



LAWS OF ALASKA

1990

Source

CSHB 54 (Fin)

Chapter No.

37

AN ACT

Expanding the authority of the Older Alaskans Commission to make grants for adult day care programs and family respite care services for frail older persons and other similarly disabled adults; and changing the categories of services that may be included in a service program for older Alaskans.

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

THE ACT FOLLOWS ON PAGE 1, LINE 13

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TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.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: May 11, 1990
Actual Effective Date: August 9, 1990

AN ACT

Expanding the authority of the Older Alaskans Commission to make grants for adult day care programs and family respite care services for frail older persons and other similarly disabled adults; and changing the categories of services that may be included in a service program for older Alaskans.

* Section 1. AS 47.65.010 is amended to read:

Sec. 47.65.010. OLDER ALASKANS SERVICE PROGRAMS ACCOUNT. The older Alaskans service programs account is established in the Department of Administration. An amount to carry out the provisions of AS 47.65.010 - 47.65.050 [THIS CHAPTER] may be appropriated annually by the legislature to the account. The amount appropriated to the account shall be fully distributed by the Older Alaskans Commission to sponsors of older Alaskans service programs in accordance with the provisions of AS 47.65.010 - 47.65.050 [THIS CHAPTER].

* Sec. 2. AS 47.65.040(a) is amended to read:

(a) A sponsor receiving a grant under AS 47.65.010 - 47.65.050 [THIS CHAPTER] shall contribute to the total cost of the program or project. The contribution may be in cash or in-kind services. The amount of the sponsor's required contribution is determined by the application of the following formula: average per capita full and true value of all property in the municipality or community in which the project or program takes place divided by the average per capita full

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1 and true value of all property in the state, and then multiplied by
2 the contribution percentage to the estimated total program or project
3 cost as determined by the commission at the time of approval of a
4 grant application. However, the amount of the sponsor's contribution
5 may not amount to more than 10 percent of the total program or project
6 cost.

7 * Sec. 3. AS 47.65.050 is amended to read:

8 Sec. 47.65.050. ADMINISTRATIVE REQUIREMENTS. Payments received
9 by a sponsor under AS 47.65.010 - 47.65.050 [THIS CHAPTER] may be used
10 only to meet costs of services which the commission has determined
11 directly benefit older Alaskans. A payment may not be made by the
12 commission under this section unless the commission determines that
13 the sponsor

14 (1) [THE SPONSOR] meets accepted standards of fiscal ac-
15 countability for public funds;

16 (2) [THE SPONSOR] can demonstrate, when requested, the
17 actual cost of services which it is providing for the benefit of older
18 Alaskans; and

19 (3) [THE SPONSOR] agrees to make available, upon request,
20 all fiscal information relating to service for which payments are
21 provided under AS 47.65.010 - 47.65.050 [THIS CHAPTER].

22 * Sec. 4. AS 47.65 is amended by adding a new section to read:

23 Sec. 47.65.055. ADULT DAY CARE AND FAMILY RESPITE CARE. (a) In
24 addition to administering grants for adult day care programs and
25 family respite care services for older Alaskans under AS 47.65.010 -
26 47.65.050, the commission may make grants under this section from
27 funds otherwise available to it for adult day care programs and family
28 respite care services for frail older persons and other similarly
29 disabled adults.

1 (b) In order to fund grants under this section, the commission
2 and the Department of Administration may seek and enter into contracts
3 or grants with any party, including reimbursable service agreements
4 with other state agencies.

5 (c) The commission shall, by regulation, set fees for services
6 provided under this section. The fees must be based on a sliding
7 scale formula that takes into account the client's income.

8 (d) Fees established under (c) of this section may not exceed
9 the cost of the service. A person may not be denied service based
10 solely on inability to pay a fee established under this section.

11 (e) In this section

12 (1) "frail older person" means a state resident who is at
13 risk of institutional placement and

14 (A) is age 55 or older; or

15 (B) has Alzheimer's disease or a related disorder;

16 (2) "similarly disabled adult" means a state resident who
17 is 18 years of age or older who is at risk of institutional placement
18 but who is not a frail older person or an older Alaskan.

19 * Sec. 5. AS 47.65.060(3) is amended to read:

20 (3) "service program" means the following general categor-
21 ies of services to older Alaskans, including reasonable costs of
22 administration:

23 (A) nutritional programs;

24 (B) volunteer programs;

25 (C) adult day care programs and family respite care
26 services [PROGRAMS FOR LEISURE-TIME AND RECREATIONAL ACTIVITIES];

27 (D) health services;

28 (E) housing services;

29 (F) legal services and assistance;

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- 1 (G) home health and homemaker services;
2 (H) counseling;
3 (I) information and referral services;
4 (J) programs which train persons to work with or
5 assist older Alaskans;
6 (K) transportation services;
7 (L) educational activities; and
8 (M) employment services;

9 * Sec. 6. AS 47.65.060 is amended by adding new paragraphs to read:

10 (5) "adult day care" means nonresidential care for a group
11 of persons that offers supervision, custodial care, and other appro-
12 priate social, indoor and outdoor recreational, physical, medical, or
13 psychological services for persons at risk of institutional placement;

14 (6) "at risk of institutional placement" means that a
15 person is either already a resident of an adult foster home or is
16 likely to need placement in a 24-hour care residential or nursing
17 facility, not including a mental health hospital;

18 (7) "family respite care" means intermittent and substitute
19 care that provides relief for a family caregiver or adult foster home
20 provider by providing intermittent care in the form of companionship,
21 temporary supervision, and minor personal care to a person who is at
22 risk of institutional placement; the service may be provided either in
23 the home of the client or the caregiver, including in an adult foster
24 care home if that is the client's residence.