


Nancy Dahlstrom
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
FROM: April Simpson, Office of the Lieutenant Governor 
465.4081
DATE: January 2, 2025
RE: Filed Permanent Regulations: Department of Health

Department of Health regulations re: Medicaid Service Auth. Requirements for Hospital Inpatient Stays (7 AAC 105, 140)

Attorney General File:	2024200406
Regulation Filed:	1/2/2025
Effective Date:	2/1/2025
Print:	253, April 2025

cc with enclosures: Beth Parsons, Department of Law
Bob Dame, LexisNexis



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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December 31, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *7 AAC 105, 140: DOH- Medicaid Service Auth. Requirements for Hospital
Inpatient Stays*
Our file: 2024200406

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Health against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Health after the close of the public comment period.

The regulations waive continued stay requirements for hospitals that are subject to the Diagnosis Related Group (DRG) payment methodology.

The October 16, 2024 public notice and the December 26, 2024 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

The Honorable Nancy Dahlstrom
File No. 2024200406

December 31, 2024
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No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2024.12.31
13:35:58 -09'00'

RCP/SCW

CC w/enclosure: Triptaa Surve, Project Coordinator
Department of Health

Laura Russell, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

ORDER ADOPTING CHANGES TO REGULATIONS
OF THE DEPARTMENT OF HEALTH

The attached two pages of regulations, dealing with the Medicaid Service Authorization Requirements for Hospital Inpatient Stays, are adopted and certified to be a correct copy of the regulation changes that the Department of Health adopts under the authority of AS 47.05.010, AS 47.07.030, and AS 47.07.040, 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 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.

Heidi
Hedberg

Digitally signed by
Heidi Hedberg
Date: 2024.12.26
13:48:19 -09'00'

Heidi Hedberg, Commissioner
Department of Health

FILING CERTIFICATION

Steph Simpson for

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on January 2,
2025, at 1:30 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 -
44.62.120.

Nancy Dahlstrom
for Lieutenant Governor Nancy Dahlstrom

Effective: February 1, 2025.

Register: 253, April 2025.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, appearing to read "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

7 AAC 105.130(a)(11) is amended to read:

(11) an inpatient or outpatient procedure or diagnosis, regardless of the length of stay, identified [IN THE ENGLISH DESCRIPTION OF DIAGNOSES AND PROCEDURES] in the *Select Diagnoses and Procedures Pre-certification List*, adopted by reference in 7 AAC 160.900;

7 AAC 105.130(a)(12) is amended to read:

(12) an inpatient hospital continued stay that exceeds an applicable limitation in 7 AAC 140.320 on length of hospitalization, **except that if the department reimburses an inpatient hospital under the Diagnosis Related Groups (DRG) payment rate methodology under 7 AAC 150.250, the hospital is exempt from this requirement;**

(Eff. 2/1/2010, Register 193; am 10/1/2011, Register 199; am 3/19/2014, Register 209; am 7/25/2021, Register 239; am 3/3/2023, Register 245; am 2 / 1 / 2025, Register 253)

Authority: AS 47.05.010 AS 47.07.030 AS 47.07.040

7 AAC 140.320(a) is amended to read:

(a) Except as provided in (b) **and (d)** of this section, the department will not pay for more than three days of hospitalization for any single admission, except that, for a maternal and newborn hospital stay related to childbirth, the department will not pay for more than 48 hours of inpatient hospitalization for a single recipient following a normal vaginal delivery and no more than 96 hours of inpatient hospitalization for a single recipient following a cesarean delivery.

7 AAC 140.320 is amended by adding a new subsection to read:

Register 253, April 2025 HEALTH

(d) If the department reimburses a hospital under the Diagnosis Related Groups (DRG) methodology, the hospital is exempt from the requirements of (b) of this section. (Eff. 2/1/2010, Register 193; am 1/1/2024, Register 248; am 2 / \ / 2025, Register 253)

Authority: AS 47.05.010 AS 47.07.030 AS 47.07.040