(37.3)</b>	<b>(69.2)</b>	<b>(96.2)</b>	<b>(119.0)</b>	<b>(138.4)</b>	<b>(138.4)</b>

POSITIONS:

POSITIONS	FY98	FY99	FY00	FY01	FY02	FY03
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

PFD Hold Harmless payments replace ATAP benefits when receiving the dividend causes individuals to lose eligibility or have benefits reduced. The savings to the ATAP program provided for in this bill reduce costs in the ATAP component of the Public Assistance BRU. PFD Hold Harmless costs for ATAP benefits will decrease in direct proportion to the decreases produced by reductions in ATAP expenditures for each fiscal year.

Prepared by: Jim Nordlund, Director Phone: 465-2680  
Division: Public Assistance Date: 02/03/97  
Approved by Commissioner: Karen Pedue, Commissioner Date: 2/15/97  
Agency: Department of Health & Social Services

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5

**ANALYSIS (cont.):**

**Assumptions:**

Legislation implemented July 1, 1997

PFD Hold Harmless costs for ATAP benefits will decrease in direct proportion to the decreases produced by this legislation.

**Calculations:**

FY 97	\$0.0
FY 98	(\$37.3)
FY99	(\$69.2)
FY00	(\$96.2)
FY01	(\$119.0)
FY02	(\$138.4)
FY03	(\$138.4)

**FISCAL NOTE**

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

NO. 7  
Bill Version: SB102  
(S) Publish Date: 2/24/96

Revision Date: \_\_\_\_\_  
Title: An Act relating to the eligibility of aliens for state public assistance and medical assistance programs  
Sponsor: Rules Committee  
Requestor: Governor

Dept. Affected: Health and Social Services  
BRU: Public Assistance  
Component: Adult Public Assistance  
COMPONENT SERIAL NO. 222  
See also (SN#): \_\_\_\_\_

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(156.0)	(304.2)	(444.6)	(577.2)	(705.9)	(705.9)
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>(156.0)</b>	<b>(304.2)</b>	<b>(444.6)</b>	<b>(577.2)</b>	<b>(705.9)</b>	<b>(705.9)</b>

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ( )						
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(156.0)	(304.2)	(444.6)	(577.2)	(705.9)	(705.9)
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1007 I/A Receipts						
<b>TOTAL</b>	<b>(156.0)</b>	<b>(304.2)</b>	<b>(444.6)</b>	<b>(577.2)</b>	<b>(705.9)</b>	<b>(705.9)</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

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

This legislation provides that most legal immigrants who arrived in the U.S. before August 22, 1996 will remain eligible for Adult Public Assistance (APA) benefits. This legislation prohibits APA benefits to most legal immigrants who arrive on or after August 22, 1996 for five years from their date of arrival into the U.S. The program savings generated by this legislation represent caseload decreases due to attrition. These caseload decreases are not offset by newly eligible immigrants because most new immigrants are barred from program participation for five years after their date of entry.

*2/3/97*

Prepared by: Jim Nordlund, Director  
Division: Public Assistance

Phone: 465-2680  
Date: 02/03/97

Approved by Commissioner: Karen Perdue, Commissioner  
Agency: Department of Health & Social Services

Date: 2/5/97

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**ANALYSIS (cont.):****Assumptions:**

Legislation implemented July 1, 1997

Caseload will decrease each year from FY98 to FY02 by 5 percent due to normal attrition.

Caseload remains constant after FY02 due to new immigrants becoming eligible after the five year bar.

**Calculations:**

Fiscal Year	# Persons Affected	Annual Savings
FY97	0	\$0.0
FY98	40	(\$156.0)
FY99	78	(\$304.2)
FY00	114	(\$444.6)
FY01	148	(\$577.2)
FY02	181	(\$705.9)
FY03	181	(\$705.9)

**FISCAL NOTE**

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

No. 3  
Bill Version: SB102  
(S) Publish Date: 2/24/96

Revision Date: \_\_\_\_\_  
Title: An Act relating to eligibility of aliens for state public assistance and medical assistance programs  
Sponsor: Rules Committee  
Requestor: Governor

Dept. Affected: Health and Social Services  
BRU: Public Assistance  
Component: ATAP  
COMPONENT SERIAL NO. 220  
See also (SN#): \_\_\_\_\_

