

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

MEMORANDUM

TO: Triptaa Surve
Department of Health and Social Services

FROM: Scott Meriwether, Office of the Lieutenant Governor 
465.4081

DATE: April 13, 2018

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

Department of Health and Social Services regulations re: reporting of discharge data from health care facilities (7 AAC 27.660(a),(b))

Attorney General File:	JU2017200538
Regulation Filed:	4/13/2018
Effective Date:	5/13/2018
Print:	226, July 2018

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 two pages of regulations, dealing with Health Care Facility Discharge Data Reporting (7 AAC 27.660. Preventive Medical Services: Reporting of Discharge Data; Noncompliance) is 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 18.15.355, AS 18.15.360, 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.

Although no public comments were received, 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: 4-11-18



Jon Sherwood, Deputy Commissioner
Department of Health & Social Services

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that¹ on April 13,
2018, at 11:47a.m., I filed the attached regulations according to the provisions of AS 44.62.040 -
44.62.120.



Byron Mallott, Lieutenant Governor

Effective: May 13, 2018

Register: 226, July 2018



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

OFFICE OF THE COMMISSIONER

Anchorage
3601 C Street, Suite 902
Anchorage, Alaska 99503-5923
Main: 907.269.7800
Fax: 907.269.0060

Juneau
350 Main Street, Suite 404
Juneau, Alaska 99801-1149
Main: 907.465.3030
Fax: 907.465.3068

**DELEGATION OF AUTHORITY
FOR ADOPTING REGULATIONS**

UNDER AS 44.17.010, THE AUTHORITY AND RESPONSIBILITY FOR ADOPTING REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES UNDER THE ALASKA ADMINISTRATIVE PROCEDURE ACT ARE HEREBY DELEGATED TO JON SHERWOOD, DEPUTY COMMISSIONER.

SIGNED:



Commissioner


VALERIE DAVIDSON

(Printed name)

SIGNED AND SWORN TO before me this 31st day of August, 2015.

[NOTARY SEAL]





Notary Public in and for the
State of Alaska
My commission expires: w/office

Register 226, July 2018 HEALTH AND SOCIAL SERVICES

7 AAC 27.660(a) is amended to read:

(a) The department will request that a health care facility submit discharge data, including data for all discharges from inpatient services, emergency room services, and outpatient services. If a health care facility is subject to licensure under AS 47.32 and 7 AAC 12 or is a provider of Medicaid services that is subject to 7 AAC 105 - 7 AAC 160, **the department will require that the health care facility submit the discharge data, and** the health care facility shall provide the **required** [REQUESTED] discharge data in accordance with (b) of this section.

7 AAC 27.660(b) is amended to read:

(b) If a health care facility is required under (a) of this section to submit discharge data, the health care facility shall submit the data in a format and with data elements described in the *Official UB-04 Data Specifications Manual 2018* [2015], adopted by reference. The health care facility shall submit the data on a quarterly basis, and not later than 60 days after the end of each calendar quarter.

(Eff. 12/13/2014, Register 212; am 5 / 13 / 2018, Register 226)

Authority: AS 18.05.040 AS 18.15.355 AS 18.15.360

Editor's note: The *Official UB-04 Data Specifications Manual 2018* [2015], adopted by reference in 7 AAC 27.660, may be reviewed at the Department of Health and Social Services, Division of Public Health, **Health Analytics and Vital Records (formerly, the Bureau of Vital**

Register 226, July 2018 HEALTH AND SOCIAL SERVICES

Statistics), 5441 Commercial Boulevard, Juneau, AK 99801 [HEALTH PLANNING AND
SYSTEMS DEVELOPMENT, 350 MAIN STREET, SUITE 530, JUNEAU, ALASKA].

MEMORANDUM


State of Alaska
Department of Law

To: Hon. Byron Mallott
Lieutenant Governor

Date: April 12, 2018

File No.: JU2017200538

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: reporting of
discharge data from health care
facilities (7 AAC 27.660(a), (b))

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 April 12, 2018 from the Regulations Attorney. The regulations update procedures by which health care facilities report discharge data.

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: JU2017200538

April 12, 2018
Page 2

The September 25, 2017 public notice and the April 11, 2018 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

Rebecca W. Topol
Division of Public Health
Department of Health and Social Services

Leah R. Farzin, Assistant Attorney General
Human Services Section

MEMORANDUM

State of Alaska Department of Law

TO: Hon. Byron Mallott
Lieutenant Governor

DATE: April 12, 2018

FILE NO.: JU2017200538

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: reporting
of discharge data from health care
facilities (7 AAC 27.660(a), (b))

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 HEALTH CARE FACILITY DISCHARGE DATA REPORTING IN
THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

BRIEF DESCRIPTION

The Department of Health & Social Services proposes to change regulations on health care facility discharge data reporting.

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with health care facility discharge data reporting, including the following:

- 7 AAC 27.660. Reporting of discharge data; noncompliance. is proposed to be changed as follows:
 - Update to
 - Comply with the most recent edition of reporting standards manual; and
 - Include a change of street address.

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 Rebecca Topol, Research Analyst IV, at the State of Alaska, Department of Health & Social Services, Division of Public Health, Health Analytics and Vital Records (formerly, Bureau of Vital Statistics), P.O. Box 110675, Juneau, AK 99801. Additionally, the Department of Health and Social Services will accept comments by facsimile at (907) 465-4689 and by electronic mail at hfd@alaska.gov. The comments must be received not later than 5 p.m. on November 14, 2017.

