

ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE

February 5, 2024

1:31 p.m.

MEMBERS PRESENT

Senator Jesse Bjorkman, Chair
Senator Click Bishop, Vice Chair
Senator Elvi Gray-Jackson
Senator Kelly Merrick
Senator Forrest Dunbar

COMMITTEE CALENDAR

SENATE BILL NO. 134

"An Act relating to insurance data security; amending Rule 26, Alaska Rules of Civil Procedure, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 166

"An Act establishing the Alaska mental health and psychedelic medicine task force; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 134

SHORT TITLE: INS. DATA SECURITY; INFO. SECURITY PRGRMS

SPONSOR(S): SENATOR(S) KAUFMAN

04/21/23	(S)	READ THE FIRST TIME - REFERRALS
04/21/23	(S)	L&C, JUD, FIN
02/05/24	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

BILL: SB 166

SHORT TITLE: MENTAL HEALTH/PSYCHEDELIC MED. TASK FORCE

SPONSOR(S): SENATOR(S) DUNBAR

01/16/24	(S)	PREFILE RELEASED 1/8/24
01/16/24	(S)	READ THE FIRST TIME - REFERRALS
01/16/24	(S)	L&C, JUD
02/05/24	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

DOMINICK HARNETT, Staff
Senator James Kaufman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for SB 134.

SENATOR JAMES KAUFMAN, District F
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SB 134.

LORI WING-HEIER, Director
Division of Insurance
Department of Commerce, Community and Economic Development
(DCCED)
Anchorage, Alaska

POSITION STATEMENT: Answered questions on SB 134.

SUSAN MITCHELL, Attorney
Civil Division
Department of Law
Anchorage, Alaska

POSITION STATEMENT: Answered questions on SB 134

PAMELA SAMASH, representing self
Nenana, Alaska

POSITION STATEMENT: Testified in support of SB 134.

SETH TIGARIAN, Staff
Senator Forrest Dunbar
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for SB 166.

DR. TAMI LUBITSH-WHITE, Licensed Psychologist
Lubitsh Consulting
Anchorage, Alaska

POSITION STATEMENT: Testified by invitation in support of SB 166.

BETH LAW
US Army Retired
Wasilla, Alaska

POSITION STATEMENT: Testified by invitation in support of SB 166.

BAILEY STUART, CEO
Stuart Consulting
Palmer, Alaska

POSITION STATEMENT: Testified by invitation in support of SB 166.

MEGAN LINGLE, Graduate Student
Clinical Mental Health Counseling program
University of Alaska Fairbanks (UAF)
Juneau, Alaska

POSITION STATEMENT: Testified by invitation in support of SB 166.

KATHLEEN WEDEMEYER, Member
Citizens Commission on Human Rights
Seattle, Alaska

POSITION STATEMENT: Testified in opposition to SB 166.

MEDA DEWITT, Traditional Healer and Herbalist
Anchorage, Alaska

POSITION STATEMENT: Testified by invitation in support of SB 166.

STEPHANIE BIRCH, Secretary
Alaska Advanced Practice Registered Nurse Alliance
Anchorage, Alaska

POSITION STATEMENT: Testified by invitation with concerns on SB 166.

MICAELA FOWLER, Deputy Commissioner
Department of Commerce, Community and Economic Development
(DCCED)
Juneau, Alaska

POSITION STATEMENT: Testified by invitation on SB 166.

ACTION NARRATIVE

[1:31:56 PM](#)

CHAIR JESSE BJORKMAN called the Senate Labor and Commerce Standing Committee meeting to order at 1:31 p.m. Present at the call to order were Senators Gray-Jackson, Dunbar, and Chair Bjorkman. Senators Merrick and Bishop arrived shortly thereafter.

SB 134-INS. DATA SECURITY; INFO. SECURITY PRGRMS

[1:32:56 PM](#)

CHAIR BJORKMAN announced the consideration of SENATE BILL NO. 134, "An Act relating to insurance data security; amending Rule 26, Alaska Rules of Civil Procedure, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date."

