

**ALASKA STATE LEGISLATURE**  
**SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE**

March 7, 2023

3:32 p.m.

**MEMBERS PRESENT**

Senator David Wilson, Chair  
Senator James Kaufman, Vice Chair  
Senator Löki Tobin  
Senator Forrest Dunbar  
Senator Cathy Giessel

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S)

Commissioner, Department of Health  
Heidi Hedberg - Anchorage

- CONFIRMATION ADVANCED

SENATE BILL NO. 8

"An Act repealing the certificate of need program for health care facilities; making conforming amendments; and providing for an effective date."

- MOVED CSSB 8(HSS) OUT OF COMMITTEE

SENATE BILL NO. 44

"An Act relating to the practice of naturopathy; establishing the Naturopathy Advisory Board; relating to the licensure of naturopaths; relating to disciplinary sanctions for naturopaths; relating to the Department of Commerce, Community, and Economic Development; and providing for an effective date."

- MOVED CSSB 44(HSS) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 8

SHORT TITLE: REPEAL CERTIFICATE OF NEED PROGRAM

SPONSOR(s) : SENATOR(s) WILSON

01/18/23	(S)	PREFILE RELEASED 1/9/23
01/18/23	(S)	READ THE FIRST TIME - REFERRALS
01/18/23	(S)	HSS, L&C
02/16/23	(S)	HSS AT 3:30 PM BUTROVICH 205
02/16/23	(S)	Heard & Held
02/16/23	(S)	MINUTE(HSS)
02/21/23	(S)	HSS AT 3:30 PM BUTROVICH 205
02/21/23	(S)	Heard & Held
02/21/23	(S)	MINUTE(HSS)
03/02/23	(S)	HSS AT 3:30 PM BUTROVICH 205
03/02/23	(S)	<Above Item Removed from Agenda>
03/02/23	(S)	MINUTE(HSS)
03/07/23	(S)	HSS AT 3:30 PM BUTROVICH 205

BILL: SB 44

SHORT TITLE: NATUROPATHS: LICENSING; PRACTICE

SPONSOR(s) : SENATOR(s) GIESSEL BY REQUEST

01/25/23	(S)	READ THE FIRST TIME - REFERRALS
01/25/23	(S)	HSS, L&C, FIN
02/23/23	(S)	HSS AT 3:30 PM BUTROVICH 205
02/23/23	(S)	Heard & Held
02/23/23	(S)	MINUTE(HSS)
03/07/23	(S)	HSS AT 3:30 PM BUTROVICH 205

#### **WITNESS REGISTER**

HEIDI HEDBERG, Commissioner Designee  
Department of Health  
Anchorage, Alaska

**POSITION STATEMENT:** Testified as the commissioner-designee for the Department of Health.

JEANNIE MONK, Senior Vice President  
Alaska Hospital and Healthcare Association  
Juneau Alaska

**POSITION STATEMENT:** Testified in support of Commissioner-Designee Heidi Hedberg.

VERNE BOERNER, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of Commissioner-Designee Heidi Hedberg.

NANCY MERRIMAN, CEO

Alaska Primary Care Association  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of Commissioner-Designee Heidi Hedberg.

NILS ANDREASSEN, Executive Director  
Alaska Municipal League  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of Commissioner-Designee Heidi Hedberg.

GARY ZEPP, Staff  
Senator David Wilson  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided a summary of changes from version A to version B of SB 8

JANE CONWAY, Staff  
Senator Cathy Giessel  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided a summary of changes from version A to version S of SB 44

CLYDE JENSEN, Ph.D.  
Professor of Pharmacology  
Rocky Vista University  
Saint George, Utah

**POSITION STATEMENT:** Answered questions about SB 44.

#### **ACTION NARRATIVE**

[3:32:25 PM](#)

**CHAIR DAVID WILSON** called the Senate Health and Social Services Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Giessel, Dunbar, Kaufman, Tobin, and Chair Wilson.

