

Original sponsor: H. Beirne

Offered: 4/12/76  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 392

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to certification of vocational re-  
7 habilitation counselors; and providing for an effective  
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 08 is amended by adding a new chapter to read:

11 CHAPTER 85. VOCATIONAL REHABILITATION COUNSELORS.

12 Sec. 08.85.010. BOARD OF VOCATIONAL REHABILITATION COUNSELORS  
13 ESTABLISHED. There is established the Board of Vocational Rehabilita-  
14 tion Counselors.

15 Sec. 08.85.020. MEMBERSHIP; APPOINTMENT; TERM OF OFFICE; COMPEN-  
16 SATION. (a) The board consists of two certified vocational rehabilita-  
17 tion counselors and one handicapped person with no direct financial  
18 interest in the field of vocational rehabilitation.

19 (b) Board members are appointed by the governor and confirmed by  
20 the legislature. The governor may appoint board members from a list  
21 submitted by the Alaska Rehabilitation Association.

22 (c) Board members serve staggered terms of three years or until  
23 their successor is appointed, except that a member appointed to an  
24 unexpired term serves the duration of that term. On the first board one  
25 member serves a one-year term, one member serves a two-year term, and  
26 one member serves a three-year term.

27 (d) Board members serve voluntarily except that members are  
28 entitled to travel expenses and per diem as allowed by law for other  
29 boards.

1           Sec. 08.85.030. CHAIRMAN; MEETINGS; QUORUM. (a) The board  
2           annually elects a chairperson from its members.

3           (b) The board shall hold a regular meeting annually. Special  
4           meetings may be called by the chairperson or by concurrence of two board  
5           members. Two members constitute a quorum.

6           Sec. 08.85.040. DUTIES AND POWERS OF THE BOARD. (a) The board  
7           shall

8           (1) adopt standards for certification of vocational rehabili-  
9           tation counselors;

10          (2) prepare and administer an examination for vocational  
11          rehabilitation counselors;

12          (3) certify qualified vocational rehabilitation counselors;

13          (4) establish procedures to insure that persons holding  
14          certificates uphold the board's standards; revoke, suspend, or refuse to  
15          renew certification of persons who fail to uphold the standards;

16          (5) with the concurrence of the department, establish and  
17          collect fees for application, certification, and certification renewal  
18          under this chapter.

19          (6) establish continuing education programs and requirements.

20          (b) The board may adopt regulations necessary for the performance  
21          of its duties under this chapter.

22          Sec. 08.85.050. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.  
23          The board shall comply with the Administrative Procedure Act (AS 44.62).

24          Sec. 08.85.060. CERTIFICATION. (a) The board shall certify

25          (1) a person who holds a current national certification as a  
26          vocational rehabilitation counselor by the national Commission on Reha-  
27          bilitation Counselor Certification and meets the standards established  
28          under sec. 40(a)(1) of this chapter;

29          (2) a person who has a master's degree in vocational reha-

1 bilitation counseling, a master's degree in an allied field and one  
2 year of experience in vocational rehabilitation counseling, or a bache-  
3 lor's degree and two years of experience in vocational rehabilitation  
4 counseling; has passed the rehabilitation counseling examination ad-  
5 ministered by the board; and meets the standards established under sec.  
6 40(a)(1) of this chapter;

7 (3) a person with a bachelor's degree who is employed as a  
8 vocational rehabilitation counselor on the effective date of this Act;  
9 in order to have the certificate renewed, a person certificated under  
10 the provisions of this paragraph must be employed continuously as a vo-  
11 cational rehabilitation counselor in a position acceptable to the board.

12 (b) The board may certify a person holding a current certificate  
13 to practice vocational rehabilitation counseling from another state, if  
14 the board finds that the standards for certification in the other state  
15 are substantially equivalent to those in this state, and the person is  
16 otherwise qualified.

17 Sec. 08.85.070. TEMPORARY CERTIFICATION. The board may issue a  
18 temporary certificate to a person who meets the standards for certifica-  
19 tion adopted by the board under sec. 40(a)(1) of this chapter and who  
20 meets the education and experience requirements of sec. 60(a)(1) or (2)  
21 of this chapter. A temporary certificate is valid until the results of  
22 the first examination following issuance of the temporary certificate  
23 are published.

24 Sec. 08.85.080. EXPIRATION AND RENEWAL. Vocational rehabilitation  
25 counseling certificates expire biennially on the date set by the de-  
26 partment. A vocational rehabilitation counselor may apply for renewal  
27 by submitting an application for renewal to the board and paying any  
28 renewal fee established under sec. 40(a)(5) of this chapter. The board  
29 shall renew certificates of persons who have upheld the standards

1 adopted by the board under sec. 40(a)(1) of this chapter.

2 Sec. 08.85.090. UNLAWFUL ACTS. No person may

3 (1) fraudulently obtain or furnish a certificate or record  
4 required by this chapter;

5 (2) use in connection with his name a designation repre-  
6 senting to the public or tending to imply that he is a certified voca-  
7 tional rehabilitation counselor unless certified under this chapter;

8 (3) practice vocational rehabilitation counseling under a  
9 name that is not his own.

10 Sec. 08.85.100. PENALTIES. A person who violates any of the  
11 provisions of this chapter is guilty of a misdemeanor and, upon convic-  
12 tion, is punishable by a fine of not more than \$500, or by imprisonment  
13 for not more than one year, or by both.

14 Sec. 08.85.110. DEFINITIONS. In this chapter, unless the context  
15 otherwise requires,

16 (1) "vocational rehabilitation counselor" means an individual  
17 who provides services necessary to restore vocational independence to  
18 the greatest degree possible to an individual who is physically or  
19 mentally disabled;

20 (2) "services" means diagnosis, vocational assessment, voca-  
21 tional counseling and guidance, and follow-up services which may include  
22 but are not limited to braces and artificial limbs;

23 (3) "department" means the Department of Education.

24 \* Sec. 2. This Act takes effect July 1, 1976.