

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

April 8, 2024

3:18 p.m.

MEMBERS PRESENT

Representative Jesse Sumner, Chair
Representative Justin Ruffridge, Vice Chair
Representative Mike Prax
Representative Dan Saddler
Representative Stanley Wright
Representative Ashley Carrick
Representative Zack Fields

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 55

"An Act relating to allocations of funding for the Alaska Workforce Investment Board; and providing for an effective date."

- MOVED HB 55 OUT OF COMMITTEE

HOUSE BILL NO. 313

"An Act relating to the calculation of the regulatory cost charge for public utilities and pipeline carriers; and providing for an effective date."

- HEARD & HELD

CS FOR SENATE BILL NO. 147(L&C)

"An Act relating to reemployment rights and benefits; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 309

"An Act relating to the practice of optometry; and relating to the delegation of routine services of optometry."

- HEARD & HELD

HOUSE BILL NO. 394

"An Act relating to the Regulatory Commission of Alaska and regulation of the service of natural gas storage and liquefied natural gas import facilities; relating to records of the Regulatory Commission of Alaska; relating to rates established by the Regulatory Commission of Alaska; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 187

"An Act relating to utilization review entities; exempting certain health care providers from making preauthorization requests for certain services; and providing for an effective date."

- PENDING REFERRAL

HOUSE BILL NO. 378

"An Act relating to theft; relating to organized retail theft; establishing a statewide marketplace facilitator sales tax; establishing the organized retail theft fund in the general fund; and providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: HB 55

SHORT TITLE: EXTEND WORKFORCE INVEST BOARD ALLOCATIONS

SPONSOR(S): REPRESENTATIVE(S) CARRICK

02/01/23	(H)	READ THE FIRST TIME - REFERRALS
02/01/23	(H)	EDC, L&C, FIN
01/31/24	(H)	EDC AT 8:00 AM DAVIS 106
01/31/24	(H)	Heard & Held
01/31/24	(H)	MINUTE(EDC)
02/12/24	(H)	EDC AT 8:00 AM DAVIS 106
02/12/24	(H)	Heard & Held
02/12/24	(H)	MINUTE(EDC)
02/14/24	(H)	EDC AT 8:00 AM DAVIS 106
02/14/24	(H)	Scheduled but Not Heard
03/13/24	(H)	EDC AT 8:00 AM DAVIS 106
03/13/24	(H)	Heard & Held
03/13/24	(H)	MINUTE(EDC)
03/15/24	(H)	EDC AT 8:00 AM DAVIS 106
03/15/24	(H)	Moved CSHB 55(EDC) Out of Committee

03/15/24 (H) MINUTE (EDC)
 03/20/24 (H) EDC RPT CS(EDC) NEW TITLE 2DP 2NR 3AM
 03/20/24 (H) DP: MCCORMICK, ALLARD
 03/20/24 (H) NR: MCKAY, PRAX
 03/20/24 (H) AM: HIMSCHOOT, STORY, RUFFRIDGE
 03/20/24 (H) L&C AT 3:15 PM BARNES 124
 03/20/24 (H) Scheduled but Not Heard
 03/21/24 (H) L&C AT 10:30 AM BARNES 124
 03/21/24 (H) -- MEETING CANCELED --
 03/22/24 (H) L&C AT 3:15 PM BARNES 124
 03/22/24 (H) Heard & Held
 03/22/24 (H) MINUTE(L&C)
 03/25/24 (H) L&C AT 3:15 PM BARNES 124
 03/25/24 (H) Heard & Held
 03/25/24 (H) MINUTE(L&C)
 04/03/24 (H) L&C AT 3:15 PM BARNES 124
 04/03/24 (H) Heard & Held
 04/03/24 (H) MINUTE(L&C)
 04/08/24 (H) L&C AT 3:15 PM BARNES 124

