

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

March 20, 2020

1:40 p.m.

MEMBERS PRESENT

Senator David Wilson, Chair
Senator Mike Shower
Senator Tom Begich

MEMBERS ABSENT

Senator Natasha von Imhof, Vice Chair
Senator Cathy Giessel

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Alaska Mental Health Trust Board of Trustees

Anita Halterman - Eagle River
Rhonda Boyles - Anchorage

- CONFIRMATIONS ADVANCED

State Medical Board

Lydia Mielke - Big Lake
Sarah Bigelow-Hood - Anchorage

- CONFIRMATIONS ADVANCED

HOUSE BILL NO. 133

"An Act relating to care of juveniles and to juvenile justice; relating to employment of juvenile probation officers by the Department of Health and Social Services; relating to terms used in juvenile justice; relating to mandatory reporters of child abuse or neglect; relating to sexual assault in the third degree; relating to sexual assault in the fourth degree; repealing a requirement for administrative revocation of a minor's driver's license, permit, privilege to drive, or privilege to obtain a license for consumption or possession of alcohol or drugs; and providing for an effective date."

- MOVED HB 133 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 133

SHORT TITLE: JUVENILES: JUSTICE, FACILITES, TREATMENT

SPONSOR(S): REPRESENTATIVE(S) SPOHNHOLZ

04/15/19	(H)	READ THE FIRST TIME - REFERRALS
04/15/19	(H)	HSS, JUD
04/23/19	(H)	HSS AT 3:00 PM CAPITOL 106
04/23/19	(H)	Heard & Held
04/23/19	(H)	MINUTE(HSS)
04/25/19	(H)	HSS AT 3:00 PM CAPITOL 106
04/25/19	(H)	Moved HB 133 Out of Committee
04/25/19	(H)	MINUTE(HSS)
04/26/19	(H)	HSS RPT 4DP
04/26/19	(H)	DP: TARR, DRUMMOND, ZULKOSKY, SPOHNHOLZ
02/05/20	(H)	JUD AT 1:45 PM GRUENBERG 120
02/05/20	(H)	Heard & Held
02/05/20	(H)	MINUTE(JUD)
02/07/20	(H)	JUD AT 1:45 PM GRUENBERG 120
02/07/20	(H)	-- MEETING CANCELED --
02/10/20	(H)	JUD AT 1:00 PM GRUENBERG 120
02/10/20	(H)	Moved HB 133 Out of Committee
02/10/20	(H)	MINUTE(JUD)
02/12/20	(H)	JUD RPT 3DP 2NR
02/12/20	(H)	DP: DRUMMOND, STUTES, CLAMAN
02/12/20	(H)	NR: SHAW, EASTMAN
02/28/20	(H)	TRANSMITTED TO (S)
02/28/20	(H)	VERSION: HB 133
03/02/20	(S)	READ THE FIRST TIME - REFERRALS
03/02/20	(S)	HSS, JUD
03/18/20	(S)	HSS AT 1:30 PM BUTROVICH 205
03/18/20	(S)	-- Rescheduled to 3/20/20 --
03/20/20	(S)	HSS AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

REPRESENTATIVE IVY SPOHNHOLZ

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 133.

MEGAN HOLLAND, Staff

Representative Ivy Spohnholz

Alaska State Legislature

POSITION STATEMENT: Presented HB 133 on behalf of the sponsor.

MATT DAVIDSON, Social Services Program Officer
Division of Juvenile Justice
Department of Health and Social Services
Juneau, Alaska

POSITION STATEMENT: Provided information on HB 133.

ANITA HALTERMAN, Appointee
Alaska Mental Health Trust Authority Board of Trustees
Eagle River, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Mental Health Trust Authority Board of Trustees.

RHONDA BOYLES, Appointee
Alaska Mental Health Trust Authority Board of Trustees
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska Mental Health Trust Authority Board of Trustees.

SARAH BIGELOW-HOOD, Appointee
State Medical Board
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the State Medical Board.

