

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

February 15, 2024

3:30 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**

SENATE BILL NO. 181

"An Act relating to placement of a child in need of aid; relating to adoption; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 115

"An Act relating to physician assistants; relating to physicians; and relating to health care insurance policies."

- MOVED CSSB 115(HSS) OUT OF COMMITTEE

SENATE SPECIAL CONCURRENT RESOLUTION NO. 2

Disapproving Executive Order No. 125.

- MOVED SSCR 2 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 181

SHORT TITLE: CHILD PLACEMENT; DILIGENT SEARCH

SPONSOR(S): SENATOR(S) BJORKMAN

01/16/24	(S)	READ THE FIRST TIME - REFERRALS
01/16/24	(S)	HSS
02/15/24	(S)	HSS AT 3:30 PM BUTROVICH 205

BILL: SB 115

SHORT TITLE: PHYSICIAN ASSISTANT SCOPE OF PRACTICE

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

03/27/23	(S)	READ THE FIRST TIME - REFERRALS
03/27/23	(S)	HSS, L&C
01/23/24	(S)	HSS AT 3:30 PM BUTROVICH 205
01/23/24	(S)	Heard & Held
01/23/24	(S)	MINUTE(HSS)
02/06/24	(S)	HSS AT 3:30 PM BUTROVICH 205
02/06/24	(S)	Heard & Held
02/06/24	(S)	MINUTE(HSS)
02/15/24	(S)	HSS AT 3:30 PM BUTROVICH 205

BILL: SSCR 2

SHORT TITLE: DISAPPROVE EO 125

SPONSOR(s): RULES

02/12/24	(S)	READ THE FIRST TIME - REFERRALS
02/12/24	(S)	HSS
02/15/24	(S)	HSS AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

SENATOR BJORKMAN, District D  
Alaska State Legislature,  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 181.

LAURA ACHEE, Staff  
Senator Jesse Bjorkman  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided a sectional analysis for SB 181.

JENNIFER RODRIGUEZ, Executive Director  
Youth Law Center  
San Francisco, California

**POSITION STATEMENT:** Invited testimony for SB 181.

BOBBI OUTTEN, Director  
Southcentral Foundation  
Anchorage, Alaska

**POSITION STATEMENT:** Invited testimony for SB 181.

KENDALL SEAL, Vice President  
The Center for the Rights of Abused Children

Phoenix, Arizona

**POSITION STATEMENT:** Invited testimony for SB 181.

NANCY MEADE, General Counsel

Administrative Offices

Alaska Court System

Juneau, Alaska

**POSITION STATEMENT:** Answered questions on SB 181.

MEGHAN MASON, representing self

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 181.

DESTINEE MCCLUNG, representing self

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 181.

EMILY BOLANDER, representing self

Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of SB 181.

ANDREA DOESHART, representing self

Kenai, Alaska

**POSITION STATEMENT:** Testified in support of SB 181.

DANIELLE WAKEFIELD, representing self

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 181.

KRISTEN HADDOX, representing self

North Pole, Alaska

**POSITION STATEMENT:** Testified in support of SB 181.

HEIDI HEDBERG, Commissioner

Department of Health

Juneau, Alaska

**POSITION STATEMENT:** Provided an overview of EO 125.

GENE WISEMAN, Section Chief

Rural and Community Health Systems

Department of Health (DOH)

Juneau, Alaska

**POSITION STATEMENT:** Available to answer questions on EO 125.

**ACTION NARRATIVE**

[3:30:41 PM](#)

**CHAIR DAVID WILSON** called the Senate Health and Social Services Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Dunbar, Giessel, Kaufman, Tobin, and Chair Wilson.

**SB 181-CHILD PLACEMENT; DILIGENT SEARCH**

[3:31:35 PM](#)

CHAIR WILSON announced the consideration of SENATE BILL NO. 181 "An Act relating to placement of a child in need of aid; relating to adoption; and providing for an effective date."

CHAIR WILSON stated this is the committee's first hearing on SB 181. The committee will hear invited and public testimony.

[3:31:54 PM](#)

SENATOR BJORKMAN, District D, Alaska State Legislature, Juneau, Alaska, speaking as sponsor, introduced SB 181:

[Original punctuation provided.]