[1:33:17 PM](#)

SENATOR MERRICK and SENATOR BISHOP joined the meeting.

[1:33:25 PM](#)

DOMINICK HARNETT, Staff, Senator James Kaufman, Alaska State Legislature, Juneau, Alaska, read the following introductory statement on SB 134:

[Original punctuation provided.]

SB 134 is intended to address increasing concern over data breaches within the insurance industry over the last several years. These companies maintain the sensitive personal, financial, and health information of millions of consumers and it is important to establish set standards to reduce the potential damage of data breaches within the industry. SB 134 would require state licensed insurance companies to perform a full risk assessment of their internal and external threats and then develop, implement and maintain an information security program based upon those threats.

The standards this bill sets up are not wide in scope, but they do set standards for governance, risk management, risk assessment, third party risk management and incident response.

SB 134 also lays out specific requirements for incident investigation and notification. The bill empowers the Division of Insurance with the tools necessary to effectively oversee protection of Alaskans' sensitive personal information by licensees. Similar legislation already exists in at least 23 other states and the federal government has urged states to adopt similar measures reflecting a nationwide recognition of the importance of these provisions.

We believe SB 134 is a proactive approach to protecting Alaskan citizens' personal information from cyberthreats and will enhance consumer protections and bolster the cybersecurity position of the insurance industry.

[1:35:18 PM](#)

SENATOR JAMES KAUFMAN, District F, Alaska State Legislature, Juneau, Alaska, deferred discussion of SB 134 to his staff, Mr. Harnett.

[1:35:49 PM](#)

MR. HARNETT presented the sectional analysis for SB 134:

[Original punctuation provided.]

Sectional Analysis for SB 134 - Version B
"An Act relating to insurance data security; amending Rule 16, Alaska Rules of Civil Procedure, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date."

Section 1:

AS 21.96 is amended by adding new sections related to insurance data security.

Sec. 21.96.250. Risk Assessment

Licenses shall conduct a risk assessment of nonpublic information.

- In conducting the risk assessment, the licensee shall identify reasonably foreseeable internal and external threats, assess the likelihood and potential damage of threats, and assess the sufficiency of current safeguards in protecting nonpublic information.
- A licensee shall use this risk assessment to design the information security program required in the next section.

[1:36:44 PM](#)

MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

Sec. 21.96.260. Information Security Program

Licensees shall develop, implement, and maintain an information security program.

- The program is to be based off the threats identified in Sec 21.96.250
 - Licensees shall designate one or more employees, an outside vendor, or third-party service provider to be responsible for the security program.
 - A licensee's information security program must:
 - Contain safeguards to protect security and confidentiality of nonpublic information and the information system
 - Protect against threats, hazards, and unauthorized access to nonpublic information
 - Establish a schedule for retention of nonpublic information
 - Establish a mechanism for secure destruction of nonpublic information
- The development and upkeep process of the licensee's information security program shall:
 - Implement appropriate security measures such as information access controls, identification and management of data access points, physical access controls, encryption, secure development practices, regular tests, audit trails, disaster responses, and secure disposal
 - Determine cybersecurity risks to include in the licensee's risk management process
 - Stay informed of emerging threats or vulnerabilities
 - Include cybersecurity risks in the licensee's enterprise-wide risk management process

- Provide personnel with cybersecurity awareness training
- Implement information safeguards addressing identified threats and annually assess effectiveness of safeguards

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MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

- Exercise due diligence in the third-party service provider selection process
- Monitor, evaluate, and adjust the information security program as appropriate
- Establish a written incident response plan for responding to a cybersecurity event that addresses
 - Internal response processes
 - Goals of the plan
 - Roles, responsibilities, and decision authority
 - Internal processes for communication and information sharing
 - Plans for how to remediate identified weaknesses
 - Documentation and reporting of cybersecurity events
 - Evaluation and revision process of incident response plan