LYDIA MIELKE, Appointee
State Medical Board
Department of Commerce, Community and Economic Development
Big Lake, Alaska

POSITION STATEMENT: Testified as appointee to the State Medical Board.

ACTION NARRATIVE

[1:40:31 PM](#)

CHAIR DAVID WILSON called the Senate Health and Social Services Standing Committee meeting to order at 1:40 p.m. Present at the call to order were Senators Begich and Chair Wilson. Senator Shower arrived shortly thereafter.

HB 133-JUVENILES: JUSTICE, FACILITES, TREATMENT

[1:41:03 PM](#)

CHAIR WILSON announced the consideration of HOUSE BILL NO. 133, "An Act relating to care of juveniles and to juvenile justice; relating to employment of juvenile probation officers by the Department of Health and Social Services; relating to terms used

in juvenile justice; relating to mandatory reporters of child abuse or neglect; relating to sexual assault in the third degree; relating to sexual assault in the fourth degree; repealing a requirement for administrative revocation of a minor's driver's license, permit, privilege to drive, or privilege to obtain a license for consumption or possession of alcohol or drugs; and providing for an effective date."

[1:42:02 PM](#)

REPRESENTATIVE IVY SPOHNHOLZ, Alaska State Legislature, Juneau, Alaska, sponsor of HB 133, said this bill does three things. First, it will close a loophole related to sexual abuse of a minor that was discovered a few years ago; second, it will update terminology that defines and references Division of Juvenile Justice (DJJ) facilities and staff; and finally, it will codify some of the division's best practices.

REPRESENTATIVE SPOHNHOLZ said a loophole related to the crime of sexual abuse of a minor came to light in 2017 when a DJJ staff member was acquitted after sustaining an inappropriate sexual relationship with a minor previously under his supervision. HB 133 would close this loophole by adding DJJ staff to the list of individuals who are defined as being in a position of authority over DJJ-affected youth.

REPRESENTATIVE SPOHNHOLZ said HB 133 makes important clarifications in the language used to describe DJJ facilities and staff and updates the statutes to reflect the authority and responsibilities of the division. Some of the current statutory language is outdated, inaccurate, and obsolete. For example, HB 133 would eliminate the term juvenile work camps from statute because they have never existed in Alaska. She described 133 as largely a cleanup bill.

REPRESENTATIVE SPOHNHOLZ said HB 133 will codify best practices and clarify the division's authority. These changes resolve issues that reflect the standard operations of the division. For example, it will add DJJ staff and probation officers to the list of mandatory reporters of child abuse and neglect. The division does this in practice, but it should be in statute. HB 133 clarifies that DJJ probation officers have the authority to file amended petitions. In the past, some petitions have been denied, inhibiting DJJ probation officers from advocating for youth when new information comes to light in their cases. It will also add secure residential psychiatric treatment centers to the list of facilities for which victims will be notified when a juvenile is released. It will amend language authorizing

the department to disclose confidential information relating to the offense when a minor has received adjudication, rather than the offense the minor was alleged to have committed.

REPRESENTATIVE SPOHNHOLZ said modest but important updates will ensure that the division, law enforcement, and the courts have essential clarity.

[1:45:39 PM](#)

MEGAN HOLLAND, Staff, Representative Ivy Spohnholz, Alaska State Legislature, began a PowerPoint presentation on HB 133. She reviewed slide 2:

Closes a loophole for sexual abuse of minors.

Daniel Carey case in 2013-DJJ staff sustained an inappropriate sexual relationship with a juvenile under DJJ supervision. They were acquitted because a judge found that sexual abuse of a minor statute does not explicitly list DJJ staff as being in a position of authority over DJJ youth.

