

SENATE BILL NO. 32

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATORS ELLIS, Davis, Paskvan

Introduced: 1/21/09

Referred: Health and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to medical assistance payments for home and community-based
2 services."

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

4 * **Section 1.** AS 47.07.070(a) is amended to read:

5 (a) The department shall, by regulation, set rates of payment for health
6 facilities under this chapter and AS 47.25.120 - 47.25.300 **and home and**
7 **community-based services under AS 47.07.045** in accordance with 42 U.S.C. 1396
8 (Title XIX, Social Security Act, Medical Assistance) and this section. A rate
9 established under this section takes effect under AS 44.62 (Administrative Procedure
10 Act) but not until approved in writing by the commissioner. The commissioner may
11 delegate the performance of these functions.

12 * **Sec. 2.** AS 47.07.070(b) is amended to read:

13 (b) In determining the rates of payment for health facilities **and home and**
14 **community-based services** for a fiscal year, the department shall, within the limit of

1 appropriations made by the legislature for the department's programs under this
2 chapter, [AND UNDER] AS 47.25.120 - 47.25.300, **and AS 47.07.045** for that fiscal
3 year, including anticipated available federal revenue for that fiscal year, set rates for
4 facilities **and services** that are based on

5 (1) reasonable costs related to patient care; and

6 (2) audit and inspection results and reports, when the audit or
7 inspection is conducted under AS 47.07.074.

8 * **Sec. 3.** AS 47.07.074(a) is amended to read:

9 (a) As a condition of obtaining payment under AS 47.07.070, a health facility
10 **and a home and community-based service provider** shall allow

11 (1) the department reasonable access to the records of medical
12 assistance recipients and providers; and

13 (2) audit and inspection of the records by state and federal agencies.