

****COVID-19 DISASTER ORDER OF SUSPENSION No. 2****
APPENDIX A – AMENDMENT 1
AMENDED April 1, 2020

**RELATING TO THE SUSPENSION OF SECTIONS OF
ALASKA ADMINISTRATIVE CODE AND SECTIONS OF ALASKA STATUTES**

I, Mike. Dunleavy, Governor of the State of Alaska, do hereby authorize this amendment to Disaster Order of Suspension No. 2 (“Order”). Pursuant to the Order, the language of each provision set forth below is hereby suspended until **11:59 p.m. on May 11, 2020**, unless otherwise noted. This amendment takes immediate effect upon signature.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

Suspended as of April 1, 2020

No New Suspensions

Suspended as of March 31, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
7 AAC 135.010(d)(3)	Behavioral Health	To allow phone consultations (other than case management) with another provider.
7 AAC 135.040(b)(5)(A)	Behavioral Health	To allow clinics to conduct assessments in ways other than face-to-face.
7 AAC 110.625	Behavioral Health	To allow videoconferencing.
7 AAC 135.040	Behavioral Health	To suspend the authorization requirement for services that exceed state fiscal year limits and extend currently authorized services.
AS 47.10.098	Children Servs.	To relax response timelines.
7 AAC 105.130	Health Care Servs.	To permit additional Medicaid funding for COVID-19 related hospitalizations.
7 AAC 12.900	Health Care Servs.	To permit health care facilities to utilize space for patient care that may not have been designed and approved for such uses where approved facilities are not available due to surge in patients. Facilities are responsible to use existing spaces and systems to provide the appropriate level of patient care and safety.
7 AAC 10.910 (a)	Health Care Servs.	To permit provisional approval without fingerprinting.
7 AAC 10.910 (b)(3)	Health Care Servs.	To permit provisional approval without fingerprinting.

7 AAC 12.103	Health Care Servs.	To assist in meeting healthcare surge, as necessary.
7 AAC 52.155	Juvenile Justice	Only as necessary to meet prevention and mitigation guidelines.
7 AAC 52.425	Juvenile Justice	Only as necessary to meet prevention and mitigation guidelines.
7 AAC 52.160	Juvenile Justice	Only as necessary to meet prevention and mitigation guidelines.
7 AAC 430.	Juvenile Justice	Only as necessary to meet prevention and mitigation guidelines.
7 AAC 52.250.	Juvenile Justice	Only as necessary to meet prevention and mitigation guidelines.
7 AAC 74.060(b)(1)	Pioneer Home	To allow for transfer and discharge to more appropriate care.
7 AAC 57.015	Public Assistance	To allow emergency facilities to meet licensing requirements.
7 AAC 57.010(e)	Public Assistance	To allow emergency facilities to meet licensing requirements.
7 AAC 57.030	Public Assistance	To permit emergency licensure.
7 AAC 57.330	Public Assistance	Only as necessary to support essential infrastructure.
7 AAC 41.035(a)(1)	Public Assistance	Only as necessary to support essential infrastructure.
7 AAC 41.035(a)(2)	Public Assistance	Only as necessary to support essential infrastructure.
7 AAC 100.020(a)	Public Assistance	Only as necessary to maintain Medicaid eligibility.
7 AAC 100.020(d)	Public Assistance	Only as necessary to maintain Medicaid eligibility.
7 AAC 100.020(e)	Public Assistance	Only as necessary to maintain Medicaid eligibility.
7 AAC 100.020(h)	Public Assistance	Only as necessary to maintain Medicaid eligibility.
7 AAC 26.100(a)(7)	Public Health EMS	To permit extension of licensure for first responders.
7 AAC 125.024(a)	Senior & Disabilities	To support personal care services.
7 AAC 130.202	Senior & Disabilities	To suspend prohibition against payment to family members providing care.
7 AAC 130.213	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 130.217	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 75.085	Senior & Disabilities	To increase capacity for persons in need of care.