Section 6-Clarifies that DJJ staff are in a position of authority over minors in their custody

MS. HOLLAND reviewed slide 3:

Updates and definitions

Repeals

youth counselors, juvenile detention home, youth detention facility, correctional school, juvenile work camp, juvenile probation officers, correctional school

Amends

juvenile detention facility, minor

New Definitions

juvenile treatment facility, temporary secure juvenile holding area, juvenile probation officers

MS. HOLLAND reviewed slide 4:

Repeals

Youth Counselors," Section 24

"Youth Counselors" have not been used in the division since 2003, the duties described under this section do not apply to facility staff but to probation officers.

"Juvenile Probation Officers," Section 3
Inaccurate definition, corrected with new definition in Section 24.

"Juvenile Detention Home," "Youth Detention Facility," "Correctional School," and "Juvenile Work Camp," Sections 1, 10, 11, 12, 13, 18, 20, 21, 30, 31 and 32
All are repealed and replaced with "juvenile detention facility" and "juvenile treatment facility" for accuracy and consistency.

MS. HOLLAND reviewed slide 5:

Amended Definitions

"Minor," Section 28, referenced in section 36
Amends the definition of minor to include a person who was under 18 at the time they committed an offense and is subject to the jurisdiction of DJJ.
If a minor commits an offense then turns 18 after, they will remain in DJJ's custody.

"Juvenile Detention Facility," Sections 27 and 35, referenced in sections 1, 2, 9, 10, 13, 15, 16, 19, 20, 21, 30, 32
Corrects the definition to be a secure facility for the detention of delinquent minors under DJJ custody.
The current definition limits it to separate quarters within a city jail, some communities do not have such a jail suitable for juveniles and use other facilities.

[1:50:01 PM](#)

SENATOR SHOWER read from slide 5, "If a minor commits an offense then turns 18 after, they will remain in DJJ's custody." and asked how long someone can be detained.

MS. HOLLAND deferred to Matt Davidson.

[1:50:42 PM](#)

MATT DAVIDSON, Social Services Program Officer, Division of Juvenile Justice, Department of Health and Social Services, Juneau, Alaska, stated that youth can remain in the division's

custody up until their 18th birthday. Under court order, if the youth is an adjudicated delinquent and has been convicted of a crime under the juvenile court statutes, the person can stay in custody an additional year. In some circumstances and with the minor's permission, youth can stay in DJJ custody to continue services up until the age of 20, but this is relatively rare.

SENATOR SHOWER asked if youth would be remanded to the adult system the day they turn 20 years of age.

MR. DAVIDSON replied that only happens in rare instances. As a general rule, youth remain in the juvenile system until their court order ends and then they are out of the justice system.

SENATOR SHOWER said he wants to prevent housing a 25-year-old with a 15-year-old.

[1:52:38 PM](#)

SENATOR BEGICH pointed out that a juvenile who has committed a crime that it is so severe that the juvenile is tried as an adult is not left in the juvenile justice system. He agreed with Mr. Davidson that it is rare that DJJ jurisdiction would be extended for an extra two years, but there are some instances where it will help rehabilitate or improve the youth's chance of success.

MR. DAVIDSON confirmed that youth whose crimes are waived into the adult system are not considered juveniles and proceed through the adult court.

MS. HOLLAND reviewed slide 6:

New Definitions

"Juvenile Treatment Facility," Section 29, referenced in sections 1, 2, 5, 8, 9, 10, 11, 12, 16, 19, 30 and 31.

Current statute refers to "juvenile treatment institutions", however DJJ feels that this terminology is not reflective of the facilities they operate.

"Temporary Secure Juvenile Holding Area," Section 29, referenced in sections 13, 14, 16, 21, 23 and 32
DJJ already operates with a list of temporary secure holding areas in various communities throughout the state.

"Juvenile Probation Officers," Section 24, referenced in sections 4, 5, 6, 16, 22, 23, 29, 37 and 38. There is no accurate definition for "juvenile probation officers" under current statute. Section 24 repeals the definition for "youth counselors" and replaces it with an updated definition for "juvenile probation officers", affording them powers of a probation officer and describing their duties.

REPRESENTATIVE SPOHNHOLZ said this slide highlights three definitions that the bill seeks to streamline.