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	(405.9)	(752.4)	(1,046.1)	(1,293.6)	(1,504.8)	(1,504.8)
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>(405.9)</b>	<b>(752.4)</b>	<b>(1,046.1)</b>	<b>(1,293.6)</b>	<b>(1,504.8)</b>	<b>(1,504.8)</b>

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ( )						
-------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(368.6)	(683.2)	(949.9)	(1,174.6)	(1,366.4)	(1,366.4)
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1007 I/A Receipts	(37.3)	(69.2)	(96.2)	(119.0)	(138.4)	(138.4)
<b>TOTAL</b>	<b>(405.9)</b>	<b>(752.4)</b>	<b>(1,046.1)</b>	<b>(1,293.6)</b>	<b>(1,504.8)</b>	<b>(1,504.8)</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

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

This legislation provides that most legal immigrants who arrived in the U.S. before August 22, 1996 will remain eligible for Alaska Temporary Assistance (ATAP) benefits. This legislation prohibits ATAP benefits to most legal immigrants who arrive on or after August 22, 1996 for five years from their date of arrival into the U.S. The program savings generated by this legislation represent caseload decreases due to attrition. These caseload decreases are not offset by newly eligible immigrants because most new immigrants are barred from program participation for five years after their date of entry.

Prepared by: Jim Nordlund, Director Phone: 465-2680  
 Division: Public Assistance Date: 02/03/97  
 Approved by Commissioner: Karen Perdue, Commissioner Date: 2/5/97  
 Agency: Department of Health & Social Services

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**ANALYSIS (cont.):****Assumptions:**

Legislation implemented July 1, 1997

Caseload will decrease each year from FY98 to FY02 by 15 percent due to normal attrition.

Caseload remains constant after FY02 due to new immigrants becoming eligible after the five-year bar.

**Calculations:**

Fiscal Year	# Persons Affected	Annual Savings
FY97	0	\$0.0
FY98	123	(\$405.9)
FY99	228	(\$752.4)
FY00	317	(\$1,046.1)
FY01	392	(\$1,293.6)
FY02	456	(\$1,504.8)
FY03	456	(\$1,504.8)

# FISCAL NOTE

**STATE OF ALASKA**  
**1997 LEGISLATIVE SESSION**

No. 2  
 Bill Version: SB102  
 (S) Publish Date: 2/24/96

Revision Date: \_\_\_\_\_  
 Title: An Act relating to the eligibility of aliens for state public assistance and medical assistance programs affected by federal welfare ...  
 Sponsor: Rules Committee  
 Requestor: Governor

Dept. Affected: Health and Social Services  
 BRU: Medical Assistance  
 Component: Medicaid Non-Facility  
 COMPONENT SERIAL NO. 229  
 See also (SN#): 230

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES						
---------------------	--	--	--	--	--	--

**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY98	FY99	FY00	FY01	FY02	FY03
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS:**

POSITIONS	FY98	FY99	FY00	FY01	FY02	FY03
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: 0.0

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

Historically, Medicaid covered legal resident aliens who met all other Medicaid eligibility criteria. As a result of federal welfare reform, Alaska Medicaid cannot continue to cover most aliens without this legislation. Even with legislation, most aliens who arrive in the country after August 22, 1996 are ineligible for Medicaid for their first five years in the U.S. This bill provides the Alaska program with the authority to continue Medicaid coverage for qualified legal aliens who are not subject to the five-year bar. Funding for the coverage of these aliens is already included in the Medicaid budget. Therefore, there is no new cost to continuing this coverage.

Failure to extend Medicaid coverage for aliens would result in a loss of Medicaid eligibility for some aliens. However, aliens who do not qualify for full Medicaid coverage are eligible for Medicaid coverage of emergency medical treatment. In addition, aliens needing non-emergency hospitalization, nursing home services, or prescription drugs for certain chronic conditions may be eligible for the General Relief Medical program. See the following page for additional information about the impacts of not passing this legislation.