#### **CONFIRMATION HEARING(S)** **COMMISSIONER, DEPARTMENT OF HEALTH**

[3:33:16 PM](#)

CHAIR WILSON announced the consideration of Heidi Hedberg's confirmation as Commissioner for the Department of Health (DOH).

[3:33:34 PM](#)

HEIDI HEDBERG, Commissioner-Designee, Department of Health, Anchorage, Alaska, shared that she was born in Utah, raised in Seattle, and moved to Alaska in 1995. She has a degree in outdoor studies from Alaska Pacific University which taught her leadership and other valuable skills. She is married with two sons. She has worked in non-profit organizations which allowed her to make connections and strengthen partnerships. She has worked for the Girl Scout Council and a blood bank. She said she has worked in the Division of Public Health for 13 years in various positions, which has given her a unique perspective on government operations. It also allowed her to build strong partnerships with hospitals, tribal health organizations, and federal agencies. She is aware of Alaska's challenges. She served four years as the director of public health and in that role, she represented the Department of Health and Social Services in Unified Command. Unified Command was formed during the COVID-19 pandemic under Homeland Security and Emergency Management. She found it challenging to lead when resources were scarce and the staff was burned out.

[3:37:36 PM](#)

COMMISSIONER-DESIGNEE HEDBERG said that governing required strong connections, the ability to collect and assess information quickly, and triage priorities. Optimism and teamwork were the key to success during the pandemic. Being the director of public health was a career highlight; it grew her ability to govern. She credited the staff and partners for Alaska having fewer deaths and hospitalizations compared to other rural states. Working with tribal health partners, Alaska was ranked number one for vaccines per capita for the first four months of the pandemic.

She stated that her vision for the Department of Health is to increase the health, well-being, and self-sufficiency of Alaskans. This vision can be accomplished by leveraging public health to be the chief health strategist to address the gaps in the continuum of care and the inefficient systems within public assistance. She said she would focus on elders aging in place and timely reimbursement for Medicaid providers. The desired outcomes will be healthier Alaskans, the economy will be more vibrant, and the health care system will be more accessible and affordable. Prevention is cheaper than treatment. It is also a cost-containment tool over time. Healthy Alaskans 2030 is a state health improvement plan that will improve the health challenges Alaska faces to date.

COMMISSIONER-DESIGNEE HEDBERG said the Division of Public Assistance output is at a low point due to the ineffective systems that are in place. She conveyed that she was willing to take responsibility for the problems of the past and was committed to be a better steward of resources. The bifurcation of the Department of Health and Social Services places her in a better position to deal with problems than her predecessors. IT systems need to be integrated and she has a plan. A workflow management system is also being implemented. A request for more staff and resources was submitted for the Governor's amended budget. Staff needs to feel seen, heard, valued, and safe. They are passionate about their work but they are not always recognized for their efforts. Gaps in the continuum of care have come a long way but there are still gaps that need to be closed. She committed to ensuring that Alaskans have the right resources at the right time.

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COMMISSIONER-DESIGNEE HEDBERG stated that she appreciates the legislature passing legislation on crisis stabilization centers. Now time needs to be spent making sure these services are implemented. Aging in place is another key to healthy families. Advocacy groups for individuals with disabilities want updates to the rate-setting methodologies, an increase in the workforce, and the ability for individuals with disabilities to choose their direct services. Healthcare services touch every aspect of the Medicaid program. The staff at DOH have saved over \$370 million dollars through tribal reclaiming. She stated she is committed to expanding tribal reclaiming and other cost-saving ideas about pharmacy rebates. The governor's Health Family Initiative should be fully realized. Strong families are the foundation of a vibrant economy and community. Agencies and departments will need to work together so that policies can be updated and funding sources leveraged. She said that over the next four years, the health, wellness, and self-sufficiency of Alaskans will be addressed.

COMMISSIONER-DESIGNEE HEDBERG stated that what she brings to this role is organizational leadership, stability, innovation, and a team approach.

