Offered: 2/19/86
Referred: Judiciary and Finance

Original sponsor: Pignalberi

1 IN THE HOUSE BY THE LABOR AND COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 424(L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Board of Behavioral Science;
7 amending Rule 504 of the Alaska Rules of Evidence;
8 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 (24) Board of Behavioral Science (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.-
8 380(2), or a person engaged in any manner in the healing arts who
9 diagnoses, treats, tests, or counsels other persons in relation to
10 human health or disease and uses the letters "M.D." or the title
11 "doctor" or "physician" or another [ANY OTHER] title that [WHICH]
12 tends to show that the person is willing or qualified to diagnose,
13 treat, test, or counsel another person, shall clarify the letters or
14 title by adding the appropriate specialist designation, if any, such
15 as "dermatologist", "radiologist", "audiologist", "naturopath", or the
16 like.
17 * Sec. 5. AS 08.03.010(c) is amended by adding a new paragraph to read:
18 (21) Board of Behavioral Science (AS 08.15.010) -- June 30,
19 1990.
20 * Sec. 6. AS 08 is amended by adding a new chapter to read:
21 CHAPTER 15. BEHAVIORAL SCIENCE PROFESSIONALS.
22 ARTICLE 1. BOARD OF BEHAVIORAL SCIENCE.
23 Sec. 08.15.010. BOARD ESTABLISHED. There is established a Board
24 of Behavioral Science.
25 Sec. 08.15.020. MEMBERSHIP. (a) The board consists of two
26 persons from each behavioral science profession regulated by the board
27 and one member of the public for each behavioral science profession
28 that is regulated by the board.
29 (b) Each professional member must

1 (1) be licensed in the behavioral science profession corre-
2 sponding to the board position to which the person is being appointed;
3 (2) for the four years immediately preceding appointment,
4 have been engaged in the active practice of the behavioral science
5 profession corresponding to the board position to which the person is
6 being appointed.
7 Sec. 08.15.030. BOARD APPOINTMENTS. (a) The governor shall
8 appoint the members of the board subject to confirmation by the legis-
9 lature for staggered terms of three years.
10 (b) The governor may not appoint the same person more than once
11 to fill an unexpired term on the board. A person may not serve as a
12 member of the board for more than two consecutive terms.
13 Sec. 08.15.040. MEETINGS. The board may hold teleconference
14 meetings in addition to the minimum required by AS 08.01.070(3) at the
15 call of the chairperson or a majority of the board members.
16 Sec. 08.15.050. POWERS OF THE BOARD. The board may
17 (1) examine applicants and issue licenses to qualified
18 applicants;
19 (2) issue certificates to persons who meet the standards
20 determined by the board for specialty certification;
21 (3) establish continuing education requirements for license
22 renewal after consulting with the standards committee for the behav-
23 ioral science profession for which the continuing education require-
24 ments are being established;
25 (4) hold hearings, and order the disciplinary sanction of a
26 person who violates this chapter or a regulation of the board;
27 (5) report annually to the governor and the department on
28 the board's proceedings each year;
29 (6) perform the administrative duties required by

1 AS 08.01.070;

2 (7) establish standards for supervisors and supervision

3 under this chapter;

4 (8) enforce the provisions of this chapter and adopt regu-

5 lations necessary to make the provisions of this chapter effective.

6 Sec. 08.15.060. STANDARDS COMMITTEES. (a) The board shall ap-

7 point a standards committee for each behavioral science profession

8 that it regulates under this chapter, comprised of the two board

9 members from the behavioral science profession and a public member of

10 the board.

11 (b) Each standards committee may advise the board about the

12 licensing and regulation of the behavioral science profession that is

13 the subject of that particular standards committee and may make rec-

14 ommendations to the board on the following items for that profession:

15 (1) the granting of licenses;

16 (2) the examination for licensure;

17 (3) the grading of examinations;

18 (4) regulation changes;

19 (5) initiation of investigations or disciplinary proceed-

20 ings;

21 (6) penalties for violations of this chapter;

22 (7) licensure guidelines or criteria for licensure;

23 (8) supervision requirements; and

24 (9) continuing education requirements for license renewal.

25 (c) Each standards committee may act as a liaison between the

26 board and educational institutions and perform other functions that

27 the board requests.