SENATOR BEGICH expressed concern about the temporary secure juvenile holding area change and asked for assurance that this will not remove the requirement that the state has to adhere to the reporting requirements of the Federal Juvenile Justice and Delinquency Prevention Act that provides protections for youth. He specifically asked for assurance that the new definition of "temporary secure" does not remove these facilities from reporting requirements. He noted the state has previously had difficulty with compliance and it cost the state hundreds of thousands of dollars.

[1:57:53 PM](#)

MR. DAVIDSON assured Senator Begich that the definition will not negatively impact reporting. The intent of adding a definition of temporary secure juvenile holding area is to give a term of reference for part of the federal reporting requirements. The division has improved its reporting of holding juveniles in secure locations other than juvenile facilities. Although these facilities were described in statute, the facilities were not defined. The division seeks to continue to comply with the federal law, he said.

SENATOR BEGICH expressed appreciation for the assurance and acknowledged that the division has worked in the last decade to bring Alaska fully into compliance.

MS. HOLLAND reviewed slide 7:

Policy Updates: codifying best practices

Section 5: Clarifies that employees of juvenile treatment institutions and juvenile and adult probation officers qualify as legal guardians.

Section 8: Clarifies that secure juvenile treatment facilities are excluded from the definition of "private exposure."

Section 9: Includes DJJ facilities in the list of places where public education must be provided.

Sections 16 and 17: Provides juvenile probation officers with the authority to file amended and supplemental petitions, and clarifies that for juveniles this duty falls upon juvenile probation officers, not adult probation officers.

Sections 22 and 23: Clarifies that the authority to arrest and detain minors rests with juvenile, not adult, probation officers.

SENATOR SHOWER asked for an explanation of Section 8.

MS. HOLLAND deferred to Mr. Davidson.

[2:01:11 PM](#)

MR. DAVIDSON responded that Section 8 addresses laws relating to taking images or exposure of people's private parts. There is an existing exclusion for correctional facilities, detention facilities, hospitals, and psychiatric centers. This is updating the terms used to describe juvenile justice facilities in that section. There is no change in the practice. The division works to give youth privacy, but there are times when youth are exposed accidentally. This protects the division against any litigation or criminal when this happens.

SENATOR SHOWER asked how youth are accidentally exposed and if this could create a loophole.

MR. DAVIDSON answered that examples include youth exposing themselves intentionally and photos taken in a hospital setting to an area that might be considered sensitive. There are times when youth are potentially exposed, and the bill is attempting to protect against criminal action.

SENATOR SHOWER asked for the intent of Section 9 and if it codifies any changes to current practice regarding providing public education in DJJ facilities.

REPRESENTATIVE SPOHNHOLZ explained that DJJ facilities are already required to provide education and this clarifies that obligation in statute.

SENATOR BEGICH added that the bill is modernizing definitions. Section 9 clarifies what is meant by juvenile detention facilities as it relates to providing education for children in such facilities. The language provides coherence and clarity for the public in this area. He said he is pleased that Senator Shower is asking questions because people need to hear the intent on the record and know that nothing nefarious is going on.

[2:06:05 PM](#)

MS. HOLLAND reviewed slide 8:

Policy Updates: codifying best practices

Section 25: Adds "secure residential psychiatric treatment centers" to the list of facilities from which, when a juvenile is released, victims will receive notification.

Section 26: Corrects language authorizing the department to disclose confidential information related to an adjudicated offense, rather than the offense the minor was "alleged to have committed."

Section 38: Adds juvenile probation officers, DJJ office staff, and staff of juvenile facilities to the list of mandatory reporters of child abuse or neglect.

Section 39: Repeals revocation of juvenile driver licenses for offenses involving a controlled substance that were handled informally by the division.

