

SENATE FINANCE COMMITTEE
February 14, 2024
9:36 a.m.

9:36:30 AM

CALL TO ORDER

Co-Chair Olson called the Senate Finance Committee meeting to order at 9:36 a.m.

MEMBERS PRESENT

Senator Donny Olson, Co-Chair
Senator Click Bishop
Senator Jesse Kiehl
Senator Kelly Merrick
Senator David Wilson

MEMBERS ABSENT

Senator Bert Stedman, Co-Chair
Senator Lyman Hoffman, Co-Chair

ALSO PRESENT

Senator Matt Claman, Sponsor; Claire Lubke, Staff, Senator Matt Claman; Sylvan Robb, Director of Division of Corporations, Business, and Professional Licensing, Department of Commerce, Community and Economic Development; Senator Cathy Giessel.

PRESENT VIA TELECONFERENCE

Brooke Lavender, ALS Care Services Manager, ALS Association, Girdwood; Emily Nenon, American Cancer Society, Cancer Action Network, Anchorage; Kelly Marre, Self, Soldotna; Seth Greiner, National Multiple, Seattle; Beverly Wooley, Self, Big Lake; Michele Foley, Self, Fairbanks.

SUMMARY

SB 91 TELEHEALTH: MULTIDISCIPLINARY CARE TEAM

SB 91 was HEARD and HELD in committee for further consideration.

HB 193 INTERNET FOR SCHOOLS

HB 193 SCHEDULED but not heard.

#sb91

SENATE BILL NO. 91

"An Act relating to telehealth; relating to multidisciplinary care teams; and relating to the practice of medicine."

9:36:30 AM

SENATOR MATT CLAMAN, SPONSOR, introduced the legislation. He read from the Sponsor Statement (copy on file):

Senate Bill 91 expands telehealth providers and services available to Alaskans. Last year, the legislature passed House Bill 265, which created a framework in statute for telehealth and ensured Alaskans' access to critical health care.

In the summer of 2022, Senator Claman was contacted by a constituent who was recently diagnosed with Amyotrophic Lateral Sclerosis (ALS). Upon receiving her diagnosis, Sheila Swanson flew to Seattle to receive specialty treatment. Sheila was told that she could continue to receive care from the physician via telehealth, but would need to fly to Seattle to receive in person care from other seven members of her multidisciplinary ALS care team, including a respiratory therapist, speech language pathologist, physical therapist and occupational therapist.

Senate Bill 91 would allow out-of-state multidisciplinary care team members to provide telehealth services. The bill applies to two different situations. The first situation is on-going treatment or follow-up care from an out-of-state physician or member of their disciplinary care team related to health care services previously provided by the physician to the patient. Senate Bill 91 requires that the physician and patient have an established physician-patient relationship and the physician has had a previous in-person visit with the patient.

The second situation addressed in the bill is when a patient receives care for a suspected or diagnosed life-threatening condition. To receive treatment from a non-physician member of the multidisciplinary care team, Senate Bill 91 requires a documented referral to the member of the multidisciplinary care team by either a physician licensed in Alaska or through a physician licensed out-of-state with whom the patient has a previously established relationship.

Senate Bill 91 amends the statute passed by House Bill 265 by adding "multidisciplinary care teams" as an option for telehealth. The legislation was amended in Senate Health and Social Services to include a definition for which health care providers are eligible to provide services as part of a multidisciplinary care team. Included in this amendment are provisions that require the multidisciplinary care team members to submit information about the team's lead physician, the area of health care in which they practice, and proof of licensure.

The bill was further amended to include a fee regime for providers to join the State of Alaska's telehealth registry, including a \$100 registration fee, \$100 renewal fee every two years, and \$50 fee to report changes in the business's registration information. Alaskans deserve to receive the appropriate care in their local support network when possible, and Senate Bill 91 will expand these options.

Co-Chair Olson applauded the bill sponsor for bringing the issue forward.

[9:39:49 AM](#)

CLAIRE LUBKE, STAFF, SENATOR MATT CLAMAN, highlighted the Sectional Analysis (copy on file):

Section 1

AS 08.02.130. Telehealth

Amends subsection (b) to expand who may provide health care services through telehealth. An out of state member of the physician's multidisciplinary care team may provide telehealth services under the following conditions: (1) for on-going treatment or follow-up

care by the member of the physician's multidisciplinary care team if the physician and patient have an established physician-patient relationship and the physician has previously conducted an in person visit; or (2) for a visit regarding a suspected or diagnosed life-threatening condition for which the patient has been referred to the physician licensed in another state or a member of the physician's multidisciplinary care team and the visit involves communication with the patient regarding diagnostic or treatment plan options or analysis of test results for the life-threatening condition.

Section 2

AS 08.02.130. Telehealth

Amends the definition of "health care provider" in (j)(1) in this section to include a member of a multidisciplinary care team.

