

Byron Mallott
Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Triptaa Surve
Department of Health & Social Services

FROM: Scott Meriwether, Office of the Lieutenant Governor 
465.4081

DATE: May 31, 2017

RE: Filed Permanent Regulations: Department of Health & Social Services

Department of Health and Social Services regulations re: licensure and related fees for facilities and local units (7 AAC 12.610; 7 AAC 12.615)

Attorney General File:	JU2016200442
Regulation Filed:	5/30/2017
Effective Date:	6/29/2017
Print:	222, July 2017

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS
OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

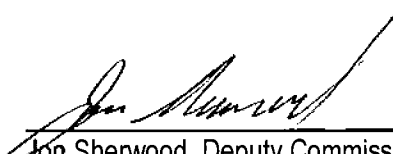
The attached 7 pages of regulations, dealing with Facilities and Local Units, Licensure, are adopted and certified to be a correct copy of the regulation changes that the Department of Health & Social Services adopts under the authority of AS 18.05.040; AS 18.20.080; AS 47.05.310; AS 47.32.010; AS 47.32.020; AS 47.32.030; AS 47.32.040; AS 47.32.050; AS 47.32.060; AS 47.32.130; and AS 47.32.140, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Health & Social Services paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 5-25-17



Jon Sherwood, Deputy Commissioner
Department of Health & Social Services

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that¹ on May 30,
2017, at 105p.m., I filed the attached regulations according to the provisions of AS 44.62.040 -
44.62.120.



Byron Mallott, Lieutenant Governor

Effective: June 29, 2017

Register: 222, July 2017

7 AAC 12.610(a) is amended to read:

(a) Unless exempt under 7 AAC 12.611, before an individual or entity may operate a facility subject to AS 47.32 and this chapter, the individual or entity must obtain a license from the department under AS 47.32 and this section. The department may bring an action to enjoin the operation of a facility that has failed to obtain a license as required under AS 47.32 and this chapter. **In addition to meeting the applicable requirements of this section, an applicant for licensure of a**

(1) hospice agency must also meet the licensure requirements of 7 AAC 12.312;

(2) free-standing birth center must also meet the licensure requirements of 7 AAC 12.404;

(3) frontier extended stay clinic must also meet the licensure requirements of 7 AAC 12.457; or

(4) home health agency must also meet the licensure requirements of 7 AAC 12.500 - 7 AAC 12.590.

The introductory language of 7 AAC 12.610(d) is amended to read:

(d) **A biennial license issued under AS 47.32.050(b) becomes valid July 1 of an even-numbered year and expires June 30 of the next even-numbered year.** An application for renewal of a biennial license must be submitted, and will be reviewed, in accordance with AS 47.32.060. **A renewed biennial license becomes valid July 1 of the biennial licensing period after the previous license expired and expires June 30 of the next even-numbered**

Register 222, July 2017 HEALTH AND SOCIAL SERVICES

year. In addition to any noncompliance with the applicable provisions of AS 47.32 and this chapter, grounds for nonrenewal include

. . .

(Eff. 11/19/83, Register 88; am 6/28/84, Register 90; am 9/1/2000, Register 155; am 12/3/2006, Register 180; am 9/30/2007, Register 183; am 6/29/2017, Register 222)

Authority:	AS 18.05.040	AS 47.32.020	AS 47.32.060
	AS 18.20.080	AS 47.32.030	AS 47.32.130
	AS 47.05.310	AS 47.32.040	AS 47.32.140
	AS 47.32.010	AS 47.32.050	<u>AS 47.32.900</u>

7 AAC 12 is amended by adding a new section to read:

7 AAC 12.615. Facility fees. (a) An application under AS 47.32.040 from a facility for a license must be accompanied by the following fees to cover the provisional licensure period:

- (1) for a hospital: \$2,000, plus \$85 per bed;
- (2) for a nursing facility within the meaning given in AS 47.32.900: \$1,000, plus \$125 per bed;
- (3) for an ambulatory surgical center, including an ambulatory surgical facility: \$650;
- (4) for a free-standing birth center: \$250;
- (5) for a home health agency within the meaning given in AS 47.32.900, fees as follows:

(A) a fee based on total employee full-time equivalents (FTEs) to include any full-time equivalents at any subunit or branch, as follows:

- (i) five or fewer full-time equivalents: \$1,000;
- (ii) six to 15 full-time equivalents: \$1,500;
- (iii) 16 to 50 full-time equivalents: \$2,000;
- (iv) 51 or more full-time equivalents: \$3,000;

(B) in addition to the applicable fee under (A) of this paragraph, \$500 for each separate subunit or branch that the home health agency includes in the home health agency's license;

(6) for a hospice agency, fees as follows:

(A) for a parent hospice agency and each agency that operates as a subunit under a parent hospital agency, fees as follows:

- (i) a volunteer hospice that primarily provides hospice services where a client lives or stays: \$100;
- (ii) a non-volunteer hospice that primarily provides hospice services where a client lives or stays: \$250;
- (iii) an inpatient hospice facility: \$250, plus \$75 per bed;

(B) in addition to the applicable fee under (A) of this paragraph, \$100 for each separate subunit that the parent hospice agency includes in the parent hospice agency's license;

(7) for a frontier extended stay clinic: \$250, plus \$100 for each bed used for extended stay patients.

(b) The department may extend, without charging a fee, a provisional license for one additional period not to exceed one year under AS 47.32.050(a).

(c) Before the department issues a facility a biennial license under AS 47.32.050(b), or before the department renews a biennial license under AS 47.32.060(a), the facility must pay the following fees:

(1) for a hospital: \$4,000, plus \$170 per bed;

(2) for a nursing facility within the meaning given in AS 47.32.900: \$2,000, plus \$250 per bed;

(3) for an ambulatory surgical center, including an ambulatory surgical facility: \$1,300;

(4) for a free-standing birth center: \$500;

(5) for a home health agency within the meaning given in AS 47.32.900, fees as follows:

(A) a fee based on total employee full-time equivalents (FTEs) to include any full-time equivalents at any subunit or branch, as follows:

(i) five or fewer full-time equivalents: \$2,000;

(ii) six to 15 full-time equivalents: \$3,000;

(iii) 16 to 50 full-time equivalents: \$4,000;

(iv) 51 or more full-time equivalents: \$6,000;

(B) in addition to the applicable fee under (A) of this paragraph, \$1,000 for each separate subunit or branch that the home health agency includes in the home health agency's license;

(6) for a hospice agency, fees as follows:

(A) for a parent hospice agency and each agency that operates as a subunit under a parent hospital agency, fees as follows:

(i) for a volunteer hospice that primarily provides hospice services where a client lives or stays: \$200;

(ii) for a non-volunteer hospice that primarily provides hospice services where a client lives or stays: \$500;

(iii) for an inpatient hospice facility: \$500, plus \$150 per bed;

(B) in addition to the applicable fee under (A) of this paragraph, \$200 for each separate subunit that the parent hospice agency includes in the parent hospice agency's license;

(7) for a frontier extended stay clinic: \$500, plus \$200 for each bed used for extended stay patients.

(d) If an inspection reveals noncompliance with AS 47.32 or this chapter, a facility shall pay, not later than 30 days after the revisit, a revisit fee as follows for each additional onsite visit by the department that results from failure of the facility to achieve and maintain compliance within a reasonable time set by the department:

(1) for a hospital: \$500;

(2) for a nursing facility within the meaning given in AS 47.32.900: \$500;

(3) for an ambulatory surgical center, including an ambulatory surgical facility: \$250;

(4) for a free-standing birth center: \$150;

(5) for a home health agency within the meaning given in AS 47.32.900: \$150;

(6) for a hospice agency: \$100;

(7) for a frontier extended stay clinic: \$250.

(e) If a facility changes location, the department will make an onsite visit and inspection of the new location. The facility shall pay the applicable fee in (d) of this section that the department would charge for a revisit.

(f) A fee due under this section is nonrefundable.

(g) Violation of this section may result in an enforcement action under AS 47.32.140.