21.96.250(d) requires the licensee board to delegate responsibility of the program to executive management which is required to at least once a year develop a report that:

- Provides overall status of the information security program and compliance with the contents of this bill
- Material matters related to the information security program such as

assessments, decisions, test results, cybersecurity events, and more

- If the executive management uses a delegate to implement the program, the executive management is required to oversee the development of the program by the delegate

[1:39:33 PM](#)

MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

21.96.260(f) sets requirements for licensees domiciled in the state to submit annual reports to the Director of Insurance certifying that the licensee complies with AS 21.96.50, including keeping records for at least five years.

Sec. 21.96.270. Investigation of cybersecurity event

Sets investigating requirements for licensees when a cybersecurity event occurs.

- If a cybersecurity event occurs, the licensee or responsible party shall investigate the event and assess the nature and scope of the event, identify nonpublic information involved, restore the security of the information systems that were compromised, and retain relevant information for a period of at least 5 years

[1:40:22 PM](#)

MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

Sec. 21.96.280. Notification of cybersecurity event

Sets notification criteria for licensees when a cybersecurity event occurs

- Licensees must notify the director of insurance within 72 hours of a cybersecurity event occurring. Licensees are affected if:
 - They are insurers domiciled in the state

- They are insurance producers in which Alaska is their home state
- The cybersecurity event involves nonpublic information of 250 or more consumers and the event and:
 - State or federal law requires notice to a government agency
 - There is a reasonable likelihood of materially harming a consumer in the state or the licensee's normal operations
- The report to the director of insurance must include information specified in AS 21.96.280(b)(1-13) in a form and format as prescribed by the director
- 21.96.280(e) allows the 72-hour notification period to begin one day after the licensee is made aware of a cybersecurity event affecting information systems maintained by third-party service providers
- 21.96.280(f) sets requirements for assuming insurers to notify affected ceding insurers and the appropriate supervisory official of the licensee's state of domicile

[1:41:40 PM](#)

MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

Sec. 21.96.290. Confidentiality

Establishes that all information shared with the Division by licensees remains strictly confidential. This means that the information is:

- not subject to inspection and copying under AS 40.25.110
- not obtainable by subpoena or discovery
- not admissible in evidence in private civil action

21.96.290(b), (c), (d), (e) gives privileges to the director when using documents, materials, or information as described earlier in this section when done in the performance of the duties of the director.

1:42:25 PM

MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

Sec. 21.96.300. Applicability

This section establishes the criteria for which licensees are not subject to the provisions set by this bill.

- Licensee with fewer than 10 employees
- Licensees that are employees, agents, representatives, or designees of another licensee that is already covered by an information security program
- Licensee is subject to and in compliance with the Health Insurance Portability and Accountability Act of 1996 (P.L. 104-191)

Sec. 21.96.310. Enforcement; penalties

Adds additional powers of examination and investigation to the director under AS 21.06.120.

- Does not create or imply a private cause of action if a licensee is found in violation of the stipulations within this bill (AS 21.96.250 - 21.96.399)

Sec. 21.96.399. Definitions

Adds definitions. Highlighted definitions are listed below:

- "Cybersecurity event" means an event resulting in unauthorized access to or disruption or misuses of an information system or information stored on the information system
- "Information security program" means the administrative, technical, and physical safeguards that a licensee uses to access, collect, distribute, process, protect, store, use, transmit, dispose of, or otherwise handle nonpublic information

- "Licensee" means a person licensed, authorized to operate, or registered, or required to be licensed, authorized, or registered, under the insurance laws of the State of Alaska

[1:44:15 PM](#)

MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

Section 2:

Rule 26, 402, and 501 Alaska Rules of evidence changes.

