

**ALASKA STATE LEGISLATURE  
HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

March 12, 2018

3:17 p.m.

**MEMBERS PRESENT**

Representative Sam Kito, Chair  
Representative Adam Wool, Vice Chair  
Representative Andy Josephson  
Representative Louise Stutes  
Representative Chris Birch  
Representative Gary Knopp  
Representative Colleen Sullivan-Leonard

**MEMBERS ABSENT**

Representative Mike Chenault (alternate)  
Representative Bryce Edgmon (alternate)

**COMMITTEE CALENDAR**

CS FOR SENATE BILL NO. 80(L&C)

"An Act relating to telecommunications services for certain disabled subscribers; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 126

"An Act providing for an exception to the regulation of the practice of medicine for a physician who provides medical services to an athletic team from another state."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 80

SHORT TITLE: TELECOMMUNICATIONS: DISABLED SUBSCRIBERS

SPONSOR(S): SENATOR(S) COSTELLO

03/08/17	(S)	READ THE FIRST TIME - REFERRALS
03/08/17	(S)	L&C, FIN
03/23/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
03/23/17	(S)	-- MEETING CANCELED --
04/04/17	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
04/04/17	(S)	Heard & Held

04/04/17 (S) MINUTE (L&C)  
 04/07/17 (S) L&C RPT CS 2DP 1NR SAME TITLE  
 04/07/17 (S) DP: COSTELLO, STEVENS  
 04/07/17 (S) NR: HUGHES  
 04/07/17 (S) L&C AT 9:00 AM BELTZ 105 (TSBldg)  
 04/07/17 (S) Moved CSSB 80(L&C) Out of Committee  
 04/07/17 (S) MINUTE(L&C)  
 04/14/17 (S) FIN WAIVED PUBLIC HEARING NOTICE,RULE  
 23  
 04/15/17 (S) FIN AT 9:00 AM SENATE FINANCE 532  
 04/15/17 (S) Moved CSSB 80(L&C) Out of Committee  
 04/15/17 (S) MINUTE(FIN)  
 04/16/17 (S) FIN RPT CS(L&C) 3DP 4NR  
 04/16/17 (S) NR: HOFFMAN, MACKINNON, HUGHES, OLSON  
 04/16/17 (S) DP: BISHOP, VON IMHOF, MICCICHE  
 04/16/17 (S) FIN AT 9:00 AM SENATE FINANCE 532  
 04/16/17 (S) -- MEETING CANCELED --  
 04/17/17 (S) TRANSMITTED TO (H)  
 04/17/17 (S) VERSION: CSSB 80(L&C)  
 04/19/17 (H) READ THE FIRST TIME - REFERRALS  
 04/19/17 (H) L&C  
 03/12/18 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 126

SHORT TITLE: VISITING PHYSICIANS WITH SPORTS TEAMS  
 SPONSOR(S): SENATOR(S) MACKINNON

01/16/18 (S) PREFILE RELEASED 1/8/18  
 01/16/18 (S) READ THE FIRST TIME - REFERRALS  
 01/16/18 (S) L&C  
 01/30/18 (S) L&C AT 1:00 PM BELTZ 105 (TSBldg)  
 01/30/18 (S) Moved SB 126 Out of Committee  
 01/30/18 (S) MINUTE(L&C)  
 01/31/18 (S) L&C RPT 4DP  
 01/31/18 (S) DP: COSTELLO, MICCICHE, MEYER, GARDNER  
 01/31/18 (S) FIN REFERRAL ADDED AFTER L&C  
 02/05/18 (S) FIN RPT 4DP  
 02/05/18 (S) DP: MACKINNON, BISHOP, STEVENS,  
 MICCICHE  
 02/05/18 (S) FIN AT 9:00 AM SENATE FINANCE 532  
 02/05/18 (S) Moved SB 126 Out of Committee  
 02/05/18 (S) MINUTE(FIN)  
 02/12/18 (S) TRANSMITTED TO (H)  
 02/12/18 (S) VERSION: SB 126  
 02/14/18 (H) READ THE FIRST TIME - REFERRALS  
 02/14/18 (H) L&C, FIN  
 03/12/18 (H) L&C AT 3:15 PM BARNES 124

## WITNESS REGISTER

SENATOR MIA COSTELLO  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 80 as prime sponsor.

JOSHUA WALTON, Staff  
Senator Mia Costello  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 80 on behalf of Senator Costello, prime sponsor.

NORMAN ROKEBERG, Former Commissioner  
Regulatory Commission of Alaska (RCA);  
Former Representative, Alaska State Legislature

**POSITION STATEMENT:** Testified in the hearing on SB 80.

JAN WILSON, Commissioner  
Regulatory Commission of Alaska (RCA)

**POSITION STATEMENT:** Testified in the hearing on SB 80.

SENATOR ANNA MACKINNON  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 126 as prime sponsor.

