

ALASKA STATE LEGISLATURE  
**SENATE RULES COMMITTEE**  
April 16, 2002  
10:34 a.m.

**MEMBERS PRESENT**

Senator Randy Phillips, Chair  
Senator John Cowdery, Vice Chair  
Senator Rick Halford  
Senator Gene Therriault

**MEMBERS ABSENT**

Senator Johnny Ellis

**COMMITTEE CALENDAR**

SENATE BILL NO. 4

"An Act relating to a mandatory exemption from municipal property taxes for certain residences and to an optional exemption from municipal taxes for residential property; and providing for an effective date."

APPROVED FOR CALENDARING

SENATE BILL NO. 91

"An Act relating to information and services available to pregnant women and other persons; and ensuring informed consent before an abortion may be performed, except in cases of medical emergency."

APPROVED CSSB 91(RLS) FOR CALENDARING

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 223

"An Act referencing the award of good time and restricting release on mandatory parole for prisoners serving certain sentences who fail to attain certain minimum educational standards; and providing for an effective date."

APPROVED SSSB 223 FOR CALENDARING

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 226

"An Act requiring highways to be designed and constructed so that they will adequately serve anticipated traffic levels for the next 30 years; and providing for an effective date."

SCHEDULED BUT NOT HEARD

SENATE BILL NO. 295

"An Act relating to the disclosure of information regarding delinquent minors to certain licensing agencies; and providing

for an effective date."

APPROVED FOR CALENDARING

SENATE BILL NO. 302

"An Act defining the term 'mental health professional' for the purpose of statutes relating to the evaluation of prisoners who may need psychological or psychiatric treatment, for the purpose of statutes relating to the evaluation of children in need of aid and delinquent minors who may need to be confined in a secure residential psychiatric treatment center or who should be released from such a center, for the purpose of statutes requiring certain professionals to report the possibility that a vulnerable adult has been abused or neglected, and for the purpose of statutes relating to mental health civil commitments."

APPROVED FOR CALENDARING

SENATE CONCURRENT RESOLUTION NO. 32

Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, concerning House Bill No. 390, relating to the Alaska Seafood Marketing Institute and the salmon marketing tax.

APPROVED FOR CALENDARING

HOUSE BILL NO. 411

"An Act relating to physician assistants; providing that a physician assistant is a health care provider covered by certain laws relating to medical malpractice actions; adding physician assistants to the list of providers against whom unfair discrimination relating to health care insurance is prohibited and to the list of providers who can provide proof of disablement or handicap for the purpose of motor vehicle registration or for the purpose of obtaining a special license plate or a special parking permit; and providing for an effective date."

APPROVED FOR CALENDARING

#### **PREVIOUS COMMITTEE ACTION**

SB 4 - See Community & Regional Affairs minutes dated 2/7/01 and 2/28/01, Finance Report dated 4/5/02 and Rules minutes dated 4/20/01.

SB 91 - See HESS minutes dated 3/14/01, 3/16/01 and 4/2/01, Judiciary minutes dated 4/9/01 and 4/11/01 and Finance Report dated 4/3/02.

SB 223 - See Judiciary minutes dated 2/11/02 and Finance Report dated 4/3/02.

SB 295 - See HESS minutes dated 3/4/02 and Judiciary minutes

dated 4/10/02.

SB 302 - See HESS minutes dated 3/4/02 and Judiciary minutes dated 4/10/02.

SCR 32 - No previous Senate committee action to record.

HB 411 - No previous Senate committee action to record.

**WITNESS REGISTER**

Ms. Annette Kreitzer  
Staff to Senator Leman  
Alaska State Capitol  
Juneau, AK 99801-1182

**POSITION STATEMENT:** Testified on the proposed amendment to SB 91

Ms. Sharon Clark  
Staff to Representative Fate  
Alaska State Capitol  
Juneau, AK 99801-1182

**POSITION STATEMENT:** Testified for the sponsor of HB 411

Ms. Sharon Holt  
Sunshine Community Health Center  
Talkeetna, AK

**POSITION STATEMENT:** Supports HB 411

Mr. Jim Wojciehowski  
Alaska Academy of Physician Assistants  
Anchorage, AK

**POSITION STATEMENT:** Supports HB 411

Ms. Mary Marshburn  
Division of Motor Vehicles  
Department of Administration  
PO Box 110200  
Juneau, AK 99811-0200

**POSITION STATEMENT:** Supports HB 411

Mr. Ed Hall  
Alaska Academy of Physician Assistants  
13601 Windward Circle  
Anchorage, AK 99516

**POSITION STATEMENT:** Supports HB 411

**ACTION NARRATIVE**

**TAPE 02-7, SIDE A**

Number 001

**CHAIRMAN RANDY PHILLIPS** called the Senate Rules Committee meeting to order at 10:34 a.m. Senators Cowdery, Halford and Phillips were present. The committee took up its agenda.

#SB4

SENATOR COWDERY moved to calendar **SB 4-MUNICIPAL PROPERTY TAX EXEMPTION** with its accompanying fiscal notes at the Chairman's discretion. There being no objection, the motion carried.