CHAIR WILSON asked whether Section 25, secure residential psychiatric treatment centers, was in lieu of going to a different type of secure facility. Someone convicted of a crime may be sentenced to a residential psychiatric treatment center and the state may not have the proper level of care. Many kids in Alaska are sent to a rehab center in Texas. If someone is released from the center in Texas, he asked who has the responsibility to make the notification, DJJ or the entity in Texas.

REPRESENTATIVE SPOHNHOLZ replied DJJ is responsible for victim notification but that is not clear right now for youth sent to secure psychiatric treatment centers. The bill seeks to ensure that victims are notified when someone who is alleged to have committed or has been convicted of a dangerous crime is released.

SENATOR BEGICH said notification currently is limited, and might abrogate the victim's right to know, because the statute only identifies a juvenile justice facility. This provides better protection.

REPRESENTATIVE SPOHNHOLZ added that this is about clarity for victim notification and ensuring that it can happen. Now it is essentially prohibited.

CHAIR WILSON summarized that the victim would only know that the person was released from custody, but the notification would not break HIPAA rights by stating that someone was released from a psychiatric center.

REPRESENTATIVE SPOHNHOLZ agreed.

SENATOR SHOWER asked if Section 38 codifies current practice.

REPRESENTATIVE SPOHNHOLZ answered yes; this is happening in practice, but identifying DJJ personnel as mandatory reporters should be law because it is so important. The department supports this provision.

SENATOR SHOWER asked for a plain English explanation of Section 39.

[2:10:16 PM](#)

REPRESENTATIVE SPOHNHOLZ said Section 39 relates to substance use abuse issues. She explained that it is technically legal for the department to negotiate an informal agreement to take away a juvenile's driver's license in such a case instead of going to court, but that is not allowed in cases that have gone to trial. She said the system should be equitable and punishment for a less serious case being resolved informally should be the same as for a more serious case being resolved formally.

SENATOR SHOWER asked if this might tie the department's hands by requiring it not enforce something or moving it to the appropriate place for adjudication.

MS. HOLLAND advised that in 2016, DJJ's authority to petition for revocation of driver's licenses for adjudicated cases was repealed, but the court's authority to revoke driver's licenses for the same offenses was not repealed. The courts still have this discretionary tool under AS 28.15.185(k).

SENATOR BEGICH added that it is an automatic revocation under AS 47.12.06(b)(5). He said this still allows discretion, depending on the nature of the crime, but it eliminates an automatic revocation that makes no sense in many diverted cases. With diversion, the attempt is to keep a kid out of the system and there should be as many tools as possible for the kid to succeed, he said.

SENATOR SHOWER asked for confirmation that with this bill the department retains the ability to do this.

SENATOR BEGICH said yes; all sorts of conditions can be in a probation agreement or diversion agreement or informal agreement. In an adjudicated case, those decisions would be in the hands of a judge and out of the probation officer's hands.

MS. HOLLAND summarized that HB 133 closes a loophole regarding sexual abuse of minors, updates terms and definitions pertaining to DJJ facilities and staff, and codifies best practices to improve the division's ability to complete its mission.

[2:15:43 PM](#)

CHAIR WILSON thanked the sponsor for carrying the bill and solicited a motion.

[2:16:12 PM](#)

SENATOR SHOWER moved to report HB 133, version M, from committee with individual recommendations and attached fiscal note.

There being no objection, HB 133 was reported from the Senate Health and Social Services Standing Committee.

[2:16:24 PM](#)

At ease

CONFIRMATION HEARING(S)
Alaska Mental Health Trust Board of Trustees
State Medical Board

[2:18:40 PM](#)

CHAIR WILSON reconvened the meeting and announced the consideration of the governor's appointees for the Alaska Mental Health Trust Authority Board of Trustees and the State Medical Board. He called on the appointees for the Mental Health Trust Authority.

[2:19:01 PM](#)

ANITA HALTERMAN, Appointee, Alaska Mental Health Trust Authority Board of Trustees, Eagle River, Alaska, said she took on the role of a trustee in August 2019. She said she just became the chair of the audit and risk committee. Serving on the board has expanded her knowledge and given her more opportunities to pay back society. She said she is learning about strategies and funding opportunities that can help shape meaningful reform for programs.

