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Referred: Labor & Commerce,
Judiciary and Finance

1 IN THE HOUSE

BY PIGNALBERI

2

HOUSE BILL NO. 424

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act establishing the Board of Behavioral Science
7 Examiners; amending Rule 504 of the Alaska Rules of
8 Evidence; and providing for an effective date."

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

10 * Section 1. LEGISLATIVE FINDINGS, PURPOSE. (a) The legislature finds
11 that the practice of the behavioral science professions affects the safety
12 and welfare of the public and requires regulation and control by the state
13 in the public interest.

14 (b) The purpose of this Act is to establish a regulatory board and
15 procedures to ensure that the public is protected from the unprofessional,
16 improper, and unauthorized practice of the behavioral science professions.
17 This Act shall be liberally construed to carry out this purpose.

18 * Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

19 (26) Board of Behavioral Science Examiners (AS 08.15.010).

20 * Sec. 3. AS 08.01.050(a) is amended to read:

21 (a) The department shall provide the following administrative
22 and budgetary services when appropriate:

23 (1) collect fees and issue receipts;

24 (2) maintain records and files;

25 (3) issue and receive application forms;

26 (4) notify applicants of acceptance or rejection of appli-
27 cants as determined by the board;

28 (5) designate dates examinations are to be held and notify
29 applicants;

- 1 (6) publish notice of examination;
- 2 (7) arrange space for holding examinations;
- 3 (8) notify applicants of results of examinations;
- 4 (9) issue licenses and certificates or temporary licenses
- 5 or certificates as authorized by the board;
- 6 (10) issue duplicate licenses or certificates upon proof by
- 7 the licensee of loss of the original and payment by the licensee of a
- 8 fee of \$2 except as otherwise provided in this title;
- 9 (11) notify licensees of renewal dates at least 30 days
- 10 before the expiration date of their licenses;
- 11 (12) compile and maintain current a register of licenses;
- 12 (13) answer routine inquiries;
- 13 (14) maintain files relating to individual licensees;
- 14 (15) arrange for printing and advertising;
- 15 (16) purchase supplies;
- 16 (17) employ secretarial help when needed;
- 17 (18) perform other services which may be requested by the
- 18 board;
- 19 (19) provide investigative services to the boards estab-
- 20 lished under AS 08.04, AS 08.15, AS 08.20, AS 08.36, AS 08.64, AS 08.-
- 21 68, AS 08.70, AS 08.71, AS 08.72, AS 08.80, AS 08.84, and AS 08.86,
- 22 for the purpose of assisting those boards in matters of professional
- 23 discipline and in responding to consumer complaints.

24 * Sec. 4. AS 08.02.010(a) is amended to read:

- 25 (a) A behavioral science professional licensed under AS 08.15, a
- 26 [A] person licensed in the state as a chiropractor under AS 08.20, a
- 27 dentist under AS 08.36, a medical practitioner or osteopath under
- 28 AS 08.64, a registered nurse under AS 08.68, an optometrist under
- 29 AS 08.72, a registered pharmacist under AS 08.80, a registered

1 physical therapist under AS 08.84, or a psychologist under AS 08.86,
2 shall use as professional identification appropriate letters or a
3 title after that person's name which represents that person's specific
4 field of practice. The letters or title shall appear on all signs,
5 stationery or other advertising in which the person offers or displays
6 personal professional services to the public. In addition, a person
7 engaged in the practice of medicine or osteopathy under AS 08.64.380-
8 (2), or a person engaged in any manner in the healing arts who diag-
9 noses, treats, tests, or counsels other persons in relation to human
10 health or disease and uses the letters "M.D." or the title "doctor" or
11 "physician" or another [ANY OTHER] title that [WHICH] tends to show
12 that the person is willing or qualified to diagnose, treat, test, or
13 counsel another person, shall clarify the letters or title by adding
14 the appropriate specialist designation, if any, such as "dermatolo-
15 gist", "radiologist", "audiologist", "naturopath", or the like.

16 * Sec. 5. AS 08.03.010(c) is amended by adding a new paragraph to read:
17 (21) Board of Behavioral Science Examiners (AS 08.15.010) --
18 June 30, 1988.

