

SENATE FINANCE COMMITTEE
February 24, 2020
9:01 a.m.

9:01:05 AM

CALL TO ORDER

Co-Chair Stedman called the Senate Finance Committee meeting to order at 9:01 a.m.

MEMBERS PRESENT

Senator Bert Stedman, Co-Chair
Senator Click Bishop
Senator Lyman Hoffman
Senator Donny Olson
Senator Bill Wielechowski
Senator David Wilson

MEMBERS ABSENT

Senator Natasha von Imhof, Co-Chair

ALSO PRESENT

Jane Conway, Staff, Senator Cathy Giessel; Senator Cathy Giessel, Sponsor; Alec Kay, Alaska American Physical Therapy Association, Juneau; Scotty Orr, Alaska Occupational Therapy Association, Juneau; Sara Chambers, Director, Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development; Dr. Daniel Holt, Chiropractor, Juneau.

PRESENT VIA TELECONFERENCE

LeeAnne Carrothers, Alaska Physical Therapy Association, Anchorage; Keith Poorbaugh, Board of Physical and Occupational Therapy, Wasilla; Sheri Ryan, Chief Operating Officer, Alaska Chiropractic Society, Anchorage; Brian Larson, Chair, Board of Chiropractic Examiners, Soldotna; Cachet Garrett, Appointee, University of Alaska Board of Regents, Fairbanks; Anita Halterman, Appointee, Alaska Mental Health Board of Trustees, Eagle River; Rhonda

Boyles, Appointee, Alaska Mental Health Trust Authority
Board of Trustees, Fairbanks.

SUMMARY

SB 47 PHYSICAL/OCCUPATIONAL THERAPY BD/PRACTICE

SB 47 was HEARD and HELD in committee for further
consideration.

[9:02:22 AM](#)

AT EASE

[9:02:41 AM](#)

RECONVENED

#sb47

SENATE BILL NO. 47

"An Act relating to the State Physical Therapy and
Occupational Therapy Board; relating to the practice
of physical therapy; and relating to the practice of
occupational therapy."

[9:04:41 AM](#)

JANE CONWAY, STAFF, SENATOR CATHY GIESSEL, introduced
herself.

[9:05:36 AM](#)

SENATOR CATHY GIESSEL, SPONSOR, introduced the legislation.
She shared some background of the legislation.

[9:11:46 AM](#)

ALEC KAY, ALASKA AMERICAN PHYSICAL THERAPY ASSOCIATION,
JUNEAU, introduced himself.

SCOTTY ORR, ALASKA OCCUPATIONAL THERAPY ASSOCIATION,
JUNEAU, introduced himself.

[9:12:28 AM](#)

Mr. Kay stated that was in support of the legislation. He
stated that his association represented approximately 500
out of approximately 1200 licensed physical therapists and

physical therapist assistants in Alaska. He noted that the education was currently a three-year graduate degree that resulted in a clinical doctor of physical therapy degree.

[9:15:47 AM](#)

Senator Olson wondered whether physical therapists could order lab tests.

Mr. Kay responded that they did not order lab test, but they referred to other providers.

Senator Olson wondered whether there was opposition to the desire of the chiropractors to be grandfathered in if their scope of practice included some of the parameters.

Mr. Kay replied that he was not opposed to that idea.

Senator Olson stressed that it was a misdemeanor to misrepresent yourself, so there were some red flags about the language of the bill.

Mr. Orr testified in support of the legislation. He echoed the comments from Mr. Kay.

[9:20:02 AM](#)

SARA CHAMBERS, DIRECTOR, DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, introduced herself.

Senator Wielechowski queried the number of foreign-educated applicants.

Ms. Chambers agreed to provide that information.

Co-Chair Stedman queried any issues with the bill.

Ms. Chambers responded that the department had no issue with the bill.

Senator Olson wondered whether the Board could take disciplinary action against a licensee, and queried the exact number in the last five years.

Ms. Chambers replied that there were very few investigations of physical or occupational therapists.

Senator Olson wondered whether it was less than five investigations.

Ms. Chambers stated that it was more than five, but agreed to provide further information.

[9:22:16 AM](#)

DR. DANIEL HOLT, CHIROPRACTOR, JUNEAU, testified in support of the legislation.

[9:26:13 AM](#)

LEEANNE CARROTHERS, ALASKA PHYSICAL THERAPY ASSOCIATION, ANCHORAGE (via teleconference), spoke in support of the legislation.

[9:28:34 AM](#)

KEITH POORBAUGH, BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY, WASILLA (via teleconference), testified in support of the bill.

Senator Olson queried the position on the removal of penalty.

Mr. Poorbaugh replied that he did not see a problem with the removal of the penalty.

[9:32:46 AM](#)

SHERI RYAN, CHIEF OPERATING OFFICER, ALASKA CHIROPRACTIC SOCIETY, ANCHORAGE (via teleconference), expressed slight concern about the language in the bill.