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#SB91

SENATOR COWDERY moved to calendar **SB 91-ABORTION: INFORMED CONSENT; INFORMATION** at the Chairman's discretion.

CHAIRMAN PHILLIPS announced that an amendment to SB 91 has been proposed.

SENATOR HALFORD moved to adopt the proposed amendment (Amendment 1), which reads as follows:

Page 1, line 7, after the word "prepare," insert "and annually update"

MS. ANNETTE KREITZER, aide to Senator Leman, informed members that this issue was raised in the Senate Finance Committee but the timing was such that the amendment could not be drafted before the bill moved on. The Department of Health and Social Services concluded, after looking at subsections (2) and (3) on page 2, that it would be required to prepare an information packet more than annually. The amendment will clarify that the department is expected to do an annual update.

CHAIRMAN PHILLIPS announced that with no objection to Amendment 1, it would be incorporated into a Senate Rules Committee substitute.

SENATOR HALFORD moved to calendar CSSB 91(RLS) with its accompanying fiscal note at the Chairman's discretion. Senator Halford pointed out the fiscal note may change as a result of the amendment and requested the Chairman request an updated fiscal note.

CHAIRMAN PHILLIPS stated that if the fiscal note amount changes, the committee will bring it up the following day.

There being no objection to calendaring CSSB 91(RLS) with its updated fiscal note, the motion carried.

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#SB 223

SENATOR COWDERY moved to calendar SB 223-PRISONERS:PAROLE/GOOD TIME with its accompanying fiscal note at the Chairman's discretion.

There being no objection, CHAIRMAN PHILLIPS announced that SB 223 will be scheduled at a later date.

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#SB 226

CHAIRMAN PHILLIPS announced that SB 226-HIGHWAY DESIGN & CONSTRUCTION will be held in committee as it has not received a fiscal note yet.

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#SB 295

SENATOR HALFORD moved to calendar SB 295-LICENSING:DISCLOSURE OF MINORS RECORDS with its accompanying fiscal note and asked for unanimous consent.

There being no objection, the motion carried.

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#SB302

SENATOR HALFORD moved to calendar SB 302-DEFINITION OF MENTAL HEALTH PROFESSIONAL with its zero fiscal note at the Chairman's discretion.

There being no objection, the motion carried.

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#SCR 32

SENATOR HALFORD moved to calendar SCR 32-SUSPEND UNIFORM RULES FOR HB 390 at the Chairman's discretion.

There being no objection, the motion carried.

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The committee took a three-minute recess.

#HB 411

CHAIRMAN PHILLIPS announced that the committee would hold a substantive hearing on HB 411-PHYSICIAN ASSISTANTS.

REPRESENTATIVE HUGH FATE, sponsor of HB 411, informed members that he introduced the measure at the request of physician assistants. When the health provider statutes were enacted, physician assistants were simply admitted at that time but they were not given the same standards as other health providers. HB

411 will enable physician assistants to do several things. As providers they will be allowed to authorize license plates for the disabled. They will be put under the insurance programs for malpractice insurance and be able to receive funds disbursed under health insurance programs. They will have the same opportunities regarding insurability. He pointed out that in House committee hearings, he was asked if HB 411 will impact the general fund. It will not. The uniform code of schedules pays physician assistants about 85 percent of the amount paid by Medicaid or Medicare to a physician. HB 411 will have no impact on that amount. He noted that physicians' assistants now provide health care in many areas in rural Alaska yet they must still be under the supervision of a physician. HB 411 will merely provide parity for physician assistants with other health providers.

CHAIRMAN PHILLIPS acknowledged the presence of Senator Therriault. He then took teleconference testimony.

MS. SHARON HOLT, chief fiscal officer of the Sunshine Community Health Center, Talkeetna, stated wholehearted support for HB 411. She said that the center has four physician assistants whose services are critical to the communities served by the center. Because the current state statute does not include physician assistants in the list of health care providers, the center periodically has its billings for medical services denied by third party payers. That represents a significant barrier to health care for individuals with health insurance, as well as the clinic's ability to maximize potential revenues, particularly for small, rural health clinics. She urged members' support of HB 411.

MR. JIM WOJCIEHOWSKI, President of the Alaska Academy of Physician Assistants, urged members to expedite the passage of HB 411. He noted that Representative Fate's overview was excellent: HB 411 corrects an oversight in the original statute. He pointed out that physician assistants were relatively new to the state 20 years ago but are now the sole providers in many rural areas.

MS. MARY MARSHBURN, Director of the Division of Motor Vehicles, commented that Section 3 of the bill adds physician assistants to the list of health care providers who can sign disabled parking permits. She believes that is a good addition to the bill.

MR. ED HALL, member of the Academy of Physician Assistants, stated support for HB 411 and its companion bill, SB 265. He believes the measure will diminish patient barriers with insurance. He encouraged members' support.

SENATOR HALFORD moved to calendar HB 411 with its accompanying fiscal notes at the Chairman's discretion. There being no objection, the motion carried.

There being no further business to come before the committee,  
CHAIRMAN PHILLIPS adjourned the meeting at 10:54 a.m.