BILL: SB 147

SHORT TITLE: REEMPLOYMENT BENEFITS

SPONSOR(s): SENATOR(s) KAUFMAN

05/11/23 (S) READ THE FIRST TIME - REFERRALS
 05/11/23 (S) L&C, FIN
 02/14/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 02/14/24 (S) Heard & Held
 02/14/24 (S) MINUTE(L&C)
 02/19/24 (S) FIN REFERRAL REMOVED
 02/21/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
 02/21/24 (S) Moved CSSB 147(L&C) Out of Committee
 02/21/24 (S) MINUTE(L&C)
 02/23/24 (S) L&C RPT CS 2DP 2NR TECHNICAL TITLE
 CHANGE
 02/23/24 (S) DP: BJORKMAN, GRAY-JACKSON
 02/23/24 (S) NR: DUNBAR, MERRICK
 03/06/24 (S) TRANSMITTED TO (H)
 03/06/24 (S) VERSION: CSSB 147(L&C)
 03/11/24 (H) READ THE FIRST TIME - REFERRALS
 03/11/24 (H) L&C
 03/20/24 (H) L&C AT 3:15 PM BARNES 124
 03/20/24 (H) <Bill Hearing Rescheduled to 03/22/24>
 03/22/24 (H) L&C AT 3:15 PM BARNES 124
 03/22/24 (H) Heard & Held
 03/22/24 (H) MINUTE(L&C)
 03/29/24 (H) L&C AT 3:15 PM BARNES 124

03/29/24 (H) -- MEETING CANCELED --
04/05/24 (H) L&C AT 3:15 PM BARNES 124
04/05/24 (H) -- MEETING CANCELED --

BILL: HB 309

SHORT TITLE: DELEGATION OF ROUTINE OPTOMETRY SERVICES
SPONSOR(S): REPRESENTATIVE(S) RUFFRIDGE

02/07/24 (H) READ THE FIRST TIME - REFERRALS
02/07/24 (H) HSS, L&C
03/21/24 (H) HSS AT 3:00 PM DAVIS 106
03/21/24 (H) Heard & Held
03/21/24 (H) MINUTE(HSS)
03/28/24 (H) HSS AT 3:00 PM DAVIS 106
03/28/24 (H) Moved HB 309 Out of Committee
03/28/24 (H) MINUTE(HSS)
04/01/24 (H) HSS RPT 3DP 2NR
04/01/24 (H) DP: RUFFRIDGE, MCCORMICK, PRAX
04/01/24 (H) NR: FIELDS, MINA
04/08/24 (H) L&C AT 3:15 PM BARNES 124

WITNESS REGISTER

ROBERT DOYLE, Chair
Regulatory Commission of Alaska
Anchorage, Alaska

POSITION STATEMENT: Answered a question during the hearing on HB 313.

JAMES SEXTON, Staff
Representative Justin Ruffridge
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Gave a PowerPoint presentation, entitled "HB 309 Optometry Practices," on behalf of Representative Ruffridge, prime sponsor.

BRADLEY CROSS, Chair
Board of Examiners in Optometry
Soldotna, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 309.

ELIZABETH STEVENS, Executive Director
Alaska Optometric Association
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony in support of HB 309.

DAMIEN DELZER, President-Elect
Alaska Optometric Association
Fairbanks, Alaska

POSITION STATEMENT: Gave invited testimony in support of HB 309.

ACTION NARRATIVE

[3:18:31 PM](#)

CHAIR JESSE SUMNER called the House Labor and Commerce Standing Committee meeting to order at 3:18 p.m. Representatives Fields, Wright, Saddler, Prax, Ruffridge, and Sumner were present at the call to order. Representative Carrick arrived as the meeting was in progress.

HB 55-EXTEND WORKFORCE INVEST BOARD ALLOCATIONS

[3:19:03 PM](#)

CHAIR SUMNER announced that the first order of business would be HOUSE BILL NO. 55, "An Act relating to allocations of funding for the Alaska Workforce Investment Board; and providing for an effective date." [Before the committee, adopted as the working document on 4/3/24, was the proposed committee substitute (CS) for HB 55, Version 33-LS0360\D, A. Radford, 4/1/24 ("Version D").]