(h) If a facility applies for a license modification to expand capacity to serve additional patients, residents, or clients, and the application is not part of an application submitted timely under AS 47.32.060 and 7 AAC 12.610(d) for renewal of a biennial license, the facility shall pay the applicable bed fee required under (a) of this section for each additional bed, regardless of the amount of time left in the current biennial licensing period.

(i) If a home health agency within the meaning given in AS 47.32.900 applies for a license modification to add a subunit or branch, and the application is not part of an application submitted timely under AS 47.32.060 and 7 AAC 12.610(d) for renewal of a biennial license, the home health agency shall pay the appropriate fees in (a) of this section for each new subunit or branch and any fees associated with additional full-time equivalents, regardless of the amount of time left in the current biennial licensing period.

(j) If a facility applies for a license modification for a reason not otherwise set out in this section, and the application is not part of an application submitted timely under AS 47.32.060 and 7 AAC 12.610(d) for renewal of a biennial license, the facility shall pay a modification fee

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of \$250, regardless of the amount of time left in the current biennial licensing period.

(k) A facility that the state owns and operates is exempt from paying a fee set out in this section. (Eff. 6/29/2017, Register 222)

Authority:	AS 18.05.040	AS 47.32.030	AS 47.32.060
	AS 18.20.080	AS 47.32.040	AS 47.32.130
	AS 47.32.010	AS 47.32.050	AS 47.32.140
	AS 47.32.020		

MEMORANDUM


State of Alaska
Department of Law

To: Hon. Byron Mallott
Lieutenant Governor

Date: May 30, 2017

File No.: JU2016200442

Tel. No.: 465-3600

From: Steven C. Weaver 
Sr. Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Re: Department of Health and Social
Services regulations re: licensure and
related fees for facilities and local
units (7 AAC 12.610; 7 AAC 12.615)

We have reviewed the attached regulations from the Department of Health and Social Services against the statutory standards of the Administrative Procedure Act. I have reviewed this project under a specific delegation dated May 30, 2017 from the Regulations Attorney. The regulations update requirements and procedures regarding licensure facilities and local units, including the establishment of fees under AS 47.32.

We find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

Hon. Byron Mallott, Lieutenant Governor
Our file: JU2016200442

May 30, 2017
Page 2

The October 14, 2016 public notice and the May 25, 2017 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

SCW

cc w/enc: (via email)

Hon. Valerie "Nurr'araaluk" Davidson, Commissioner
Department of Health and Social Services

Triptaa Surve, Regulations Contact
Department of Health and Social Services

Jon Sherwood, Deputy Commissioner
Department of Health and Social Services

Margaret Brodie, Director
Division of Health Care Services
Department of Health and Social Services

Brenda Vincent
Division of Health Care Services
Department of Health and Social Services

Stacie L. Kraly, Chief Assistant Attorney General
Human Services Section

Kelly E. Henriksen, Assistant Attorney General
Human Services Section

MEMORANDUM

State of Alaska Department of Law

TO: Hon. Byron Mallott
Lieutenant Governor

DATE: May 30, 2017

FILE NO.: JU2016200442

TELEPHONE NO.: (907) 465-3600

FROM: Susan R. Pollard *SRP*
Chief Assistant Attorney General
and Regulations Attorney
Legislation/Regulations Section

SUBJECT: Specific delegation of authority
regarding regulations review on
Department of Health and Social
Services regulations re: licensure
and related fees for facilities and
local units (7 AAC 12.610;
7 AAC 12.615)

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SCW

cc w/enc: Scott C. Meriwether, AAC Coordinator
Office of the Lieutenant Governor

Steven C. Weaver
Sr. Assistant Attorney General and
Assistant Regulations Attorney
Legislation/Regulations Section

NOTICE OF PROPOSED CHANGES ON FACILITIES AND LOCAL UNITS, LICENSURE
IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

BRIEF DESCRIPTION

The Department of Health & Social Services proposes to change 7 AAC 12.610 related to the process for applying for and obtaining a license and to create a fee schedule related to licensure for facilities subject to the provisions of 7 AAC 12.