19 * Sec. 6. AS 08 is amended by adding a new chapter to read:

20 CHAPTER 15. BEHAVIORAL SCIENCE PROFESSIONALS.

21 ARTICLE 1. BOARD OF BEHAVIORAL SCIENCE EXAMINERS.

22 Sec. 08.15.010. BOARD ESTABLISHED. There is established the
23 Board of Behavioral Science Examiners.

24 Sec. 08.15.020. MEMBERSHIP. (a) The board consists of three
25 persons from each behavioral science profession regulated by the board
26 and one member of the public for each behavioral science profession
27 that is regulated by the board.

28 (b) The members of the board must be residents of the state for
29 three years before appointment.

1 (c) Each professional member must
2 (1) be licensed in the behavioral science profession corre-
3 sponding to the board position to which the person is being appointed;
4 (2) for the four years immediately preceding appointment,
5 have been engaged in the active practice of the behavioral science
6 profession corresponding to the board position to which the person is
7 being appointed.

8 Sec. 08.15.030. BOARD APPOINTMENTS. (a) The governor shall
9 appoint the members of the board subject to confirmation by the legis-
10 lature for staggered terms of four years.

11 (b) Before appointment, the governor shall request a list of
12 eligible candidates for a board position from the professional organi-
13 zations in the state that represent the behavioral science professions
14 required for the board position.

15 (c) The governor shall annually designate one member of the
16 board to serve as chairperson of the board.

17 (d) The governor may not appoint the same person more than once
18 to fill an unexpired term on the board. A person may not serve as a
19 member of the board for more than two consecutive terms.

20 Sec. 08.15.040. MEETINGS. The board shall hold three meetings
21 each year and may hold special meetings at the call of the chairperson
22 or a majority of the board members.

23 Sec. 08.15.050. REMOVAL OF BOARD MEMBERS. The governor may
24 remove a member of the board for good cause, including:

25 (1) neglect of duty;
26 (2) incompetence;
27 (3) prolonged illness that impairs the execution of board
28 duties;
29 (4) unprofessional conduct;

- 1 (5) conviction of a felony;
- 2 (6) judgment impaired by the use of alcohol or drugs;
- 3 (7) unexcused absences from board meetings;
- 4 (8) conviction of a crime involving moral turpitude;
- 5 (9) an emotional disturbance that prevents the member from
- 6 carrying out board duties;
- 7 (10) addiction or severe dependency on alcohol or another
- 8 drug.

9 Sec. 08.15.060. POWERS AND DUTIES OF THE BOARD. (a) The board
10 shall

11 (1) examine applicants and issue licenses to qualified
12 applicants;

13 (2) issue certificates to persons who meet the standards
14 determined by the board for specialty certification;

15 (3) establish continuing education requirements for license
16 renewal in each behavioral science profession regulated by the board
17 after consulting with the standards committee for the behavioral
18 science profession for which the continuing education requirements are
19 being established;

20 (4) adopt a code of ethical practice for each behavioral
21 science profession regulated by the board after a review of the ethi-
22 cal standards set out by the national behavioral science professional
23 organizations for the behavioral science profession for which the code
24 is being adopted;

25 (5) hold hearings, and order the disciplinary sanction of a
26 person who violates this chapter or a regulation of the board;

27 (6) report annually to the governor and the department on
28 the board's proceedings each year;

29 (7) forward minutes of board meetings to the department

1 within 20 days of each meeting;

2 (8) establish standards for supervisors and supervision
3 under this chapter;

4 (9) enforce the provisions of this chapter and adopt regu-
5 lations necessary to make the provisions of this chapter effective.

6 (b) The board may seek and obtain grants, gifts, and other
7 funds, excluding loans, from private and public foundations and insti-
8 tutions to carry out the provisions of this chapter.

9 Sec. 08.15.070. STANDARDS COMMITTEE. (a) The board shall
10 appoint a standards committee for each behavioral science profession
11 that it regulates under this chapter.

12 (b) Each standards committee shall be comprised of three board
13 members representing a behavioral science profession regulated by the
14 board and a public member of the board.

15 (c) Each standards committee shall advise the board about the
16 licensing and regulation of the behavioral science profession that is
17 the subject of that particular standards committee.