28 (d) A recommendation of a standards committee is not final until

29 the board approves the decision. The board may initiate an action or

1 otherwise perform a duty that a standards committee is authorized to
2 perform.
3 (e) A decision of the board relating to a behavioral science
4 profession regulated by the board is not effective unless it is ap-
5 proved by two or more members of the standards committee for that
6 behavioral science.
7 Sec. 08.15.070. PROCEDURES. The Administrative Procedure Act
8 (AS 44.62) applies to regulations and to board proceedings, but only
9 AS 44.62.310 -- 44.62.312 apply to standards committee proceedings.
10 ARTICLE 2. MARITAL AND FAMILY THERAPISTS.
11 Sec. 08.15.110. QUALIFICATIONS FOR EXAMINATION. (a) An appli-
12 cant for the marital and family therapist examination shall furnish
13 evidence satisfactory the board that the applicant
14 (1) has not engaged in conduct that is a ground for impos-
15 ing disciplinary sanctions under AS 08.15.970;
16 (2) has a master's degree or doctorate from an accredited
17 educational institution approved by the board, for which the person
18 completed a course of study that included one year of supervised
19 marital and family therapy clinical practice with 500 hours of super-
20 vised client contact and
21 (A) three courses in marital and family therapy;
22 (B) three courses in marital and family studies;
23 (C) three courses in human development;
24 (D) one course in professional ethics and law;
25 (E) one course in research;
26 (3) after receiving a degree listed in (2), has
27 (A) practiced marital and family therapy within three
28 years of the person's application, including 1,500 hours of
29 direct clinical contact with couples and families; and

1 (B) has been supervised by at least two authorized
2 supervisors in the clinical contact for at least 200 hours,
3 including at least 100 hours of individual supervision and 100
4 hours of group supervision approved by the board.
5 (b) The board shall credit an applicant with the hours the
6 applicant has earned in supervised practice under AS 8.15.120 towards
7 satisfaction of the hours of supervision required under this section.
8 (c) The board may not allow an applicant who fails an examina-
9 tion given under this section to take a subsequent examination for a
10 period of six months from the date of the examination that the appli-
11 cant failed.
12 Sec. 08.15.120. LICENSE FOR SUPERVISED PRACTICE. (a) The board
13 shall issue a nonrenewable four-year license for the supervised prac-
14 tice of marital and family therapy to a person who
15 (1) applies on a form approved by the board;
16 (2) pays the fee established by the department under
17 AS 08.01.065;
18 (3) furnishes the evidence required by AS 08.15.110(a)(1)
19 and (2);
20 (4) submits to the board a statement of intent to practice
21 and a plan for supervision.
22 (b) A licensee under this section may practice only
23 (1) under the direct supervision of a supervisor approved
24 by the board; and
25 (2) in a clinic, social service agency, or other setting
26 approved by the board.
27 (c) A licensee under this section shall submit to the board for
28 its approval a proposed plan for satisfying the supervision require-
29 ment under AS 08.15.110(a)(3).

1 (d) A licensee under this section shall use the title "marital
2 therapy associate," "family therapy associate," or other title that is
3 approved by the board.
4 (e) The board shall revoke a license for supervised practice if
5 the person fails the marital and family therapist examination.
6 (f) The supervisor is responsible for ensuring that the extent,
7 kind, and quality of services performed by the supervisee are consis-
8 tent with the training experience of the licensee.
9 (g) A licensee shall retain records of supervisory contact and
10 submit them to the board at times specified by the board.
11 Sec. 08.15.130. APPROVED SUPERVISORS. (a) Except for super-
12 vision under AS 08.15.110(a)(3)(B), a person may not supervise a
13 person in the practice of marital and family therapy unless the person
14 is approved by the board.
15 (b) The board shall approve as a supervisor a person who
16 (1) applies to the board for the approval;
17 (2) is licensed under this chapter to practice marital and
18 family therapy.
19 (c) Notwithstanding (b) of this section, the board shall approve
20 as a supervisor a member of a mental health profession other than the
21 marital and family therapy profession if the person meets the criteria
22 established by the board for approval of a member of another mental
23 health profession as a supervisor.
24 (d) The board shall establish continuing education requirements
25 for marital and family therapy supervisors who are approved by the
26 board.
27 (e) The board may cancel its approval of a person as a supervi-
28 sor if the person commits an act listed in AS 08.15.170, fails to
29 satisfy the continuing education requirements established by the board