It is an unfortunate and heartbreaking truth that sometimes a child must be removed from the care of their parents. It is then incumbent on the State of Alaska to ensure that these kids receive the best possible care while they are in the State's custody. This includes amending Alaska Law as necessary to ensure the Department of Family and Youth Services and the Alaska Court System have guidelines that will allow for the best possible outcomes.

Studies show that every time a child is moved from one placement to another, there is an impact on the child. Kids in the foster care system on average show greater issues with behavior, mental health, and cognitive abilities than their peers. However, there can be a direct correlation drawn between the number of placements a child experiences and the impact it has on them. I have invited subject matter experts that are online to speak more about these concerns.

Senate Bill 181 seeks to minimize the number of placements a child may experience in two ways.

First, the bill would place a 30-day timeline and more specific requirements on the Office of Children's

Services for finding family members and family friends who are able to take on the care of a child earlier in the process to help minimize the number of placements a child experiences and help maintain connections with family and community. I have heard stories of relatives that were unaware for months or even years that a child was in foster care. Ensuring that more thorough and timely searches are conducted will help create better outcomes for kids.

Second, this bill provides more latitude to apply the placement preferences placed on OCS and the Court System. SB 181 would allow the State to consider placing a child with a foster family instead of a family member if the child is under 6, has been with the family for more than 12 months, and it is determined to be in the best interest of the child. 20 years ago, the Alaska Legislature enacted policies giving family members preference when placing a child, policies I support through the provisions that strengthen family searches. However, children under six are going through their most significant phases of brain development, and placement changes can have a much larger impact than for older children.

It is difficult to craft laws that will perfectly apply to situations that are guaranteed to vary widely from one child to the next. This change in statute wouldn't mandate where a child is placed. SB 181 provides more latitude for making the decision that is in the best interest of the child. Also, by encouraging timely and diligent family searches the number of these difficult situations that occur can be minimized or avoided entirely.

It's important to note that the statutory change about placement will not apply to kids that fall under the Federal Indian Child Welfare Act. Placement decisions will still be made under the federal guidelines.

In addition, the bill clarifies that foster families have the right to request a hearing over placement of a child they have been caring for in order to ensure they, as the people most knowledgeable about the children in their care, have a seat at the table when decisions are made. The bill also amends the statutes regarding family placement to give OCS and the Courts

more latitude to place children with family members by allowing for decisions that are in the best interest of the child.

It's also important to acknowledge that hard work of the Office of Children's Services and the heavy headwinds they face every day. I am looking forward to the outcome of the salary survey promised by the Administration, and I hope that we will be able to find ways to help the Division recruit and retain enough people to keep up with their heavy and challenging workload.

[3:36:22 PM](#)

LAURA ACHEE, Staff, Senator Jesse Bjorkman, Alaska State Legislature, Juneau, Alaska, provided the following sectional analysis for SB 181:

[Original punctuation provided.]

**Senate Bill 181 Child Placement; Diligent Search  
Version H Sectional Analysis**

Section 1: Adds language to AS 47.10.080(s) to clarify that foster parents may request a hearing regarding the Department of Family and Community Services' (DFCS) decision to transfer a child out of the foster home.

Section 2: Amends AS 47.10.088(i) to allow for determination of the best interest of the child when making decisions regarding permanent placement of a child. For exceptions to family notification requirements, the section changes the criteria from a person being ineligible for a foster care license to a placement not being in the best interest of the child. This section also adds language regarding determination of best interest, including whether a child is under six years old and has been in the care of the foster family for at least 12 consecutive months.

Section 3: Adds language to AS 47.10.142(i) that conforms to the changes in Section 4.

Section 4: Adds a new section, AS 47.10.145, that requires the Department search for adult family

members and family friends suitable for placement of a child within 30 days of the State removing the child from the home, describes what constitutes a diligent statutorily required search, and requires ongoing searches until excused to do so by the court or the child is in a permanent placement.

Section 5: Adds language to AS 47.14.100(e) allowing for consideration of placement with a foster family of children who are under six years old and have been in the care of that foster family for at least 12 consecutive months when an adult family member has also expressed interest. Also amends language to conform to the change in Section 4.

Section 6: Amends AS 47.14.100(m) to remove language prohibiting placement with a family member if the family member does not meet the requirements for a foster care license. Adds language that denying placement due to the best interest of a child with a family member may not include consideration of poverty of the family member or inadequate or crowded housing.

Section 7: Provides for a January 1, 2025 effective date.