Prepared by: Jon Sherwood  
 Division: Division of Medical Assistance  
 Approved by Commissioner: Karen Perdue, Commissioner  
 Agency: Department of Health & Social Services

Phone: 465-3355  
 Date: 02/03/97  
 Date: 2/5/97

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**ANALYSIS (cont.):**

In FY 96, the Alaska Medicaid program spend almost \$5.2 million providing Medicaid services to aliens; one-half of that amount was state General Funds. The Division of Medical Assistance estimates that one-quarter of those aliens age 65 and over and 15 percent of aliens under age 65 fall into an immigration status that federal law requires states to cover.

In addition, the Division estimates that for the remaining aliens, one-half of all hospital and transportation services and 10 percent of all physician services received would still be provided under Medicaid coverage of emergency medical treatment for aliens.

Furthermore, some aliens would be eligible for coverage of inpatient hospital, nursing facility services, physician services, transportation services, and prescription drugs for certain chronic conditions under the General Relief Medical program. The Division estimates that one half of these services not covered under Medicaid emergency medical treatment would be covered under GRM. Hospital and nursing facility services are reimbursed at 28 percent of Medicaid rates. Other GRM services are reimbursed at 100 percent of Medicaid rates.

Eliminating Medicaid coverage of qualified aliens would result an annual change to the Medicaid and GRM program shown below. Because of the administrative timeframes in terminating Medicaid coverage, the Division estimates that the impact in FY 98 would be one-half the amount shown below.

**Discontinuing Medicaid Coverage of Qualified Aliens**  
(thousands of dollars)

	<u>Total Funds</u>	<u>General Funds</u>
FY 96 Medicaid - Aliens	\$ 5,171.3	\$ 2,585.7
Mandatory Coverage - Aliens	\$ 972.6	\$ 486.3
Emergency Coverage - Aliens	<u>\$ 837.5</u>	<u>\$ 418.8</u>
Net Savings to Medicaid	\$ 3,361.2	\$ 1,680.6
Cost Shift to GRM	<u>\$ 921.9</u>	<u>\$ 921.9</u>
Annual Reduction in Spending	<u>\$ 2,439.3</u>	<u>\$ 758.7</u>
First Year Reduction (one-half year)	\$ 1,219.7	\$ 379.4

Note: Federal welfare reform legislation prevents most newly arrived immigrants from receiving Medicaid for their first five years in the country. As a result, Medicaid should experience a small caseload decline and, adjusting for a shift in expenditures to emergency medical services and GRM, some modest savings. This savings is not shown in this fiscal note as it will occur with or without this legislation.

**FISCAL NOTE**

**STATE OF ALASKA**  
**1997 LEGISLATIVE SESSION**

No. 1  
 Bill Version: SB102  
 (S) Publish Date: 2/24/96

Revision Date: \_\_\_\_\_  
 Title: An Act relating to the eligibility of aliens for state public assistance and medical assistance programs affected by federal welfare ...  
 Sponsor: Rules Committee  
 Requestor: Governor

Dept. Affected: Health and Social Services  
 BRU: Medical Assistance  
 Component: Medicaid Facilities  
 COMPONENT SERIAL NO. 230  
 See also (SN#): 229

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGES IN REVENUES</b> ( )						
--------------------------------	--	--	--	--	--	--

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

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

Historically, Medicaid covered legal resident aliens who met all other Medicaid eligibility criteria. As a result of federal welfare reform, Alaska Medicaid cannot continue to cover most aliens without this legislation. Even with legislation, most aliens who arrive in the country after August 22, 1996 are ineligible for Medicaid for their first five years in the U.S. This bill provides the Alaska program with the authority to continue Medicaid coverage for qualified legal aliens who are not subject to the five-year bar. Funding for the coverage of these aliens is already included in the Medicaid budget. Therefore, there is no new cost to continuing this coverage.

Failure to extend Medicaid coverage for aliens would result in a loss of Medicaid eligibility for some aliens. However, aliens who do not qualify for full Medicaid coverage are eligible for Medicaid coverage of emergency medical treatment. In addition, aliens needing non-emergency hospitalization, nursing home services, or prescription drugs for certain chronic conditions may be eligible for the General Relief Medical program. See the following page for additional information about the impacts of not passing this legislation.