The Department of Health and Social Services proposes to adopt regulation changes in Title 7 AAC of the Alaska Administrative Code, dealing with the addition of licensure fees to all health care facilities required to be licensed under 7 AAC 12. 610, including the following:

- 7 AAC 12. Facilities and Local Units, is proposed to be changed as follows:
 - 7 AAC 12.610. Facilities and Local Units, Licensure.
 - 7 AAC 12.610 Change the process for applying for and obtaining a license;
 - Adopt a new regulation, 7 AAC 12.613, to create a fee schedule related to licensure for facilities subject to the provisions of 7 AAC 12.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Brenda Vincent, Alaska Department of Health & Social Services, 4501 Business Park Blvd., Building L, Anchorage, Alaska 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 334-2682 and by electronic mail at brenda.vincent@alaska.gov. The comments must be received not later than 5 p.m. on December 5, 2016.

You may submit written questions relevant to the proposed action to Brenda Vincent, at brenda.vincent@alaska.gov or at the Alaska Department of Health & Social Services, 4501 Business Park Blvd., Building L, Anchorage, Alaska 99503. The questions must be received at least 10 days before the end of the public comment period. The Department of Health & Social Services will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and at <http://dhss.alaska.gov/dhcs/Pages/default.aspx>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Brenda Vincent at brenda.vincent@alaska.gov or at (907) 334-2652, not later than November 22, 2016, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting brenda.vincent@alaska.gov or at (907) 334-2652.

After the public comment period ends, the Department of Health & Social Services will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed

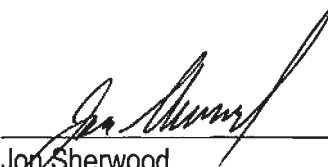
regulation. **You should comment during the time allowed if your interests could be affected.**

Statutory authority: AS18.05.040; AS 18.20.080; AS 47.05.310; AS 47.32.010; AS 47.32.020; AS 47.32.030; AS 47.32.040; AS 47.32.050; AS 47.32.060; AS 47.32.130; AS 47.32.140.

Statutes being implemented, interpreted, or made specific: AS18.05.040; AS 18.20.080; AS 47.05.310; AS 47.32.010; AS 47.32.020; AS 47.32.030; AS 47.32.040; AS 47.32.050; AS 47.32.060; AS 47.32.130; AS 47.32.140.

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 10-12-16



Jon Sherwood
Deputy Commissioner
Department of Health & Social Services

NOTICE OF PROPOSED CHANGES ON FACILITIES AND LOCAL UNITS, LICENSURE
IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

The Department of Health and Social Services proposes to adopt regulation changes in Title 7 AAC of the Alaska Administrative Code, dealing with the addition of licensure fees to all health care facilities required to be licensed under 7 AAC 12. 610, including the following:

- 7 AAC 12. Facilities and Local Units, is proposed to be changed as follows:
 - 7 AAC 12.610. Facilities and Local Units, Licensure.
 - 7 AAC 12.610 Change the process for applying for and obtaining a license;
 - Adopt a new regulation, 7 AAC 12.613, to create a fee schedule related to licensure for facilities subject to the provisions of 7 AAC 12.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Brenda Vincent, Alaska Department of Health & Social Services, 4501 Business Park Blvd., Building L, Anchorage, Alaska 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 334-2682 and by electronic mail at brenda.vincent@alaska.gov . The comments must be received not later than 5 p.m. on December 5, 2016.

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If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Brenda Vincent at brenda.vincent@alaska.gov or at (907) 334-2652, not later than November 22, 2016, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting brenda.vincent@alaska.gov or at (907) 334-2652.

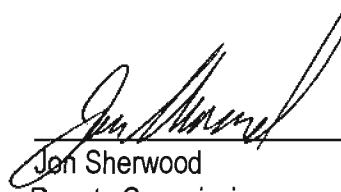
After the public comment period ends, the Department of Health & Social Services will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.**

Statutory authority: AS18.05.040; AS 18.20.080; AS 47.05.310; AS 47.32.010; AS 47.32.020; AS 47.32.030; AS 47.32.040; AS 47.32.050; AS 47.32.060; AS 47.32.130; AS 47.32.140.