18 (d) Each standards committee shall recommend to the board the
19 following items for the behavioral science profession that it repre-
20 sents:

21 (1) by a majority vote, the approval or disapproval of the
22 granting of licenses;

23 (2) approval of the examination for licensure;

24 (3) the grading of examinations;

25 (4) policy and regulation changes;

26 (5) investigations, hearings, or assessment of violations
27 of this chapter;

28 (6) penalties for violations of this chapter;

29 (7) the contents of examinations;

1 (8) ethical standards;
2 (9) licensure guidelines or criteria for licensure and
3 supervision requirements.

4 (e) Each standards committee shall perform the following duties:

5 (1) review applications, handle routine inquiries, and
6 provide information to the general public;

7 (2) act as a liaison between the board and educational
8 institutions;

9 (3) assist the board in keeping a registry of licensees,
10 supervisors, supervisees, and license renewals;

11 (4) assist the board in establishing continuing education
12 requirements for licensing renewal, and supervisor requirements;

13 (5) develop and administer proceedings for the license
14 application process;

15 (6) other duties relating to licensure that the board
16 delegates to the standards committee.

17 (f) A decision of a standards committee is not final until the
18 board approves the decision. The board may initiate an action or
19 otherwise perform a duty that a standards committee is authorized to
20 perform.

21 (g) A decision of the board relating to a behavioral science
22 profession regulated by the board is not effective unless approved by
23 two or more members of the standards committee for that behavioral
24 science.

25 Sec. 08.15.080. PROCEDURES. The Administrative Procedure Act
26 (AS 44.62) applies to regulations and proceedings under this chapter.

27 ARTICLE 2. MARITAL AND FAMILY THERAPISTS.

28 Sec. 08.15.090. QUALIFICATIONS FOR LICENSE TO PRACTICE. (a)

29 The board shall issue a license to practice marital and family therapy

1 to a person who

2 (1) applies on a form provided by the board;

3 (2) pays the fee required under AS 08.15.140;

4 (3) furnishes evidence satisfactory to the board that the
5 person

6 (A) has not engaged in conduct that is a ground for
7 imposing disciplinary sanctions under AS 08.15.170;

8 (B) holds a master's degree, doctorate, or the equiva-
9 lent, from an accredited educational institution approved by the
10 board, for which the person completed a course of study that
11 included one year of supervised marital and family therapy clin-
12 ical practice with 500 hours of supervised client contact and

13 (i) three courses in marital and family therapy;

14 (ii) three courses in marital and family studies;

15 (iii) three courses in human development;

16 (iv) one course in professional studies or profes-
17 sional ethics and law;

18 (v) one course in research;

19 (C) after receiving a degree listed in (B) of this
20 paragraph, has

21 (i) practiced marital and family therapy within
22 three years of the person's application, including 1,500
23 hours of direct clinical contact with couples and families;
24 and

25 (ii) has been supervised in the clinical contact
26 for at least 200 hours, including 100 hours of individual
27 supervision and 100 hours of group supervision approved by
28 the board; and

29 (D) has passed a written or oral examination

1 administered by the board.

2 (b) The board shall credit an applicant with the hours the
3 applicant has earned in supervised practice under AS 08.15.100 towards
4 satisfaction of the hours of supervision required under this section.

5 (c) The board may not allow an applicant who fails an examina-
6 tion given under this section to take a subsequent examination for a
7 period of six months from the date of the examination that the appli-
8 cant failed.

9 (d) A license issued under this section expires two years from
10 the date of issue. It may be renewed by payment of the fee required
11 under AS 08.15.140 and by satisfaction of the continuing education
12 requirements established by the board for the renewal of licenses
13 issued under this section.

14 Sec. 08.15.100. LICENSE FOR SUPERVISED PRACTICE. (a) The board
15 shall issue a four-year license for the supervised practice of marital
16 and family therapy to a person who meets the requirements of AS 08.-
17 15.090(a)(1), (2), and (3)(A) - (B).

18 (b) A licensee under this section may practice only

19 (1) under the direct supervision of a supervisor approved
20 by the board; and

21 (2) in a clinic, social service agency, or other setting
22 approved by the board.