[3:39:03 PM](#)

CHAIR WILSON announced invited testimony for SB 181.

[3:39:26 PM](#)

JENNIFER RODRIGUEZ, Executive Director, Youth Law Center, San Francisco, California, stated that the Youth Law Center focused on advocating for the rights of children in foster care and juvenile justice systems. The Youth Law Center collaborated with developmental experts nationwide to translate research into policy and practice. Drs. Charles Zeanah and Mary Dozier requested she testify on their behalf. She highlighted the importance of science in informing policy decisions. The Youth Law Center was actively engaged in aligning foster care systems with research findings, particularly emphasizing the significance of attachment and relationships for children's development. The Youth Law Center worked with leadership in 12 states and about 80 jurisdictions. She stressed the critical necessity of immediately searching for relatives, ideally before removal, to assist in the success of children. The organization advocated for policy changes to meet the developmental needs of

infants and young children in foster care, recognizing the importance of stability and attachment for their well-being.

MS. RODRIGUEZ stated that research had demonstrated that delaying the search for relatives could inflict significant trauma on children, particularly when they were separated from long-term caregivers. Introducing relatives later in a child's life, especially when children are under the age of six when they enter foster care, stands to exacerbate emotional, behavioral, and biological issues later. Delays in the search and approval process, often due to inefficiencies within the child welfare system, prolonged the trauma for children. Even short delays of a day or a week could have profound effects on young children. She mentioned that some children experience delays of a year or more, resulting in unnecessary loss and trauma with lifelong consequences for the children, their families, and communities. The system needs to prioritize immediate identification of relatives.

MS. RODRIGUEZ emphasized two additional perspectives beyond scientific evidence. First, drawing from her personal experience as both a lawyer and a former foster child, she highlighted the profound impact of lacking familial connections. Growing up in foster care without familial support or cultural ties, she experienced a loss of identity and language. This sense of disconnection led to the predictable struggles that research indicates children experience. These struggles resulted in restrictive placements in foster care, juvenile justice, and mental health facilities. She mentioned that the failure to conduct an adequate search for relatives during her time in foster care resulted in years of instability and disruption. Despite system failures, she overcame these challenges and built a successful life. However, many youths are not as fortunate. She emphasized how the system's failure to prioritize early and robust efforts to connect children with relatives significantly alters their life trajectories, affecting not only them but also future generations.

[3:45:44 PM](#)

BOBBI OUTTEN, Director, Southcentral Foundation, Anchorage, Alaska, provided a brief history of her work with children and defined trauma as any form of impairment to a child's psyche that is a direct result of a difficult event. Long-lasting effects of childhood trauma include brain impairment, changes to genetics, and complications forming attachments. Advancements in biological embedding technologies have enabled differences in

genomes to be compared. She provided some Adverse Childhood Experiences (ACEs) findings and emphasized there are more:

- 1 ACE doubles the chance of perpetrating domestic violence
- 4 ACEs correlates with a 5 times greater risk of domestic violence
- 7-8 ACEs increases the risk of adolescent suicide 51 times.
- 4 is the average number of ACEs a child experiences. People with 4 ACEs have:
  - 2 times the rate of cancer.
  - 3.6 times the rate of heart disease.
  - 2.2 times increased risk of diabetes.
  - 6.5 times the likelihood of using drugs.

She stated that ACEs are applicable to SB 181 and the Office of Children's Services because investigations, removals, and replacements adversely affect children and leads to life-long consequences if not handled appropriately. She opined that without laws specific to the removal, placement changes, kinship, and reunification the interventions can shift from positive to adverse. The resiliency in children does not negate the permanent effect of adverse childhood experiences.

[3:51:39 PM](#)

MS. OUTTEN said the problems with services for children are systemic in that decisions are not trauma-sensitive, trauma-informed, or trauma-responsive. She said there is a system-level problem and the current system will resist change. However, change is necessary if Child Protective Service's decisions are to be about children and not about liabilities, money, staffing, and adults. Change should begin with developmentally targeted decisions. She opined that the only place that maintains the same guidelines for a child, regardless of age, is the Office of Children's Services.

