



LAWS OF ALASKA

2007

Source
CCS HB 96

Chapter No.
29

AN ACT

Making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Making appropriations for the operating and capital expenses of the state's integrated
2 comprehensive mental health program; and providing for an effective date.

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4

(SECTION 1 OF THIS ACT BEGINS ON PAGE 2)

* **Section 1.** The following appropriation items are for operating expenditures from the general fund or other funds as set out in section 2 of this Act to the agencies named for the purposes expressed for the fiscal year beginning July 1, 2007 and ending June 30, 2008, unless otherwise indicated. A department-wide, agency-wide, or branch-wide unallocated reduction set out in this section may be allocated among the appropriations made in this section to that department, agency, or branch.

	Appropriation	General	Other
	Allocations	Items	Funds
		Funds	Funds
	*****	*****	
	*****	*****	
	***** Department of Administration *****		
	*****	*****	
Legal and Advocacy Services	1,700,100	1,700,100	
Office of Public Advocacy	1,549,700		
Public Defender Agency	150,400		
	*****	*****	
	*****	*****	
	***** Department of Corrections *****		
	*****	*****	
Population Management	611,500	611,500	
Offender Habilitation	611,500		
Programs			
It is the intent of the legislature that the Department will develop plans and proposals for inmate habilitation and reentry programs that can be undertaken during FY08; identify federal or other funding sources available for such programs; and seek receipt authority for those identified funds.			
Inmate Health Care	5,897,200	5,687,200	210,000
Inmate Health Care	5,897,200		
	*****	*****	
	*****	*****	
	***** Department of Education and Early Development *****		
	*****	*****	
Teaching and Learning Support	349,400	49,400	300,000
Student and School	349,400		

	Appropriation	General	Other
	Allocations	Items	Funds
Other			
Funds			
1			
2			
3	Achievement		
4	Alaska Postsecondary	200,000	200,000
5	Education Commission		
6	Program Administration &	200,000	
7	Operations		
8	*****	*****	
9	***** Department of Health and Social Services *****		
10	*****	*****	

11 No money appropriated in this appropriation may be expended for an abortion that is not a
12 mandatory service required under AS 47.07.030(a). The money appropriated for Health and
13 Social Services may be expended only for mandatory services required under Title XIX of the
14 Social Security Act and for optional services offered by the state under the state plan for
15 medical assistance that has been approved by the United States Department of Health and
16 Human Services. This statement is a statement of the purpose of the appropriation and is
17 neither merely descriptive language nor a statement of legislative intent.

18 It is the intent of the legislature that the Department continues to aggressively pursue
19 Medicaid cost containment initiatives. Efforts should continue where the Department
20 believes additional cost containment is possible including further efforts to contain travel
21 expenses. The Department must continue efforts imposing regulations controlling and
22 materially reducing the cost of Personal Care Attendant (PCA) services. Efforts must be
23 continued utilizing existing resources to impose regulations screening applicants for
24 Residential Psychiatric Treatment Center (RPTC) services, especially for out-of-state
25 services. The department must address the entire matrix of optional Medicaid services,
26 reimbursement rates and eligibility requirements that are the basis of the Medicaid growth
27 algorithm. This work is to utilize the results of the Medicaid Assessment and Planning
28 analysis. The legislature requests that by January 2008 the Department be prepared to present
29 projections of future Medicaid funding requirements under our existing statute and regulations
30 and be prepared to present and evaluate the consequences of viable policy alternatives that
31 could be implemented to lower growth rates and reducing projections of future costs.

32 It is the intent of the legislature that the Department of Health and Social Services actively
33 participate in the development and growth of Alaska's therapeutic courts.

		Appropriation	General	Other
		Allocations	Items	Funds
				Funds

3 It is the intent of the legislature that the department evaluate establishing an asset test to be
 4 incorporated in Denali KidCare and Child Care Benefits programs' eligibility determinations
 5 that includes the value of assets leased and not owned by the applicant. The department
 6 should report to the legislature, no later than January 15, 2008, possible asset test structures,
 7 their projected consequences on program participants and any necessary changes to statute,
 8 regulation or Alaska's Medicaid State Plan.

9	Alaskan Pioneer Homes	12,511,600		12,511,600
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10 It is the intent of the legislature that the Department maintain regulations requiring all
 11 residents of the Pioneer Homes to apply for all appropriate benefit programs prior to a state
 12 subsidy being provided for their care from the State Payment Assistance program.