23 (c) A license for supervised practice expires four years from
24 the date of issuance and may not be renewed.

25 (d) A licensee under this section shall submit to the board for
26 its approval a proposed plan for satisfying the supervision require-
27 ments of AS 08.15.090(a)(3)(C).

28 (e) A licensee under this section shall use the title "marital
29 therapy associate," "family therapy associate," or other title that is

1 approved by the board.

2 (f) The board shall revoke a license for supervised practice if
3 the person fails the examination required under AS 08.15.100 two times
4 while the person is licensed under this section.

5 Sec. 08.15.110. TEMPORARY LICENSE FOR THE PRACTICE OF MARITAL
6 AND FAMILY THERAPY. (a) The board shall issue a temporary license
7 for the practice of marital and family therapy to an applicant who
8 satisfies the requirements of AS 08.15.090(a)(1), (2) and (3)(A),(B)
9 and (C) and has been approved by the board to take the marital and
10 family therapy examination.

11 (b) A person may practice under a temporary license until the
12 board issues the results of the first marital and family therapy
13 examination given after issuance of the person's temporary license and
14 either issues or denies a license under AS 08.15.090 to the person.

15 (c) If a licensee under this section does not take the next
16 marital and family therapy examination given after the issuance of the
17 temporary license, the board may renew the person's temporary license
18 until the board issues the results of the next marital and family
19 therapy exam, if the licensee provides satisfactory proof to the board
20 that the licensee had good cause for not taking the exam.

21 (d) If a licensee under this section fails the marital and
22 family therapy examination, the board may not renew the person's
23 temporary license.

24 Sec. 08.15.120. LICENSURE BY CREDENTIALS. The board shall issue
25 a license to practice marital and family therapy to a person who

26 (1) is licensed as a marital and family therapist in another
27 state that has requirements for the license or certificate that are
28 substantially equal to or greater than the requirements of this state;
29 and

1 (2) meets the requirements of AS 08.15.090(a)(1), (2), and
2 (3)(A).

3 Sec. 08.15.130. APPROVED SUPERVISORS. (a) Except for super-
4 vision under AS 08.15.090(a)(3)(B), a person may not supervise a
5 person in the practice of marital and family therapy unless the person
6 is approved by the board.

7 (b) The board shall approve as a supervisor a person who

8 (1) applies to the board for the approval;

9 (2) is licensed under this chapter to practice marital and
10 family therapy; and

11 (3) meets the minimum standards established for supervisors
12 by the American Association of Marriage and Family Therapy.

13 (c) Notwithstanding (b) of this section, the board shall approve
14 as a supervisor a member of a mental health profession other than the
15 marital and family therapy profession if the person meets the criteria
16 established by the board for approval of a member of another mental
17 health profession as a supervisor.

18 (d) The board shall establish continuing education requirements
19 for marital and family therapy supervisors approved by the board.

20 (e) A supervisor approved under this section shall satisfy the
21 continuing education requirements established by the board.

22 (f) The board may cancel its approval of a person as a super-
23 visor if the person commits an act listed in AS 08.15.170, fails to
24 satisfy the continuing education requirements established by the
25 board, or otherwise violates a provision of this chapter.

26 ARTICLE 3. GENERAL PROVISIONS.

27 Sec. 08.15.140. FEES. The following fees shall be imposed under
28 this chapter:

29 (1) application\$ 25

1 (2) examination125
2 (3) credential review125
3 (4) license under AS 08.15.090200
4 (5) temporary license200
5 (6) license for supervised practice200
6 (7) renewal of license under AS 08.15.090200
7 (8) renewal of temporary license200

8 Sec. 08.15.150. PRIVILEGED COMMUNICATION. A person licensed
9 under this chapter may not reveal to another person a communication
10 made to the licensee by a client about a matter concerning which the
11 client has employed the licensee in a professional capacity. This
12 section does not apply to a case conference with other licensees or if
13 the client in writing authorizes the licensee to reveal a communica-
14 tion.

15 Sec. 08.15.160. MALPRACTICE INSURANCE. Persons licensed under
16 this chapter shall maintain insurance against liability for negligence
17 in the practice of the behavioral science profession for which they
18 are licensed.