[3:45:36 PM](#)

CHAIR WILSON asked if there were any questions.

[3:45:44 PM](#)

SENATOR DUNBAR requested more detail on the progress in eliminating the backlog in the food stamp program.

COMMISSIONER-DESIGNEE HEDBERG responded that she anticipates that the backlog will be eliminated in two months. Last week the eligibility technicians processed 5,000 SNAP recertification applications and this week they've processed a little more than 4,000. The IT staff programmed the eligibility information system (EIS) which stopped the backlog from continuing, and now they're working on programing to move from a six-month recertification period to a 12-month recertification period. The go-live date will be in July. A team has also been working on an online SNAP application that will go live this December. The department is also working to improve communication and have timelier follow-up with constituents.

[3:48:39 PM](#)

SENATOR DUNBAR asked what the expected wait time is for somebody who is not in the backlog and is filing an application right now.

[3:48:56 PM](#)

COMMISSIONER-DESIGNEE HEDBERG answered that all the public assistance programs are experiencing various levels of delay, so she can't tell somebody who applies today whether it will take a week, a month, or longer to receive the benefits because it depends on the individual's income and the program for which they're applying.

[3:50:41 PM](#)

CHAIR WILSON opened public testimony on the appointment of Heidi Hedberg as commissioner of the Department of Health.

[3:50:56 PM](#)

JEANNIE MONK, Senior Vice President, Alaska Hospital and Healthcare Association, Juneau Alaska, stated that on behalf of AHHA, she was pleased to offer support for Commissioner-Designee Heidi Hedberg. She has worked hard, is willing to take on challenges, and she works to find solutions. Part of her success is her willingness to build relationships and strong partnerships. She will bring a deep understanding of the challenges of rural Alaska. She understands rural health and is willing to work with communities to address their needs. Commissioner-Designee Hedberg has been and will continue to be a great partner with hospitals and nursing homes. She will be fair and involve stakeholders in decisions whenever possible, and she will focus on providing the best for Alaskans. She reiterated unwavering support for the appointment.

[3:53:08 PM](#)

VERNE BOERNER, representing self, Anchorage, Alaska, stated that she was honored to speak in support of Heidi Hedberg's confirmation as commissioner for the Department of Health. She said she was the president and CEO of the Alaska Native Health Board when she worked with Ms. Hedberg during the very challenging COVID-19 pandemic and she demonstrated exceptional leadership skills and great insight. She worked countless hours around the clock to form partnerships and make them work. She collaborated to develop new guidelines and developed a pandemic response that supported communication and integrated responses between state, tribal, and local partners. Her priority was to protect all Alaskans. She reiterated strong support for the appointment.

[3:55:16 PM](#)

NANCY MERRIMAN, CEO, Alaska Primary Care Association (APCA), Anchorage, Alaska, stated that APCA supports the development and operation of Alaska's 29 Federally Qualified Health Centers (FQHA). She said it was her pleasure to express APCA's support for Heidi Hedberg as commissioner of the Department of Health. APCA has appreciated her partnership on emergency preparedness and management, response to COVID-19, fostering collaboration between public health and FQHC, and identifying ways to strengthen Alaska's health care safety net. She has a wealth of knowledge and experience and is results-oriented. Decades of research support the value of primary care that meets patients where they are. This is the kind of health care that FQHCs are committed to providing and this is the kind of health care Commissioner-Designee Hedberg believes in. The perspective she has gained through the years will inform her leadership and strategic planning for the Department of Health. Commissioner-Designee Hedberg is a strong public health and community leader and APCA supports her appointment as commissioner.

[3:57:48 PM](#)

NILS ANDREASSEN, Executive Director, Alaska Municipal League (AML), Juneau, Alaska, stated that AML doesn't typically comment on governor appointments, but he wanted to express how grateful he was for Commissioner-Designee Hedberg's work the last few years as the director of the Division of Public Health. Her work to foster and maintain collaboration and partnership in response to and during the Covid-19 public health emergency was impressive. She forged partnerships that will benefit local governments and communities in the future. For the first time, AML is looking at social determinants of health in supporting communities and that is entirely due to Commissioner-Designee

Hedberg's leadership. He reiterated his appreciation for the work she has done and has the potential to do as commissioner of the Department of Health.