1 under AS 08.15.050(3), or otherwise violates a provision of this
2 chapter.
3 Sec. 08.15.140. SCOPE OF PRACTICE. A person licensed as a
4 marital and family therapist may assess or diagnose and treat mental
5 and emotional disorders that are referenced in the standard diagnostic
6 nomenclature for marital and family therapy, whether cognitive, affec-
7 tive, or behavioral, within the context of human relationships, par-
8 ticularly marital and family systems. Marital and family therapy
9 involves rendering or offering to render for a fee
10 (1) an applied understanding of the dynamics of marital and
11 family interactions, along with the application of psychotherapeutic
12 and counseling techniques for the purpose of resolving intrapersonal
13 and interpersonal conflict and changing perceptions, attitudes, and
14 behaviors in the area of human relationships and family life; and
15 (2) the professional application of assessments and treat-
16 ments of psychotherapeutic services to individuals, couples, and
17 families for the purpose of treating the diagnosed emotional and
18 mental disorders.
19 ARTICLE 3. SOCIAL WORKERS.
20 Sec. 08.15.210. QUALIFICATIONS FOR EXAMINATION. (a) An appli-
21 cant for the bachelor social worker (LBSW) examination shall furnish
22 evidence satisfactory to the board that the applicant
23 (1) has not engaged in conduct that is a ground for disci-
24 plinary sanctions under AS 08.15.970; and
25 (2) has a bachelor's degree in social work from a school
26 with a social work program accredited by the Council on Social Work
27 Education.
28 (b) An applicant for the master social worker examination shall
29 furnish evidence satisfactory to the board that the applicant

1 (1) has not engaged in conduct that is a ground for disci-
2 plinary sanctions under AS 08.15.970; and
3 (2) has a master's degree in social work from a school with
4 a social work program accredited by the Council on Social Work Educa-
5 tion.
6 (c) An applicant for the independent social worker examination
7 shall furnish evidence satisfactory to the board that the applicant
8 (1) has not engaged in conduct that is a ground for disci-
9 plinary sanctions under AS 08.15.970; and
10 (2) has a master's degree in social work from a school with
11 a social work program accredited by the Council on Social Work Educa-
12 tion; and
13 (3) has completed at least 24 months of supervised post-
14 graduate experience approved by the board in the field of specialty in
15 which the person intends to engage as a private practitioner.
16 Sec. 08.15.240. SCOPE OF PRACTICE. (a) A person licensed as a
17 bachelor, master, or independent social worker may provide services
18 that enhance, protect, or restore people's capacity for social func-
19 tioning whether impaired by physical, environmental, or emotional
20 factors, guided by professional social work ethics, knowledge and
21 intervention methods.
22 (b) A social worker may practice psychotherapy only if the
23 social worker is licensed as an independent social worker with a
24 clinical specialty or as a master social worker and is employed and
25 supervised in a clinical setting.
26 (c) A social worker may practice social work autonomously only
27 if
28 (1) the person is licensed as an independent social worker;
29 (2) the board has approved the specialty in which the

1 person may engage as a private practitioner and authorizes designation
2 of the speciality on the person's license;
3 (3) the license bearing a designation of speciality is
4 prominently displayed in the place the person engages in private
5 practice; and
6 (4) the person limits the private practice of social work
7 to the designated specialty.
8 ARTICLE 4. PROFESSIONAL COUNSELORS.
9 Sec. 08.15.310. QUALIFICATIONS FOR EXAMINATION. (a) An appli-
10 cant for the professional counseling examination shall furnish evi-
11 dence satisfactory to the board that the applicant
12 (1) has not engaged in conduct that is a ground for impos-
13 ing disciplinary sanctions under AS 08.15.970;
14 (2) has a master's degree or doctorate that is primarily
15 counseling in content from a regionally accredited institution ap-
16 proved by the board;
17 (3) has three years of full-time supervised experience in
18 professional counseling.
19 (b) An applicant may subtract one year of the supervised experi-
20 ence required by (a)(3) of this section for every 30 graduate semester
21 hours from an accredited institution obtained beyond the requirements
22 for a master's degree if the hours are clearly related to professional
23 counseling. However, an applicant must have at least one year of
24 required professional experience.
25 Sec. 08.15.340. SCOPE OF PRACTICE. (a) A person licensed as a
26 professional counselor may render or offer to render for a fee to
27 individuals, groups, organizations, or the public a counseling service
28 involving the application of principles, methods, or procedures of
29 counseling to assist individuals in achieving more effective personal,