19 Sec. 08.15.170. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-
20 TIONS. After a hearing, the board may impose a disciplinary sanction
21 on a person licensed under this chapter when the board finds that the
22 person

23 (1) secured a license through deceit, fraud, or intentional
24 misrepresentation;

25 (2) engaged in deceit, fraud, or intentional misrepresenta-
26 tion in the course of providing professional services or engaging in
27 professional activities;

28 (3) advertised professional services in a false or mislead-
29 ing manner;

1 (4) has been convicted of a felony or other crime that
2 affects the person's ability to continue to practice competently and
3 safely;

4 (5) failed to comply with a provision of this chapter or a
5 regulation adopted under this chapter, or an order of the board;

6 (6) continued to practice after becoming unfit due to

7 (A) professional incompetence;

8 (B) addiction or severe dependency on alcohol or
9 another drug that impairs the person's ability to practice
10 safely;

11 (C) physical or mental disability;

12 (7) engaged in lewd or immoral conduct in connection with
13 the delivery of professional services to clients.

14 Sec. 08.15.180. DISCIPLINARY SANCTIONS. (a) When it finds that
15 a licensee has committed an act listed in AS 08.15.170, the board may
16 impose the following sanctions singly or in combination:

17 (1) permanently revoke a license to practice;

18 (2) suspend a license for a determinate period of time;

19 (3) censure a licensee;

20 (4) issue a letter of reprimand;

21 (5) place a licensee on probationary status and require the
22 licensee to

23 (A) report regularly to the board on matters involving
24 the basis of probation;

25 (B) limit practice to those areas prescribed;

26 (C) continue professional education until a satisfac-
27 tory degree of skill has been attained in those areas determined
28 by the board to need improvement;

29 (6) impose limitations or conditions on the practice of a

1 licensee.

2 (b) The board may withdraw a limitation, condition, or proba-
3 tionary status if it finds that the deficiency that required the sanc-
4 tion has been remedied.

5 (c) The board may summarily suspend a license before final
6 hearing or during the appeals process if the board finds that the
7 licensee poses a clear and immediate danger to the public welfare and
8 safety if the licensee continues to practice. A person whose license
9 is suspended under this section is entitled to a hearing by the board
10 no later than seven days after the effective date of the order. The
11 person may appeal the suspension after the hearing to the superior
12 court.

13 (d) The board may reinstate a license that has been suspended or
14 revoked if the board finds after a hearing that the applicant is able
15 to practice with reasonable skill and safety.

16 (e) The board shall seek consistency in the application of
17 disciplinary sanctions, and the board shall explain a significant
18 departure from prior decisions involving similar situations in its
19 findings of fact or orders.

20 Sec. 08.15.190. PROHIBITED ACTS. Unless a person is licensed
21 under this chapter, the person may not

22 (1) practice a behavioral science profession regulated by
23 this chapter for which the person is not licensed under this chapter;

24 (2) use a title indicating or representing that the person
25 practices or is licensed to practice a behavioral science profession
26 regulated by this chapter for which the person is not licensed under
27 this chapter;

28 (3) advertise that the person practices a behavioral sci-
29 ence profession regulated by this chapter for which the person is not

1 licensed under this chapter.

2 Sec. 08.15.200. PENALTIES. A person who violates AS 08.15.190
3 is guilty of a class B misdemeanor.

4 Sec. 08.15.210. EXEMPTIONS. (a) This chapter does not apply to
5 a person who practices a behavioral science profession regulated by
6 this chapter consistent with the accepted standards and code of ethics
7 of the person's profession and as part of the person's duties as

8 (1) a psychologist or psychological associate;

9 (2) a physician or psychiatrist;

10 (3) an attorney or judge;

11 (4) a member of the clergy;

12 (5) an employee of a governmental unit, educational insti-
13 tution, or nonprofit agency who is required to practice the behavioral
14 science profession during the employment, if

15 (A) the employer maintains appropriate supervision of
16 the person's practice of the behavioral science profession activ-
17 ities;

18 (B) the person practices the behavioral science pro-
19 fession as part of the duties for which the person is employed;