[3:53:13 PM](#)

MS. OUTTEN stated that the department needs to establish developmentally appropriate guidelines to minimize attachment disruptions. Disturbed placements lead to increased rejection in a child's life, creating a cycle of damaged attachments, future mental instability, and health issues. She spoke of the need for diligent and detailed searches for safe family members. Current language is ambiguous, lacking accountability, definition, or reporting. Language must define and require family searches to be conducted within three months of a child coming into state custody. Finding family members is critical to the well-being of

a child because it allows the child to form attachments with family instead of foster family. She mentioned instances where family members were not contacted for over a year. When family members are unable to care for the child, guidelines should follow attachment research and allow interaction with family members through in-person or virtual meetings.

[3:55:28 PM](#)

MS. OUTTEN spoke about transitions and the benefits of having a plan when removing a child from a safe home versus sudden unexpected removal. There are safe, healthy, developmentally appropriate best practices for removing children from safe homes. Permanency decisions should always be trauma-responsive, based on attachment research, and developmentally appropriate. The best interest of the child should always include what is safest, least disruptive, and most nurturing. The state does more harm than good if every step in the child protective services process is not developmentally appropriate and trauma responsive. Every child matters.

[3:57:36 PM](#)

KENDALL SEAL, Vice President, The Center for the Rights of Abused Children, Phoenix, Arizona, said the center works with welfare agencies, stakeholders, and policymakers nationwide. Its mission is to ensure that every abused or neglected child has a safe and loving home. The center supports finding families to ensure children are protected and have stability. It is in the best interest of the children to place them with a safe family or a foster family as quickly as possible. He stated the organization's belief that placement and permanency should occur with the child's best interests in mind. Currently, Alaska law requires the state to search for relatives or close family friends, prioritizing placement with family. Unfortunately, the parameters regarding due diligence are inadequately defined in State law. He provided statistics regarding the placement of Alaska's youth:

- 20 percent of youth in foster care have 3 or more placements. The national average is 16 percent.
- On average youth spend 22 months in foster care. The national average is 18 months.
- 13 percent of youth reenter care one year following a prior incident. The national average is 11.5 percent.

He said instability fuels negative outcomes such as exploitation, missing children, and human trafficking. As a pro bono legal clinic, the center knows firsthand the suffering children face when obedience to preferential lists is valued over doing what is in a child's best interest. SB 181 promotes safety and stability and would increase the speed at which children are placed with relatives.

[4:01:26 PM](#)

MR. SEAL spoke about the fiscal note for SB 181 and opined that it would not delay the finding of permanent placements. Furthermore, finding children's families reduces litigation and accelerates the removal of children from the foster care system. The state of Missouri reported needing only one full-time position to handle the changes proposed in SB 181, despite having between 12,000 - 13,000 children in foster care. Alaska, with between 2,500 - 3,000 youth in foster care, would require only 0.2 percent of a full-time position if the numbers remained consistent. He expressed his opinion that the numbers in the fiscal note are inaccurate. He suggested changing the time requirement in SB 181, Section 2, from 12 months to 9 months. Additionally, he proposed changing Section 4 to include databases that the state must utilize when conducting a search for relatives. He emphasized that the department should consider the databases as a minimum requirement for conducting a search, not a maximum. He added that Section 4 could also incorporate a notice period for relatives to respond to a search. He stated his belief that SB 181 is a strong piece of legislation.

[4:04:21 PM](#)

CHAIR TOBIN asked what stipulations the court would consider when determining a child's best interest.

[4:04:44 PM](#)

NANCY MEADE, General Counsel, Administrative Offices, Alaska Court System, Juneau, Alaska, replied that there is a well-prescribed definition for "best interest of a child." She said she would provide it to the committee. The definition is well-known and utilized by judges.

[4:05:30 PM](#)

CHAIR TOBIN asked how the department would obtain access to databases outside of the state to locate family members living outside of Alaska or outside of the United States.

[4:06:14 PM](#)

SENATOR BJORKMAN stated he is open to stipulations for database searches that make it possible to identify and contact a child's relatives.

[4:06:43 PM](#)

CHAIR TOBIN asked how the department would establish partnerships to ensure an extensive family search is conducted.

[4:07:05 PM](#)

MS. ACHEE replied that a diligent search is multifaceted and involves more than searching databases.

[4:07:37 PM](#)

CHAIR TOBIN asked what would happen if the only relative of a child lived outside of the U.S.

MS. ACHEE reiterated that statute would require a continued search until stipulations were met.

[4:08:44 PM](#)

CHAIR TOBIN asked whether the creation of stipulations is necessary to foster communication between state and federal databases.