Prepared by: Jon Sherwood  
 Division: Division of Medical Assistance  
 Approved by Commissioner: Karen Perdue, Commissioner  
 Agency: Department of Health & Social Services

Phone: 465-3355  
 Date: 02/03/97  
 Date: 2/5/97

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TONY KNOWLES  
GOVERNOR



P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 465-3500  
Fax (907) 465-3532

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

February 24, 1997

102

The Honorable Mike Miller  
Senate President  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear President Miller:

Federal welfare reform enacted in August 1996 limited the eligibility of certain legal immigrants for public and medical assistance benefits and left it up to the states whether to continue that coverage. With this bill, I am asking Alaska to assure those qualified immigrants in need, who were here before the change in federal law, can continue to receive benefits. Those arriving after the change in law would be subject to the new restrictions.

The state welfare reform bill enacted in Alaska in 1996 did not address the eligibility of immigrants. This bill establishes that Medicaid, family assistance, and adult public assistance benefits will be available to "qualified aliens" and that for aliens who entered the United States on or after August 22, 1996, these benefits will not be available for the first five years after establishing qualified alien status in the United States.

This legislation strikes an appropriate balance in services for legal immigrants. By continuing to provide services to those who were in the country before the new federal welfare law was enacted, the state is acknowledging its responsibility to provide safety net programs for those Alaskans who need basic services and who originally entered this country under conditions that would grant them these services. However, those immigrants coming into the country after August 1996 will be aware they are subject to new rules and their access to services will be restricted.

Sincerely,

A handwritten signature in cursive script that reads "Tony Knowles".

Tony Knowles  
Governor

## Differences Between Legal Immigrants and the Definition of Qualified Aliens Under Public Law 104-193

Regarding a definition for "legal immigrant", there are two issues to consider. The definition of a legal immigrant before the passage of P.L. 104-193, and the definition of a "qualified alien" under P.L. 104-193.

Prior to the passage of P.L. 104-193, an immigrant was considered eligible for state and federal welfare benefits if he met the definition of a legal immigrant. For this purpose, a "legal immigrant" included all immigrants lawfully admitted for permanent residence, and immigrants permanently residing under color of law (PRUCOL). Prucol aliens are considered legal permanent residents of the U.S even though they did not go through the process of applying for and being admitted for permanent residence. Prucol aliens are aliens living in the in the country with the knowledge and permission of the Immigration and Naturalization Service (INS) whose departure the INS does not contemplate enforcing.

For public assistance purposes, P.L. 104-193 created a new category of immigrants called "qualified aliens." Most "qualified aliens" are ineligible for public assistance, or are only eligible if the state opts to cover them. Immigrants who are not "qualified aliens" are generally not eligible for benefits. Under P.L. 104-193, "qualified aliens" are: immigrants lawfully admitted for permanent residence; refugees; asylees; individuals paroled into the U.S. for at least one year; immigrants whose deportation is being withheld; certain immigrants granted conditional entry; and certain battered spouses and children.

However, under P.L. 104-193, certain categories of "qualified aliens" remain eligible for public assistance regardless of their immigrant status. These exception categories are: refugees, asylees, and certain persons whose deportation is being withheld for their first five years in the U.S.; individuals who have 40 quarters of coverage under the Social Security system; and veterans and members of the armed forces and their spouses and dependent children.

Immigrants who become U.S. citizens are not subject to immigrant restrictions on public assistance eligibility.

**Public Assistance Data on Statewide Immigrant Population**  
 (for Immigrants on Public Assistance Only)  
 as of January 1, 1997

**Programs**

Program Type	ATAP Only	ATAP/ FS	APA Only	APA/ FS	FS Only	FS/ MED	GRA/ GRM	MED Only	Total
# of Persons	167	651	639	162	154	69	7	256	2105

**Heritage**

Heritage	Asian	Black	Hispanic	Pacific Islander	White	Other/ Unknown	Total
# of Persons	1069	44	429	119	360	84	2105

**Time on Assistance**

Less than 5 Years	1461
More than 5 years	<u>644</u>
Total	2105

**SSI Status:**

SSI Recipient	669
Non-SSI Recipient	<u>1436</u>
Total	2105

**Alien status:**

Currently Sponsored :	81
Non-sponsored:	<u>2024</u>
Total	2105

**Sex:**

Male:	784
Female:	<u>1321</u>
Total	2105

**Age:**

Under Age 18:	439
18 - 64:	1025
Over Age 64:	<u>641</u>
Total	2105

**Type of Recipient:**

Children & Families	1304
Aged & Disabled	<u>801</u>
Total	2105

**Community of Residence:**

Anchorage	1414
Kodiak	160
Mat-Su	134
Fairbanks	106
Southeast	99
Other	<u>192</u>
Total	2105