- Rules 26 - Prohibits discovery of evidence in the possession or control of the division of insurance that was provided by a licensee under AS 21.96.260(f) or 21.96.280(b)(2)-(5), (8), (10), or (11) or that is obtained by the director in an investigation or examination under AS 21.96.310.
- Rule 402 and 501 - AS 21.96.290(a)(4) and (c) enacted in Sec. 1 of this Act prevent the director of the division of insurance acting under the authority of the director from being compelled to testify about confidential or privileged documents. It also precludes admissibility of evidence in a private action of documents, materials, or other privileged information.

Section 3:

This section notices the Division to begin the process of writing regulations but does not implement any before the effective date in Sec. 8 of this Act.

[1:45:26 PM](#)

MR. HARNETT continued the sectional analysis for SB 134:

[Original punctuation provided.]

Section 4:

A conditional effect for AS 21.96.290(a)(3) and (4) and (c) enacted by Sec. 1 of this bill requires a two-thirds majority vote of each house as required for court rules changes required by art. IV, sec. 15, of the Constitution of the State of Alaska

Section 5:

Sec.3 takes effect immediately so that the Division of Insurance can start drafting regulations.

Section 6:

Sets an effective date for several provisions of this bill of January 1, 2025 to give insurance companies and producers time to comply.

Section 7:

Sets an effective date of January 1, 2026 to give insurance companies and producers time to find a third-party service provider.

Section 8:

Except as provided in secs. 5 - 7 of this bill, this Act takes effect January 1, 2024, thus allowing time for compliance.

[1:45:58 PM](#)

MR. HARNETT explained that the dates in sections 6, 7, and 8 would each need to be updated to be one year later.

[1:46:52 PM](#)

SENATOR BISHOP referred to Section 4 and sought clarification regarding the two-thirds vote that is required for a court rule change.

[1:47:08 PM](#)

MR. HARNETT replied that, according to the constitution, a court rule change would require a two-thirds vote. He explained that, in this case, the court rule change is related to the confidentiality section and changes to the discovery.

SENATOR BISHOP sought further clarification.

MR. HARNETT explained that no part of SB 134 would go into effect if the two-thirds voting requirement was not met.

SENATOR BISHOP offered his understanding that it is a two-thirds vote on the bill.

MR. HARNETT replied yes.

SENATOR BISHOP noted that sections 3 and 5 take effect immediately and questioned whether SB 134 should include a specific deadline for the regulation package.

MR. HARNETT deferred to Ms. Wing-Heier.

[1:49:24 PM](#)

LORI WING-HEIER, Director, Division of Insurance, Department of Commerce, Community and Economic Development (DCCED), Anchorage, Alaska, answered that the Division of Insurance could have regulations complete within 6 months.

[1:50:35 PM](#)

MS. WING-HEIER asserted that SB 134 is common sense for insurance companies and producers who are exempting firms or small companies with fewer than 10 employees. She surmised that companies with more than 10 employees likely have an existing cyber-security program in place. She explained that the National Association of Insurance Commissioners (NAIC) put SB 134 forward in response to the Federal Government's cyber-policy requirement. She explained that the division worked with industry partners over several years to come up with the current proposal.

[1:52:19 PM](#)

SENATOR DUNBAR noted that SB 134 does not create a private right of action. He asked if an existing private right of action would be extinguished.

[1:52:43 PM](#)

MS. WING-HEIER offered her understanding that SB 134 does not remove the right to bring an action against a broker or insurance company. She explained that it stops someone from subpoenaing the division for data. Instead, this data would need to come directly from the broker or the insurance company.

[1:53:12 PM](#)

SENATOR DUNBAR asked if Ms. Mitchell agreed with Ms. Wing-Heier's response and if she had additional input.

[1:53:30 PM](#)

SUSAN MITCHELL, Attorney, Civil Division, Department of Law, Anchorage, Alaska, answered questions on SB 134. She said that she agreed with Ms. Heier's response.

[1:54:13 PM](#)

CHAIR BJORKMAN opened public testimony on SB 134.

