

ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE

April 7, 2010

3:23 p.m.

MEMBERS PRESENT

Representative Kurt Olson, Chair
Representative Mark Neuman, Vice Chair
Representative Mike Chenault
Representative Bob Lynn
Representative Tammie Wilson
Representative Robert L. "Bob" Buch
Representative Lindsey Holmes

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 159

"An Act increasing the maximum funeral expenses payable as a workers' compensation death benefit; and providing for an effective date."

- HEARD & HELD

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 247(L&C)

"An Act extending the termination date of the Board of Pharmacy; and providing for an effective date."

- MOVED CSSB 247(L&C) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 248(L&C)

"An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date."

- MOVED CSSB 248(L&C) OUT OF COMMITTEE

SENATE BILL NO. 262

"An Act extending the termination date of the Board of Social Work Examiners; and providing for an effective date."

- MOVED SB 262 OUT OF COMMITTEE

SENATE BILL NO. 263

"An Act extending the termination date of the Board of Professional Counselors; and providing for an effective date."

- MOVED SB 263 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 159

SHORT TITLE: WORKERS' COMPENSATION FUNERAL EXPENSES

SPONSOR(s): SENATOR(s) PASKVAN

03/20/09	(S)	READ THE FIRST TIME - REFERRALS
03/20/09	(S)	L&C, FIN
04/02/09	(S)	L&C AT 1:00 PM BUTROVICH 205
04/02/09	(S)	Moved SB 159 Out of Committee
04/02/09	(S)	MINUTE(L&C)
04/03/09	(S)	L&C RPT 4DP 1NR
04/03/09	(S)	DP: PASKVAN, MEYER, THOMAS, DAVIS
04/03/09	(S)	NR: BUNDE
02/11/10	(S)	FIN AT 9:15 AM SENATE FINANCE 532
02/11/10	(S)	Bills Previously Heard/Scheduled
02/23/10	(S)	FIN AT 2:30 PM SENATE FINANCE 532
02/23/10	(S)	Moved SB 159 Out of Committee
02/23/10	(S)	MINUTE(FIN)
02/24/10	(S)	FIN RPT 6DP 1NR
02/24/10	(S)	DP: HOFFMAN, STEDMAN, HUGGINS, THOMAS, EGAN, ELLIS
02/24/10	(S)	NR: OLSON
03/18/10	(S)	TRANSMITTED TO (H)
03/18/10	(S)	VERSION: SB 159
03/19/10	(H)	READ THE FIRST TIME - REFERRALS
03/19/10	(H)	L&C, FIN
04/07/10	(H)	L&C AT 3:15 PM BARNES 124

BILL: SB 247

SHORT TITLE: EXTENDING BOARD OF PHARMACY

SPONSOR(s): SENATOR(s) OLSON

01/29/10	(S)	READ THE FIRST TIME - REFERRALS
01/29/10	(S)	L&C, FIN
02/09/10	(S)	L&C AT 2:00 PM BELTZ 105 (TSBldg)
02/09/10	(S)	Heard & Held
02/09/10	(S)	MINUTE(L&C)
02/23/10	(S)	L&C AT 2:00 PM BELTZ 105 (TSBldg)
02/23/10	(S)	Moved CSSB 247(L&C) Out of Committee
02/23/10	(S)	MINUTE(L&C)
02/24/10	(S)	L&C RPT CS 5DP SAME TITLE

02/24/10 (S) DP: PASKVAN, MEYER, THOMAS, DAVIS,
BUNDE
03/22/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/22/10 (S) Heard & Held
03/22/10 (S) MINUTE(FIN)
03/23/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/23/10 (S) Moved CSSB 247(L&C) Out of Committee
03/23/10 (S) MINUTE(FIN)
03/24/10 (S) FIN RPT CS(L&C) 7DP
03/24/10 (S) DP: HOFFMAN, STEDMAN, HUGGINS, THOMAS,
EGAN, OLSON, ELLIS
03/25/10 (S) TRANSMITTED TO (H)
03/25/10 (S) VERSION: CSSB 247(L&C)
03/26/10 (H) READ THE FIRST TIME - REFERRALS
03/26/10 (H) L&C, FIN
04/07/10 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 248