13 It is the intent of the legislature that all pioneers' homes and veterans' homes applicants shall
 14 complete any forms to determine eligibility for supplemental program funding, such as
 15 Medicaid, Medicare, SSI, and other benefits as part of the application process. If an applicant
 16 is not able to complete the forms him/herself, or if relatives or guardians of the applicant are
 17 not able to complete the forms, Department of Health and Social Services staff may complete
 18 the forms for him/her, obtain the individuals' or designee's signature and submit for eligibility
 19 per AS 47.25.120.

20	Alaska Pioneer Homes	64,300		
21	Management			
22	Pioneer Homes	12,447,300		
23	Behavioral Health		86,903,800	63,303,500
24	Alcohol Safety Action	305,400		
25	Program (ASAP)			
26	Behavioral Health Medicaid	32,156,100		
27	Services			
28	Behavioral Health Grants	16,418,900		

29 It is the intent of the legislature that the department continue developing polices and
 30 procedures surrounding the awarding of recurring grants to assure that applicants are regularly
 31 evaluated on their performance in achieving outcomes consistent with the expectations and
 32 missions of the Department related to their specific grant. The recipient's specific
 33 performance should be measured and incorporated into the decision whether to continue

	Appropriation	General	Other
	Allocations	Items	Funds
	Funds	Funds	Funds
awarding grants. Performance measurement should be standardized, accurate, objective and fair, recognizing and compensating for differences among grant recipients including acuity of services provided, client base, geographic location and other factors necessary and appropriate to reconcile and compare grant recipient performances across the array of providers and services involved.			
Behavioral Health Administration	2,473,100		
Community Action Prevention & Intervention Grants	958,100		
Rural Services and Suicide Prevention	2,115,200		
Psychiatric Emergency Services	6,103,400		
Services to the Seriously Mentally Ill	9,399,300		
It is the intent of the legislature that the department provide the legislature, no later than January 15, 2008, a report on the progress and funding to-date for the Bring the Kids Home initiative and a five-year projected plan of development and anticipated funding requirements including in-state infrastructure needs, care levels, in-state bed counts, out-of-state bed counts, waitlists, Mental Health Trust Authority participation and expected outcomes and improvements in the lives of clients expected to be achieved.			
Designated Evaluation and Treatment	1,211,900		
Services for Severely Emotionally Disturbed Youth	8,600,200		
Alaska Psychiatric Institute	7,162,200		
Children's Services		11,728,600	11,548,600
Children's Medicaid Services	3,830,000		
Children's Services Management	64,100		
Front Line Social Workers	148,600		

		Appropriation	General	Other
		Allocations	Items	Funds
			Funds	Funds
3	Foster Care Augmented Rate	500,000		
4	Foster Care Special Need	747,900		
5	Residential Child Care	1,956,300		
6	Infant Learning Program	4,481,700		
7	Grants			
8	Adult Preventative Dental		1,425,000	1,425,000
9	Medicaid Services			
10	Adult Preventative Dental	1,425,000		
11	Medicaid Services			
12	Juvenile Justice		558,600	369,400
13	McLaughlin Youth Center	348,400		
14	Fairbanks Youth Facility	94,700		
15	Bethel Youth Facility	55,700		
16	Probation Services	59,800		
17	Public Health		716,600	466,600
18	Women, Children and Family	500,000		
19	Health			
20	It is the intent of the legislature that the Department of Health and Social Services maintain			
21	fiscal accountability for Alaska's Breast and Cervical Cancer screening population by			
22	amending the age eligibility criteria based on the amount of federal resources appropriated on			
23	an annual basis. It is incumbent upon the Department of Health and Social Services to revise			
24	criteria appropriately to ensure that federal resources remain the sole source of financial			
25	support for this program.			
26	Certification and Licensing	118,300		
27	Community Health Grants	98,300		
28	Senior and Disabilities		13,904,400	13,156,600
29	Services			747,800
30	It is the intent of the legislature that the department continue improving procedures for			
31	maintaining the disabilities waitlist to assure that criteria for listing are consistent, objective			
32	and meaningful. The list should be accurately maintained without unnecessary action by			
33	individuals on the list, identify services already being received by those on the list and be			

	Appropriation	General	Other
	Allocations	Items	Funds
			Funds

3 utilized to promote parity in the provision of service throughout the social services system.

4 It is the intent of the legislature that the department act expeditiously in the administrative

5 processing of individuals on the waitlist so that they may begin receiving services as quickly

6 as possible utilizing the funding increment initiated in the fiscal 2007 budget.