1 social, educational, career, and vocational development and adjust-
2 ment.
3 (b) "Counseling services" includes engaging in methods and
4 techniques that include
5 (1) "appraisal," which means selecting, administering,
6 scoring and interpreting instruments designed to assess an individu-
7 al's aptitudes, attitudes, abilities, achievement, interests, and
8 personal characteristics, and the use of nonstandardized methods and
9 techniques for understanding human behavior in relation to coping
10 with, adapting to, or changing life situations;
11 (2) "consulting," which means the application of scientific
12 principles and procedures in counseling, guidance and human develop-
13 ment to provide assistance in understanding and solving a current or
14 potential problem that the consultee may have in relation to another
15 party, whether an individual, group or organization;
16 (3) "counseling," which means assisting an individual,
17 group, or organization through the counseling relationship, to develop
18 understanding of intrapersonal and interpersonal problems, to define
19 goals, to make decisions, plan a course of action reflecting the
20 counselee's needs, interests and abilities, and to use informational
21 and community resources as these procedures are related to personal,
22 social education, career, and vocational development and adjustment;
23 (4) "referral," which means evaluating information to
24 identify needs or problems of the counselee and to determine the
25 advisability of referral to other specialists, informing the counselee
26 of the judgment, and communicating as requested or appropriate to
27 referral sources.
28 ARTICLE 5. GENERAL PROVISIONS.
29 Sec. 08.15.910. LICENSE BY EXAMINATION. The board shall issue a

1 license to practice a behavioral science profession to an applicant
2 who
3 (1) applies on a form provided by the department;
4 (2) pays the fee established by the department under
5 AS 08.01.065; and
6 (3) passes the written examination administered by the
7 department on behalf of the board.
8 Sec. 08.15.920. TEMPORARY LICENSE. (a) The board shall issue a
9 temporary license to an applicant who satisfies all the requirements
10 for permanent licensure except for passing the examination and who has
11 been approved by the board to take the examination.
12 (b) A person may practice under a temporary license until the
13 board issues the results of the first examination given after issuance
14 of the person's temporary license and either issues or denies a perma-
15 nent license to the person.
16 (c) If a licensee under this section does not take the next
17 examination given after the issuance of the temporary license, the
18 board may renew the person's temporary license until the board issues
19 the results of the next examination, if the licensee provides satis-
20 factory proof to the board that the licensee had good cause for not
21 taking the examination.
22 (d) If a licensee under this section fails the examination, the
23 board may not renew the person's temporary license.
24 Sec. 08.15.930. LICENSE BY CREDENTIALS. The board shall, with-
25 out examination, issue a license to practice a behavioral science
26 profession to a person who
27 (1) is licensed as a behavioral science professional in
28 another state that has requirements for the license or certificate
29 that are substantially equal to or greater than the requirements of

1 this state;

2 (2) applies on a form provided by the department;

3 (3) pays the fee established by the department under

4 AS 08.01.065; and

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

6 applicant

7 (A) has not engaged in conduct that is a ground for

8 disciplinary sanctions under AS 08.15.170;

9 (B) is not the subject of an unresolved complaint,

10 review procedure, or disciplinary proceeding undertaken by a

11 professional association or regulatory authority;

12 (C) has not failed the examination of this state; or

13 (D) has not previously had a license to practice

14 revoked in any jurisdiction..

15 Sec. 08.15.940. RENEWAL OF LICENSE. A license issued under this

16 section expires two years from the date of issue. It may be renewed

17 by payment of the fee required under AS 08.15.140 and by satisfaction

18 of the continuing education requirements established by the board for

19 the renewal of licenses issued under this section.

20 Sec. 08.15.950. FEES. The department shall, by regulations

21 adopted under AS 08.01.065, establish fees for behavioral science

22 professionals for the following:

23 (1) application;

24 (2) examination;

25 (3) credential review;

26 (4) license;

27 (5) temporary license;

28 (6) license for supervised practice;

29 (7) renewal of license;

1 (8) renewal of temporary license.