Senator Wielechowski wondered how many chiropractors hold themselves to be physiotherapists.

Ms. Ryan replied that it was not the title, it was where it would lead to the term usage.

[9:35:56 AM](#)

BRIAN LARSON, CHAIR, BOARD OF CHIROPRACTIC EXAMINERS, SOLDOTNA (via teleconference), expressed concern about the bill's language. He echoed the comments of Ms. Ryan.

[9:40:53 AM](#)

Senator Olson wondered what other states were doing related to the language.

Dr. Larson felt that the term was often "left alone", and there was a "terf war."

Co-Chair Stedman CLOSED public testimony.

Co-Chair Stedman queried any closing comments.

Senator Giessel remarked that there was a potential amendment that could be made to address the concern about the word, "physiotherapy."

[9:45:15 AM](#)

Senator Olson wondered whether the chiropractors would be able to continue the work in their scope of practice.

Senator Giessel replied in the affirmative.

SB 47 was HEARD and HELD in committee for further consideration.

[9:46:03 AM](#)

AT EASE

[9:47:01 AM](#)

RECONVENED

^CONFIRMATION OF GOVERNOR'S APPOINTEES:

UNIVERSITY OF ALASKA BOARD OF REGENTS: CACHET GARRETT

ALASKA MENTAL HEALTH TRUST AUTHORITY (AMHTA) BOARD OF REGENTS: ANITA HALTERMAN

ALASKA MENTAL HEALTH TRUST AUTHORITY (AMHTA) BOARD OF REGENTS: RHONDA BOYLES

[9:47:40 AM](#)

CACHET GARRETT, APPOINTEE, UNIVERSITY OF ALASKA BOARD OF REGENTS, FAIRBANKS (via teleconference), stated that she was the student representative of the Board of Regents. She wondered whether she could do a land acknowledgement.

Co-Chair Stedman stated that he could not hear her request.

Ms. Garrett stated that she would like to offer her opening statement, which began with a land acknowledgement.

Senator Wilson stated that she wanted to acknowledge the ancestral lands from which she is giving her testimony.

Co-Chair Stedman asked her to continue.

Ms. Garrett acknowledged the ancestral land that she was calling from in Fairbanks. She expressed gratitude for working for the students.

Co-Chair Stedman stressed that he wanted to know why the committee should support the reappointment to the Board of Regents.

Ms. Garrett explained that she attended college outside of Alaska, but then determined that she wanted to go to the University of Alaska Southeast where she acquired her four-year degree in 2008 having studied Human Communication. She then decided to become a massage therapist. She further stated that she then decided to pursue her graduate degree at the University of Alaska Fairbanks. She was in her fourth semester and determined that she would attend the school for four years total. She remarked that she was self-funding her education and had multiple areas of study. She stated that her work history was always in the area of wellness and health promotion.

[9:55:32 AM](#)

Co-Chair Stedman wondered why Ms. Cachet wanted to serve on the Board of Regents. He queried her perspective on the direction of the University and how it should face the budgetary constraints.

Ms. Garrett replied that she was a highly qualified candidate for the position. She represented three

communities in Alaska and understood the state. She remarked that serving on the Board had been a highlight as a student leader in the state. She felt that it was training her for state leadership, which she felt was her calling. She assured the committee that the direction of the university was going forward. She understood that it was a challenging time for the university, and felt that it was critical that there was a focus on the needs of the university. She used a caterpillar analogy. She felt that the university was going through a metamorphosis.

Senator Wilson wondered whether the position was a student Board position.

Ms. Garrett replied in the affirmative. She stated that she was currently serving the two-year term.

Senator Wilson asked when Ms. Garrett planned to complete her degree.

Ms. Garrett replied that she intended to graduate in December 2021. She explained that she was one-year into her two-year degree when she was nominated to the Board. She "restarted" her graduate degree at that time because the commitment for the Board was two years. She remarked that other student members of the Board would graduate and move on, but her intention was to serve to the highest level for the two years. She stated that intended to have a full summer and full semester to devote to her thesis.

Senator Wilson wondered how Ms. Garrett's ambition to pursue state office might interfere with her duties on the Board of Regents.

Ms. Garrett replied that it would not interfere with her duties on the Board of Regents. She stressed that it was a separate issue. She felt that it was a future aspiration for her life.

[10:00:56 AM](#)

Senator Wielechowski requested a Board biography of Ms. Garrett. He wondered whether Ms. Garrett met the statutory requirement to take nine credits, be enrolled full-time, and have a cumulative grade point average (GPA) of 2.5.

Ms. Garrett replied in the affirmative.

Senator Wielechowski noted that her biography on the Board of Regents website said that she was studying Professional Communication. He also remarked that she conducted an interview where she said that she was working toward a master's degree in Arctic and Northern Studies. He asked for clarification.