7 AAC 12.338(i)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 12.405(b)(4)(B)(i)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 12.405(b)(4)(B)(ii)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 12.415(e)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 12	Senior & Disabilities	To reduce in-person contact and potential for community spread.
4 AAC 12. 860(8)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 75.210 (d)(1)(A)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 125.090(d)(1)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 110.635(a)(1)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 130.220	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers; to reduce in-person contact and potential for community spread.
7 AAC 130.231(a)(2)	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.
7 AAC 130.240(b)(1)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 130.240(b)(2)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 130.280(c)(1)(2)	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.
7 AAC 130.245(a)(4)	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.
7 AAC 130.255(a)(5)	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.
7 AAC 130.260(b)(1)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 130.265(b)(1)(A)	Senior & Disabilities	To reduce in-person contact and potential for community spread.
7 AAC 130.265(f)	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.
7 AAC 47.400(c)	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.
7 AAC 105.610	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.
7 AAC 100.500	Senior & Disabilities	To assure continuity of care for individuals under Home and Community Based Waivers.

AS 18.07.111(8)	Senior & Disabilities	To allow hospitals to increase capacity, as needed.
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DEPARTMENT OF ADMINISTRATION

Suspended as of April 1, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
2 AAC 39.330(c)	Retirement and Benefits	Suspension limited to disenrollment from AlaskaCare Retiree Health Plan resulting from delinquent payment of premiums.
AS 39.35.535(c)(1)	Retirement and Benefits	Suspension limited to disenrollment from AlaskaCare Retiree Health Plan resulting from delinquent payment of premiums.
AS 14.25.168(c)(2)	Retirement and Benefits	Suspension limited to disenrollment from AlaskaCare Retiree Health Plan resulting from delinquent payment of premiums.
AS 14.25.168(d)(1)	Retirement and Benefits	Suspension limited to disenrollment from AlaskaCare Retiree Health Plan resulting from delinquent payment of premiums.
AS 39.35.535(d)(2)	Retirement and Benefits	Suspension limited to disenrollment from AlaskaCare Retiree Health Plan resulting from delinquent payment of premiums.
AS 39.35.880(f), (g)	Retirement and Benefits	Suspension limited to disenrollment from AlaskaCare Retiree Health Plan resulting from delinquent payment of premiums.
AS 14.25.168(f), (g)	Retirement and Benefits	Suspension limited to disenrollment from AlaskaCare Retiree Health Plan resulting from delinquent payment of premiums.
§ 3.3.2 Cost Sharing for Network Benefits, AlaskaCare Employee Health Plan Booklet (2020)	Retirement and Benefits	Suspend applicable cost sharing provisions including deductible, coinsurance, and co-pays up to recognized charge for inpatient admissions and medically necessary transportation for charges related to COVID-19 and subsequent related diagnoses.
§§ 3.3.4 Cost Sharing for Out-of-Network Benefits, AlaskaCare Employee Health Plan Booklet (2020)	Retirement and Benefits	Suspend applicable cost sharing provisions including deductible, coinsurance, and co-pays up to recognized charge for inpatient admissions and medically necessary transportation for charges related to COVID-19 and subsequent related diagnoses.
§ 3.3.7 Recognized Charge, AlaskaCare Employee Health Plan Booklet (2020)	Retirement and Benefits	Suspend applicable cost sharing provisions including deductible, coinsurance, and co-pays up to recognized charge for inpatient admissions and medically necessary

§ 3.1.2 Deductibles, AlaskaCare Retiree Insurance Information Booklet (2020)	Retirement and Benefits	transportation for charges related to COVID-19 and subsequent related diagnoses. Suspend applicable cost sharing provisions including deductible, coinsurance, and co-pays up to recognized charge for inpatient admissions and medically necessary transportation for charges related to COVID-19 and subsequent related diagnoses.
§ 3.1.3 Coinsurance, AlaskaCare Retiree Insurance Information Booklet (2020)	Retirement and Benefits	Suspend applicable cost sharing provisions including deductible, coinsurance, and co-pays up to recognized charge for inpatient admissions and medically necessary transportation for charges related to COVID-19 and subsequent related diagnoses.
§ 3.1.4 Recognized Charge, AlaskaCare Retiree Insurance Information Booklet (2020)	Retirement and Benefits	Suspend applicable cost sharing provisions including deductible, coinsurance, and co-pays up to recognized charge for inpatient admissions and medically necessary transportation for charges related to COVID-19 and subsequent related diagnoses.
§ 3.5.2.1 Physician Visits, AlaskaCare Employee Health Plan Booklet (2020)	Retirement and Benefits	Suspend denials of telemedicine services provided by network and non-network providers operating within the scope of their license and in accordance with Aetna's payment policies, including telephonic evaluation and management visits performed via telephone only
§ 3.5.2.1 Physician Visits, AlaskaCare Employee Health Plan Booklet (2020)	Retirement and Benefits	Suspend any requirements for Aetna to administer health plan benefits related to the Alaska Telemedicine Registry.
§ 3.5.2.1 Physician Visits, AlaskaCare Employee Health Plan Booklet (2020)	Retirement and Benefits	Suspend applicable cost sharing provisions including deductible, coinsurance, and co-pays up to recognized charge for telemedicine services provided by network and non-network providers in accordance with Aetna's payment policies.
§ 14.9.4 Employee Contributions, AlaskaCare Employee Health Plan Booklet (2020)	Retirement and Benefits	Suspend disenrollment from AlaskaCare health plan coverage for members on Family and Medical Leave Act (FMLA) leave who fail to self-pay health benefit premiums timely.
	Retirement and Benefits	Limited Suspension from disenrollment from AlaskaCare health plan coverage for members