SHORT TITLE: EXTEND BD OF MARITAL & FAMILY THERAPY

SPONSOR(s): SENATOR(s) OLSON

01/29/10 (S) READ THE FIRST TIME - REFERRALS
01/29/10 (S) L&C, FIN
02/09/10 (S) L&C AT 2:00 PM BELTZ 105 (TSBldg)
02/09/10 (S) Heard & Held
02/09/10 (S) MINUTE(L&C)
02/23/10 (S) L&C AT 2:00 PM BELTZ 105 (TSBldg)
02/23/10 (S) Moved CSSB 248(L&C) Out of Committee
02/23/10 (S) MINUTE(L&C)
02/24/10 (S) L&C RPT CS 5DP SAME TITLE
02/24/10 (S) DP: PASKVAN, MEYER, THOMAS, DAVIS,
BUNDE
03/22/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/22/10 (S) Heard & Held
03/22/10 (S) MINUTE(FIN)
03/23/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/23/10 (S) Moved CSSB 248(L&C) Out of Committee
03/23/10 (S) MINUTE(FIN)
03/24/10 (S) FIN RPT CS(L&C) 7DP
03/24/10 (S) DP: HOFFMAN, STEDMAN, HUGGINS, THOMAS,
EGAN, OLSON, ELLIS
03/25/10 (S) TRANSMITTED TO (H)
03/25/10 (S) VERSION: CSSB 248(L&C)
03/26/10 (H) READ THE FIRST TIME - REFERRALS
03/26/10 (H) L&C, FIN
04/07/10 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 262

SHORT TITLE: EXTEND BOARD OF SOCIAL WORK EXAMINERS

SPONSOR(s): RULES BY REQUEST OF LEG BUDGET & AUDIT

02/08/10 (S) READ THE FIRST TIME - REFERRALS
02/08/10 (S) L&C, FIN
03/11/10 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/11/10 (S) Moved SB 262 Out of Committee
03/11/10 (S) MINUTE(L&C)
03/12/10 (S) L&C RPT 4DP
03/12/10 (S) DP: PASKVAN, MEYER, BUNDE, DAVIS
03/22/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/22/10 (S) Heard & Held
03/22/10 (S) MINUTE(FIN)
03/23/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/23/10 (S) Moved SB 262 Out of Committee
03/23/10 (S) MINUTE(FIN)
03/24/10 (S) FIN RPT 6DP
03/24/10 (S) DP: HOFFMAN, STEDMAN, HUGGINS, THOMAS,
EGAN, ELLIS
03/25/10 (S) TRANSMITTED TO (H)
03/25/10 (S) VERSION: SB 262
03/26/10 (H) READ THE FIRST TIME - REFERRALS
03/26/10 (H) L&C, FIN
04/07/10 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 263

SHORT TITLE: EXTEND BOARD OF PROFESSIONAL COUNSELORS

SPONSOR(s): RULES BY REQUEST OF LEG BUDGET & AUDIT

02/08/10 (S) READ THE FIRST TIME - REFERRALS
02/08/10 (S) L&C, FIN
03/11/10 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/11/10 (S) Moved SB 263 Out of Committee
03/11/10 (S) MINUTE(L&C)
03/12/10 (S) L&C RPT 5DP
03/12/10 (S) DP: PASKVAN, BUNDE, DAVIS, THOMAS,
MEYER
03/22/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/22/10 (S) Heard & Held
03/22/10 (S) MINUTE(FIN)
03/23/10 (S) FIN AT 1:30 PM SENATE FINANCE 532
03/23/10 (S) Moved SB 263 Out of Committee
03/23/10 (S) MINUTE(FIN)
03/24/10 (S) FIN RPT 6DP
03/24/10 (S) DP: HOFFMAN, STEDMAN, HUGGINS, THOMAS,
EGAN, ELLIS

03/25/10 (S) TRANSMITTED TO (H)
03/25/10 (S) VERSION: SB 263
03/26/10 (H) READ THE FIRST TIME - REFERRALS
03/26/10 (H) L&C, FIN
04/07/10 (H) L&C AT 3:15 PM BARNES 124

WITNESS REGISTER

SENATOR JOE PASKVAN

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 159 as prime sponsor of the bill.