[1:54:58 PM](#)

PAMELA SAMASH, representing self, Nenana, Alaska, testified in support of SB 134. She surmised that customers expect privacy and that insurance providers would do whatever they need to do to ensure the safety of their customers' data. She emphasized that it is important to be "one step ahead" in the digital age.

[1:56:27 PM](#)

CHAIR BJORKMAN kept public testimony open and held SB 134 in committee.

[1:56:34 PM](#)

At ease

SB 166-MENTAL HEALTH/PSYCHEDELIC MED. TASK FORCE

[1:58:03 PM](#)

CHAIR BJORKMAN reconvened the meeting and announced the consideration of SENATE BILL NO. 166, "An Act establishing the Alaska mental health and psychedelic medicine task force; and providing for an effective date."

[1:58:29 PM](#)

SENATOR DUNBAR, speaking as sponsor of SB 166, read from the following sponsor statement:

[Original punctuation provided.]

SPONSOR STATEMENT

SB 166: MENTAL HEALTH/PSYCHEDELIC MED. TASK FORCE

Senate Bill 166 proposes the establishment of the Alaska Mental Health and Psychedelic Medicine Task Force. Alaska's high veteran suicide rates and prevalence of domestic violence underscore the urgency of exploring innovative mental health treatments.

The Task Force will consist of a diverse group of experts and stakeholders tasked with exploring the integration of psychedelic-assisted therapies into Alaska's healthcare system. It will meet at least four times, submit a report of recommendations to the legislature and the governor by December 31st, 2024, and terminate at the convening of the Thirty-Fifth Legislature.

Research shows the effectiveness of psychedelic-assisted therapies in treating PTSD, depression, anxiety, and substance-use disorders, conditions highly prevalent among veterans. What barriers exist in implementing such therapies in Alaska? What regulations are needed for practitioners to ensure safe integration of psychedelic medicine? These are some of the questions the task force will explore.

The FDA is currently reviewing MDMA for treatment of PTSD, with approval expected by the end of this year. Additionally, advanced trials show that psilocybin and ibogaine are effective at treating PTSD, depression, anxiety, and TBI symptoms. Passing SB 166 is vital for Alaska to leverage these treatments in addressing mental health challenges. The task force represents a step towards pioneering mental health solutions. I urge your support for SB 166 to ensure that Alaska will be ready for the FDA's imminent approval of psychedelic medicine.

[2:00:18 PM](#)

SENATOR DUNBAR noted that Colorado and Oregon have pursued similar goals but with different methodologies. One critic of those efforts was a lack of Indigenous participation. He stated that the task force created by SB 166 would include set seats for Indigenous healthcare professionals and leaders and expressed a desire for Indigenous voices to be a part of the task force. He noted that psychiatric nurse practitioners have expressed support for SB 166 and would like a seat on the task force. He expressed support for an amendment making this change.

[2:01:41 PM](#)

SETH TIGARIAN, Staff, Senator Forrest Dunbar, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 166:

[Original punctuation provided.]

SECTIONAL ANALYSIS

SB 166: MENTAL HEALTH/PSYCHEDELIC MED. TASK FORCE

Section 1. This section adds a new section to the uncodified law of the State of Alaska to establish the Mental Health and Psychedelic Medicine Task Force in the Department of Commerce, Community and Economic Development, and establishes:

- The purpose of the task force;
- Membership of the task force;
- A process for election of the chair of the task force;
- A process for filling a vacancy on the task force;
- Compensation of task force members;
- Schedule and timeline for submission of the task force report and recommendations;
- Termination of the task force

Section 2. This section establishes an immediate effective date.