§ 9.1-5 Consolidated Omnibus Budget Reconciliation Act and Extended Health Coverage, AlaskaCare Employee Health Plan Booklet (2020)

continuing their coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) who fail to pay health benefit COBRA premiums timely.

§ 13.3 Premium Payment, AlaskaCare Retiree Insurance Information Booklet (2020)

Retirement and Benefits

Limited Suspension from disenrollment from AlaskaCare health plan coverage for members continuing their coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) who fail to pay health benefit COBRA premiums timely.

AS 39.05.040

Personnel

Suspends the requirement for Boards and Commission appointees to have to submit a notarized oath due to the COVID-19 effects on notary services and social distancing requirements.

Suspended as of March 31, 2020

Authority

Division

Suspended as described below

AS 28.10.011

Motor Vehicles

To allow the operation of vehicles without current registration, but not otherwise affecting the requirement of AS 28.10.201 (mandatory and permissive titles) or 28.22.011 (liability insurance required).

AS 28.10.031(c)

Motor Vehicles

To allow the operation of vehicles without current registration, but not otherwise affecting the requirement of AS 28.10.201 (mandatory and permissive titles) or 28.22.011 (liability insurance required).

AS 28.15.101(a)

Motor Vehicles

To permit extension of driver’s licenses.

AS 28.35.155(a)

Motor Vehicles

Suspends the prohibition of driving with studded tires from May 1 through September 15.¹

AS 05.25.055(a)

Motor Vehicles

To allow operation of boats without current registration.

AS 05.25.055(c)

Motor Vehicles

To allow operation of boats without current registration.

AS 05.25.055(d)

Motor Vehicles

To allow operation of boats without current registration.

AS 05.25.055(f)

Motor Vehicles

To allow operation of boats without current registration.

¹ The description was changed to clarify the suspension related to the use of studded tires.

AS 05.25.055(g)	Motor Vehicles	To allow operation of boats without current registration.
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DEPARTMENT OF COMMERCE

Suspended as of April 1, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
AS 10.25.090	CBPL	To suspend the requirement for in-person meetings.
AS 10.25.100	CBPL	To suspend the requirement for in-person meetings.
AS 10.25.110	CBPL	To suspend the requirement for in-person meetings.
AS 10.25.120	CBPL	To suspend the requirement for in-person meetings.

Suspended as of March 31, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
12 AAC 02.010	CBPL	To allow payment plans for renewing professional licenses.
12 AAC.02.030	CBPL	To allow payment plans for renewing professional licenses.
AS 43.70.030(a)	Finance	To suspend imposition of business license fees.

DEPARTMENT OF LABOR

Suspended as of April 1, 2020

No New Suspensions

Suspended as of March 31, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
AS 23.30.255	Benefits Gty. Fund	To suspend collection of penalties for failure to secure payment of compensation. ²
AS 23.30.155(c)	Benefits Gty. Fund	To suspend mandatory civil fines and fees.
AS 23.30.155(m)	Benefits Gty. Fund	To suspend civil fines and late fees.
AS 23.30.075	Benefits Gty. Fund	To suspend civil fines and late fees.
AS 23.30.080(f)	Benefits Gty. Fund	To suspend civil fines and late fees.

