



LAWS OF ALASKA

1990

Source

HCS CSSB 445 (HESS)

Chapter No.

204

AN ACT

Relating to subsidized adoption and guardianship; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 28, 1990
Actual Effective Date: June 29, 1990

AN ACT

Relating to subsidized adoption and guardianship; and
providing for an effective date.

* Section 1. AS 13.26 is amended by adding a new section to read:

Sec. 13.26.062. SUBSIDIZED GUARDIANSHIP; PROCEDURE. Procedures relating to subsidized guardianships for hard-to-place children are governed by AS 25.23.200 - 25.23.240.

* Sec. 2. AS 25.23.200 is amended to read:

Sec. 25.23.200. INVESTIGATION. Persons who are caring for a hard-to-place child on a foster parent basis and who have applied to adopt the hard-to-place child and to receive payments for the care and support of the hard-to-place child shall be evaluated as to their suitability as adoptive parents by means of an adoptive home study. Persons who are caring for a hard-to-place child in the state's custody and who wish to be appointed legal guardians of the child under AS 13.26.045, and to receive payments for the care and support of the child, shall be evaluated as to their suitability as guardians by means of a guardianship study. A [THIS] home study or guardianship study shall be made by the commissioner's adoption staff or on the commissioner's behalf by an authorized agency or individual that [WHICH] provides adoption services.

* Sec. 3. AS 25.23.220 is amended to read:

Sec. 25.23.220. ANNUAL REEVALUATION. After an adoption with subsidy is final or a guardianship with subsidy has been ordered by

Chapter 204

1 the court and the court has released the child from the state's legal
2 custody, the family is independent of the department except for an
3 annual evaluation by the department of the need for continued subsidy
4 and the amount of the subsidy.

5 * Sec. 4. AS 25.23.240(5) is amended to read:

6 (5) "court" means the superior court of this state, and,
7 when the context requires, the court of another state empowered to
8 grant petitions for adoption or guardianship or to terminate parental
9 rights;

10 * Sec. 5. AS 25.23.240(7) is amended to read:

11 (7) "hard-to-place child" means a minor who is not likely
12 to be adopted or to obtain a guardian by reason of physical or mental
13 disability, emotional disturbance, recognized high risk of physical or
14 mental disease, age, membership in a sibling group, racial or ethnic
15 factors, or any combination of these conditions;

16 * Sec. 6. AS 47.10.230(d) is amended to read:

17 (d) In addition to money [FUNDS] paid for the maintenance of
18 foster children under (b) of this section, the department

19 (1) shall pay the costs of caring for physically or men-
20 tally handicapped foster children, including the additional costs of
21 medical care, habilitative and rehabilitative treatment, services and
22 equipment, special clothing, and the indirect costs of medical care,
23 including child care and transportation expenses; [AND]

24 (2) may pay for respite care; in this paragraph "respite
25 care" means child care for the purpose of providing

26 (A) temporary relief from the stresses of caring for a
27 foster child who has a physical or mental disability or a phys-
28 ical or mental impairment; in this subparagraph

29 (i) "physical or mental disability" has the

1 meaning given in AS 18.80.300(12)(A), (B), and (D); and

2 (ii) "physical or mental impairment" has the
3 meaning given in AS 18.80.300; and

4 (B) protection for the child when the foster parent is

5 (i) away from the home because of an emergency
6 and other care is not available for the child; or

7 (ii) on vacation and the child, because of age or
8 infirmity, cannot be placed in any other type of temporary
9 care facility; and

10 (3) may pay a subsidized guardianship payment under AS 25.-
11 23.210 when a foster child's foster parents or other persons approved
12 by the department become court-appointed legal guardians of the child.

13 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).