[2:02:32 PM](#)

MR. TIGARIAN read the following from the SB 166:

The purpose of the task force is to

- (1) assess the potential use of psychedelic medicine in addressing the state's ongoing mental health crisis;
- (2) consider barriers to implementation and equitable access;
- (3) consider and recommend licensing and insurance requirements for practitioners in the state in the event that psychedelic medicines are federally reclassified and approved by the United States Food and Drug Administration; and
- (4) consider the legal and regulatory pathways to the legalization of psychedelic medicines in the state, and the potential effects of the medicines on public health.

[2:03:27 PM](#)

CHAIR BJORKMAN announced invited testimony on SB 166.

[2:03:54 PM](#)

DR. TAMI LUBITSH-WHITE, Licensed Psychologist, Lubitsh Consulting, Anchorage, Alaska, testified by invitation in support of SB 166. She gave a brief overview of her education and certification in psychedelic treatment options.

[2:04:56 PM](#)

DR. LUBITSH-WHITE expressed hope that Alaska would implement psychedelic-assisted treatment. She emphasized that psychedelics

would not be taken as medication; rather, they would be used as a tool to assist treatment. She stated that psychologists do not have the tools needed to deal with post-traumatic stress disorder (PTSD), complex trauma, depression, and anxiety. She pointed out that, in clinical trials, psychedelics have proven effective. She surmised that they are nearing the Federal Drug Administration (FDA) approval stage. However, Alaska does not have the systems in place to manage the clinical use of psychedelics once it is approved. She added that the underground use of psychedelics must also be addressed. This includes educating the public and healthcare providers on the benefits as well as the potential harms of psychedelic use. She emphasized that psychedelics need to be in the hands of experienced, knowledgeable, and informed practitioners. She reiterated her hope for the future of psychedelic use in psychiatric treatment.

2:07:35 PM

BETH LAW, US Army Retired, Wasilla, Alaska, testified by invitation in support of SB 166. She explained that she has direct knowledge and experience with psychedelics - specifically psilocybin mushrooms. She said she was in military service for 34 years. She offered a brief history of the traumas that she has experienced and explained how these traumatic experiences - and the resulting anxiety, depression, and PTSD - led her to seek psychedelic treatment options.

2:11:01

MS. LAW shared that she discovered a facility in Jamaica called MycoMeditations that offers psilocybin treatment. She received treatment at this facility in December 2023. She briefly described the assessment and treatment protocols. She emphasized that individuals who suffer from certain mental health disorders are not considered candidates for this form of treatment. She explained that this treatment helped with her intense fear of death, as well as her anxiety and anger. She emphasized that psilocybin treatment is not the same as experiencing a "high" - it is intense work that is done internally and with a therapist. She explained that individuals utilizing this treatment must integrate their experiences over time and during follow-up visits. She expressed hope that Alaska would follow this same treatment structure in the future.

2:14:21 PM

BAILEY STUART, CEO, Stuart Consulting, Palmer, Alaska, testified by invitation in support of SB 166. She said she is a member of the Marijuana Control Board and is Chair of the Alaska Marijuana Industry Association's Public Relations and Governance

Committee. She is also an adjunct professor at the University of Alaska, Anchorage (UAA), where she educates students on cannabis and cannabis regulation. She opined that it is in Alaska's best interest to begin discussions about the therapeutic use of psilocybin. She pointed out that psilocybin is in phase three clinical trials, which is the human trial phase. She shared her belief that psychedelics will be utilized as a tool in mental health treatment protocols. She suggested that federal legalization of psychedelics is on the horizon and opined that it is important to determine the regulatory framework before legalization. She contrasted this with the legalization of marijuana in Alaska, which occurred without any regulatory framework and which she said led to confusion for the public. She stated that SB 166 would prevent this confusion and would provide a framework for providers to utilize in their practices. She expressed her approval of the board structure included in SB 166. She shared her belief that the future of mental health treatment will include assisted psychedelic therapy and suggested that this treatment could be vital to solving the state's mental health crisis.