Statutes being implemented, interpreted, or made specific: AS18.05.040; AS 18.20.080; AS 47.05.310; AS 47.32.010; AS 47.32.020; AS 47.32.030; AS 47.32.040; AS 47.32.050; AS 47.32.060; AS 47.32.130; AS 47.32.140.

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 10-12-16



Jon Sherwood
Deputy Commissioner
Department of Health & Social Services

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))¹

1. Adopting agency: Department of Health & Social Services
2. General subject of regulation: The subject of the proposed regulation is to add licensure fees to all health care facilities required to be licensed under 7 AAC 12.610.
3. Citation of regulation (may be grouped): 7 AAC 12.610
4. Department of Law file number, if any: JU2016200442
5. Reason for the proposed action:
 - () Compliance with federal law or action (identify): _____
 - () Compliance with new or changed state statute
 - () Compliance with federal or state court decision (identify): _____
 - (X) Development of program standards
 - (X) Other (identify): Recover DHSS administrative and operational expenses related to the licensure program.
6. Appropriation/Allocation: N/A
7. Estimated annual cost to comply with the proposed action to:

A private person: None.

Another state agency: None.

A city/borough/municipality: \$1,000 - \$17,000 depending on facility type and bed capacity.

A corporation: \$100 - \$36,085 depending on facility type and bed capacity.

8. Cost of implementation to the state agency and available funding (in thousands of dollars): None.


	Initial Year	Subsequent
	FY _____	Years
Operating Cost	\$ _____	\$ _____
Capital Cost	\$ _____	\$ _____
1002 Federal receipts	\$ _____	\$ _____
1003 General fund match	\$ _____	\$ _____
1004 General fund	\$ _____	\$ _____
1005 General fund/ program	\$ _____	\$ _____
Other (identify)	\$ _____	\$ _____

9. The name of the contact person for the regulation:

Name: Brenda Vincent
Title: Health Facilities Survey Manager
Address: 4501 Business Park Blvd. Bldg L Anc. AK 99503
Telephone: (907) 334-2652
E-mail address: brenda.vincent@alaska.gov

10. The origin of the proposed action:

☒ Staff of state agency
☐ Federal government
☐ General public
☐ Petition for regulation change
☐ Other (identify): _____

11. Date: 10/11/14 Prepared by: 
[signature]

Name (printed): Brenda Vincent
Title (printed): Health Facilities Survey Manager
Telephone: (907) 334-2652

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

I, Triptaa Surve, Project Coordinator, of the Department of Health & Social Services, being sworn, state the following:

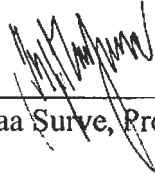
As required by AS 44.62.190, notice of the proposed adoption of changes to 7 AAC 12.610, Facilities & Local Unit, Licensure, has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Health & Social Services and Finance Committees of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date:

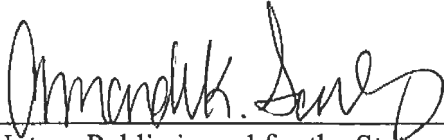
February 8, 2017 ⁴


Triptaa Surve, Project Coordinator

Subscribed and sworn to before me at DHSS Commissioners office on

2/8/17

(date)


Notary Public in and for the State of Alaska



[NOTARY SEAL]

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

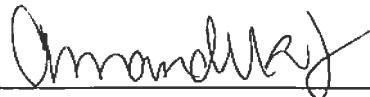
I, Triptaa Surve, Project Coordinator for the Department of Health & Social Services, being duly sworn, state the following:

In compliance with AS 44.62.215, the Department of Health & Social Services has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Health & Social Services regulation on Facilities & Local Units, Licensure.

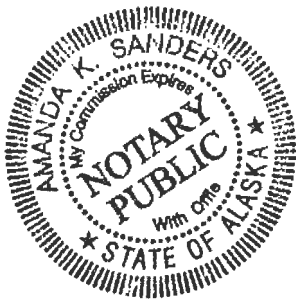
Date: February 8, 2017.


