

Alaska State Senate

Senator Forrest Dunbar



Session:

Alaska State Capitol
Juneau, Alaska 99801
(907) 465-6944

Interim:

1500 W. Benson Blvd.
Anchorage, Alaska 99503
(907) 269-0246

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SUMMARY OF CHANGES G TO H

SB 281: HEALTH CARE COMPACTS; RURAL HEALTH PROGRAM

“An Act Relating to the Rural Health Transformation Program, Relating to Physician Assistants, relating to Interstate Medical Licensure Compacts”

Sections 2, 4, 6, 7, 8, 9, 10, 25, 27, 33, 37, 38 (see Appendix A): Adds genetic counselors to a list of health care professionals licensed by the Department of Commerce, Community, and Economic Development.

Sections 1, 3, 5, 24, 26, 28, 30, 34, 39, 40 (see Appendix B): Adds respiratory care practitioners to a list of health care professionals licensed by the Department of Commerce, Community, and Economic Development.

Section 35: AS 44.29 (c) added to read that members appointed by the governor shall be based on interest in public affairs, good judgement, knowledge, and ability in the field of action of the council. Shall provide a diversity of interest and points of view. Should be considered without consideration of political affiliation. Should collectively represent each judicial district.

Section 36: Repeals the Rural Health Transformation Program on December 31, 2031.

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Appendix A

Sectional Analysis for Genetic Counseling Licensure

Section 2: Amends **AS 08.02.110(a)** to add genetic counselors to a list of health care professions licensed by the Department of Commerce, Community, and Economic Development.

Section 4: Amends **AS 08.02.130(j)(1)** to add genetic counselors to a list of health care providers who are authorized to provide services via telehealth.

Section 6: Amends **AS 08.02.130(j)(4)** to add genetic counselors to a list of providers authorized to provide services via telehealth as part of a multi-disciplinary care team.

Section 7: Amends **AS 08** with a new chapter: Chapter 53: Genetic Counselors

- **Article 1: Licensing of Genetic Counselors**

- **Sec. 08.53.100** requires a license to practice genetic counseling in the state
- **Sec. 08.53.110** lists the qualifications for licensure as a genetic counselor, which include the applicant completing a certification program and passing an examination. The bill also requires a review of the applicant's licenses previously held in other states, and of any disciplinary action taken in another state. Genetic counselors who may not meet these qualifications, but who are able to verify that they have practiced in the field for a minimum of 10 years are also able to qualify for licensure.
- **Sec. 08.53.120** provides for temporary licensure for up to one year for an otherwise qualified applicant who has not yet received their exam results. Temporary licensees must work under the supervision of a licensed genetic counselor or a licensed physician.
- **Sec. 08.53.130** provides for licensure of a genetic counselor who is licensed in another state.
- **Sec. 08.53.140** allow genetic counseling interns to practice under the direct supervision of a licensed genetic counselor

- **Article 2: Regulation of Genetic Counselors**

- **Sec. 08.53.160** permits licensed genetic counselors to operate within their scope of practice and defines the scope of practice to include ordering and interpreting genetic tests and counseling patients.
- **Sec. 08.53.170** gives the Medical Board the authority to revoke or suspend the license of a genetic counselor or to discipline the licensee for any fraudulent, unprofessional, unethical, or criminal activities.

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- **Article 3: Genetic Counseling Advisory Council**
 - o **Sec. 08.53.180** establishes a genetic counseling advisory council under the purview of the State Medical Board. The council consists of 3-5 members, majority of whom are licensed genetic counselors, with at least one licensed physician.
- **Article 4: General Provisions**
 - o **Sec. 08.53.200** affirms that the Administrative Procedures Act (**AS 44.62**) applies to any action taken by the board
 - o **Sec. 08.53.210** provides exceptions for licensure for genetic counselors who are in the military service or employed by another agency of the federal government, and it requires that those providers hold patients to the same standard of care as other licensed providers.
 - o **Sec. 08.53.220** makes violations of this chapter a class B misdemeanor.
 - o **Sec. 08.53.230** allows the State Medical Board, in consultation with the genetic counseling advisory council, to adopt regulations to carry out licensure and regulation of services. These regulations must include adoption of a code of ethics. The board also has the power to administer oaths, subpoena witnesses, and compel the production of documents.
 - o **Sec. 08.53.300** provides definitions for “board” and “licensed genetic counselor.”

Section 8: Amends **AS 08.64.101(a)** giving the State Medical Board the authority to impose disciplinary sanctions on violations of the provisions of licensing genetic counselors under **AS 08.53**.

Section 9: Amends **AS 08.54.103(a)** clarifying the authority of the board to conduct investigations into violations under **AS 08.53** and to review the qualifications for licensure or renewal in consultation with the genetic counseling advisory council.

Section 10: Amends **AS 08.64.130(a)** with a conforming change.

Section 25: Amends **AS 09.55.560(2)** adding genetic counselors to the list of healthcare providers who may be the subject of medical malpractice liability.

Section 27: Amends **AS 09.65.300(c)(1)** adding genetic counselors to the list of healthcare providers who receive liability immunity during the provision of health care services for free.

Section 33: Amends **AS 21.36.090(d)** adding genetic counselors to the list of healthcare providers who may not practice or permit unfair discrimination based on the type of health insurance coverage they have.

Section 37: Amends uncodified law with a new section allowing transition regulations permitting certified genetic counselors to continue practicing until July 1, 2027.

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Section 38: Amends uncodified law with a new section allowing the State Medical Board to appoint the initial members of the genetic counseling advisory council.

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Appendix B

Sectional Analysis for Respiratory Care Licensure

Section 1: Adds respiratory care practitioners to the professions regulated by the Department of Commerce, Community and Economic Development.

Section 3: Adds respiratory care practitioners to the list of health care providers required to use as professional identification appropriate letters or a title after their name that indicates their specific field of practice.

Section 5: Adds respiratory care practitioners to the definition of “health care provider” under the Telehealth statute at AS 08.02.130.

Section 24: Creates a new chapter, AS 08.90 Respiratory Care Practitioners AS 08.90.010 - .090 describes license requirements, prohibits the practice of respiratory care without a license, describes the scope of practice, and permits current respiratory care practitioners under the direction of a physician to become licensed, and requires continuing respiratory care education, and makes a violation of these terms a misdemeanor.

Section 26: Adds respiratory care practitioners to the definition of “health care provider” for purposes of medical malpractice law.

Section 28: Adds respiratory care practitioners to the definition of “health care provider” under AS 09.65.300(c)(I) (Definitions for immunity for providing free health care services).

Section 30: Adds respiratory care practitioners to the definition of “health care provider” under AS 14.30.141(e) (definitions for pupil self-administration of medications for asthma or anaphylaxis in schools).

Section 34: Extends protections to respiratory care practitioners under AS 21.36.090 (d), which prohibits unfair discrimination under group health insurance policies against respiratory care practitioners when providing covered services within their scope of license.

Section 39: Allows individuals already practicing respiratory care before the effective date to continue practicing for up to one year without a license while obtaining licensure.

Section 40: Provides an effective date of January 1, 2027