2:16:53 PM

MEGAN LINGLE, Graduate Student, Clinical Mental Health Counseling program, University of Alaska Fairbanks (UAF), Juneau, Alaska, testified by invitation in support of SB 166. She said that her passion for mental health advocacy and the potential benefits of psychedelic-assisted therapy aligns closely with the objectives outlined in SB 166. She shared her experience growing up in the Indigenous community of Kake, Alaska, where she witnessed the devastating impacts of substance abuse and suicide. These experiences fueled her advocacy in these areas - and led to her pursuit of a clinical counseling career. She shared her belief that psychedelic-assisted therapy holds great potential as a tool for addressing Alaska's mental health crisis. She opined that the proposed task force reflects a forward-thinking approach to the evolving landscape of mental health treatment. She said that, as a graduate student, she is particularly interested in the therapeutic benefits of psychedelics and their potential use as treatment for mood, anxiety, and substance use disorders.

2:18:12

MS. LINGLE shared her belief that the Federal Drug Administration's (FDA) acknowledgement of these benefits - and the proposed exploration by the task force - align with the transformative impacts that psychedelic-assisted therapy could have for individuals dealing with trauma, addiction, and other

mental health issues and challenges. She expressed appreciation that the proposed task force includes individuals with diverse healthcare needs, including Alaska Natives, veterans, and survivors of domestic violence and sexual assault. She emphasized the importance of considering the unique needs and perspectives of Alaska Native communities when crafting regulations and legislation around the use of psychedelic medicine. She stated that the formation of the task force is a proactive approach to the potential federal legalization of psychedelics. She opined that SB 166 demonstrates an aggressive stance that is essential to ensure that psychedelic-assisted therapy is accessible once it is federally legalized. She added that SB 166 is a step toward addressing mental health challenges in Alaska through innovative and evidence-based approaches. She shared her belief that the creation of a psychedelic medicine task force will pave the way for more comprehensive understanding and integration of these therapies, ultimately benefiting the health and well-being of Alaskans.

[2:20:07 PM](#)

KATHLEEN WEDEMEYER, Member, Citizens Commission on Human Rights, Seattle, Alaska, testified in opposition to SB 166. She said that using psilocybin for mental health treatment is an effort to manipulate brain chemistry to improve mood. She asserted that psilocybin has not been adequately researched with regard to its efficacy and safety. She pointed out that psilocybin has not earned FDA approval. She expressed concern that psilocybin studies have misrepresented the data, thus giving a false impression of its effects. She briefly read from an article, pointing out the potential harm of psychedelics for individuals suffering from - or predisposed to - mental illnesses and questioning the effects of psilocybin on real-world populations.

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At ease

[2:23:35 PM](#)

CHAIR BJORKMAN reconvened the meeting and clarified that the last testifier was public testimony, not invited testimony.

[2:23:59 PM](#)

MEDA DEWITT, Traditional Healer and Herbalist, Anchorage, Alaska, testified by invitation in support of SB 166. She said she is an Alaska Native traditional healer and an ethnoherbalist and has worked in Alaska for over 20 years teaching the uses of native plants and traditional healing practices. She has taught at several Alaskan universities and works collaboratively with

different traditional healing clinics around the state. She shared her belief that creating the psychedelic medicine task force would be in the state's best due diligence. She explained that over 70 percent of the pharmaceuticals in use today come from ethnoherbalism. She stated that, while it is important to determine the safety and efficacy of these plants and how they would be most appropriately applied in the state, it is also important to be conscious of the traditional uses of these plants by Indigenous people. She said that it is important to observe other states who are also addressing the use of psychedelics and learn from their successes and failures. She added that she has agreed to be on the task force. She expressed confidence in the professionals who work in this field in the state. Referring to the Adverse Childhood Effects (ACE) scores, she noted that Alaska deals with consistent complex trauma and high ACE scores as a result of intergenerational trauma, historical trauma, and persistent traumatic effects. She pointed out that Alaska also has a large population of veterans who need support. She commented that Alaska has a history of traumatic events and over a few decades has changed the trajectory to one of healing and hope. She opined that ethically pursuing the use of psychedelics as medicine is the best way to achieve mental health in the state.