Triptaa Surve, Project Coordinator

Subscribed and sworn to before me at DHSS Commissioners office on
2/8/17
(date)


Notary Public in and for the State of Alaska

[NOTARY SEAL]



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AFFIDAVIT OF PUBLICATION

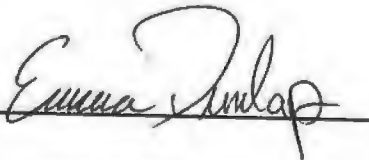
STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Emma Dunlap
being first duly sworn on oath deposes and
says that he/she is a representative of the
Alaska Dispatch News, a daily newspaper.
That said newspaper has been approved
by the Third Judicial Court, Anchorage,
Alaska, and it now and has been published
in the English language continually as a
daily newspaper in Anchorage, Alaska, and
it is now and during all said time was
printed in an office maintained at the
aforesaid place of publication of said
newspaper. That the annexed is a copy of
an advertisement as it was published in
regular issues (and not in supplemental
form) of said newspaper on

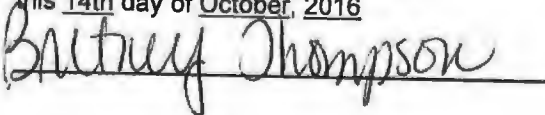
October 14, 2016

and that such newspaper was regularly
distributed to its subscribers during all of
said period. That the full amount of the fee
charged for the foregoing publication is not
in excess of the rate charged private
individuals.

Signed



Subscribed and sworn to before me
this 14th day of October, 2016



Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

2/23/2019

BRITNEY L. THOMPSON
State of Alaska

My Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES ON FACILITIES AND LOCAL UNITS, LICENSURE IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

The Department of Health and Social Services proposes to adopt regulation changes in Title 7 AAC of the Alaska Administrative Code, dealing with the addition of licensure fees to all health care facilities required to be licensed under 7 AAC 12. 610, including the following:

• 7 AAC 12. Facilities and Local Units, is proposed to be changed as follows:

o 7 AAC 12.610. Facilities and Local Units, Licensure.

• 7 AAC 12.610 Change the process for applying for and obtaining a license;

o Adopt a new regulation, 7 AAC 12.613, to create a fee schedule related to licensure for facilities subject to the provisions of 7 AAC 12.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Brenda Vincent, Alaska Department of Health & Social Services, 4501 Business Park Blvd., Building L, Anchorage, Alaska 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 334-2682 and by electronic mail at brenda.vincent@alaska.gov. The comments must be received not later than 5 p.m. on December 5, 2016.

You may submit written questions relevant to the proposed action to Brenda Vincent, at brenda.vincent@alaska.gov or at the Alaska Department of Health & Social Services, 4501 Business Park Blvd., Building L, Anchorage, Alaska 99503. The questions must be received at least 10 days before the end of the public comment period. The Department of Health & Social Services will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and at <http://dhss.alaska.gov/dhcs/Pages/default.aspx>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Brenda Vincent at brenda.vincent@alaska.gov or at (907) 334-2652, not later than November 22, 2016, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting brenda.vincent@alaska.gov or at (907) 334-2652.

After the public comment period ends, the Department of Health & Social Services will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.**

Statutory authority: AS 18.05.040; AS 18.20.080; AS 47.05.310; AS 47.32.010; AS 47.32.020; AS 47.32.030; AS 47.32.040; AS 47.32.050; AS 47.32.060; AS 47.32.130; AS 47.32.140.

Statutes being implemented, interpreted, or made specific: AS 18.05.040; AS 18.20.080; AS 47.05.310; AS 47.32.010; AS 47.32.020; AS 47.32.030; AS 47.32.040; AS 47.32.050; AS 47.32.060; AS 47.32.130; AS 47.32.140.

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 10/12/16

/s/Jon Sherwood
Deputy Commissioner
Department of Health & Social Services

Published: October 14, 2016