TIM BENINTENDI, Staff

Senator Donny Olson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of the prime sponsor of SB 247 and SB 248.

PAT DAVIDSON

Executive Director
Division of Legislative Budget and Audit (LB&A)
Juneau, Alaska

POSITION STATEMENT: Testified during the discussion of SB 247 and SB 248.

DIRK WHITE, Pharmacist

Board Member
Board of Pharmacy
Sitka, Alaska

POSITION STATEMENT: Testified during the discussion of SB 247.

JOSH APPLEBEE, Staff

Legislative Budget and Audit Committee (LB&A)
Senator Kevin Meyer
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified on SB 262 and SB 263 behalf of the sponsor, Senator Kevin Meyer.

DARYL ALMAN, Licensed Clinical Social Worker; Chair,

Board of Social Work Examiners (BSWE)

Department of Commerce, Community, & Economic Development
(DCCED)

Anchorage, Alaska

POSITION STATEMENT: Testified during the discussion of SB 262.

SHAWNEE OLSON, Chair
Board of Professional Counselors
Department of Commerce, Community, & Economic Development
(DCCED)
Homer, Alaska

POSITION STATEMENT: Testified during the discussion of SB 263.

ACTION NARRATIVE

[3:23:28 PM](#)

CHAIR KURT OLSON called the House Labor and Commerce Standing Committee meeting to order at 3:23 p.m.

[3:23:35 PM](#)

Representatives Buch, Holmes, T. Wilson, and Olson were present at the call to order. Representatives Chenault, Lynn, and Neuman arrived as the meeting was in progress.

SB 159-WORKERS' COMPENSATION FUNERAL EXPENSES

[3:23:45 PM](#)

CHAIR OLSON announced that the first order of business would be SENATE BILL NO. 159, "An Act increasing the maximum funeral expenses payable as a workers' compensation death benefit; and providing for an effective date."

[3:23:58 PM](#)

SENATOR JOE PASKVAN, Alaska State Legislature, paraphrased his sponsor statement, which read as follows [original punctuation provided]:

Senate Bill 159 addresses one section of the Workers' Compensation Statutes in Alaska and proposes that reasonable and necessary funeral expenses will be increased from \$5,000 to \$10,000.

The funeral expense for a worker who is killed on the job has not been adjusted since 2000, even though the cost of a funeral has risen significantly in the last decade.

Last year, according to the Department of Labor and Workforce Development, there were 17 fatalities in the State of Alaska that required payment of the workers' compensation funeral expenses.

As a result of this legislation, there will be no financial impact to the state and the National Council on Compensation Insurance estimates that "overall workers compensation system costs in Alaska will increase by less than 0.1%."

SENATOR PASKVAN reported on worker-related fatalities during the past decade. The highest number of worker-related fatalities in one year totaled 26 while the fewest numbered 15 fatalities. He explained that the cost of embalming, caskets, urns, tombstones, transportation of the body, plot fees, are among a wide variety of reasonable and necessary funeral expenses. The expenses are significant, he stated. This bill is not designed to cover expenses for an extravagant funeral, but one that would be considered as adequate or reasonable. This bill will not have any fiscal impact to the state, he stated. The overall Workers' Compensation costs in Alaska are over \$200 million and the proposed increase in funeral costs would be paid for from the system costs. The current funeral benefit has remained unchanged in the last decade, while the cost of funerals has continued to increase. He explained this bill came to his attention when parents whose son was killed contacted him when they received \$5,000 to cover a \$14,000 funeral bill.

[3:29:02 PM](#)

REPRESENTATIVE NEUMAN asked the reason why Alaska has highest Workers' Compensation premiums in the U.S.

SENATOR PASKVAN stated that he was unsure. He thought the reason for the higher Workers' Compensation costs in Alaska is that Alaska is a rugged land so workers tend to hold higher risk jobs. He pointed out that the projected effect of .01 percent effect would not have a material effect on increasing the Workers' Compensation costs. However, this bill would significantly affect the overall reimbursement of funeral costs. He believed this represents prudent activity and the intent of SB 159 is to address funeral expenses for workers who are killed on the job. The larger issue of Workers' Compensation costs is not addressed in this bill, he stated.