[3:19:40 PM](#)

REPRESENTATIVE RUFFRIDGE moved Conceptual Amendment 1 to Version D, which would change the program extension from two years to one.

REPRESENTATIVE FIELDS objected. He said there is benefit and stability in two years, and it would give the legislature enough time to change the allocations.

REPRESENTATIVE CARRICK echoed the comments made by Representative Fields. She explained that in the years of experience she's had with this legislation, a one-year sunset date would not accomplish the legislature's goals or give stability to the providers.

[3:21:49 PM](#)

REPRESENTATIVE SUMNER recommended that members vote "yes," as Conceptual Amendment 1 is a happy medium between the current version and the suggestion to rescind Version D.

[3:22:12 PM](#)

The committee took a brief at-ease at 3:22 p.m.

[3:22:21 PM](#)

REPRESENTATIVE SUMNER reminded the committee that Conceptual Amendment 1 would change the extension date from 2026 to 2025.

[3:22:44 PM](#)

A roll call vote was taken. Representatives Prax, Ruffridge, Wright, Saddler, and Sumner voted in favor of Conceptual Amendment 1. Representatives Carrick and Fields voted against it. Therefore, Conceptual Amendment 1 was adopted by a vote of 5-2.

[3:23:22 PM](#)

The committee took a brief at-ease at 3:23 p.m.

[3:23:30 PM](#)

REPRESENTATIVE FIELDS moved Conceptual Amendment 2 to Version D.

REPRESENTATIVE PRAX objected.

[3:24:06 PM](#)

REPRESENTATIVE FIELDS said Conceptual Amendment 2 would restore Section 1 of Version R, the committee substitute (CS) adopted in the House Education Standing Committee. He said recognizing the health of the fund would increase the percentage collection for training without changing the percentage allocation across programs.

[3:24:41 PM](#)

REPRESENTATIVE RUFFRIDGE said he liked the idea of increasing the dollars heading towards technical and vocational education.

The audit made it clear that changes need to be made to this program; however, the time to do that this year is running out, he said. He suggested reconsidering this proposal in the future.

REPRESENTATIVE CARRICK stated her support for Conceptual Amendment 2, adding that an increase in dollars is something that the fund could sustain with plenty of additional room. She encouraged members to support the proposed amendment.

REPRESENTATIVE SADDLER said he had concerns about increasing funding given the concerns raised in the audit. He opined that now is not the time to raise the funding, but maybe sometime in the future.

REPRESENTATIVE FIELDS shared an anecdote of a training provider in his district.

[3:28:23 PM](#)

REPRESENTATIVE CARRICK gave clarity as to the audit's findings and said the question as to whether to increase funds from a healthy UI trust to support that programming is a separate question. She clarified that the audit found the allocation of funds to be problematic and said she would be interested in changing that structure in the future with a reasonable sunset period of more than one year.

[3:30:19 PM](#)

A roll call vote was taken. Representatives Fields and Carrick voted in favor of Conceptual Amendment 2. Representatives Prax, Saddler, Wright, Ruffridge, and Sumner voted against it. Therefore, Conceptual Amendment 2 failed by a vote of 2-5.

[3:30:49 PM](#)

REPRESENTATIVE RUFFRIDGE moved to report CSHB 55, Version 33-LS0360\D, A. Radford, 4/1/24, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 55(L&C) was reported from the House Labor and Commerce Standing Committee.

REPRESENTATIVE RUFFRIDGE authorized Legislative Legal Services to make any technical and conforming changes as necessary.

[3:31:22 PM](#)

The committee took an at-ease from 3:31 to 3:36 p.m.

[3:36:02 PM](#)

HB 313-PUBLIC UTILITY REGULATORY COST CHARGE

[3:36:05 PM](#)

CHAIR SUMNER announced that the next order of business would be HOUSE BILL NO. 313, "An Act relating to the calculation of the regulatory cost charge for public utilities and pipeline carriers; and providing for an effective date."