20 (C) the person practices the behavioral science pro-
21 fession in the facility where the person is employed or under the
22 supervision of the governmental unit, educational institution, or
23 nonprofit agency where the person is employed; and

24 (D) the person does not render or offer to render the
25 services of the behavioral science profession to the public for
26 compensation in addition to the salary the person receives from
27 the governmental unit, educational institution, or nonprofit
28 agency;

29 (6) a student, intern, or resident pursuing a course of

1 study approved by the board as appropriate training for a behavioral
2 science profession regulated by the board, if the activities of the
3 student, intern, or resident constitute a part of a supervised course
4 of study and the student, intern, or resident is designated by a title
5 that indicates that the person is training to be a behavioral science
6 professional regulated by the board.

7 (b) A person exempt under this section may not use a title or
8 description stating or implying that the person is a behavior science
9 professional licensed under this chapter.

10 Sec. 08.15.220. DEFINITIONS. In this chapter, unless the con-
11 text indicates otherwise,

12 (1) "advertise" includes issuing or causing to be distri-
13 buted a card, sign or device to a person, or causing, permitting or
14 allowing a sign or marking on or in a building or structure, or in a
15 newspaper, magazine, or directory, or on radio or television, or using
16 other means designed to secure public attention;

17 (2) "board" means the Board of Behavioral Science Exami-
18 ners;

19 (3) "course" means a class of at least three credit hours
20 in a graduate program at an accredited educational institution or an
21 institution approved by the board;

22 (4) "practice of marital and family therapy" means the
23 diagnosis and treatment of mental and emotional disorders that are
24 referenced in the standard diagnostic nomenclature for marital and
25 family therapy, whether cognitive, affective, or behavioral, within
26 the context of human relationships, particularly marital and family
27 systems; marital and family therapy involves

28 (A) the professional application of assessments and
29 treatments of psychotherapeutic services to individuals, couples,

1 and families for the purpose of treating the diagnosed emotional
2 and mental disorders;

3 (B) an applied understanding of the dynamics of mari-
4 tal and family interactions, along with the application of psycho-
5 therapeutic and counseling techniques for the purpose of resolv-
6 ing intrapersonal and interpersonal conflict and changing
7 perceptions, attitudes, and behaviors in the area of human rela-
8 tionships and family life;

9 (5) "supervision" means face-to-face consultation, direc-
10 tion, review, evaluation and assessment of the practice of the person
11 being supervised, including direct observation and the review of case
12 presentations, audio tapes and video tapes.

13 * Sec. 7. AS 09.55.560(1) is amended to read:

14 (1) "health care provider" means a behavioral science
15 professional licensed under AS 08.15, a chiropractor licensed under
16 AS 08.20; a dental hygienist licensed under AS 08.32; a dentist li-
17 censed under AS 08.36; a nurse licensed under AS 08.68; a dispensing
18 optician licensed under AS 08.71; an optometrist licensed under
19 AS 08.72; a pharmacist licensed under AS 08.80; a physical therapist
20 licensed under AS 08.84; a physician licensed under AS 08.64; a podia-
21 trist; a psychologist and a psychological associate licensed under AS
22 08.86; and a hospital as defined in AS 18.20.130, including a govern-
23 mentally owned or operated hospital; a corporate entity covered under
24 AS 21.88.050(b)(12); and an employee of a health care provider acting
25 within the course and scope of employment;

26 * Sec. 8. AS 21.88.900(a)(9) is amended to read:

27 (9) "health care provider" means a behavioral science
28 professional licensed under AS 08.15, a chiropractor licensed under
29 AS 08.20; a dental hygienist licensed under AS 08.32; a dentist

1 licensed under AS 08.36; a nurse licensed under AS 08.68; a dispensing
2 optician licensed under AS 08.71; an optometrist licensed under
3 AS 08.72; a pharmacist licensed under AS 08.80; a physical therapist
4 licensed under AS 08.84; a physician licensed under AS 08.64; a podia-
5 trist; a psychologist and a psychological associate licensed under
6 AS 08.86; a hospital as defined in AS 18.20.130, including a govern-
7 mentally owned or operated hospital; a corporate entity covered under
8 AS 21.88.050(b)(11); an employee of a health care provider acting
9 within the course and scope of employment;

10 * Sec. 9. AS 39.50.200(b) is amended by adding a new paragraph to read:
11 (48) Board of Behavioral Science Examiners (AS 08.15).

