



# LAWS OF ALASKA

1970

## Source

HCS CSSB 240 (Finance) am FCC

## Chapter No.

136

## AN ACT

Relating to the purchase of services by the Department of Health and Welfare.

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

\* Section 1. AS 47 is amended by adding a new chapter to read:

#### CHAPTER 40. PURCHASE OF SERVICES.

Sec. 47.40.010. PURCHASE OF SERVICES. (a) When the department purchases services for persons for whom the state has assumed responsibility under the laws of the state, the department shall

- (1) adopt regulations establishing the levels of care to be provided;
- (2) determine the rates of payment for the full cost of services required;
- (3) pay all expenses related directly to the full cost of services at the levels of care required;
- (4) make the placement of persons in accordance with the levels of care provided for in the regulations.

(b) Services of jails and other penal institutions shall not be included in services purchased by the state in this chapter.

Sec. 47.40.020. LICENSING AND SUPERVISION. Anyone providing services which are purchased by the department under this chapter shall, if required by the department, be licensed and supervised in the same manner as boarding homes, foster homes and other institutions as provided for in AS 47.35.010 - 47.35.080.

Sec. 47.40.030. REQUIRED ACCOUNTING PROCEDURES. Anyone who solicits or receives funds from the department for the cost of services provided under this chapter shall

(1) meet accepted standards of fiscal accountability for public funds and shall, upon request, submit a complete financial statement by an independent, certified public accountant to the department and to the division of legislative audit;

(2) upon request before the meetings provided for in AS 47.05.010(14), demonstrate the actual cost of services offered using cost accounting procedures as provided for by the department;

(3) upon request, furnish the division of legislative audit all fiscal information, books, records, and accounts pertaining to services paid for under this chapter.

Sec. 47.40.040. DETERMINATION OF FULL COST OF SERVICES. (a) In this chapter, "full cost" of services shall be determined by the per person, per day cost in the preceding fiscal year plus a proportionate share of anticipated cost of living and staff salary increment increases for the fiscal year for which the full cost of services, determined to be necessary by the department, is being determined. Child care costs for foster homes shall be computed in the same manner as for child care and nursing home institutions except that no salary costs may be considered.

(b) Full cost of services does not include the following:

(1) expenses, including salaries and fees, incurred in raising funds;

(2) funds expended for construction, major equipment and other capital expenditures;

(3) depreciation and replacement costs of, and costs of additions to, major property and equipment;

(4) religious training and education; and

(5) services provided which are substandard to, or exceed, the requirements of the department.

Sec. 47.40.050. SERVICES. When determining the levels of service to be required the department shall consider program services as outlined within the Catalogue of Functional or Program Service Categories published by the United Funds and Councils of America, September 1967.

Sec. 47.40.060. TEMPORARY PLACEMENT. (a) When anyone places a person in a borough, city, community or private hospital, institution, or agency pending establishment of state responsibility for their care, the department is not responsible for the cost of services purchased until the department officially assumes responsibility for their care as provided for under the laws of the state.

(b) When the department temporarily places a person

in a borough, city, community or private hospital, institution, or agency pending the determination of their responsibility it shall pay the actual cost of the services provided rather than the level authorized by regulation.

Sec. 47.40.070. PERMANENT PLACEMENT. When the department places a person for whom it has assumed responsibility in a borough, city, community or private hospital, institution, or agency it shall, when offered, purchase a level of care the department considers necessary to provide that person with reasonable rehabilitation services over and above the established level of care supplying ordinary safety, comfort and general welfare.

Sec. 47.40.080. DEFINITION. In this chapter "anyone" means any person, city, organized borough and private or voluntary institution or agency.

\* Sec. 2. AS 47.05.010(14) is repealed and re-enacted to read:

(14) each February hold public meetings to review, study, and propose, the necessary levels of care and the rates it will pay to anyone for the services required during the succeeding year; before final adoption by the department the proposed levels of care and the rates of payment shall be reviewed by the legislature annually while in session.

\* Sec. 3. Notwithstanding the provisions of sec. 2 of this Act, the meetings already held under AS 47.05.010(14) shall be used to establish the rates the department shall pay to anyone for the services required during the fiscal year starting July 1, 1970.