7 It is the intent of the legislature that regulations related to the General Relief / Temporary

8 Assisted Living program be reviewed and revised as needed to minimize the length of time

9 that the state provides housing alternatives and assure the services are provided only to

10 intended beneficiaries who are actually experiencing harm, abuse or neglect. The department

11 should educate care coordinators and direct service providers about who should be referred

12 and when they are correctly referred to the program in order that referring agents correctly

13 match consumer needs with the program services intended by the department.

14 It is the intent of the legislature that the department continues the Inventory of Client and

15 Agency Planning (ICAP) process as recommended in the Ad Hoc Committee on the

16 Developmental Disability Waitlist Recommendations for Change report. It is further the

17 intent of the legislature that the Department move forward with implementation of the report

18 recommendations as appropriate and submit a progress report to the Legislature by January

19 15, 2008, which includes information regarding the number of individuals on the waiting list

20 that have had an ICAP completed as well as the Department's recommended action for those

21 recommendations contained in the Ad Hoc report with which they may disagree.

22	Senior and Disabilities	2,294,900		
23	Services Administration			
24	Protection and Community	740,300		
25	Services			
26	Senior Community Based	2,944,400		
27	Grants			
28	Community Developmental	7,924,800		
29	Disabilities Grants			
30	Departmental Support Services		1,739,000	1,659,000
31	Office of Program Review	98,400		
32	Administrative Support	393,100		
33	Services			

		Appropriation	General	Other
		Allocations	Items	Funds
				Funds
3	Health Planning and	80,000		
4	Infrastructure			
5	Information Technology	817,500		
6	Services			
7	HSS State Facilities Rent	350,000		
8	Boards and Commissions		1,611,500	568,900
9	AK Mental Health & Alcohol	819,400		
10	& Drug Abuse Boards			
11	Commission on Aging	130,600		
12	Governor's Council on	536,000		
13	Disabilities and Special			
14	Education			
15	Suicide Prevention Council	125,500		
16		*****	*****	
17		*****	Department of Law	*****
18		*****	*****	
19	Civil Division		76,700	76,700
20	Human Services and Child	76,700		
21	Protection			
22		*****	*****	
23		*****	Department of Natural Resources	*****
24		*****	*****	
25	Resource Development		1,653,700	1,653,700
26	Mental Health Trust Lands	1,653,700		
27	Administration			
28		*****	*****	
29		*****	Department of Revenue	*****
30		*****	*****	
31	Alaska Mental Health Trust		2,213,000	2,213,000
32	 Authority			
33	Mental Health Trust	2,213,000		

		Appropriation	General	Other
		Allocations	Items	Funds
	Operations			Funds
		*****	*****	
		***** University of Alaska *****		
		*****	*****	
7	University of Alaska		1,285,800	200,800
8	Statewide Services	300,000		
9	Anchorage Campus	945,800		
10	Fairbanks Campus	40,000		
11		*****	*****	
12		***** Alaska Court System *****		
13		*****	*****	
14	Alaska Court System		827,700	589,900
15	Trial Courts	827,700		237,800
16		(SECTION 2 OF THIS ACT BEGINS ON PAGE 10)		

1 * **Sec. 2.** The following sets out the funding by agency for the appropriations made in sec. 1 of
2 this Act.

3	Funding Source	Amount
4	Department of Administration	
5	1037 General Fund / Mental Health	1,700,100
6	*** Total Agency Funding ***	\$1,700,100
7	Department of Corrections	
8	1037 General Fund / Mental Health	6,298,700
9	1092 Mental Health Trust Authority Authorized	210,000
10	Receipts	
11	*** Total Agency Funding ***	\$6,508,700
12	Department of Education and Early Development	
13	1037 General Fund / Mental Health	49,400
14	1092 Mental Health Trust Authority Authorized	500,000
15	Receipts	
16	*** Total Agency Funding ***	\$549,400
17	Department of Health and Social Services	
18	1037 General Fund / Mental Health	103,584,200
19	1092 Mental Health Trust Authority Authorized	8,622,200
20	Receipts	
21	1180 Alcohol and Other Drug Abuse Treatment &	18,892,700
22	Prevention Fund	
23	*** Total Agency Funding ***	\$131,099,100
24	Department of Law	
25	1037 General Fund / Mental Health	76,700
26	*** Total Agency Funding ***	\$76,700
27	Department of Natural Resources	
28	1092 Mental Health Trust Authority Authorized	1,653,700
29	Receipts	
30	*** Total Agency Funding ***	\$1,653,700
31	Department of Revenue	

1	1094 Mental Health Trust Administration	2,213,000
2	*** Total Agency Funding ***	\$2,213,000
3	University of Alaska	
4	1037 General Fund / Mental Health	200,800
5	1092 Mental Health Trust Authority Authorized	1,085,000
6	Receipts	
7	*** Total Agency Funding ***	\$1,285,800
8	Alaska Court System	
9	1037 General Fund / Mental Health	589,900
10	1092 Mental Health Trust Authority Authorized	237,800
11	Receipts	
12	*** Total Agency Funding ***	\$827,700
13	* * * * * Total Budget * * * * *	\$145,914,200
14	(SECTION 3 OF THIS ACT BEGINS ON PAGE 12)	

1 * **Sec. 3.** The following sets out the statewide funding for the appropriations made in sec. 1 of
2 this Act.