**FY 97 Budgeted Expenditures  
(Legal Immigrants)**

	General Fund	Total
Food Stamps	\$0.0	\$812.3
Medicaid		
AFDC/ATAP	\$2,699.4	\$1,349.7
APA	\$3,123.9	\$3,123.9

**Individual Impacts on Legal Immigrants**

**Benefits for Blind/Disabled/Elderly**

	Before Federal Legislation	After Federal Legislation (current state law)	Under Proposed State Legislation	
			Date of Arrival before 8/22/96	Date of Arrival after 8/22/96
FS	\$70	\$0	\$0	\$0
SSI	\$484	\$0	\$0	\$0
APA	\$362	\$362	\$362	\$0
Medicaid	Yes	No	Yes	No

**Benefits for Children & Families**

	Before Federal Legislation	After Federal Legislation (current state law*)	Under Proposed State Legislation	
			Date of Arrival before 8/22/96	Date of Arrival after 8/22/96
FS	\$70	\$0	\$0	\$0
AFDC/ATAP	\$275	\$275	\$275	\$0
Medicaid	Yes	No	Yes	No

\* Under current state law, benefits paid to aliens under the ATAP program are all general funds.

### Legal Aliens

On August 22, 1996 President Clinton signed into law P.L. 104-193, The Personal Responsibility and Work Opportunity Act of 1996. This law has a substantial impact on immigrant eligibility for public assistance and medical assistance benefits. The table below compares the benefits to be received by legal aliens under current law and proposed legislation

<b>Program</b>	<b>Current Law</b>	<b>Proposed Change</b>
Food Stamps	Most legal aliens no longer eligible	No change; Fed only program
Supplemental Security Income	Most legal aliens no longer eligible	No change; Fed only program
Medicaid	Most legal aliens barred from Medicaid coverage regardless of entry date into country.	Legal aliens receiving Medicaid as of 8/22/96 grandfathered; legal aliens arriving after 8/22/96 barred for 5 years.
Alaska Temporary Assistance Program (ATAP)	Legal aliens eligible for benefits regardless of date of entry; legal alien benefits all general funds.	Legal aliens receiving benefits as of 8/22/96 grandfathered; legal aliens arriving after 8/22/96 barred for 5 years. Continue federal/state funding.
Adult Public Assistance	All legal aliens continue program eligibility.	Grandfathered eligibility to only those legal aliens in country as of 8/22/96 - legal aliens arriving after 8/22/96 barred for 5 years



# Welfare Reform Briefing Paper

## Division of Public Assistance

State of Alaska  
Tony Knowles, Governor



## Immigrants

The *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* significantly impacts immigrant eligibility for public assistance. Recent federal changes reduce or deny benefits to many legal aliens already in the country as well as new arrivals. Alaska has the option of continuing federal-state assistance programs for aliens who were in the United States before August 22, 1996. The following summary explains immigration changes and some policy options for Alaska.

### Changes in Federal Law

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#### Qualified Aliens

The federal welfare reform law created a new category of legal immigrants called *qualified aliens*. Qualified aliens include:

- immigrants admitted for permanent residence;
- refugees;
- asylees;
- certain immigrants granted conditional entry;
- individuals paroled into the United States for at least one year;
- immigrants whose deportation is being withheld; and
- certain battered spouses and children.

Some qualified aliens remain eligible for public assistance. Refugees, asylees and immigrants whose deportation is being withheld for their first five years in the United States; veterans and their spouses and dependents; and those who have worked a total of 10 years in the United States stay eligible. However, these exceptions are limited. Most qualified aliens are ineligible for public assistance, or are only eligible if the state chooses to cover them. Other immigrants are generally ineligible for federal, state and local public assistance benefits. These eligibility restrictions do not apply to immigrants once they become citizens.