[3:36:27 PM](#)

REPRESENTATIVE FIELDS moved to adopt Amendment 1 to HB 313, labeled 33-GH2516\A.1, Walsh, 3/30/24, which read:

Page 1, line 2, following "**carriers;**":

Insert "**relating to preapproval for construction of energy facilities;**"

Page 2, following line 4:

Insert a new bill section to read:

"* **Sec. 2.** AS 42.05 is amended by adding a new section to read:

Sec. 42.05.705. Preapproval for construction of energy facility. The commission may not require preapproval under this chapter for construction of an energy facility that is

(1) an electric power generating plant or combination of plants at a single site with a combined capacity of less than 15,000 kilowatts; or

(2) an energy storage device or combination of devices at a single site with a combined capacity of less than 15,000 kilowatts."

Renumber the following bill sections accordingly.

REPRESENTATIVE SADDLER objected.

[3:36:36 PM](#)

REPRESENTATIVE FIELDS explained that Amendment 1 would exempt smaller projects from regulation to expedite project construction by stating that the Regulatory Commission of Alaska

(RCA) may not require preapproval under this chapter for construction of an energy facility that generates 15 megawatts (MW) or less.

[3:37:48 PM](#)

REPRESENTATIVE PRAX said a 15 MW project is a "fairly good size" project. He asked whether Representative Fields was privy to the concerns raised by the House Special Committee on Energy hearings several years ago about utilities becoming over capitalized.

REPRESENTATIVE FIELDS contended that's 15 MW is considered a small, community scale project. He added that it would be up to the Alaska Railbelt Reliability Council (RRC) and the RCA to consider whether it makes sense to invest a significant amount of capital and distribute it across rate payers.

[3:39:24 PM](#)

REPRESENTATIVE SADDLER opined that exempting generating facilities of any size from the RCA is a question that would be better considered on its own merit. For that reason, he said he would oppose Amendment 1.

REPRESENTATIVE SUMNER shared his belief that the proposed amendment is pertinent because the RCA had said, "We have too much work, we need more money."

[3:40:20 PM](#)

A roll call vote was taken. Representatives Carrick, Fields, Prax, Ruffridge, and Sumner voted in favor of Amendment 1. Representatives Saddler and Wright voted against it. Therefore, Amendment 1 was adopted by a vote of 5-2.

[3:40:54 PM](#)

REPRESENTATIVE SUMNER moved to adopt Amendment 2 to HB 313, labeled 33-GH2516\A.2, Walsh, 4/4/24, which read:

Page 1, line 1, following "Act":

Insert **"relating to the qualifications for commissioners of the Regulatory Commission of Alaska;"**

Page 1, following line 3:

Insert a new bill section to read:

"* Section 1. AS 42.04.020(a) is amended to read:

(a) The commission consists of five commissioners appointed by the governor and confirmed by the legislature in joint session. To qualify for appointment as a commissioner, a person must be a member in good standing of the Alaska Bar Association or have a degree from an accredited college or university with a major in engineering, finance, economics, accounting, business administration, or public administration **and must have at least five years of actual experience in utility regulation or utility management.** [ACTUAL EXPERIENCE FOR A PERIOD OF FIVE YEARS IN THE PRACTICE OF LAW OR IN THE FIELD OF ENGINEERING, FINANCE, ECONOMICS, ACCOUNTING, BUSINESS ADMINISTRATION, OR PUBLIC ADMINISTRATION IS EQUIVALENT TO A DEGREE.]"

Page 1, line 4:

Delete "**Section 1**"

Insert "**Sec. 2**"

Re-number the following bill sections accordingly.

Page 2, following line 13:

Insert a new bill section to read:

"* Sec. 4. Section 1 of this Act takes effect July 1, 2024."

Re-number the following bill section accordingly.