MS. ACHEE replied that the department would need to investigate how agencies would work together; it might only require a phone call from one agency to another.

[4:09:26 PM](#)

SENATOR DUNBAR asked what the legal difference is between the "good cause standard" and the "best interest of the child standard."

[4:10:16 PM](#)

SENATOR BJORKMAN stated his belief that the language exists in Sections 2 and 5 of SB 181. The court system is familiar with the definition of "good cause" within the context of the "best interest." The best interest finding is utilized in making numerous determinations. SB 181 contains a significant amount of permissive language, which empowers the court system to consider all available information. SB 181, page 5, line 21, permits preference of placement to a foster family if both the court and OCS agree, the child is under 6 years old, and has resided with the foster family for 12 months. It is not a mandate but rather allows all parties involved to have a voice in the decision-making process.

[4:12:31 PM](#)

SENATOR DUNBAR asked if the reference to the reordering of preferences in a document from Facing Foster Care was a misreading of SB 181.

[4:12:55 PM](#)

SENATOR BJORKMAN replied yes. He stated he has explained to the organization multiple times that SB 181 does not put one group above another. SB 181, page 5, lines 20-21, allows the court to consider a foster family as a placement option when the child is under six years old and in the family's care for at least six months.

SENATOR DUNBAR asked if it is a legitimate concern that a relative who wants custody of a child would not have access to the same resources as the state for litigation or be disadvantaged in some way.

[4:14:25 PM](#)

SENATOR BJORKMAN stated that wealth and resources are omitted from best interest findings. He opined that there is a significant amount of case law stating that wealth cannot be considered. An additional provision in SB 181, on pages 4-5, states that the court can excuse family members from consideration for placement. A time limit is necessary to account for when a child finds permanency.

[4:16:45 PM](#)

CHAIR WILSON opened public testimony on SB 181.

[4:16:53 PM](#)

MEGHAN MASON, representing self, Anchorage, Alaska, testified in support of SB 181. She stated her family was a licensed foster family since 2017, loving and caring for eight children. The foster care system lacks the resources to provide for the needs of children, which leads to long term trauma and trust issues. She opined that it is the responsibility of a foster family to ensure that the child is safe, loved, and protected so the child can heal. However, the state then uproots the child. She said children are not made a priority and the system needs to change. She shared a personal experience of raising a foster child from birth to 4 years old. Adoption by the state was approved until a biological family member, whom the child had never met, decided to take placement. She spoke of the hardships such decisions cause children and foster families. SB 181 would allow children to stay with foster families, and it would also do a better job

of locating all potential relatives and friends within a reasonable amount of time.

[4:20:12 PM](#)

DESTINEE MCCLUNG, representing self, Anchorage, Alaska, testified in support of SB 181. She said she has been a foster parent for 8 years. Foster parents are frontline workers that witness the devastation caused by the Office of Children's Services (OCS). Alaska has experienced a 31 percent decrease in foster care families. OCS would point out that there are 16 percent fewer children in the system than five years ago. However, OCS screens 16 percent fewer reports than five years ago. Foster parents are closing their licenses because they feel they are being forced to contribute to the child's trauma. Current laws do not take into consideration the detriment and trauma that removal from long-term placements creates for children and foster families. Attachment is the first building block to healthy, happy, well-adjusted adults. SB 181 would increase OCS's accountability and speed permanent placement. The state needs to change its laws to prioritize the needs of children over the needs of adults.

[4:22:33 PM](#)

EMILY BOLANDER, representing self, Fairbanks, Alaska, testified in support of SB 181. She stated seven children have resided in her home over the past 1.5 years, all of whom were under the age of six. The needs of the children were widely varied and serving them was a privilege. Children are born deserving of safety and stability. Safety is always a primary concern, but stability is often overlooked or valued less. SB 181 supports timely connections with family whenever possible. Connections to biological family are proven to increase unification outcomes, which is the goal of foster care. OCS should prioritize timely and appropriate searches for safe family placements for children in crisis. SB 181 also addresses placement of children in a licensed foster home when family members are unavailable. Children form attachments to foster families. Foster families also form safe, healthy relationships with members of the child's biological family. Children experience trauma when they form attachments to their homes and are then removed for other permanency options. Compounded trauma is difficult to treat and stays with children into adulthood. The court should at least consider permanent placement an option in situations where children have formed attachments to their safe, stable, foster care families.