CHAIR OLSON offered another bill will address the medical components of Workers' Compensation costs.

3:31:03 PM

REPRESENTATIVE T. WILSON asked of the 17 fatalities, how many estates received only \$5,000, and whether another policy provided additional coverage.

SENATOR PASKVAN related that in all 17 instances, the estates would have received up to \$5,000 in Workers' Compensation funeral expenses. However, if families had any other coverage, this coverage would be in addition to it. This bill will not affect marketplace contracts nor does the bill affect life insurance or any ancillary union benefits.

REPRESENTATIVE T. WILSON expressed concern over the differences in the percentage of compensation for a widower or a widower with one child. She asked for an explanation of the different rates of coverage.

SENATOR PASKVAN offered to address that point later. The intent of the bill is not to address the component of the Workers' Compensation system, he stated.

3:33:15 PM

CHAIR OLSON offered to answer Representative T. Wilson's question. He explained that the rates represent standard industry practice and are similar to how it is done in other states, which he believed was wording from the National Council on Compensation Insurance, Inc. (NCCI). He concurred that this bill would only increase the funeral benefits from \$5,000 to \$10,000.

REPRESENTATIVE T. WILSON suggested while this bill does not specifically address the Workers' Compensation rates that it is possible to fix the issue.

3:33:39 PM

REPRESENTATIVE LYNN asked whether this coverage is over and above any Veterans' benefits.

SENATOR PASKVAN offered his belief that this would not displace the veterans' benefits. This would cover anyone injured during the scope of their service.

[SB 159 was held over.]

SB 247-EXTENDING BOARD OF PHARMACY

[3:34:39 PM](#)

CHAIR OLSON announced that the next order of business would be CS FOR SENATE BILL NO. 247(L&C), "An Act extending the termination date of the Board of Pharmacy; and providing for an effective date."

TIM BENINTENDI, Staff, Senator Donny Olson, Alaska State Legislature, paraphrased from the sponsor statement, which read as follows [original punctuation provided]:

This bill would extend the termination date of the Board of Pharmacy until June 30, 2018.

According to the legislative audit for this panel, there were no issues discovered adversely affecting the public, but auditors commented that the Administration needs to improve support for this board and make more timely appointments.

The Committee Substitute changed the bill in one way. As drafted, the original had the extension date as 2015, which was different from the recommendation in the audit. In S.L&C, we changed SB 247 to conform to their report.

No opposition has surfaced to this bill or the Committee Substitute.

[3:36:20 PM](#)

REPRESENTATIVE BUCH referred to the audit recommendations and asked for clarification.

MR. BENINTENDI answered that the sponsor did not feel any elements contained in the audit report rose to the level of needing any response.

[3:37:52 PM](#)

PAT DAVIDSON, Executive Director, Division of Legislative Budget and Audit, explained that this audit had three recommendations.

The first one pertained to the collaborative protocol between a pharmacist and physician. For example, although pharmacists are not normally licensed to give shots, a person can go to a pharmacist to obtain a flu shot. An agreement between a physician and a pharmacist allows the pharmacist to give shots or whatever treatment is established under the collaborative protocol. In entering such an agreement, some monitoring and timeframes are established. As a general rule, the Board of Pharmacy had been allowing collaborative protocols to be in place for two years. However, the underlying agreement between the pharmacist and physician covered a much shorter timeframe. The auditor's concern was that the Board of Pharmacy was approving the protocols. Both the DCCED and the Board of Pharmacy agreed and said changes would be implemented. In response to Representative Buch, she stated that regulations were not required but adherence to the agreement was needed.

[3:39:58 PM](#)

REPRESENTATIVE CHENAULT related that an eight-year extension for the board seemed like a long time.