Page 2, line 14:

Delete "This"

Insert "Except as provided in sec. 4 of this Act, this"

REPRESENTATIVE PRAX objected for purposes of discussion.

[3:41:01 PM](#)

REPRESENTATIVE SUMNER said Amendment 2 addresses the experience required by commissioners, which was requested by another member of the legislature.

REPRESENTATIVE SADDLER asked which legislator made this request.

REPRESENTATIVE SUMNER answered Representative Cronk.

[3:41:28 PM](#)

REPRESENTATIVE PRAX said he understand the logic behind Amendment 2, but he expressed concern about imposing a difficult condition on the RCA.

REPRESENTATIVE FIELDS said he shares Representative Prax's perspective. He added that he supports the goal, but the language may be too exclusive.

REPRESENTATIVE RUFFRIDGE asked whether anyone from the RCA could say how many of the current commissioners would have met this at the time of their appointment.

[3:42:47 PM](#)

ROBERT DOYLE, Chair, Regulatory Commission of Alaska (RCA), opined that the proposed amendment would narrow the field; nonetheless, he said this would be a policy decision.

REPRESENTATIVE RUFFRIDGE restated his question, asking how many current members of the RCA would have met this requirement. In addition, he asked whether members serving on boards of utilities could be another source to recruit from.

MR. DOYLE said he served on a board for 12 years at MEA; however, that doesn't equate to 5 years of actual experience in utility regulation or management. He shared his belief that none of the current commissioners would have had 5 years of experience in utility management and/or regulation.

[3:45:13 PM](#)

REPRESENTATIVE SADDLER moved Conceptual Amendment 1 to Amendment 2, which would insert a period after the word "administration" on page 1, line 13, and strike the remaining language until line 18.

REPRESENTATIVE CARRICK objected.

[3:45:52 PM](#)

REPRESENTATIVE SADDLER said he thinks there is some concern that the equivalence standard could be interpreted generously.

CHAIR SUMNER interjected to note that the proposed conceptual amendment may not accomplish Representative Saddler's intent, as

it strikes the bracketed language, thereby reinserting into the bill.

[3:46:51 PM](#)

REPRESENTATIVE SADDLER restated the motion. He moved Conceptual Amendment 1 to Amendment 2, which would insert a period after the word "administration" on page 1, line 13, and delete the words "and must have at least five years of actual experience in utility regulation or utility management."

REPRESENTATIVE CARRICK questioned the definition of "actual experience" and how it would differ from "experience."

MR. DOYLE said that there is no specific definition, but to him, it would mean a full-time position for 5 years in utility regulation at the RCA or utility management at Matanuska Electric Association (MEA), Chugach Electric Association, or ENSTAR Natural Gas Company, for example.

[3:50:08 PM](#)

REPRESENTATIVE RUFFRIDGE sought to confirm that if Conceptual Amendment 1 were to pass, a commissioner on the RCA would need a degree and no experience would ever amount to that equivalent. He asked whether that is accurate.

REPRESENTATIVE SADDLER said that is the effect of Conceptual Amendment 1. He said it would be his preference that a candidate would have a couple years of experience in the work world, but his concern is not to raise the bar too high to require five years of actual experience in utility regulation or management.

CHAIR SUMNER guessed that Representative Cronk's intention was for people on the RCA board to have more experience with regulation of utilities. He added that should Conceptual Amendment 1 to Amendment 2 pass, he would likely withdraw Amendment 2.

[3:52:13 PM](#)

REPRESENTATIVE SADDLER withdrew Conceptual Amendment 1 to Amendment 2.

[3:52:29 PM](#)

CHAIR SUMNER withdrew Amendment 2. He announced that HB 313, as amended would be held over.

SB 147-REEMPLOYMENT BENEFITS

[3:52:48 PM](#)

CHAIR SUMNER announced that the next order of business would be CS FOR SENATE BILL NO. 147(L&C, "An Act relating to reemployment rights and benefits; and providing for an effective date."