[4:25:23 PM](#)

ANDREA DOESHART, representing self, Kenai, Alaska, testified in support of SB 181. She stated her family was a licensed foster care family from 2018 to September of 2023. She voluntarily closed her license. The time periods that children stayed with her ranged from a long weekend to 3.5 years. She stated that in the summer of 2022 she sat on a therapist's floor with a puppet on her hand trying to explain to her three-year-old foster daughter that she must leave the only home she knew since birth. Words like "legal" or "biological" do not mean anything to a three-year-old, but "mama" does. She stated that after the puppet show, she was required to pull a crying child from her body, force her into the arms of someone else, and walk out of the building. She stated she betrayed the parent-child relationship that she had built for three years and had to participate in shattering the only reality the child knew. She has not been allowed to see her since. She stated that the experience was gut wrenching and she, her spouse, and her biological children still grieve. She stated the "good cause" clause is narrowly written and does not include psychological and developmental well-being.

[4:28:46 PM](#)

DANIELLE WAKEFIELD, representing self, Anchorage, Alaska, testified in support of SB 181. She said she has been a licensed foster parent for five years. Children in the foster care system face profound instability and uncertainty. In her home is a four-year-old girl she has cared for since birth. Although the federal guideline for custody is 15 months, the court has extended custody three times and is comfortable extending it for a fourth time because permanent placements do not occur within that timeframe. She stated her home is not considered an option for permanent placement and she has no voice or legal standing to advocate for the girl she has raised. She opined that to OCS she is nothing more than a babysitter. She is forced to participate in unnecessary adverse childhood experiences. The limbo that foster care children experience due to delays in court hearings leads to emotional and psychological distress. It is unacceptable for children to remain in foster care for years. She urged support for SB 181 so foster children can receive the care, stability, and permanency they deserve.

[4:30:51 PM](#)

SENATOR DUNBAR asked if the 15-month federal guideline was part of the Indian Child Welfare Act (ICWA).

MS. WAKEFIELD replied that the federal guidelines require the department to file a termination petition at 15 months if the child's parent has not made substantial progress.

[4:31:31 PM](#)

SENATOR DUNBAR said his understanding is SB 181 does not impact ICWA. He asked for confirmation that the 15-month guideline is separate from ICWA.

[4:31:38 PM](#)

MS. WAKEFIELD replied she is uncertain whether it is a state or federal guideline, but children are not to remain in custody more than 24 months. The guideline is not part of ICWA.

[4:32:03 PM](#)

KRISTEN HADDOX, representing self, North Pole, Alaska, testified in support of SB 181. She stated she lives with her husband, four biological children, and three foster children. She has been a licensed ICWA foster home for seven years and a relative placement. She has cared for 14 children and adopted a six-year-old child after five years and three months of caring for him. She stated that as a relative placement, she did not see OCS as an intrusion. Frequently, family members spend years trying to advocate for a child, but the child is hidden from them by the parent. OCS needs to find a healthy family as a child enters care because birth parents do not provide the contact information of family members and close friends. The state needs to raise the bar on relative expectations. When a child goes through a traumatic experience, the state should expect the presence of a family member, even if solely for emotional support. SB 181 asks for expressed interest, not immediate placement. A relative failing to act because they do not want to deal with OCS is silly. Ignoring a child's best interest makes everyone involved feel like the bad guy. Foster parents and employees become part of the system because they want to help children but leave because of the secondary trauma the system causes. Children's brains remember trauma. She had children who stopped feeling gravity due to anxiety. Their lives are unstable, not knowing where they will live from week to week. Small children do not understand why they cannot stay with a family and the stress causes regression. She stated that when she adopted a foster child, she adopted the child's extended family into her home. Biological family against foster family is a false narrative.

[4:35:16 PM](#)

CHAIR WILSON held SB 181 in committee.

[4:35:33 PM](#)

CHAIR WILSON closed public testimony on SB 181.

**SB 115-PHYSICIAN ASSISTANT SCOPE OF PRACTICE**

[4:35:48 PM](#)

CHAIR WILSON announced the consideration of SENATE BILL NO. 115 "An Act relating to physician assistants; relating to physicians; and relating to health care insurance policies."

SB 115 was first heard on January 23, 2024. Invited and public testimony was heard. On February 6, 2024, a committee substitute was considered and withdrawn. Before the committee is SB 115, version B.