12 * Sec. 10. AS 44.62.330(a) is amended by adding a new paragraph to
13 read:

14 (53) Board of Behavioral Science Examiners (AS 08.15.010).

15 * Sec. 11. AS 47.17.070(6) is amended to read:

16 (6) "practitioner of the healing arts" includes chiroprac-
17 tors, dentists, health aides, nurses, optometrists, osteopaths, phys-
18 ical therapists, physicians, psychiatrists, psychologists, behavior
19 science professionals licensed under AS 08.15, religious healing
20 practitioners, and surgeons;

21 * Sec. 12. INITIAL APPOINTMENTS TO THE BOARD. (a) Notwithstanding
22 AS 08.15.030 as enacted by sec. 6 of this Act, the initial appointments of
23 members to the Board of Behavioral Science Examiners are for the following
24 terms:

- 25 (1) two members for a term of two years;
26 (2) one member for a term of three years;
27 (3) one member for a term of four years.

28 (b) In making the initial appointments of professional members to the
29 Board of Behavioral Science Examiners, the governor shall consider a person

1 licensed for the purpose of AS 08.15.020 if the person would be entitled to
2 a license under AS 08.15.090(a)(1) - (3)(A) - (B). The Board of Behavioral
3 Science Examiners shall issue a license to practice marital and family
4 therapy to each professional member appointed under this section.

5 (c) A license issued under this chapter is subject to the same re-
6 newal requirements as a license issued under AS 08.15.090 as enacted by
7 sec. 6 of this Act.

8 * Sec. 13. (a) Notwithstanding AS 08.15.090 enacted by sec. 6 of this
9 Act the board shall issue a license to practice marital and family therapy
10 to a person who

11 (1) satisfies the requirements of AS 08.15.090(a)(1) - (3)(A)
12 enacted by sec. 6 of this Act;

13 (2) holds a master's or doctorate degree from an accredited
14 educational institution either in

15 (A) marital and family therapy; or

16 (B) an appropriate course of study approved by the board
17 and substantially equivalent to the following: three courses in
18 marital and family studies; three courses in marital and family ther-
19 apy; three courses in marital and family studies; three courses in
20 human development; one course in research; one course in professional
21 studies or professional law and ethics; and one year of supervised
22 clinical practice;

23 (3) either

24 (A) within three years of the person's application, has
25 practiced marital and family therapy including at least 1,500 hours of
26 direct clinical contact with couples and families, and has been super-
27 vised in the clinical contact for at least 200 hours, including 100
28 hours of individual supervision; or

29 (B) is a clinical member of the American Association of

1 Marriage and Family Therapy; and

2 (4) has practiced marital and family therapy as a resident of
3 the state immediately preceding the application.

4 (b) A license under this section is subject to the same renewal
5 requirements as a license issued under AS 08.15.090 as enacted by sec. 6 of
6 this Act.

7 (c) The board shall liberally construe the requirements of (a) of
8 this section for the purposes of licensing every person as a marital and
9 family therapy professional who merits licensing by virtue of their educa-
10 tion, training, and experience in the field of marital and family therapy.

11 * Sec. 14. (a) Notwithstanding AS 08.15.130 enacted by sec. 6 of this
12 Act the board shall approve as a supervisor a person who

13 (1) has been a clinical member of the American Association of
14 Marriage and Family Therapy for two years or more;

15 (2) has practiced marital and family therapy for three years or
16 more; and

17 (3) applies for approval as a supervisor within one year of the
18 effective date of this Act.

19 (b) A person approved as a supervisor under this section is subject
20 to the continuing education requirements and cancellation provisions of
21 AS 08.15.130.

22 * Sec. 15. AS 08.15.150, enacted by sec. 6 of this Act has the effect
23 of amending Rule 504 of the Alaska Rules of Evidence by creating for a
24 behavioral science professional licensed under secs. 6, 12 or 13 of this
25 Act, a privilege to refuse to disclose information.

26 * Sec. 16. This Act takes effect July 1, 1985.