



LAWS OF ALASKA

2018

Source
CSHB 215(FIN)

Chapter No.

AN ACT

Relating to program receipts; and relating to fees for services provided by the Department of Health and Social Services.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to program receipts; and relating to fees for services provided by the Department of
2 Health and Social Services.

3

4 * **Section 1.** AS 37.05.146(c) is amended by adding a new paragraph to read:

5 (90) the following fees, receipts, income, and monetary recoveries
6 collected by the Department of Health and Social Services:

7 (A) receipts of the Department of Health and Social Services,
8 Bureau of Vital Statistics;

9 (B) monetary recoveries of Medicaid expenditures from
10 recipients, third parties, and providers under AS 47;

11 (C) the state's share of overpayments collected under
12 AS 47.05.080;

13 (D) income received from a state or federal agency for children
14 in foster care under AS 47.14.100;

1 (E) fees received or collected under AS 44.29.022 for nursing
2 and planning services provided at health centers, genetic screening clinics and
3 specialty clinics, the certification of x-ray machines, the alcohol safety action
4 program, and other public health programs and services;

5 (F) fees received under AS 18.08.080 for the certification of
6 emergency medical technicians, emergency medical dispatchers, and
7 emergency medical technician instructors;

8 (G) fees received under AS 47.32;

9 (H) the state's share of child support collections for
10 reimbursement of the cost of the Alaska temporary assistance program as
11 provided under AS 25.27.120, 25.27.130, and AS 47.27.040; and

12 (I) monetary recoveries under AS 09.58 (Alaska Medical
13 Assistance False Claim and Reporting Act).

14 * **Sec. 2.** AS 44.29.022(a) is amended to read:

15 (a) The commissioner of health and social services may establish by
16 regulation a schedule of reasonable fees for services provided by the Department of
17 Health and Social Services under **AS 44.29.020(a)(1) - (8) and (14)**
18 [AS 44.29.020(a)(1) - (8)], AS 47.10, AS 47.12, AS 47.14, AS 47.30.655 - 47.30.910,
19 and AS 47.80.100 - 47.80.170 **and for the administration of public health**
20 **programs under AS 18.** The fee established for a service may not exceed the actual
21 cost of providing the service. The commissioner may define or establish the "actual
22 cost of providing a service" by regulation. The Department of Health and Social
23 Services shall charge and collect the fees established under this subsection. The
24 department may waive collection of a fee upon a finding that collection is not
25 economically feasible or in the public interest.

26 * **Sec. 3.** AS 44.29.022 is amended by adding a new subsection to read:

27 (e) The commissioner of health and social services shall consult with
28 stakeholders regarding the reasonableness of fees when developing a schedule of
29 reasonable fees under (a) of this section for services under AS 44.29.020(a)(14) or
30 programs under AS 18 for which there is no regulation in effect establishing a
31 schedule of reasonable fees. The consultation must include at least one public meeting

1 and must occur before the commissioner provides notice of proposed action under
2 AS 44.62.190. The commissioner shall provide notice of the public meeting at least 30
3 days before the meeting in the same manner as required under AS 44.62.190(a) for a
4 notice of proposed action.

5 * **Sec. 4.** AS 37.05.146(c)(42), 37.05.146(c)(59), 37.05.146(c)(60), 37.05.146(c)(61),
6 37.05.146(c)(62), 37.05.146(c)(63), 37.05.146(c)(64), 37.05.146(c)(65), 37.05.146(c)(66),
7 37.05.146(c)(67), 37.05.146(c)(71), and 37.05.146(c)(88) are repealed.