3	Funding Source	Amount
4	General Funds	
5	1037 General Fund / Mental Health	112,499,800
6	***Total General Funds***	\$112,499,800
7	Federal Funds	
8	***Total Federal Funds***	\$0
9	Other Non-Duplicated Funds	
10	1092 Mental Health Trust Authority Authorized	12,308,700
11	Receipts	
12	1094 Mental Health Trust Administration	2,213,000
13	1180 Alcohol and Other Drug Abuse Treatment &	18,892,700
14	Prevention Fund	
15	***Total Other Non-Duplicated Funds***	\$33,414,400
16	Duplicated Funds	
17	***Total Duplicated Funds***	\$0

18 (SECTION 4 OF THIS ACT BEGINS ON PAGE 13)

1 * **Sec. 4.** The following appropriation items are for capital projects and grants from the
 2 general fund or other funds as set out in section 5 of this Act by funding source to the
 3 agencies named for the purposes expressed and lapse under AS 37.25.020, unless otherwise
 4 noted.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Department of Health and Social Services *****		
	*****	*****	
10	MH Southcentral Foundation	7,000,000	7,000,000
11	Eklutna Residential		
12	Psychiatric Treatment		
13	Center - Match for Bring		
14	the Kids Home (HD 13-16)		
15	MH Cost Share Match for	1,000,000	1,000,000
16	Bring the Kids Home (HD		
17	1-40)		
18	MH Treatment and Recovery	750,000	250,000
19	Based Special Needs Housing		500,000
20	(HD 1-40)		
21	MH Home Modification and	250,000	250,000
22	Upgrades to Retain Housing		
23	(HD 1-40)		
24	MH Deferred Maintenance and	2,000,000	2,000,000
25	Americans with Disabilities		
26	Act Improvement Grants to		
27	Service Providers and for		
28	Trust Beneficiaries (HD		
29	1-40)		
30	MH Essential Program	350,000	350,000
31	Equipment (HD 1-40)		

	Appropriation	General	Other
	Allocations	Items	Funds
1			
2			
3	*****	*****	
4	*****	Department of Natural Resources	*****
5	*****	*****	
6	Mental Health Trust Land	650,000	650,000
7	Development (HD 1-40)		
8	Mental Health Trust Land	350,000	350,000
9	Facilities Maintenance (HD		
10	1-40)		
11	*****	*****	
12	*****	Department of Revenue	*****
13	*****	*****	
14	Alaska Housing Finance		
15	 Corporation		
16	Beneficiary and Special	1,750,000	1,750,000
17	Needs Housing (HD 1-40)		
18	Emergency Assistance Grants	200,000	200,000
19	for Mental Health Trust		
20	Beneficiaries (HD 1-40)		
21	Homeless Assistance Program	1,500,000	1,500,000
22	(HD 1-40)		
23	*****	*****	
24	*****	Department of Transportation/Public Facilities	*****
25	*****	*****	
26	Coordinated Transportation	300,000	300,000
27	and Vehicles (HD 1-40)		
28			

(SECTION 5 OF THIS ACT BEGINS ON PAGE 15)

1 * **Sec. 5.** The following sets out the funding by agency for the appropriations made in sec. 4 of
2 this Act.

3	Funding Source	Amount
4	Department of Health and Social Services	
5	1037 General Fund / Mental Health	10,600,000
6	1092 Mental Health Trust Authority Authorized Receipts	500,000
7	1139 Alaska Housing Finance Corporation Dividend	250,000
8	*** Total Agency Funding ***	\$11,350,000
9	Department of Natural Resources	
10	1092 Mental Health Trust Authority Authorized Receipts	1,000,000
11	*** Total Agency Funding ***	\$1,000,000
12	Department of Revenue	
13	1092 Mental Health Trust Authority Authorized Receipts	700,000
14	1139 Alaska Housing Finance Corporation Dividend	2,750,000
15	*** Total Agency Funding ***	\$3,450,000
16	Department of Transportation/Public Facilities	
17	1092 Mental Health Trust Authority Authorized Receipts	300,000
18	*** Total Agency Funding ***	\$300,000
19	* * * * * Total Budget * * * * *	\$16,100,000

20 (SECTION 6 OF THIS ACT BEGINS ON PAGE 16)

1 * **Sec. 6.** The following sets out the statewide funding for the appropriations made in sec. 4 of
2 this Act.