MS. HALTERMAN said she arrived in Alaska in the 80s after being discharged from the U.S. Army. She and her family have lived in Eagle River for over 25 years. She earned an MBA and has an extensive background working for the Department of Health and Social Services (DHSS) in both Iowa and Alaska. She worked in the Alaska State Legislature for 10 years.

MS. HALTERMAN said she worked with welfare reform initiatives in two states and helped kick off Alaska's first food stamp reinvestment plan after the department was sanctioned for high error rates in the 90s. She has trained staff on regulations, programs, and policies in welfare offices throughout Alaska. Her life's work has been devoted to working with underserved populations. She finds it rewarding to improve programs and services in order to better provide services for the programs' beneficiaries. After she left the legislature, she started a consulting business. She obtained licenses as an insurance producer with lines of authority in Alaska for accidents, health and life and lines of authority in Washington for life and disability. She began working for an information technology company as an account executive. This has given her new perspective about the health care needs for privately insured individuals.

MS. HALTERMAN said she wants to use her experience to reform programs so they can be sustained for populations that need them the most. She looks forward to working to improve the lives of trust beneficiaries and to work in partnership with DHSS and other stakeholders to help build an integrated, comprehensive mental health program that better meets the needs of the beneficiaries.

2:23:31 PM

SENATOR BEGICH asked how she feels AMHTA is working and her level of confidence with the current leadership, both in terms of the director and the board.

MS. HALTERMAN answered that she is learning as much as she can about AMHTA in a short period of time. She is impressed by the staff, who were very accommodating while she was working full time. She has been studying AMHTA's issues and is impressed by the opportunities the board has put forth and the thoughtfulness with which staff seeks future services for beneficiaries. She wants to be part of maintaining that progress, finding new opportunities, and introducing some technology. She acknowledged the AMHTA faces challenges for the Trust and its beneficiaries as its health care systems are modernized. The coronavirus has forced the board to look at things differently than in the past. It has a strong leadership team that is open to reforming its programs in a meaningful manner. She looks forward to working with them and sharing her insights.

2:25:44 PM

RHONDA BOYLES, Appointee, Alaska Mental Health Trust Authority Board of Trustees, Anchorage, Alaska, said she has lived in Alaska since 1975. Until just three years she lived full-time in the Interior. For the last three years she has been in Phoenix with her husband but returned to Anchorage after his death. The governor's staff called and asked if she would serve. She said she had limited knowledge about the AMHTA but she did her homework and was impressed by what it has accomplished and how it has served its beneficiaries.

MS. BOYLES said she has attended one AMHTA Board of Trustee's meeting. She said she is impressed with the caliber and diversification of the staff. It is a land management trust and financial management trust, all for the beneficiaries. She has served on many boards and commissions in Alaska. She previously served as the mayor of the Fairbanks North Star Borough.

MS. BOYLES said that as mayor she was involved in land management. She has had trust and financial management with a number of businesses. She said she understands that when a trust is established for beneficiaries, the management of that trust is a legal and fiduciary responsibility of the trustees. It has to be managed for the beneficiaries within the established parameters. She said she understands the role of a director or trustee and not an administrator.

SENATOR BEGICH commented on the importance for board members to be residents of the state and asked if her townhome purchase was before or after the governor called about her appointment.

MS. BOYLES answered that it was before the governor called her to be on the board. She sold her house in Fairbanks because she wanted to be closer to her son in Anchorage. She bought a townhome in Anchorage so she can spend eight or nine months of the year near her son in a state that she loves. She said she is attracted to the Alaska Mental Health Trust Authority because the board does substantive work. She looks forward to the opportunity to serve beneficiaries.

SENATOR BEGICH asked how she feels about how AMHTA is working and the current management.