JULI LUCKY, Staff  
Senator Anna Mackinnon  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions in the hearing on SB 126.

JEFFREY MOORE, MD  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in the hearing on SB 126.

## ACTION NARRATIVE

[3:17:17 PM](#)

**CHAIR SAM KITO** called the House Labor and Commerce Standing Committee meeting to order at 3:17 p.m. Representatives Sullivan-Leonard, Knopp, Birch, Josephson, and Kito were present

at the call to order. Representatives Stutes and Wool arrived as the meeting was in progress.

**SB 80-TELECOMMUNICATIONS: DISABLED SUBSCRIBERS**

[Mentions HB 202]

[3:17:57 PM](#)

CHAIR KITO announced that the first order of business would be SENATE BILL NO. 80, "An Act relating to telecommunications services for certain disabled subscribers; and providing for an effective date."

[3:18:12 PM](#)

SENATOR MIA COSTELLO, Alaska State Legislature, presented SB 80 as prime sponsor. She explained she had learned from the Regulatory Commission of Alaska (RCA) about the need to update state statutes to better help the hearing-impaired community.

[3:19:07 PM](#)

JOSHUA WALTON, Staff, Senator Mia Costello, Alaska State Legislature, presented SB 80 on behalf of Senator Costello, prime sponsor. He relayed that in 1990 the legislature had authorized the RCA to adopt a surcharge on a per line basis to telephone subscribers. He said it was a nominal charge of .01 cent for the purpose of funding subscribers that are hard of hearing or deaf. The surcharge applied only to landlines. He added the challenge is that technology has changed over the past 30 years and the number of land lines has dropped sharply. More people are subscribing to cell phones and internet services and as a result, the RCA has had to increase the amount of the surcharge. He said the proposed legislation would change the language from "telephone" to "telecommunications" to provide more flexibility. He said the surcharge would be reduced significantly to between .04 cent or .05 cent per line.

[3:23:11 PM](#)

REPRESENTATIVE BIRCH asked whether the use of texting for the hearing impaired had been investigated.

MR. WALTON said he thinks that hard of hearing people would use texts. The proposed bill would make technologies available. He pointed out that the people who need the technologies need them

in connection with their VOIP or videoconference equipment. He stated the proposed legislation would make it possible for the RCA to collect needed funds.

REPRESENTATIVE BIRCH asked what kind of equipment would be purchased with the funding.

MR. WALTON deferred to former Representative Norman Rokeberg and mentioned some accessibly options on telecommunication devices.

[3:27:19 PM](#)

REPRESENTATIVE KNOPP asked whether the surcharge is "outside what the Universal Service Fund does."

MR. WALTON answered in the affirmative.

REPRESENTATIVE KNOPP surmised there are more subsidies.

MR. WALTON answered he was not sure whether the equipment was supplied directly by the program.

REPRESENTATIVE KNOPP asked how much revenue was anticipated from the surcharge.

MR. WALTON deferred to Mr. Rokeberg.

[3:30:12 PM](#)

NORMAN ROKEBERG, Former Commissioner, Regulatory Commission of Alaska (RCA), testified in the hearing on SB 80. He mentioned HB 202 is the companion bill. He said the proposed bill would create a statutory fix to update telecommunication services in Alaska. He said over 15,000 land lines had been eliminated due to technological advances in telephony. He indicated the proposed bill would allow the commission to reduce the surcharge in the range of .03 cents to .05 cents to spread more equitably the small burden of providing services to the deaf and hard of hearing community.

MR. ROKEBERG said AS 42.05.296 contains the language, "that makes available reasonable access of all phases of public telephone service to deaf, hard of hearing, and speech impaired telephone subscribers." He informed that currently the equipment being distributed is obsolete. Additionally, the companies provide an analog type of tap tell system which is essentially texting over a landline service. He described a new

technology called real time texting (RTT) which has been approved by the FCC and will allow other types of devices to be implemented. He further relayed the commission has established an iPad or tablet pilot program and in the first phase 22 people were selected throughout the state. He stated there were issues with connections in terms of speed. He said a number of other states have done similar things and Alaska is learning from those programs. He added the technology would aid people with speech disabilities. He said the initial appropriation was for \$3,000. He said no additional funding was required and the program was entirely self-funding. He spoke to other types of services such as video services on computers, which allow translators to use American Sign Language. He added the Alaska statute mandates that hearing disabled people must be able to communicate with everyone. He said the bill provides an effective date. He requested the chairman [indisc.]