[3:59:54 PM](#)

CHAIR WILSON closed public testimony and solicited a motion.

SENATOR KAUFMAN moved to forward the following name to a joint session for consideration:

Commissioner, Department of Health  
Heidi Hedberg - 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.

CHAIR WILSON stated that without objection, the name will be forwarded.

[4:00:52 PM](#)

At ease.

**SB 8-REPEAL CERTIFICATE OF NEED PROGRAM**

[4:02:20 PM](#)

CHAIR WILSON reconvened the meeting and announced the consideration of SENATE BILL NO. 8 "An Act repealing the certificate of need program for health care facilities; making conforming amendments; and providing for an effective date."

He related that this was the second hearing, public testimony was heard, and there was a committee substitute (CS) for the committee to consider. He solicited a motion.

[4:02:57 PM](#)

SENATOR KAUFMAN moved to adopt the committee substitute (CS) for SB 8, work order 33-LS0135\B, as the working document.

[4:03:07 PM](#)

CHAIR WILSON objected for purposes of discussion.

[4:03:14 PM](#)

GARY ZEPP, Staff, Senator David Wilson, Alaska State Legislature, Juneau, Alaska, provided the following summary of changes from version A to version B of SB 8.

Page 4, line 14

Replace "Department of Family and Community Services" with "Department of Health."

Page 6, lines 4 and 10

Replace "Department of Family and Community Services" with "Department of Health."

Page 6, line 15

Change the effective date from July 1, 2026 to July 1, 2028

CHAIR WILSON asked whether there were any questions.

[4:04:29 PM](#)

SENATOR DUNBAR asked the reason for delaying the effective date until 2028.

CHAIR WILSON replied that was a compromise to help hospitals recoup costs and plan for an end date of the Certificate of Need (CON) Program. The additional time also provides an opportunity for the department to develop additional regulations that may be needed for hospital accreditations.

SENATOR DUNBAR asked what costs were anticipated from this change.

CHAIR WILSON answered that the extra time allows hospitals that may have made significant investments into equipment to recoup some of that cost by continuing to have no competition for two additional years.

[4:05:40 PM](#)

CHAIR WILSON removed his objection; he found no further objection and version B was adopted.

[4:06:16 PM](#)

SENATOR DUNBAR said he'd like to see the data from states that have repealed CON that shows the degree to which costs have fallen since the repeal. Repealing CON sounds like a good idea in theory but his concern was about the unintended consequences it may have. He cited the testimony the committee heard that repealing CON would result in the most profitable procedures no longer being offered in hospitals, which would not lead to lower costs.

CHAIR WILSON responded that he'd had conversations with the Primera Blue Cross representative for this region who said his experience was that a healthcare consolidation of services only increases the cost of health care. His office has asked healthcare organizations that have said they were having financial trouble to produce their financial records that show the actual cost to provide a service, but many hospitals and agencies won't disclose the true cost of a service.

[4:09:14 PM](#)

SENATOR TOBIN observed that the two letters in the bill packets from the Pacific Health Coalition were somewhat confusing.

[4:09:28 PM](#)

At ease.

[4:10:17 PM](#)

CHAIR WILSON reconvened the meeting. He suggested the committee members who wanted further dialog should contact the individual from Pacific Health Coalition who wrote that he was rescinding his previous testimony without comment.

4:10:49

CHAIR WILSON found no further comments or questions and he solicited a motion.

[4:10:51 PM](#)

SENATOR KAUFMAN moved to report the CS for SB 8, work order 33-LS0135\B, from committee with individual recommendations and attached fiscal note(s).

[4:11:04 PM](#)

CHAIR WILSON found no objection and CSSB 8(HSS) was reported from the Senate Health and Social Services Standing Committee.