[3:52:58 PM](#)

CHAIR SUMNER opened public testimony on SB 147. After ascertaining that no one wished to testify, he closed public testimony and announced that the bill would be held over.

HB 309-DELEGATION OF ROUTINE OPTOMETRY SERVICES

[3:53:34 PM](#)

CHAIR SUMNER announced that the final order of business would be HOUSE BILL NO. 309, "An Act relating to the practice of optometry; and relating to the delegation of routine services of optometry."

[3:54:14 PM](#)

The committee took an at-ease at 3:55 p.m.

[Chair Sumner passed the gavel to Representative Wright.]

[3:55:09 PM](#)

REPRESENTATIVE RUFFRIDGE, prime sponsor, presented HB 309. He said the bill is a simple update to the optometry practice to allow the delegation of certain duties to an assistant within the practice. He described the update as a necessary one to match current optometry business practices.

[3:55:57 PM](#)

JAMES SEXTON, Staff, Representative Justin Ruffridge, Alaska State Legislature, on behalf of Representative Ruffridge, prime sponsor, gave a PowerPoint presentation, entitled "HB 309 Optometry Practices" [hard copy included in the committee

packet]. He began on slide 2, "Issue," which read as follows [original punctuation provided]:

- Optometric practices do not have current statute language to allow the Board of Examiners of Optometry to regulate delegation of routine tasks to Optometric Technicians and Assistants
- Delegation of basic routine tasks are standard practice in other health professions licensed in Alaska, as well as optometric practices nationwide
- Without this authority, Optometrists would be required to perform all preliminary and ancillary testing on each patient, which would greatly restrict access to care.

MR. SEXTON continued to slide 3, "Other Healthcare professions in Alaska," which read as follows [original punctuation provided]:

- Professions in Alaska that have solved this problem with incorporating delegation authority include:
- Medical Doctors, Doctor of Osteopathic Medicine, Podiatry, Physician Assistants (08.64.106)
- Dental (08.32.346)
- Veterinary (08.98.050 (9,B))
- Pharmacy (08.80.030, (9))
- Chiropractic (08.20.168)

MR. SEXTON advanced to slide 4, "Examples of routine tasks," which read as follows [original punctuation provided]:

- Initial patient medical history and reason for visit
- Initial assessment of vision and current prescription verification
- Blood pressure screenings and automated measurements of the eye
- Ocular photography and digital imaging for review by the doctor
- Assisting in medication refills
- Performing peripheral vision testing for interpretation by the doctor

MR. SEXTON turned to slide 5, "Current challenges," which read as follows [original punctuation provided]:

- In the absence of the ability to delegate tasks, Optometry will be less efficient and effective at

meeting the demand of patient care that exists in the state currently.

- Optometry is projected to grow in the future.
- Adding a logistical and financial burden to current and future Optometrists may contribute to the shortage of healthcare professionals.

MR. SEXTON proceeded to slide 6, "HB 309 Impacts," which read as follows [original punctuation provided]:

- This bill will have no impact on billing practices and will not increase costs to the patient population.
- The impact of passing this bill will be to ensure that patients continue to receive appropriate and effective care supervised by licensed Optometric Physicians in Alaska.

MR. SEXTON concluded on slide 7, "Support," which read as follows [original punctuation provided]:

- The Alaska Optometric Association supports this legislative approach and action.
- HB 309 brings Optometrists in line with other health related professions in Alaska.

[3:59:46 PM](#)

BRADLEY CROSS, Chair, Board of Examiners in Optometry, gave invited testimony during the hearing on HB 309. He said that optometry is responsible for maintaining the eye health of all Alaskans, adding that the profession is economically beneficial, sustainable, and good for Alaska. He said that it is commonplace elsewhere in the world for technicians to perform duties to free up the time of optometrists, and that this legislation would ensure that optometrists have the backing of our state statutes when they relegate tasks to technicians and assistants in the practice. He said that the State Board of Optometry is prepared to spell out guidelines for the regulatory implementation of HB 309.