#### Program Changes

The federal welfare reform law targets two types of qualified aliens: those in the United States before August 22, 1996, and those arriving on or after August 22, 1996.

The new law reduces federal benefits for both groups of qualified aliens. For those arriving on or after August 22, 1996, eligibility for programs is eliminated for five years. After this period, new immigrants with sponsors must include the sponsors' income when applying for public assistance. For those arriving before August 22, 1996, benefits will be phased out over the first year. These changes apply to the following federal programs.

**Food Stamp Program:** Immigrants arriving on or after August 22, 1996 are ineligible for food stamps. Immigrants receiving food stamps before August 22, 1996, are exempt from the new eligibility restrictions until April 1, 1997. This group of qualified aliens may receive food stamps through August 1997 provided they apply for certification by March 31, 1997.

**Supplemental Security Income (SSI):** Qualified aliens in the country before August 22, 1996 will lose this assistance by September 1997. Qualified aliens arriving on or after August 22, 1996 are ineligible.

The welfare reform law also gives states options for deciding immigrant eligibility for other state-administered programs supported with federal and state funds.

**Temporary Assistance for Needy Families (TANF):** States have the option to determine eligibility of qualified aliens for federal cash assistance under the TANF Program. Qualified aliens currently receiving AFDC benefits from Alaska will remain eligible for benefits until July 1, 1997, when the new TANF Program is in place. As states develop their TANF-funded program, they will decide whether to provide or deny services to qualified aliens who arrived in the country before August 22, 1996. Qualified aliens in the United States on or after August 22, 1996 are banned from receiving TANF-funded assistance for five years. The name for Alaska's new TANF-supported program is Alaska Temporary Assistance Program (ATAP).

**Medicaid:** Qualified aliens arriving in the United States before August 22, 1996 may be covered as a state option. Except for Medicaid emergency coverage, qualified aliens in the country on or after August 22, 1996 are banned from receiving Medicaid benefits for five years. Only Medicaid emergency coverage is available to all aliens.

The welfare reform law also gives states options for deciding immigrant eligibility for state-funded public assistance programs. Alaska's Adult Public Assistance, General Relief Assistance, and General Relief Medical programs fall into this category.

## **Alaska Status**

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### **Policy Choices**

The Knowles Administration has made the following policy choices for immigrants for state-administered public assistance programs. Three of these choices require legislative action to revise current statutes. This legislation supports the federal direction to limit public assistance benefits to qualified aliens arriving on or after August 22, 1996.

**Alaska Temporary Assistance Program:** Continue cash benefits for qualified aliens arriving in the United States before August 22, 1996. Implementing this policy requires a statute change as the current state law provides eligibility for all legal aliens meeting the financial requirements, regardless of their date of arrival in the United States.

**Medicaid:** Continue Medicaid coverage for qualified aliens arriving in the United States before August 22, 1996, including those who may not have been on Medicaid on August 22, 1996. This policy requires a statute change. Those qualified aliens entering the United States on or after August 22, 1996 are banned from receiving Medicaid benefits for five years.

**Adult Public Assistance:** Continue cash assistance for qualified aliens in the country before August 22, 1996. Immigrants arriving on or after August 22, 1996 are subject to a five-year bar. This policy requires a statute change to reduce program eligibility.

**General Relief Assistance (GRA) / General Relief Medical (GRM):** Continue to provide assistance to legal immigrants, regardless of the date they entered the country. The GRA and GRM are last resort programs that provide limited assistance to needy people with no other support for emergency medical and basic needs.

### Impacts to Alaskans

**Food Stamps:** It is estimated that 1,100 legal aliens will lose Food Stamp benefits by September 1997.

**Supplemental Security Income:** An anticipated 800 legal immigrants will lose SSI cash benefits by September 1997.

**Alaska Temporary Assistance Program:** The five-year ban for services to legal aliens applies to the use of federal block grant (TANF) funds only. Current state law provides assistance to all immigrants with state funding only. There are about 820 legal aliens eligible for AFDC/ATAP benefits now. Under proposed state legislation, immigrants arriving in the United States before August 22, 1996 will remain eligible for AFDC/ATAP, while those arriving on or after August 22, 1996 will be ineligible for five years. With this statute change, about 145 of the 820 eligible for AFDC/ATAP will no longer be eligible.