You may submit written questions relevant to the proposed action to Rebecca Topol at hfd@alaska.gov or at Health Analytics and Vital Records (formerly, Bureau of Vital Statistics), 5441 Commercial Boulevard, Juneau, Alaska 99801. 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 agency website at <http://dhss.alaska.gov/dph/VitalStats/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 Rebecca Topol at rebecca.topol@alaska.gov or at (907) 465-8604 not later than October 26, 2017, 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 Rebecca Topol at hfd@alaska.gov or at (907) 465-8604.

A copy of material proposed for adoption by reference may be viewed at the agency's office at Health Analytics and Vital Records (formerly, Bureau of Vital Statistics), 5441 Commercial Boulevard, Juneau, Alaska 99801.

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 18.15.355; AS 18.15.360.

Statutes being implemented, interpreted, or made specific: AS 18.05.040; AS 18.15.355; AS 18.15.360.

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

DATE:

9-20-17



Jon Sherwood

Deputy Commissioner

Department of Health & Social Services

NOTICE OF PROPOSED CHANGES ON HEALTH CARE FACILITY DISCHARGE DATA REPORTING IN
THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with health care facility discharge data reporting, including the following:

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 - Comply with the most recent edition of reporting standards manual; and
 - Include a change of street address.

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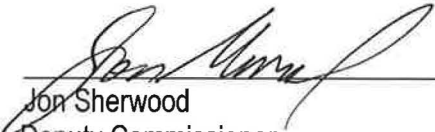
Statutory authority: AS 18.05.040; AS 18.15.355; AS 18.15.360.

Statutes being implemented, interpreted, or made specific: AS 18.05.040; AS 18.15.355; AS

18.15.360.

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

DATE: 9-20-17



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: Health Facility Discharge Data Reporting
3. Citation of regulation (may be grouped): 7 AAC 27.660
4. Department of Law file number, if any: JU2017200538
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): _____
 - () Development of program standards
 - (X) Other (identify): (1) Update to year of UB-04 Specifications Manual; (2) Change address in Editor's note to reflect current location of program.

6. Appropriation/Allocation: N/A

7. Estimated annual cost to comply with the proposed action to:
- A private person: \$0
- Another state agency: \$0
- A municipality: \$0

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>18</u>	Subsequent Years
Operating Cost	\$ <u>0</u>	\$ _____
Capital Cost	\$ <u>0</u>	\$ _____
1002 Federal receipts	\$ _____	\$ _____
1003 General fund match	\$ _____	\$ _____
1004 General fund	\$ _____	\$ _____
1005 General fund/ program	\$ _____	\$ _____
Other (identify)	\$ <u>0</u>	\$ _____

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

Name: Rebecca W. Topol

Title: Research Analyst IV
Address: 5441 Commercial Blvd., PO Box 110675, Juneau, AK 99801.
Telephone: (907) 465-8604
E-mail address: rebecca.topol@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: 9-15-17

Prepared by: 
[signature]

Name (printed): Rebecca W. Topol
Title (printed): Research Analyst IV
Telephone: (907) 465-8604

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

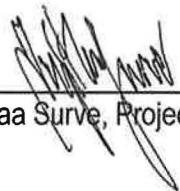
I, Triptaa Surve, Project Coordinator, of the Department of Health & Social Services, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 7 AAC 27.660, Preventive Medical Services, Reporting of Discharge Data,; Noncompliance; Health Care Facility Discharge Data Reporting, 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: 11/12/17 4

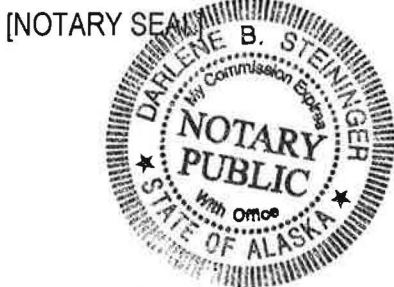


Triptaa Surve, Project Coordinator

Subscribed and sworn to before me at 3601 C St, Suite 878 Anchorage, AK on 12/12/17.
(date)



Notary Public in and for the State of Alaska



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Rebecca W. Topol, Research Analyst IV, for the Department of Health & Social Services, being duly sworn, state the following:

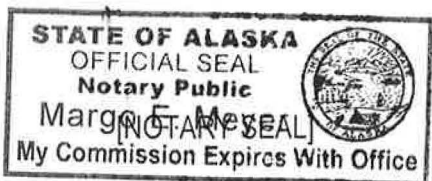
The Department of Health & Social Services did not receive any factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Health & Social Services regulation on Health Care Facility Discharge Data Reporting (7 AAC 27.660. Preventive Medical Services: Reporting of Discharge Data; Noncompliance)

Date: 12/20/2017

Rebecca W Topol
Rebecca W. Topol, Research Analyst IV

Subscribed and sworn to before me at Juneau AK on 12/20/2017
(date)

Margot E. Myers
Notary Public in and for the State of Alaska



270229
#1410784
\$338.66

AFFIDAVIT OF PUBLICATION

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Joleesa Stepetin
being first duly sworn on oath
deposes and says that she is
a representative of the
Anchorage Daily 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

September 25, 2017

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 Joleesa Stepetin

Subscribed and sworn to before
me this 12 day of March
20 18

Britney Thompson

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska
MY COMMISSION EXPIRES
2/23/2019

**NOTICE OF PROPOSED CHANGES ON HEALTH CARE FACILITY
DISCHARGE DATA REPORTING IN
THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL
SERVICES**

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with health care facility discharge data reporting, including the following:

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Statutory authority: AS 18.05.040; AS 18.15.355; AS 18.15.360.

Statutes being implemented, interpreted, or made specific: AS 18.05.040; AS 18.15.355; AS 18.15.360.

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

DATE: September 20, 2017
/s/Jon Sherwood
Deputy Commissioner
Department of Health & Social Services

Published: September 25, 2017

Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019