[4:04:02 PM](#)

REPRESENTATIVE SADDLER asked how to define an agent of an optometrist.

MR. CROSS said the role of "optometric technician" would be defined in regulation.

REPRESENTATIVE SADDLER sought to confirm that an agent would be an optometric technician, which would be defined by regulation.

MR. CROSS said "what they would be allowed to do" would be defined in regulation.

REPRESENTATIVE SADDLER asked how the board might draft regulations to specify an agent of optometry's role.

MR. CROSS said the agent would be defined as the optometric technician and the assistant to the optometrist. Required training and oversight would also be defined.

[4:05:58 PM](#)

REPRESENTATIVE CARRICK asked whether optometrists are currently required to work within the practice of an ophthalmologist.

MR. CROSS answered no. In addition to a follow up question from Representative Carrick, he explained that eye care provided outside the scope of optometry would not be addressed by HB 309.

REPRESENTATIVE RUFFRIDGE, in response to Representative Carrick, he explained that an optometrist could delegate a machine-driven, routine service in a rural community to an on-site technician and analyze the results remotely with a telehealth visit.

REPRESENTATIVE CARRICK inquired about the restrictions on an optometrist providing remote telehealth services.

REPRESENTATIVE RUFFRIDGE said that is some of the impetus behind this bill, as the board has been unable to draft regulations to address that question.

MR. CROSS agreed that telehealth would necessitate that an optometry licensee be supervising an optometric assistant. He noted that the board has precluded complete eye exams with determination of a refraction from being performed via telehealth. Consequently, the telehealth component for optometry would be consultation and follow up more so than ancillary testing.

[4:10:15 PM](#)

REPRESENTATIVE SADDLER asked whether there is national certification for optometric technicians.

MR. CROSS answered yes, the American Optometric Association has created a program and guidelines for that certification.

REPRESENTATIVE SADDLER asked whether national certification should be a regulatorily defined requirement for someone to function as an optometric technician.

MR. CROSS said while it would be valuable, most technicians are trained on the job so the requirement would be unnecessary. In response to a follow up question, he said passage of the bill would prevent increased costs for patients.

[4:12:26 PM](#)

ELIZABETH STEVENS, Executive Director, Alaska Optometric Association (AKOA), gave invited testimony in support of HB 309, which would grant the board the authority to draft regulation regarding the delegation of routine optometric services. She said the AKOA strongly supports the bill.

[4:13:44 PM](#)

DAMIEN DELZER, President-Elect, Alaska Optometric Association (AKOA), gave invited testimony in support of HB 309. He explained that HB 309 is legislation requested by the Board of Examiners in Optometry due to the statute being outdated. He said that it is industry standard for optometry practices to relegate tasks to technicians and associates, and HB 309 would bring Alaska up to speed with the rest of the country. He said the bill would reduce demand on optometrists and free them up for consultation and treatment. It would also allow technicians to provide assistance to optometrists via statute. He emphasized the AKOA's strong support for HB 309.

[4:17:26 PM](#)

REPRESENTATIVE SADDLER questioned the value of using national certification as a qualifier for providing optometric services.

MR. DELZER reiterated that most optometric assistance receive training on the job and would have the opportunity to sit for various levels of examinations given by the American Optometric Association to obtain additional qualifications as they

progress. Ultimately, he opined that using the national certification as a prerequisite would be a barrier.

REPRESENTATIVE SADDLER asked whether the examinations for the national certifications occur every year or level by level.

MR. DELZER said the American Optometric Association has four levels of examination for paraoptometric certification. In response to a follow up question, he confirmed that a technician who received increasing levels of certification would receive higher levels of compensation.

[4:20:57 PM](#)

CHAIR WRIGHT opened public testimony on HB 309. After ascertaining that no one wished to testify, he closed public testimony and announced that the bill would be held over.

[4:21:33 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:21 p.m.