[4:36:12 PM](#)

CHAIR WILSON solicited a motion.

[4:36:18 PM](#)

SENATOR DUNBAR moved to adopt Amendment 1, work order 33-LS0542\B.4, to SB 115.

33-LS0542\B.4  
Gunther  
2/15/24

**AMENDMENT 1**

OFFERED IN THE SENATE  
TO: SB 115

BY SENATOR DUNBAR

Page 2, line 28:  
Delete "2,000"  
Insert "6,000"

[4:36:25 PM](#)

At ease

[4:36:53 PM](#)

CHAIR WILSON reconvened the meeting and objected for purposes of discussion.

[4:36:56 PM](#)

SENATOR DUNBAR stated that overall, he agrees with SB 115. He wants physician assistants (PAs) to have independence within the field's scope of practice. However, other states require a higher number of hours working under a physician. In SB 115, page 2, line 28, "2,000 hours" would change to "6,000 hours." He opined that the change would provide needed training for increased safety.

[4:38:10 PM](#)

CHAIR TOBIN responded that the committee discussed the clinical and patient training PAs receive before they can care for patients. The addition of 2000 hours is to untether PAs from physicians. PAs are not trying to replace physicians. The goal is to provide more services at different tiers. The average PA has over 3000 hours of direct patient contact during their training. She described the continuing education and exams that PAs complete to maintain certification. She opined that the amendment is onerous and unnecessary. However, in the spirit of collaboration she proposed a conceptual amendment.

[4:41:35 PM](#)

CHAIR WILSON solicited a motion.

[4:41:35 PM](#)

SENATOR TOBIN moved Conceptual Amendment 1 to Amendment 1:

**CONCEPTUAL AMENDMENT 1 TO AMENDMENT 1**

OFFERED IN THE SENATE  
TO: SB 115

BY SENATOR TOBIN

Page 1, line 3:  
Delete "2,000"  
Insert "4,000"

[4:41:48 PM](#)

CHAIR WILSON asked if there was objection.

[4:41:50 PM](#)

SENATOR DUNBAR objected for purposes of discussion.

[4:41:53 PM](#)

SENATOR DUNBAR stated his belief that most PAs do not want to practice without a collaborative physician, especially early in their practice. He opined that most PAs who would take advantage

of SB 115 already meet the required hours. He stated that he might put forth a future amendment regarding specificity of hours in another committee of referral.

[4:43:27 PM](#)

SENATOR DUNBAR removed his objection to Conceptual Amendment 1 to Amendment 1.

[4:43:32 PM](#)

CHAIR WILSON found no further objection and Conceptual Amendment 1 to Amendment 1 was adopted. Amendment 1 [as amended] was before the committee. He asked if there was further discussion.

[4:43:54 PM](#)

SENATOR GIESSEL objected to Amendment 1 [as amended] and stated that the discussion is arbitrary. PAs are highly educated healthcare professionals. She opined that it is a bureaucratic assertion to arbitrarily choose a number to establish competency. She stated that the national exam is difficult, and PAs must pass it every 10 years. The letters of concern that the committee received were not constituents injured by PAs. They were from a special interest group. She challenged the committee of non-health care professionals to explain how the extra hours were determined.

[4:46:34 PM](#)

SENATOR DUNBAR rhetorically replied that the committee does not drill for oil and gas but sets oil and gas policy. Other states have set hours of up to 10,000 to ensure the public's safety. He opined that 4,000 seemed like a reasonable compromise.

[4:47:48 PM](#)

SENATOR GIESSEL stated that continuing education is required of PAs every two years. PAs primarily work in family practice. She wondered if hours would need to be obtained working in varying clinical settings. She noted that physicians are remunerated for the clinical care that PAs provide, and PAs must also pay a supervising physician fee. She suggested SB 115 should place limits on the fees physicians can charge PAs.

[4:49:38 PM](#)

CHAIR TOBIN thanked Senator Giessel for her expertise on PAs in Alaska. She said she agrees that the conversation denigrates the education and experience of PAs. Rural areas in Alaska rely on PAs for healthcare. PAs in Alaska agreed to the 2000 hours because they understand there is opposition from doctors who hold the power position. She wondered whether doctors want to

continue agreements with PAs for financial and professional reasons. She acquiesced to the increase in hours because she is committed to moving SB 115.

[4:51:59 PM](#)

CHAIR WILSON asked for further discussion and if objection was maintained.