Section 3

AS 08.02.130. Telehealth

Creates a definition for "member of a multidisciplinary care team" in (5) of this section to mean "an audiologist, speech-language pathologist, behavior analyst, professional counselor, dietitian, nutritionist, naturopath, marital and family therapist, podiatrist, osteopath, physician assistant, nurse, pharmacist, physical therapist, occupational therapist, psychologist or psychological associate, or a social worker who is a member of a team that includes a physician licensed in another state who meets the requirements of (b)(1) of this section."

Section 4

AS 08.02.130. Telehealth

Creates new subsections relating to the registration of multidisciplinary care team members with the department telehealth registry. Subsection (k) states that a member of a multidisciplinary care team shall register with the department before providing services to a patient located in Alaska. This registration includes submitting: (1) the name of the physician leading the multidisciplinary care team; (2) the area of health care in which the member of the multidisciplinary care team will be practicing and proof of licensure in a state or territory of the

United States in that area; and (3) any applicable fees.

Section 5
AS 08.02. Miscellaneous Provisions

[9:43:48 AM](#)

Senator Kiehl asked what was meant by "services not reasonably available in the state."

Senator Claman replied that the goal of the bill was intended for multidisciplinary care teams.

[9:45:39 AM](#)

Senator Kiehl noted that there was a different approach to registering out of state providers. He queried the reason for delta.

Senator Claman replied that there were changes already outlined in statute.

[9:49:32 AM](#)

AT EASE

[9:49:43 AM](#)

RECONVENED

[9:50:23 AM](#)

SYLVAN ROBB, DIRECTOR OF DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, explained the fiscal note.

Co-Chair Olson wondered whether there was a need for more than one investigator on the issue in other states.

Ms. Robb replied that there was not current research on that subject, but agreed to follow up.

Senator Kiehl requested a status of the current telehealth issues.

Ms. Robb replied that there were no complaints related to physicians, who were currently the only professionals who

were allowed to operate in Alaska without an Alaska license. She stated that the bill allowed for seventeen additional professions to the individuals who could operate without an Alaska license.

Senator Kiehl wondered how many out of state businesses were in the registry.

Ms. Robb replied that the telemedicine business registry had 1810 businesses, although it was a perpetual registry.

Senator Bishop asked the mechanism for adjusting for inflation.

Ms. Robb replied that there were no fees that were currently adjusted for inflation, so this was a new provision for the division. She felt that there would be use of widely available metrics of inflation.

[9:55:07 AM](#)

Senator Wilson queried the current registration fee.

Ms. Robb replied that it was \$50.

Ms. Lubke presented a prerecorded invited testimony video from Tim Jennings and Gail Braten. Mr. Braten has been diagnosed with ALS, and spoke in support of the bill.

[10:00:13 AM](#)

Ms. Lubke presented a prerecorded invited testimony from Dr. Ileana Howard, who was an associate professor of rehabilitation from the University of Washington.

[10:04:58 AM](#)

BROOKE LAVENDER, ALS CARE SERVICES MANAGER, ALS ASSOCIATION, GIRWOOD (via teleconference), spoke in support of the legislation.

[10:08:28 AM](#)

EMILY NENON, AMERICAN CANCER SOCIETY, CANCER ACTION NETWORK, ANCHORAGE (via teleconference), testified in support of the bill.

Co-Chair Olson wondered whether Ms. Nennon wanted an amendment to the bill.

Ms. Nennon replied that the patient protections were well intended, but hoped to better define the "care team."

[10:14:12 AM](#)

KELLY MARRE, SELF, SOLDOTNA (via teleconference), spoke in support of the bill.

[10:15:59 AM](#)

Co-Chair Olson OPENED public testimony.

[10:16:06 AM](#)

SETH GREINER, NATIONAL MULTIPLE, SEATTLE (via teleconference), testified in support of the legislation.

[10:18:41 AM](#)

BEVERLY WOOLEY, SELF, BIG LAKE (via teleconference), spoke in support of the bill.

[10:23:48 AM](#)

MICHELE FOLEY, SELF, FAIRBANKS (via teleconference), testified in support of the legislation.

Co-Chair Olson CLOSED public testimony

Senator Wilson wondered whether the fiscal note was UGF or DGF.

Ms. Robb replied that it was receipt supported services.

Senator Wilson looked at Section 4, and wondered whether there should be a keeping of licensure.

Ms. Robb deferred to the bill sponsor.

[10:29:06 AM](#)

Senator Wilson stated that licensed providers should be required to see patients in Alaska.

Senator Claman stated that he wanted to examine that section, and stated that he hoped that it would be approached in the same manner of other telehealth provisions.

[10:30:21 AM](#)

Senator Wilson agreed to work with the bill sponsor.

Senator Claman thanked the committee for hearing the bill.

SB 91 was HEARD and HELD in committee for further consideration.

#hb193

HOUSE BILL NO. 193

"An Act relating to funding for Internet services for school districts; and providing for an effective date."

HB 193 SCHEDULED but not heard.

#

ADJOURNMENT

[10:30:59 AM](#)

The meeting was adjourned at 10:30 a.m.