MS. DAVIDSON offered that a few years ago the statute was changed from "not to exceed four years" to "not to exceed eight years." She explained since boards issue annual reports and their activities are within the public's view such as the missions and measures that a lot of public information is available. Additionally, a legislator can request an audit at any time concern so the necessity of conducting a four-year audit seemed unnecessary. The auditors identified three recommendations. One recommendation addressed the board's operations and the other two pertained to the supporting agencies, such as the Division of Corporations, Business and Professional Licensing, within the DCCED, which was not providing adequate support. She mentioned that the lack of DCCED support pertains to all of the boards. Further, the Office of the Governor has not been making timely appointments to the board, which compromises the board's ability to carry out its mission. Thus, the recommendations are primarily not identifying problems with the board's activities, but refer to other agencies' issues. In response to Chair Olson, she characterized this board as falling into the "not a problem board" category.

[3:43:05 PM](#)

REPRESENTATIVE BUCH recalled deficiencies existed between pharmacists and physicians regarding prescription drugs. He said it seemed as though protocol was not being followed. He reminded members the importance of the oversight to be sure proper protocol is being followed.

MS. DAVIDSON related one other issue in the report. She commented that the division received a \$500,000 grant for a Controlled Substance Prescription Database. The Division of Legislative Budget and Audit has conducted audits in the past few years on personally identifiable information and the system security with respect to the various databases. She suggested that the division will monitor the development of the database. While \$500,000 seems like a lot of money, very sensitive and personal information is contained in the proposed database, she stated.

[3:45:24 PM](#)

REPRESENTATIVE CHENAULT recalled prior legislation that authorized the database. He asked whether the database has been developed.

MS. DAVIDSON offered that one prior audit looked at the governance framework to control personally identifiable information. She stated that the culture is not as security conscious as it should be in this state. Thus, the LB&A's auditors provided a detailed review of several systems and made recommendations to the department. The administration responded to the audits and seemed to view the process as a work in progress. She did not know the exact status of the proposed database completion.

[3:46:47 PM](#)

DIRK WHITE, Pharmacist, Board Member, Board of Pharmacy, explained that the Board of Pharmacy's primary mission is public protection from rogue pharmacists or dangerous practices that some pharmacists may undertake. Its secondary mission is the enactment of regulations. He explained the Board of Pharmacy has been working with the Department of Law on the Prescription Drug Monitoring Program. The audit questions were specifically; discussed at the March Board meeting.

[3:48:32 PM](#)

REPRESENTATIVE HOLMES asked for an update on the Controlled Substance Prescription Database.

MR. WHITE explained that the "money dried up." He recalled that about 23 states established the databases to date, with perhaps another 17 states in the process of doing so. Alaska received initial start-up funds to get the software up and running. The Board of Pharmacy anticipates performing some beta testing in October.

[3:49:27 PM](#)

MR. WHITE, in response to Representative Chenault answered that the funding source for the Controlled Substance Prescription Database was federal funds.

REPRESENTATIVE CHENAULT said he would review the fiscal impact at the state level.

MR. WHITE recalled the program was anticipated to be fully funded with federal funds and it was anticipated that when the federal funding "dried up" the program would either cease to exist or the state would need to find another funding source.

[3:50:34 PM](#)

REPRESENTATIVE NEUMAN asked whether the Board of Pharmacy regulates medical marijuana.

MR. WHITE answered that the day the bill became law he had three prescriptions presented to him. It took the Attorney General about eight months to promulgate regulations. Essentially, today "You have a get out of jail free card. You take the prescription to the police department, and you go find your marijuana wherever you want." As a practicing pharmacist and a Board member, he viewed medical marijuana as a highly dangerous situation since marijuana is unregulated and can be laced with opium to crack and other drugs. He stated that the Board of Pharmacy would like some method to control medical marijuana through the Board for the safety of Alaskans.

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on SB 247.

[3:52:18 PM](#)

REPRESENTATIVE HOLMES moved to report CSSB 247(L&C) out of committee with individual recommendations and the accompanying

fiscal notes. There being no objections, the CSSB 247(L&C) was reported from the House Labor and Commerce Standing Committee.

[3:52:55 PM](#)

The committee took an at-ease from 3:52 p.m. to 3:54 p.m.

[3:54:52 PM](#)

SB 248-EXTEND BD OF MARITAL & FAMILY THERAPY

[3:54:58 PM](#)

CHAIR OLSON announced that the next order of business would be CS FOR SENATE BILL NO. 248(L&C), "An Act extending the termination date of the Board of Marital and Family Therapy; and providing for an effective date."