[4:52:01 PM](#)

SENATOR GIESSEL maintained her objection.

[4:52:03 PM](#)

CHAIR WILSON asked for a roll call vote on Amendment 1, as amended.

A roll call vote was taken. Senators Kaufman, Dunbar, and Wilson voted in favor of Amendment 1, as amended, and Senators Giessel and Tobin voted against it. The vote was 3:2.

[4:52:50 PM](#)

CHAIR WILSON announced that Amendment 1, as amended, was adopted on a vote of 3:2.

[4:53:01 PM](#)

CHAIR WILSON asked if the committee or sponsor of SB 115 had additional comments.

[4:53:09 PM](#)

CHAIR TOBIN thanked the committee for hearing SB 115. Physician Assistants (PAs) have worked diligently to find common ground with the entity that oversees their ability to provide a much-needed service to the State. SB 115 ensures PAs are afforded the ability to work to the scope of their training.

[4:53:43 PM](#)

CHAIR WILSON solicited the will of the committee.

[4:53:46 PM](#)

SENATOR KAUFMAN moved to report SB 115, workorder 33-LS0542/B, as amended, from committee with individual recommendations and attached fiscal notes.

[4:53:57 PM](#)

CHAIR WILSON found no further objection and CSSB 115 (HSS) was reported from the Senate Health and Social Services Standing Committee.

[4:54:07 PM](#)

At ease

**SSCR 2-DISAPPROVE EO 125**

[4:56:14 PM](#)

CHAIR WILSON reconvened the meeting and announced the consideration of SENATE SPECIAL CONCURRENT RESOLUTION NO. 2 Disapproving Executive Order No. 125.

CHAIR WILSON stated that the committee heard EO 125 on February 1, 2024. SSCR 2 is the instrument documenting the committee's action on EO 125. The associated report is similar to a committee report for bills, where members make individual recommendations.

[4:57:10 PM](#)

HEIDI HEDBERG, Commissioner, Department of Health (DOH), Juneau, Alaska, provided an overview of EO 125 and stated it removes the Alaska Council on Emergency Medical Services (ACEMS) from statute and transfers its responsibilities to the Department of Health (DOH). She said her intent is to create the EMS Advisory Council within DOH. She values the advisory council, but it was established 47 years ago and the 11 seats that represent ACEMS do not reflect the current EMS system. Transitioning the council through EO 125 will allow DOH to create an advisory committee that is reflective of today's EMS system.

[4:58:35 PM](#)

SENATOR DUNBAR said he is pleased that EO 125 does not raise unconstitutional concerns by including new specified seats. He asked why DOH didn't pursue statute to accomplish the changes.

[4:59:22 PM](#)

MS. HEDBERG replied there are a lot of policy priorities that come up each session. The department has known for a long time that the original intent of ACEMS was accomplished, which was to recommend an EMS system for the state. Utilizing a bill as the tool to create the seat changes would require future amendments as EMS evolves. She stated it is efficient to maintain the intent of the council by taking the identified seats out of statute and transferring authority to DOH. She noted examples of ACEMS not having seats for dispatch and air medical transport. DOH would have the ability to evolve the council as new services emerge.

[5:01:09 PM](#)

CHAIR WILSON stated his belief that no one has testified in favor of keeping the board in statute. People who have served on the board for 47 years have testified in favor of EO 125.

[5:01:38 PM](#)

GENE WISEMAN, Section Chief, Rural and Community Health Systems, Department of Health (DOH), Juneau, Alaska, thanked the committee for their consideration EO 125.

[5:01:47 PM](#)

CHAIR WILSON solicited a motion.

[5:01:48 PM](#)

SENATOR KAUFMAN moved that EO 125 with individual recommendations be reported from committee, and SSCR 2, with individual recommendations and attached fiscal note(s) be reported from the Senate Health and Social Services Standing Committee.

[5:02:11 PM](#)

CHAIR WILSON found no objection and EO 125 and SSCR 2 were reported from the Senate Health and Social Services Standing Committee.

[5:02:28 PM](#)

SENATOR GIESSEL stated that signing the reports does not reflect an intent by any of the members to vote for or against a special concurrent resolution disapproving the Executive Order in joint session.

[5:02:51 PM](#)

There being no further business to come before the committee, Chair Wilson adjourned the Senate Health and Social Services Standing Committee meeting at 5:02 p.m.