




REPRESENTATIVE CATHY MUÑOZ

MEMORANDUM

TO: Rep. Kurt Olson
Chair, Labor & Commerce Committee

FROM: Rep. Cathy Muñoz 

DATE: March 9, 2011

RE: Changes for draft CS for HB122

Based on comments from the Department of Law a few changes have been made in the draft CS for HB122 Version D.

1. In the professional regulation under AS 08 by a board, it is the board that determines to whom the licenses should be granted. To keep consistent with other boards under AS 08 the language has been revised to indicate that it is the new board (not the department) that will issue licenses.
2. To be consistent with other boards under AS 08 the new naturopathic board should have the authority to discipline naturopathic licensees as well as make initial licensing decisions. To place discipline authority under the new board HB122 was amended existing AS 08.45.060 and 08.45.070 to substitute "the board" for references to "the department" in the appropriate sections.
3. Section 13 of HB122 was deleted. AS 08.64.380(5) refers to the practice of a Medical Doctor and referencing the Naturopath Doctors within in this statutes was advised this reference is not under the correct statute. In addition, Department of Law stated that under existing law, AS 08.02.010(a) provides the professional designation already.

a person engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels other persons in relation to human health or disease and uses the letters "M.D." or the title "doctor" or "physician" or another title that tends to show that the person is willing or qualified to diagnose, treat, test, or counsel another person, shall clarify the letters or title by adding the appropriate specialist designation, if any, such as "dermatologist", "radiologist", "audiologist", "naturopath", or the like.

It was the original intent of the legislation to provide the board with the authority to issue licenses and take disciplinary action as authority of other boards is permitted. These changes will help clarify to the department and board which duties are permitted.