

# Alaska

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**Licensure Term** Assisted Living Homes

**Definition** An assisted living home provides a system of care in a homelike environment for elderly persons and persons with mental health, developmental, or physical disabilities who need assistance with activities of daily living (ADLs). The statute defines assisted living as a residential facility that serves three or more adults who are not related to the owner by blood or marriage, or that receives state or federal payment for services regardless of the number of adults served. A facility shall be considered an assisted living home if the facility provides housing and food services to its residents; offers to provide or obtain assistance with ADLs for its residents; offers personal assistance; or provides or offers any combination of these services.

**Regulatory and Legislative Update** The Department of Health and Social Services, Division of Health Care Services, Assisted Living Office is responsible for licensing assisted living homes. Providers determine the level of care and services they will provide but must provide the state with a list of those services.

There have been recent regulatory or legislative updates this last legislative session.

**Facility Scope of Care** Facilities may provide assistance with ADLs, intermittent nursing services, and skilled nursing care by arrangement. A licensed nurse may delegate certain tasks, including non-invasive routine tasks, to staff.

**Limitations of Services** Twenty-four-hour nursing care may not be provided for longer than 45 days. This limitation does not apply in the case of a terminally ill resident who is remaining in the assisted living home. Regulations allow a terminally ill resident to remain in the home if the following are met:

- (1) the home and either the resident or the resident's representative agree that the resident may remain in the home; and
- (2) the resident is under the care of a physician who certifies that the needs of the resident are being met in the home.

At least 30 days' notice is required before involuntarily terminating a residential services contract.

**Move-in Requirements Including Required Disclosures/Notifications**

An assisted living home may establish house rules consistent with 42 C.F.R. 441.301(c)(4). An assisted living home shall give a copy of the house rules to prospective residents or their representatives before the prospective resident enters into a contract. The rules may address various issues, such as use of the telephone, visitors, and use of personal property.

Residents or their representative must receive a copy of the resident's rights, resident's right to pursue a grievance, department immunity, and resident's right to protection from retaliation. An assisted living home may not adopt a house rule that unreasonably restricts any right of a resident.

Facilities must have a residential services contract in place for each resident prior to admission to the facility.

**Resident Assessment Requirements and Frequency**

A plan must be developed for each resident and must include certain information, such as the resident's strengths and limitations in performing ADLs, any physical disabilities or impairments that are relevant to the services needed, and the resident's preferences for the living environment. There is no required standard form. If the assisted living home provides or arranges for the provision of health-related services to a resident, the resident's evaluation shall be done at three-month intervals.

**Medication Management**

If self-administration of medications is included in a resident's assisted living plan, the facility may supervise the resident's self administration of medications. A registered nurse may delegate medication administration tasks according to the state's nurse delegation statute and rules (12 AAC 44.965. Delegation of the Administration of Medication). Unlicensed staff may provide medication reminders, read labels, open containers, observe a resident while taking medication, check a self-administered dosage against the label, reassure the resident that the dosage is correct, and direct/guide the hand of a resident at a resident's request.

**Staffing Requirements**

Assisted living homes must have an administrator. The home must employ the type and number of care providers and other employees necessary to operate the home. The home must have a sufficient number of care providers and other employees with adequate training to implement the home's general staffing plan and to meet the needs of residents as defined in the residents' residential services contracts and assisted living plans. There are no staffing ratios. A care provider must be on duty who

has CPR training and first aid training. A criminal background investigation is required of staff and other residents of the home who are not considered an assisted living resident.

**Administrator/Director  
Education and Training  
Requirements**

An administrator must be at least 21 years of age, complete an approved management or administrator training course, and have documented experience relevant to the population of residents in the home; or have sufficient documented experience in an out-of-home care facility and adequate education, training, or other similar experience to fulfill the duties of an administrator for the type and size of home where the individual is to be employed. The licensing agency will accept a baccalaureate or higher degree in gerontology, health administration, or another health-related field in place of all or part of the required experience, if the degree work serves as an equivalent to the required experience. Training and experience requirements are defined based on the number of residents that the home is licensed to serve. Additionally, a criminal background investigation is required.

Each administrator must complete 18 clock hours of continuing education annually.

**Direct Care Staff Education  
and Training Requirements**

Care providers in non-supervisory roles must be at least 16 years of age. Care providers working without direct supervision must be 18 years of age and care providers who are 21 years of age may supervise other care providers. Within 14 days of employment, each care provider must be oriented to the assisted living home's policies and procedures on a variety of specified topics, such as emergency procedures; recognition of abuse, neglect, exploitation, and mistreatment of residents; resident interactions; and reporting requirements. Each care provider must complete 12 clock hours of continuing education annually.

**Quality Requirements**

There are no specific quality requirements detailed.

**Infection Control  
Requirements**

An administrator shall ensure and document that each care provider, within the first 14 days of employment, is oriented to the assisted living home's policies and procedures, which include universal precautions for infection control.

**Emergency Preparedness  
Requirements**

An application for licensure requires submission of a disaster preparedness and emergency evacuation plan that complies with the State's Life and Fire Safety requirements at 7 AAC 10.1010 to protect the residents of the home from a disaster or other emergency. Assisted living homes must also have the means and materials available to enable the home to implement the home's disaster preparedness and emergency evacuation plan.

## Life Safety Requirements

An assisted living home must meet the applicable life and fire safety requirements of 7 AAC 10.1010. Assisted living homes of all sizes must have a smoke detector in each bedroom and each level of the home. A carbon monoxide detector is required outside of each sleeping area and on each level of the home. Evacuation drills are required quarterly for each employee shift. The entity shall conduct a drill at least once every three months. Complete evacuation of the home must occur at least once each year for each shift unless the entity conducts evacuations as described under (e)(1)(B)(iii) or (iv) of 7AAC 10.1010 and has an emergency evacuation plan approved by the state fire marshal or a municipality to which the fire marshal has deferred building fire safety inspection and enforcement activities. Homes that provide services to six or more residents must have a fire safety inspection completed every two years and follow the recommendations of that inspection. The height of window, size of openable window areas, and emergency exit time requirements with or without a suppression system are specified in regulation. State and municipal fire authorities have adopted International Fire Code Standards. Some municipalities have different requirements for sprinkler systems based on occupancy.

## Medicaid Policy and Reimbursement

A Medicaid home and community-based services waiver covers services in assisted living.

## Citations

Alaska State Legislature. (2022). *Alaska Statutes, Title 47, Chapter 5. Administration of Welfare, Social Services, and Institutions*. <https://www.akleg.gov/basis/statutes.asp#47.05>

Alaska State Legislature. (2022). *Alaska Statutes, Title 47, Chapter 32. Centralized Licensing and Related Administrative Procedures*. <https://www.akleg.gov/basis/statutes.asp#47.32.000>

Alaska State Legislature (2022). *Alaska Statutes, Title 47, Chapter 33. Assisted Living Homes*. <https://www.akleg.gov/basis/statutes.asp#47.33>

Alaska Department of Health. (2017). *Alaska Administrative Code, Title 7, Chapter 75. Assisted Living Homes*. <https://www.akleg.gov/basis/aac.asp#7.75>

Alaska Department of Health. (2020). *Alaska Administrative Code, Title 7, Chapter 10. Licensing, Certification, and Approvals*. <https://www.akleg.gov/basis/aac.asp#7.10>

Alaska State Legislature. (2021). *HCS CSSB 89(HSS) - An Act:*

*Relating to house rules for assisted living homes.*  
<http://www.akleg.gov/PDF/32/Bills/SB0089Z.PDF>