MS. BOYLES replied she chaired the Commission of Agriculture for Governor Murkowski, so that is her point of comparison. She said she is impressed by the level of expertise of AMHTA's staff and administration. She enjoyed the structure of the work session she attended. She said AMHTA will have to carefully evaluate some future opportunities.

CHAIR WILSON moved to the confirmation hearings for appointees to the State Medical Board.

2:35:30 PM

SARAH BIGELOW-HOOD, Physician Assistant; Appointee, State Medical Board Appointee, Department of Commerce, Community and Economic Development (DCCED), Anchorage, Alaska, said she grew up in Juneau and works in family medicine in Anchorage. She applied to the board to work alongside other providers to make sure Alaskans have competent medical providers. She works as a Physician Assistant, licensed by the State Medical Board. She has 17 years of experience in family medicine and pain management. She has a strong understanding of the relationships between PAs and MDs and their roles in the medical field. She previously worked for the state in human resources and labor relations, which gave her a strong understanding of investigations leading to accurate and fair conclusions. The combination of her state experience and experience in the medical field will make her an asset to the board.

SENATOR BEGICH observed that there has been a complete turnover of the State Medical Board. He asked if she had any ideas about

stepping into a completely new board and getting a full understanding of it.

MS. BIGELOW-HOOD responded that she has been working with the State Medical Board staff who have provided numerous resources. She has attended one board meeting. She offered her belief that she will be able to step into the position and get a strong understanding of how the medical board functions.

CHAIR WILSON asked if the board had elected a chair.

MS. BIGELOW-HOOD replied the board elected Dr. Richard Wein, who is from Sitka, as Chair.

CHAIR WILSON thanked the appointees for their willingness to serve the state.

2:38:51 PM

LYDIA MIELKE, Appointee, State Medical Board, Department of Commerce, Community and Economic Development (DCCED) Big Lake, Alaska, said she is seeking confirmation as a public member of the board. She was born and raised in Big Lake, where she currently lives. Six months ago, she graduated with a bachelor's degree in business management. She is re-evaluating her plans because of the impact of the coronavirus. She worked in the legislature for several sessions. She did research, found solutions, and communicated effectively with others. She brings a younger voice to the board to balance out a group of well-established physicians, which is valuable, especially in today's fast-paced world with continuously advancing technologies such as telehealth and telemedicine. She expressed interest in learning more about the State Medical Board's work on regulating and licensing to protect the public.

SENATOR BEGICH observed that she is appointed to the public seat, which is not supposed to have a direct financial interest in the medical industry, but no financial disclosure is required. He asked if she could verify that she has no financial interest in the medical industry.

MS. MIELKE answered that she has no financial interest in the health care industry.

SENATOR BEGICH asked what she has been doing since May 2019.

MS. MIELKE replied after she left the legislature last spring, she worked in tourism and finished her degree. Then she took a gap year to travel and spend time with family.

SENATOR BEGICH asked how she feels about the investigative process she would have to engage in with the board.

MS. MIELKE answered that she will use evidence and facts, ask questions, and deliberate with other board members to learn all she can about the situation. She will use precedent and weigh what others are saying. She wants to make sure the board makes the best decisions that protect consumers and to make sure the punishment matches the crime. She said her concern is about public safety.

SENATOR BEGICH commented that he was impressed with her preparation.

[2:43:43 PM](#)

CHAIR WILSON opened public testimony and after first determining no one wished to testify, closed public testimony on the confirmation hearings. He solicited a motion.

[2:43:57 PM](#)

SENATOR BEGICH stated that in accordance with AS 39.05.080, the Senate Health and Social Services Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Alaska Mental Health Trust Board of Trustees

Anita Halterman - Eagle River

Rhonda Boyles - Anchorage

State Medical Board

Lydia Mielke - Big Lake

Sarah Bigelow-Hood - Anchorage

[Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection].

[2:45:05 PM](#)

There being no further business to come before the committee, Chair Wilson adjourned the Senate Health and Social Services Standing Committee at 2:45 p.m.