[4:11:15 PM](#)

At ease.

**SB 44-NATUROPATHS: LICENSING; PRACTICE**

[4:13:09 PM](#)

CHAIR WILSON reconvened the meeting and announced the consideration of SENATE BILL NO. 44 "An Act relating to the practice of naturopathy; establishing the Naturopathy Advisory Board; relating to the licensure of naturopaths; relating to disciplinary sanctions for naturopaths; relating to the

Department of Commerce, Community, and Economic Development; and providing for an effective date."

[4:13:26 PM](#)

CHAIR WILSON noted that there was a committee substitute (CS) for the committee to consider. He solicited a motion.

[4:13:29 PM](#)

SENATOR KAUFMAN moved to adopt the committee substitute (CS) for SB 44, work order 33-LS0297\S, as the working document.

[4:13:40 PM](#)

CHAIR WILSON objected for purposes of discussion.

[4:13:53 PM](#)

JANE CONWAY, Staff, Senator Cathy Giessel, Alaska State Legislature, Juneau, Alaska, provided the following summary of changes for SB 44 from version B to version S:

**Page 2, lines 23-24: re: Advisory Board composition**

The Advisory Board composition was changed to be comprised of 2 NDs, 1 pharmacist, 1 MD or OD and 1 public member. (Reduced public members from 2 to 1, reduced NDs from 3 to 2, and added 1 pharmacist and 1 MD or OD.)

**Page 4, line 4: re: externship**

Removes the externship program requirement for Naturopath licensure. The term is confusing and unnecessary. Other medical providers with the level of authority the NDs are requesting are not required to match or emulate the MD and OD internship process. The training for NPs is most commensurate with that of NDs having similar clinical hours, and neither have a required residency.

**Page 6, line 13: re: vaccines**

Added vaccines to the list of services that a licensed naturopath may provide.

**Page 6, line 19:**

Deletion of the word "surgical" to clarify this sentence which only means that a licensed naturopath may treat superficial lacerations, abrasions and lesions. The word "surgical" can

be mistaken to infer procedures that they are not seeking to perform.

**Page 6, line 26:**

Replaces the word "ultrasound" with the word "imaging." There are several types of imaging that a naturopath may wish to order if necessary. Other types of imaging could be an X-ray, MRI, CT scan, ultrasound, EKG, and other tests to assist with correct patient diagnosis.

**Page 6, line 30:**

Replaces the word "ultrasound" with the word "imaging." There are several types of imaging that a naturopath may wish to order if necessary to assist with correct patient diagnosis.

CHAIR WILSON discerned there were no questions or comments.

[4:16:55 PM](#)

CHAIR WILSON removed his objection; he found no further objection and version S was adopted. He noted that Senator Dunbar had an amendment.

[4:17:21 PM](#)

At ease

[4:18:19 PM](#)

CHAIR WILSON reconvened the meeting.

[4:18:25 PM](#)

SENATOR DUNBAR moved to adopt Amendment 1 for SB 44. He noted that the amendment was drafted based on the original bill, but the following reflects the proposed changes to version S.

**AMENDMENT 1**

OFFERED IN THE SENATE  
TO: SB 44, version S

BY SENATOR DUNBAR

Page 4, lines 5 - 6:  
Delete all material.

Renumber the following paragraphs accordingly.

Page 6, line 24:  
Delete "and"

Page 6, line 27, following "test":  
Insert "; and"

(5) write prescriptions if the person has passed a pharmaceutical examination approved by the department that is equivalent to any examination of pharmaceutical knowledge required under AS 08.64.210 or 08.64.220"

[4:18:28 PM](#)

CHAIR WILSON objected for purposes of an explanation.

SENATOR DUNBAR explained that naturopaths in Alaska are not required to have prescriptive authority to practice, but SB 44 would require an individual who applies for a license to practice naturopathy in the state to have passed a pharmaceutical examination before they apply. The intent of the amendment is to delete the requirement for naturopaths to pass a pharmaceutical examination. Then on page 6, line 27 a new paragraph (5) adds the ability for naturopaths to write prescriptions if they have passed an approved pharmaceutical examination. Naturopaths may obtain prescriptive authority but they aren't required to do so.