2:27:31 PM

STEPHANIE BIRCH, Secretary, Alaska Advanced Practice Registered Nurse Alliance, Anchorage, Alaska, testified by invitation with concerns on SB 166. She said the Advanced Practice Registered Nurse (APRN) Alliance represents over 2 thousand advance practice nurses and over 1 thousand advance practice nurse practitioners. Many APRN Alliance members are certified to provide behavioral health and mental health services. She explained that the Alaska APRN Alliance supports an amendment to SB 166 that would add an APRN seat to the task force, to be selected by the APRN Alliance's governing body. She pointed out that advance practice registered nurses are licensed to practice in the Alaska and are certified to perform active medical diagnosis and to prescribe medical, therapeutic, and other corrective measures. This is regulated by statutes adopted by the Board of Nursing. Advance practice registered nurses receive additional training in public health, ethics, developing systems of care, and patient advocacy. She pointed out that the current version of SB 166 includes seats for physicians; however, most psychedelic therapy sessions are attended by therapists and advanced practice registered nurses. She asserted that the mental health needs of Alaskans are not being met by the current systems of care and opined that psychedelics are a promising new

approach to meet these needs. She added that SB 166 provides an opportunity to develop a regulatory framework that would provide psychedelic therapy using science-based and best practices.

[2:30:25 PM](#)

SENATOR DUNBAR emphasized that SB 166 is being heard in the Senate Labor and Commerce Standing Committee rather than the Senate Health and Social Services Standing Committee by design. He explained that this legislation is not debating the efficacy of psychedelics or what substances should or should not be legalized; rather, it is creating a regulatory framework for future licensing. He said that current testing is considering the use of these substances within medical settings - which can be broadly defined to include more traditional medicine. He suggested that this could be legalized at the federal level within a year or two. SB 166 anticipates this federal action and allows for the establishment of licensing and regulatory frameworks. He explained that the more detailed questions would be addressed by the task force, which would include experts. He stated that he considers the APRN Alliance's proposed amendment to be a friendly amendment and would be happy to work with someone on the committee to make this change.

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MICAELA FOWLER, Deputy Commissioner, Department of Commerce, Community and Economic Development (DCCED), Juneau, Alaska, testified by invitation on SB 166. She said that, to meet the requirements of SB 166, the department would need to add a full-time staff member for the next three years. She clarified that it would be a temporary staff member because the task force is temporary. She explained that the department does not have the staff required to properly research and provide the documentation and support that the task force would require. Referring to the fiscal note, she pointed out the \$128 thousand a year for three years that would be required to fund this position. She added that the fiscal note also includes travel costs, as the task force would likely meet in person several times each year. She surmised that the task force would require more meetings than the four required by SB 166. Some of these meetings could occur electronically; therefore, the fiscal note includes travel for six task force meetings.

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SENATOR GRAY-JACKSON asked why the department needs a position for three years when the task force terminates at convening of 35th legislature in 2025.

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MS. FOWLER replied that the current legislature is the 33rd legislature and the 35th legislature would convene in 2027 according to her calculations; therefore, the department would need a staff member throughout the 34th legislature. She stated that there would be a final report from the task force at the termination of 34th legislature. She said that the department anticipates that the 35th legislature would be interested in the report and the recommendations of the task force. She explained that the staff person would remain throughout the legislative session to present these findings and to work with the legislature.

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SENATOR GRAY-JACKSON expressed appreciation and said that she had read the document incorrectly.

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CHAIR BJORKMAN opened public testimony on SB 166; finding none, he kept public testimony open and held SB 166 in committee.

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There being no further business to come before the committee, Chair Bjorkman adjourned the Senate Labor and Commerce Standing Committee meeting at 2:36 p.m.