3	Funding Source	Amount
4	General Funds	
5	1037 General Fund / Mental Health	10,600,000
6	***Total General Funds***	\$10,600,000
7	Federal Funds	
8	***Total Federal Funds***	\$0
9	Other Non-Duplicated Funds	
10	1092 Mental Health Trust Authority Authorized	2,500,000
11	Receipts	
12	1139 Alaska Housing Finance Corporation Dividend	3,000,000
13	***Total Other Non-Duplicated Funds***	\$5,500,000
14	Duplicated Funds	
15	***Total Duplicated Funds***	\$0

16 (SECTION 7 OF THIS ACT BEGINS ON PAGE 17)

1 * **Sec. 7. PURPOSE.** In accordance with AS 37.14.003 and 37.14.005, the appropriations
2 made by this Act are for the state's integrated comprehensive mental health program.

3 * **Sec. 8. NONGENERAL FUND RECEIPTS.** (a) Alaska Mental Health Trust Authority
4 authorized receipts (AS 37.14.036) or administration receipts (AS 37.14.036) that exceed the
5 amounts appropriated by this Act are appropriated conditioned upon compliance with the
6 program review provisions of AS 37.07.080(h).

7 (b) If Alaska Mental Health Trust Authority authorized receipts (AS 37.14.036) or
8 administration receipts (AS 37.14.036) fall short of the estimates appropriated in this Act, the
9 affected appropriation is reduced by the amount of the shortfall in receipts.

10 * **Sec. 9. SALARY AND BENEFIT ADJUSTMENTS.** (a) The appropriations made in sec.
11 1 of this Act include amounts for salary and benefit adjustments for public officials, officers,
12 and employees of the executive branch, Alaska Court System employees, employees of the
13 legislature, and legislators and to implement the terms for the fiscal year ending June 30,
14 2008, of the following collective bargaining agreements:

- 15 (1) Alaska Public Employees Association, for the confidential unit;
- 16 (2) Alaska Public Employees Association, for the supervisory unit;
- 17 (3) Alaska State Employees Association, for the general government unit;
- 18 (4) Marine Engineers Beneficial Association, representing licensed engineers
19 employed by the Alaska marine highway system;
- 20 (5) Public Employees Local 71, for the labor, trades and crafts unit;
- 21 (6) Inlandboatmen's Union of the Pacific, representing the unlicensed marine
22 unit;
- 23 (7) International Organization of Masters, Mates, and Pilots, for the masters,
24 mates, and pilots unit;
- 25 (8) Public Safety Employees Association, representing regularly
26 commissioned public safety officers;
- 27 (9) Alaska Correctional Officers Association, representing correctional
28 officers;
- 29 (10) Alaska Vocational Technical Center Teachers' Association - National
30 Education Association, representing employees of the Alaska Vocational Technical Center;
- 31 (11) Teachers' Education Association of Mt. Edgecumbe.

1 (b) The operating budget appropriations made to the University of Alaska in sec. 1 of
2 this Act include amounts for salary and benefit adjustments for the fiscal year ending June 30,
3 2008, for university employees who are not members of a collective bargaining unit and for
4 implementing the monetary terms of the collective bargaining agreements including the terms
5 of the agreement providing for the health benefit plan for university employees represented by
6 the following entities:

7 (1) Alaska Higher Education Crafts and Trades Employees;

8 (2) Alaska Community Colleges' Federation of Teachers;

9 (3) United Academics;

10 (4) United Academics-Adjuncts.

11 (c) If a collective bargaining agreement listed in (a) or (b) of this section is not ratified
12 by the membership of the respective collective bargaining unit, the appropriations made by
13 this Act that are applicable to that collective bargaining unit's agreement are reduced
14 proportionately by the amount for that collective bargaining agreement, and the corresponding
15 funding source amounts are reduced accordingly.

16 (d) Appropriations made in sec. 1 of this Act for salary and benefit adjustments as
17 described in (a) and (b) of this section are for the benefit of the state's integrated
18 comprehensive mental health program only and do not necessarily affect every group of
19 noncovered employees or every collective bargaining unit listed in (a) and (b) of this section.

20 * **Sec. 10.** This Act takes effect July 1, 2007.