[4:20:15 PM](#)

SENATOR GIESSEL advised that Dr. Clyde Jensen, who is a professor of pharmacology, may wish to comment on Amendment 1.

[4:20:41 PM](#)

CLYDE JENSEN, Ph.D., MS, Professor of Pharmacology, Rocky Vista University, Saint George, Utah stated his belief that a naturopath who does not wish to prescribe should not be required to do so. He then cautioned the committee to be mindful of any amendment that creates unnecessary obstacles.

[4:22:08 PM](#)

CHAIR WILSON asked Senator Dunbar for confirmation that the amendment would remove the requirement for a naturopath to pass a pharmaceutical examination.

[4:22:26 PM](#)

SENATOR DUNBAR clarified that Amendment 1 removes the requirement for a naturopath to pass a pharmaceutical examination to practice naturopathy. It also adds a new

paragraph (5) on page 6 that clarifies that a licensed naturopath who wants to write prescriptions may do so once they have passed an approved pharmaceutical examination.

[4:22:47 PM](#)

CHAIR WILSON asked Dr. Jensen if there would be a benefit for a naturopath to take the pharmaceutical examination even if they do not intend to prescribe.

[4:23:04 PM](#)

DR. JENSEN said he was not aware of a benefit to taking the examination if a naturopath chooses not to prescribe.

[4:23:23 PM](#)

SENATOR GIESSEL stated that the purpose of the state's regulatory boards is to protect the public. She posited that when a naturopath is providing health care services, they are not confining their services to individuals who are not consuming pharmaceuticals. She opined that the vitamins, minerals, and herbal preparations that naturopaths recommend have the potential to create side effects when they interact with pharmaceuticals an individual has taken. She said that's the reason to require naturopaths to demonstrate pharmaceutical knowledge even if they don't prescribe them. The requirement for naturopaths to pass a pharmaceutical examination provides documentation that the state has examined an individual and asserts that they have equivalent pharmaceutical knowledge to others who are licensed under medical statutes. She noted that Dr. Jensen testified in the past that the pharmacological education that naturopaths receive is equivalent to medical physicians.

[4:26:18 PM](#)

SENATOR TOBIN asked if the amendment would create two types of licenses for naturopaths, one with an endorsement and one without. She asked who would be checking to ensure that a naturopath was practicing within their scope of licensure.

[4:26:50 PM](#)

SENATOR DUNBAR stated his belief that it would be the same regulatory agency that currently oversees naturopaths. He continued to say that if a naturopath were to exercise prescriptive authority without taking the pharmaceutical examination, that same regulatory body would take action. He noted that Senator Giessel has evidence that most naturopaths would take the examination and seek prescriptive authority, but

some members of the public expressed a desire to not force prescriptive authority on naturopaths.

[4:28:05 PM](#)

SENATOR DUNBAR said he appreciates the changes in the CS and Senator Giessel's reasoned argument for public safety. He withdrew Amendment 1 and said he appreciated that the discussion was on the record.

[4:28:22 PM](#)

CHAIR WILSON found no further amendments, questions, or comments and he solicited a motion.

[4:28:39 PM](#)

SENATOR KAUFMAN moved to report the CS for SB 44, work order 33-LS0297\S, from committee with individual recommendations and attached fiscal note(s).

[4:28:48 PM](#)

CHAIR WILSON found no objection and CSSB 44(HSS) was reported from the Senate Health and Social Services Standing Committee.

[4:28:56 PM](#)

At ease.

[4:30:55 PM](#)

CHAIR WILSON reconvened the meeting and made committee announcements.

[4:31:39 PM](#)

There being no further business to come before the committee, Chair Wilson adjourned the Senate Health and Social Services Standing Committee meeting at 4:31 p.m.