**Medicaid:** Current state law does not provide Medicaid eligibility for most qualified aliens regardless of arrival date in the United States. About 1,575 immigrants aliens are ineligible for Medicaid. Alaska's Medicaid program does not currently have statutory authority to cover these immigrants. Some individuals that are ineligible for Medicaid are eligible for General Relief Medical. Under the proposed state legislation, immigrants arriving in the United States on or after August 22, 1996 are not eligible for five years. Most immigrants in the United States before August 22, 1996 will remain eligible. Medicaid will have about 1,680 eligibles and 265 ineligibles in Alaska if this statute change occurs.

**Adult Public Assistance:** Current state law provides assistance to most immigrants, regardless of their arrival date in the United States. New immigrants are not subject to the five-year federal ban. About 800 legal aliens would continue to be eligible for benefits. Under the proposed state

legislation, immigrants arriving before August 22, 1996 will remain eligible, and immigrants arriving on or after August 22, 1996 will be ineligible for five years. About 45 of the 800 eligible legal aliens will be ineligible with this statute change.

**General Relief Assistance (GRA) / General Relief Medical (GRM):** Current state law provides that most immigrants will be ineligible for Medicaid, regardless of their date of arrival in the United States. Under proposed state legislation, about 265 immigrants who arrived in the United States after or on August 22, 1996, will be ineligible for Medicaid and may need to receive benefits through the GRM program.

### Key Issues

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- The proposed state legislation allows Alaska to follow federal law and deny public assistance benefits to most qualified aliens who arrived in the United States after or on August 22, 1996, for a five-year period or until they gain citizenship.
- Public assistance benefits provided to qualified aliens who are ineligible for federal funds must be paid from state funds.

### Key Dates

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- Restrictions for new legal immigrants became effective August 22, 1996.
- New restrictions for current legal immigrants receiving food stamps become effective April 1, 1997. Those certified by March 31, 1997 can receive benefits through August 1997.
- The Alaska Temporary Assistance Program goes into effective on July 1, 1997.
- Supplemental Security Income benefits for most legal immigrants stop by September 1997.

### Additional Information

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For additional information on immigration and the impacts of welfare reform, contact Jim Steele at the Division of Public Assistance at 465-3014.



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## Alaska Commission on Aging

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### RESOLUTION 97-6

*In support of providing medical and public assistance to legal immigrants*

**WHEREAS**, Alaska's public and medical assistance programs have historically been available to all Alaska residents, including legal immigrants who are permanent residents; and

**WHEREAS**, federal welfare reform limited the eligibility of certain legal immigrants for public and medical assistance and left it up to the states whether to continue coverage; and

**WHEREAS**, approximately 2,000 legal immigrant Alaskans, including over 600 seniors, currently depend on Medicaid, Adult Public Assistance, or the Alaska Temporary Assistance Program; and

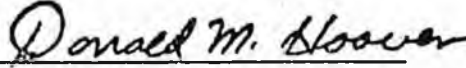
**WHEREAS**, legal immigrants who arrived in this country before the enactment of welfare reform could lose their eligibility for Medicaid without legislation; and

**WHEREAS**, failure to provide safety net programs for Alaskans who need basic services will result in them experiencing expensive medical crises; and

**WHEREAS**, responding to these medical crises will further tax limited community resources.

**THEREFORE, BE IT RESOLVED** by the Alaska Commission on Aging to support Senate Bill 102 and House Bill 153, which provide continued eligibility for Medicaid, Adult Public Assistance, and Alaska Temporary Assistance Program for legal immigrants.

Adopted this 4th day of March, 1997.

  
Don Hoover, Chair



April 1, 1997

Senator Gary Wilken  
State Capitol  
Juneau, Alaska 99801-1182

Dear Senator Wilken:

Enclosed are two recent articles concerning the impact of welfare reform legislation on elderly and disabled lawful permanent residents in the state of Alaska that brought to light the seriousness of their circumstances. In many cases, these Alaskan residents will be left without any source of income or medical care.

On behalf of these Alaskans, the Disability Law Center supports passage of HB153/SB102, "An act relating to the eligibility of aliens for state public assistance and medical assistance programs affected by federal welfare reform legislation; and providing for an effective date."