² Amendment No. 1 modified the description by substituting the words "collection of" for the word "criminal."
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8 AAC 45.176	Benefits Gty. Fund	To suspend civil fines and late fees.
8 AAC 177(f)	Benefits Gty. Fund	To suspend civil fines and late fees.

DEPARTMENT OF REVENUE

Suspended as of April 1, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
AS 05.15	Tax	To defer tax filing deadlines until April 10, 2020.

Suspended as of March 31, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
AS 16.10	Tax	To defer tax filing deadlines until April 10, 2020.
AS 16.51	Tax	To defer tax filing deadlines until April 10, 2020
AS 43.40	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.50	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.52.200–295	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.60	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.61	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.75	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.76	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.77	Tax	To defer tax filing deadlines until April 10, 2020.
AS 43.80	Tax	To defer tax filing deadlines until April 10, 2020.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Suspended as of April 1, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
18 AAC 50.420(c)	Air Quality	To suspend interest fee accrual on AQ fee invoices.
AS 46.14.255(b)	Air Quality	To suspend sanctions for failure to pay invoices.

AS 46.03.385(c) 18 AAC 31.050(k)	SPAR Env. Health	To suspend imposition of late fees. To suspend collection of annual permit payments for facilities that have closed, or are operating at reduced capacity, due to COVID-19 health mandates.
18 AAC 31.050(l)	Env. Health	To suspend collection of annual permit payments for facilities that have closed, or are operating at reduced capacity, due to due to COVID-19 health mandates.
18 AAC 31.050(m)	Env. Health	To suspend collection of annual permit payments for facilities that have closed, or are operating at reduced capacity, due to COVID-19 health mandates.
18 AAC 60.700(i)	Env. Health	To suspend imposition of late fees and interest charges for unpaid fees (Solid Waste Program).
18 AAC 60.700(j)	Env. Health	To suspend imposition of late fees and interest charges for unpaid fees (Solid Waste Program).
18 AAC 72.956(e)	Water	Suspend imposition of late fees for wastewater permit renewals.
18 AAC 72.957(e)	Water	Suspend imposition of late fees for wastewater permit renewals.
18 AAC 80.1100(b)(1)	Env. Health	To suspend application fee due dates.
18 AAC 80.1100(d)(1)	Env. Health	To suspend application fee due dates.
18 AAC 80.1100(f)(1)(B)	Env. Health	To suspend application fee due dates.
18 AAC 80.1100(f)(2)(B)	Env. Health	To suspend application fee due dates.

DEPARTMENT OF NATURAL RESOURCES

Suspended as of April 1, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
AS 38.05.850	DMLW	To suspend payment due dates and imposition of late fees for permits.
11 AAC 05.180	DMLW	To suspend payment due dates and imposition of late fees for permits.
11 AAC 05.170(d)	DPOR	To suspend imposition of fees.
11 AAC 05.170(g)	DPOR	To allow director to reduce or waive fees due to emergency purposes related to COVID-19 not listed in the regulation.
11 AAC 05.210(d)	DMLW	To suspend land use and application fees.
11 AAC 05.030	DMLW	To suspend imposition of late fees.

AS 38.05.065(d)-(f)	DMLW	To suspend the foreclosure and termination of land sale contracts where the breach was caused primarily by nonpayment of an installment payment.
AS 45.50.220	Forestry	To suspend renewal fee requirements.
AS 45.40.280	Forestry	To suspend renewal fee requirements.
11 AAC 71.050(c)	Forestry	To suspend payment due dates.
11 AAC 05.080	Forestry	To suspend payment due dates.

DEPARTMENT OF TRANSPORTATION

Suspended as of April 1, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
17 AAC 70.220(c)	AMHS	To suspend cancellation fees for any AMHS travel.
17 AAC 90	DOT-All	To suspend expiration dates and permit fees for certifying devices used to measure and weigh.
17 AAC 25.380	DOT-All	To suspend permit fees for oversize and overweight vehicles.

DEPARTMENT OF FISH AND GAME

Suspended as of April 1, 2020

<u>Authority</u>	<u>Division</u>	<u>Suspended as described below</u>
5 AAC 41.280(a)	Comm. Fisheries	To suspend collection of renewal fee.

Dated this 1st day of April 2020.



 Mike. Dunleavy
 Governor