[3:44:34 PM](#)

REPRESENTATIVE BIRCH asked about the zero fiscal note (FN) for the proposed bill. He asked who allocated the funds.

MR. ROKEBERG answered the surcharge goes into a dedicated fund which is managed by a provider - currently Sprint - who annually submits a budget which must be approved by the RCA. He explained a portion of the funds go to pay interpreters, equipment distribution, and the outreach program, Assistive Technology of Alaska (ATLA), who travel throughout the state to provide information on the program. He said the budget is self-contained and one of the concerns is finding a stable funding source. He said he thinks the commission may not have done the job consistently with legislative intent.

[3:49:24 PM](#)

REPRESENTATIVE BIRCH asked how the funds are distributed.

MR. ROKEBERG answered there is a large national pool of interpreters. He said equipment is a relatively small part of the budget currently.

REPRESENTATIVE BIRCH asked for a copy of the latest approved budget.

MR. ROKEBERG clarified he was speaking as a private citizen and is no longer a commissioner.

REPRESENTATIVE WOOL asked about the new rate.

MR. ROKEBERG said if he were still on the commission, he would be recommended a single tier for ease of interpretation.

[3:55:49 PM](#)

REPRESENTATIVE WOOL asked how many customers the program is covering currently.

MR. ROKEBERG answered there is a large number of people affected by hearing and speech disabilities. He said he was not sure of the exact numbers.

[3:57:31 PM](#)

JAN WILSON, Commissioner, testified in the hearing on SB 80. She updated the information on landlines and underlined use of landlines has continued to decline.

REPRESENTATIVE WOOL asked whether there are outsourcing options that aren't housed within the state.

MS. WILSON said she thinks Commissioner Rokeberg had done a thorough examination of the available technologies during his tenure.

[4:00:23 PM](#)

CHAIR KITO opened public testimony on SB 80. He announced he would leave public testimony open.

REPRESENTATIVE SULLIVAN-LEONARD said the Key Coalition and the Special Council on Disabilities had expressed support.

REPRESENTATIVE KNOPP said he thinks it is a good bill.

[4:02:32 PM](#)

CHAIR KITO held over SB 80.

**SB 126-VISITING PHYSICIANS WITH SPORTS TEAMS**

[4:02:34 PM](#)

CHAIR KITO announced that the final order of business would be SENATE BILL NO. 126, "An Act providing for an exception to the

regulation of the practice of medicine for a physician who provides medical services to an athletic team from another state."

[4:02:49 PM](#)

SENATOR ANNA MACKINNON, Alaska State Legislature, presented SB 126 as prime sponsor. She paraphrased the sponsor statement [included in committee packet] which reads as follows [original punctuation provided]:

Competitive sports teams typically have a team physician who provides care for the athletes. When the team travels out of state, the physician often accompanies them. However, if an athlete is injured or needs a prescription filled while traveling in Alaska, the team physician would not be able to provide care without being licensed here.

Senate Bill 126 would provide an exemption for state licensure for this narrow circumstance. The physician would have to be licensed to practice medicine in another state, under a written contract to provide care to an athletic team in that state and would be limited to providing services to members of the team while they are traveling or participating in a sporting event in Alaska.

The bill is a narrow solution to a specific problem. Thirty-five other states have passed similar legislation to ensure that the doctors who know their patients best can continue to treat them.

[4:04:19 PM](#)

REPRESENTATIVE KNOPP asked about the motivation for the proposed bill.

SENATOR MACKINNON answered there is a national movement to address liability issues when team doctors travel with sports teams.

REPRESENTATIVE BIRCH asked whether a license is required.

SENATOR MACKINNON answered the proposed bill would require three parts: the doctor must be licensed in their state, must be under

contract with the team, and must be traveling to and from Alaska.

REPRESENTATIVE WOOL asked for confirmation that the traveling doctor cannot treat Alaskans.

SENATOR MACKINNON answered the Good Samaritan Act would cover them, but the proposed bill covers only the sports team.

[4:07:20 PM](#)

JULI LUCKY, Staff, Senator Anna Mackinnon, Alaska State Legislature, answered questions in the hearing on SB 126. She said if a person wants to treat Alaskans, they could pursue temporary licensure.

[4:08:28 PM](#)

JEFFREY MOORE, Medical Doctor, testified in the hearing on SB 126. He clarified the proposed bill would not allow hospital privileges to the team doctors and was intended for smaller issues such as infections or supplying inhalers. He said the team doctors would still be limited in what they can do. He added similar legislation is in place in 35 states and pending in 13 other states.

[4:10:20 PM](#)

CHAIR KITO opened public testimony on SB 126. He announced he would leave public testimony open for the next hearing.

CHAIR KITO held over SB 126.

[4:11:42 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:11 p.m.