This piece of legislation will not cost the State more money (see fiscal note), but will greatly help mitigate the projected loss of federal benefits.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rick Tessandore".

Rick Tessandore  
Executive Director

Enclosures

MEMBER OF THE  
NATIONAL  
ASSOCIATION OF  
PROTECTION &  
ADVOCACY  
SYSTEMS

# Immigrants flood classes to become citizens, keep aid

By SHEILA TOOMEY  
Daily News reporter

"All right, everyone say 'Rehnquist.'

"Rehn-quist. Rehn-quist. Good. Now, who is he?"

David Olivera scanned the second-floor meeting room on Mountain View Drive, his expression, his hands, his whole body pleading for someone to know the answer.

"Come on," he said, like a coach urging a runner across the finish line.

The 30 people in his class studied their crib sheets, consulted each other in several

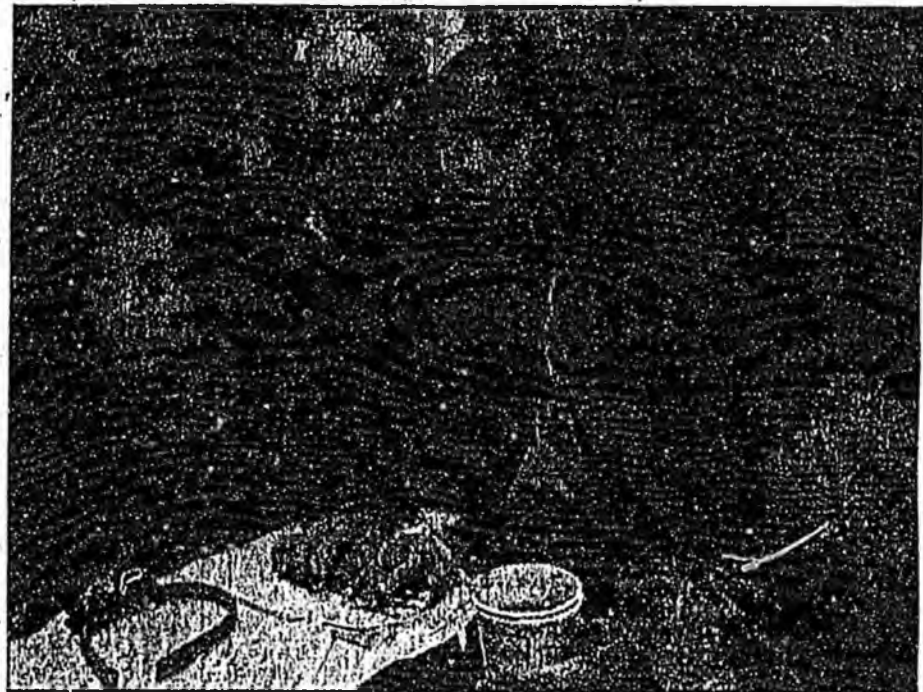
languages and considered the odd, unfamiliar syllable.

A fretful murmur arose. "Rehn-quist, Rehn-quist."

Knowing what William Rehnquist, a lawyer from Phoenix, does for a living these days could make the difference between passing the test to become a U.S. citizen or failing.

Nevermind that many born-Americans wouldn't recognize him as chief justice of the United States. Applicants for citizenship need

Please see Back Page, CIVICS



Meuy Fin Saechao of Laos, sitting left, and her daughters, Meuy Tong Saechao, 10, and Farm Tong Saechao, 7, both born in Thailand, attend the citizenship class.

## TEST YOUR KNOWLEDGE

About 2,400 people per year apply for permanent resident status or citizenship in Anchorage, according to the Immigration and Naturalization Service. The civics exam that is part of the citizenship process is allegedly designed at an American fourth-grade level. Test yourself on a few of the questions.

1. How many members are there in the U.S.

House of Representatives?

2. Who becomes president if the president and vice president both die?

3. Name the 13 original states?

4. Which three countries were our enemies during World War II?

5. In what year was the constitution written?

6. How many amendments are there to the

Constitution?

7. Who was the main writer of the Declaration of Independence?

8. Who elects the president of the United States?

9. What special group advises the president?

10. How many stripes are there in the flag and what do they mean?

Answers, see The Back Page