[3:55:02 PM](#)

TIM BENINTENDI, Staff, Senator Donny Olson, Alaska State Legislature, explained that SB 248 would extend the Board of Marital and Family Therapists until June 30, 2014. He further explained that the committee substitute corrects the sunset date to reflect the sunset date in the audit. He related that this board is a small board consisting of three therapists, two public members, and 84 licensees. The pool of funds is small and the license fee is \$775. The audit did not find any adverse impacts to the public but did find that the cost of operating the board is more than the revenues received. In short, the Board of Marital and Family Therapists is working to reduce its deficit, which currently stands at \$2,000. Auditors discovered the board is working to reduce its deficit rather than to work on regulation projects it needs. As with the other boards, the auditors found the DCCED needs to provide additional support. Further, the Office of the Governor needs to make more timely appointments to the board. No other problems were found, he stated.

[3:57:25 PM](#)

PAT DAVIDSON, Legislative Auditor, Division of Legislative Audit, Alaska State Legislature, introduced herself.

REPRESENTATIVE HOLMES asked about the expensive licensing renewal fees and how the fees compare to other licensees.

MS. DAVIDSON explained that the occupational licensing boards pay licensing fees every other year. The statutes require the boards to be financially self supporting. The Board of Marital and Family Therapists has a declining membership. She explained that counselors cannot call themselves marital and family therapists unless they are actually professional therapists. However, there is some overlap of practice between this board and the Board of Professional Counselors. Since the occupation of marital and family therapists is a specialty, if a therapist found the fees were onerous, he/she may decide to select a different license. While the license may require some additional training or study, generally the auditors found a lot of movement between the two boards. She related that four years ago the auditors reviewed the mental health professional boards, including Social Workers, Marital and Family Therapists, and Professional Counselors, Psychologists and Psychological Associates. The auditors researched whether the boards should be combined and found a "lot of pushback." The professionals did not want to combine their professions and the legislature made no effort to do so. She applauded the board for being fiscally prudent, but pointed out it is important for professional boards to keep regulations up to date to better serve Alaska's citizens. Therefore, the auditors recommended only a four-year extension to review whether the board is viable.

MS. DAVIDSON, in response to Representative Holmes, explained that to some degree the board is caught between a "rock and a hard place" and whatever decision they make will be a difficult one.

[4:01:14 PM](#)

REPRESENTATIVE BUCH asked whether any other boards are not self-sustaining.

MS. DAVIDSON offered her belief that other boards are either not in a deficit situation or have raised fees to the extent that they would be solvent in a two or possibly four year timeframe.

[4:02:09 PM](#)

MS. DAVIDSON, in response to Representative Buch, answered that she is not certain of details but these professionals have very similar education and experience. She said she could not speak to whether that may be the difference of one college course. She recalled that some costs occur at startup or during a

regulations project. Additionally, when an investigation goes through the complete process it can be costly in terms of an investigator's time and Department of Law's costs. This board just went through one of those items and it is just a matter of working through the cycle, she stated.

REPRESENTATIVE BUCH inquired as to whether the Board of Marital and Family Therapists can sustain itself.

MS. DAVIDSON explained that in reviewing the five-year fiscal analysis, auditors found the board has been working itself out of its deficit. She reported that in FY 06 the deficit was \$42,000; in FY 08, it was down to \$29,000. She related that there are only 83 professionals on this board, although other boards are equally as small. She stated that the Board of Direct Entry Midwives also has high fees. She further related that the professionals generally agree to pay the higher fees.

REPRESENTATIVE CHENAULT asked why the auditors recommended extending the board only four years instead of the typical eight years.

MS. DAVIDSON explained since the Board of Marital and Family Therapists delayed its regulations project the auditors wanted to see the board addressing the issues.

[4:07:43 PM](#)

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on SB 248.

[4:07:50 PM](#)

REPRESENTATIVE CHENAULT moved to report the CSSB 248(L&C) out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSSB 248(L&C) was reported from the House Labor and Commerce Standing Committee.

[4:08:28 PM](#)

The committee took an at-ease from 4:08 p.m. to 4:10 p.m.