Ms. Garrett explained that she came to UAF to be a teaching assistant in the Professional Communications program, but felt that she had already been communicating professionally in her advocacy and career. She figured out that the program was not for her. She remarked that communication was a priority in her life, so she would always be a scholar of communication. She noted that she was one year into that degree. She stated that she intended to compete that degree as well. She explained that the Arctic and Northern Studies degree emerged in her first year at UAF, which she felt was more appropriate for her life.

Senator Wielechowski wondered whether Ms. Garrett had ever been disciplined or asked to leave the Communications program.

Ms. Garrett responded that she was not asked to leave the Communications program. She stressed that she had not formally left the Communications program. She considered herself an interdisciplinary student.

Senator Wielechowski wondered whether Ms. Garrett had ever been disciplined at UAF.

Ms. Garrett replied that she had not been disciplined. She explained that she had been let go of her position as a teaching assistant. She felt that the action caused her to join student government. She felt that her natural leadership capability caused people to not understand her diligence in advocacy for what she "believes is right." She shared that some people found her to have a strong personality, and she made not apologies for herself.

Senator Wielechowski wondered whether Ms. Garrett was asked to leave the Communications program.

Ms. Garrett stated that she was a student enrolled in the Communications department. She explained that she was let go from her teaching assistant position. She preferred not

to have the specific conversation on the record. She stressed that she was the "best teaching assistant that ever walked into that Communications department." She felt that it was a disservice to the students to not continue to be in that position. She stressed that she positively impacted the lives of her students, and those students loved what she had taught them. She remarked that she had taught them skills beyond what they would have learned otherwise. She stressed that it was not a negative that she was let go, because she had been given such positive experiences.

Senator Wielechowski wondered who had asked Ms. Garrett to leave the teaching assistant position.

Ms. Garrett replied that the Chair of the department asked for her to leave the position. She felt that the communication was never invited to reach a place of resolution. She stressed the importance of communication.

[10:07:54 AM](#)

ANITA HALTERMAN, APPOINTEE, ALASKA MENTAL HEALTH BOARD OF TRUSTEES, EAGLE RIVER (via teleconference), introduced herself. She stated that she took a role on the Board in August of 2019 and had recently assumed the role on the Audit and Risk Committee. She was anxiously awaiting confirmation. She felt that the role afforded her many opportunities to contribute to society. She gave a brief history of her resume. She noted that she had served on the Legislature in the past. She explained her personal history more extensively.

Co-Chair Stedman asked when she began serving on the Board.

Ms. Halterman replied that she started on the Board in August 2019.

Co-Chair Stedman wondered she was familiar with the audit concerning some portfolio holdings of the Mental Health Trust.

Ms. Halterman replied in the affirmative, and she was currently reviewing and having discussions about the audit.

Co-Chair Stedman queried a position on the audit.

Ms. Halterman replied that in her observation the real estate investments were successful, and the Trust had made a Permanent Fund whole with regard to the financial investment that should have been made in compliance with state law. She firmly believed that work needed to be done to continue to follow the law.

Co-Chair Stedman surmised that she felt that there should not be any acceleration of moving the real estate assets.

Ms. Halterman stated that it was her understanding that the real estate assets were gaining better return than other investments. She felt that, for now, as long as the financial holdings maintain their value, she did not have a problem with maintaining those assets.

[10:14:52 AM](#)

RHONDA BOYLES, APPOINTEE, ALASKA MENTAL HEALTH TRUST AUTHORITY BOARD OF TRUSTEES, FAIRBANKS (via teleconference), stated that she did not want to highlight the specifics of her resume. She gave a personal history that led her to her position on the Mental Health Trust Authority.

[10:19:48 AM](#)

Co-Chair Stedman asked about the audit on the Mental Health Trust.

Ms. Boyles replied that she knew about it. She shared that she had been given much information from meetings with the legislature. She agreed with most of the Board, that there could be investments continually. She noted that matching up private and public sector may not result in the initial intentions.

Senator Bishop commented that her letter included the value of land and people, and they must be protected. He hoped that it continued to be a guiding principle.

Co-Chair Stedman noted significant concerns about the management of the investment portfolio. He noted that the audit revealed significant concerns.

Co-Chair Stedman stressed that the upcoming motion did not reflect an intent by any member of the Senate Finance

Committee to vote for or against the confirmation of the individuals during any further sessions.

[10:26:55 AM](#)

Senator Bishop FORWARDED the appointments of Cachet Garrett, Anita Halterman, and Rhonda Boyles for consideration in accordance with Alaska Statute. He relayed that this did not reflect an intent by any member of the Senate Finance Committee to vote for or against the confirmation of the individuals during any further sessions.

There being NO OBJECTION, it was so ordered.

Co-Chair Stedman stated that there would be no meeting the following day. He stated that there would be a Senate Finance Committee meeting on the upcoming Wednesday and outlined the agenda for that meeting.

#

ADJOURNMENT

[10:28:49 AM](#)

The meeting was adjourned at 10:28 a.m.