[4:10:43 PM](#)

SB 262-EXTEND BOARD OF SOCIAL WORK EXAMINERS

[4:10:47 PM](#)

CHAIR OLSON announced that the next order of business would be SENATE BILL NO. 262, "An Act extending the termination date of the Board of Social Work Examiners; and providing for an effective date."

[4:11:18 PM](#)

JOSH APPLEBEE, Staff, Legislative Budget and Audit Committee, Senator Kevin Meyer, Chair, Alaska State Legislature, paraphrased from the sponsor statement, which read as follows [original punctuation provided]:

The Board of Social Work Examiners (BSWE) was established for the purpose of controlling and regulating the practice of social work in the State. A licensed social worker applies social work principles and methods, as defined by AS 08.95.990(7), to help individuals achieve more adequate, satisfying, and productive social adjustments.

BSWE is composed of five members appointed by the Governor. Statutes requires that one board member be a licensed baccalaureate social worker, one a licensed master social worker, two members be licensed clinical social workers, and one be a member of the general public.

In the opinion of Legislative Audit, the BSWE should continue to regulate clinical, master, and baccalaureate social workers.

The board is serving the public interest by promoting the competence and integrity of those who provide services to the public as licensed social workers. BSWE continues to enforce and propose changes to regulations to improve BSWE's effectiveness and ensure that social workers are appropriately licensed.

SB 262, if enacted, would extend the Board for eight years to June 30, 2018.

[4:12:11 PM](#)

DARYL ALMAN, Licensed Clinical Social Worker; Chair, Board of Social Work Examiners (BSWE), stated that the Board of Social Work Examiners (BSWE) is working for the public protection and

to implement appropriate standards for the profession. As the audit indicated there were not any specific recommendations. He related that social worker licensing fees are being reduced to \$250. He stated that the BSWE board is functioning in the public interest.

[4:13:59 PM](#)

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on SB 262.

[4:14:06 PM](#)

REPRESENTATIVE T. WILSON moved to report SB 262 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, SB 262 was reported from the House Labor and Commerce Standing Committee.

[4:14:29 PM](#)

The committee took an at-ease from 4:14 p.m. to 4:16 p.m.

[4:16:49 PM](#)

SB 263-EXTEND BOARD OF PROFESSIONAL COUNSELORS

[4:16:50 PM](#)

CHAIR OLSON announced that the final order of business would be SENATE BILL NO. 263, "An Act extending the termination date of the Board of Professional Counselors; and providing for an effective date."

JOSH APPLEBEE, Staff, Legislative Budget & Audit Committee, Senator Kevin Meyer, Chair, Alaska State Legislature, paraphrased from the sponsor statement, which read as follows [original punctuation provided]:

The Board of Professional Counselors (BPC) was established under the provisions of Title 8, Chapter 29 of Alaska Statutes. BPC consists of five members appointed by the governor. Four members must be professional counselors and one member must be appointed from the general public. Board members serve staggered terms of four years.

The division provides administrative and investigative assistance to occupational boards including BPC. Administrative assistance includes budgetary services and functions such as collection of fees, maintaining files, receiving and issuing application forms, and publishing notice of examinations, meetings, and proposed regulations.

In the opinion of Legislative Audit, the BPC should continue to regulate professional counselors. The board is serving the public interest by promoting the competence and integrity of those who provide services to the public as licensed professional counselors.

SB 263, if enacted, would extend the Board for eight years to June 30, 2018.

[4:17:23 PM](#)

REPRESENTATIVE T. WILSON asked whether the Board of Professional Counselors has seen an increase in the numbers of professional counselors transferring from other boards.

MR. APPLEBEE answered no.

REPRESENTATIVE T. WILSON asked about the licensing fees.

[4:18:06 PM](#)

SHAWNEE OLSON, Chair, Board of Professional Counselors, introduced herself.

MS. OLSON, in response to Representative T. Wilson, answered that licensees pay a \$200 biennial fee.

[4:19:05 PM](#)

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on SB 263.

[4:19:14 PM](#)

REPRESENTATIVE NEUMAN moved to report SB 263 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, SB 263 was reported from the House Labor and Commerce Standing Committee.

4:19:31 PM

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:19 p.m.