2 Sec. 08.15.960. CONFIDENTIALITY OF COMMUNICATIONS. A behavioral
3 science professional licensed under this chapter may not disclose
4 information provided to the licensee by a client in the course of
5 their professional conduct. This prohibition does not apply if the
6 (1) client provides written consent to the licensee to
7 reveal the communication;
8 (2) client is incompetent and the guardian or personal
9 representative provides written consent to the licensee to reveal the
10 communication;
11 (3) client is dead and a beneficiary of an insurance policy
12 on the client's life provides written consent to the licensee to
13 reveal the communication;
14 (4) communication discloses that a crime has been committed
15 or reveals an intent to commit a crime;
16 (5) client is a minor, the communication discloses that the
17 client was the victim of a crime or harmful act, and the licensee
18 reveals the communication only during the course of an official ex-
19 amination, trial or other proceeding in which the commission of the
20 crime or harmful act is a subject of inquiry;
21 (6) client brings charges against the licensee and the
22 licensee reveals the communication only as necessary to defend the
23 charges;
24 (7) licensee is subpoenaed to testify in court;
25 (8) licensee is collaborating or consulting with profes-
26 sional colleagues or an administrative superior on behalf of the
27 client;
28 (9) communication discloses information that the licensee
29 is required by state or federal laws or regulations to disclose.

1 Sec. 08.15.970. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-
2 TIONS. After a hearing, the board may impose a disciplinary sanction
3 on a person licensed under this chapter when the board finds that the
4 person
5 (1) secured a license through deceit, fraud, or intentional
6 misrepresentation;
7 (2) engaged in deceit, fraud, or intentional misrepresenta-
8 tion in the course of providing professional services or engaging in
9 professional activities;
10 (3) advertised professional services in a false or mislead-
11 ing manner;
12 (4) has been convicted of a felony or other crime that
13 affects the person's ability to continue to practice competently and
14 safely;
15 (5) failed to comply with a provision of this chapter or a
16 regulation adopted under this chapter, or an order of the board;
17 (6) continued to practice after becoming unfit due to
18 (A) professional incompetence;
19 (B) addiction or dependency on alcohol or another drug
20 that impairs the person's ability to practice safely;
21 (C) physical or mental disability;
22 (7) engaged in lewd or immoral conduct in connection with
23 the delivery of professional services to clients;
24 (8) had a license to practice in another jurisdiction
25 suspended or revoked for any reason except a fee dispute;
26 (9) has violated a code of ethics adopted by board regula-
27 tion.
28 Sec. 08.15.980. DISCIPLINARY SANCTIONS. (a) When it finds that
29 a licensee has committed an act listed in AS 08.15.970, the board may

1 impose the following sanctions singly or in combination:
2 (1) permanently revoke a license to practice;
3 (2) suspend a license for a determinate period of time;
4 (3) censure a licensee;
5 (4) issue a letter of reprimand;
6 (5) place a licensee on probationary status and require the
7 licensee to
8 (A) report regularly to the board on matters involving
9 the basis of probation;
10 (B) limit practice to those areas prescribed;
11 (C) continue professional education until a satisfac-
12 tory degree of skill has been attained in those areas determined
13 by the board to need improvement;
14 (6) impose limitations or conditions on the practice of a
15 licensee.
16 (b) The board may withdraw a limitation, condition, or proba-
17 tionary status if it finds that the deficiency that required the
18 sanction has been remedied.
19 (c) The board may suspend a license upon receipt of a certified
20 copy of evidence that a license to practice medicine in another state
21 or territory of the United States or province of Canada has been
22 suspended or revoked. The suspension remains in effect until a hear-
23 ing can be held by the board.
24 (d) The board shall seek consistency in the application of
25 disciplinary sanctions, and the board shall explain a significant
26 departure from prior decisions involving similar situations in its
27 findings of fact or orders.
28 Sec. 08.15.990. PROHIBITED ACTS AND PENALTY. (a) Unless a
29 person is licensed under this chapter, the person may not

1 (1) practice a behavioral science profession regulated by
2 this chapter for which the person is not licensed under this chapter;
3 (2) use a title indicating or representing that the person
4 practices or is licensed to practice a behavioral science profession
5 regulated by this chapter for which the person is not licensed under
6 this chapter;
7 (3) advertise that the person practices a behavioral sci-
8 ence profession regulated by this chapter for which the person is not
9 licensed under this chapter.
10 (b) A person who violates this chapter or a regulation adopted
11 under it is guilty of a class B misdemeanor.
12 Sec. 08.15.995. EXEMPTIONS. This chapter does not apply to a
13 person who practices a behavioral science profession regulated by this
14 chapter consistent with the accepted standards and code of ethics of
15 the person's profession and as part of the person's duties as
16 (1) a psychologist or psychological associate;
17 (2) a physician or psychiatrist;
18 (3) an attorney or judge;
19 (4) a member of the clergy;
20 (5) a student, intern, or resident pursuing a course of
21 study approved by the board as appropriate training for a behavioral
22 science profession regulated by the board, if the activities of the
23 student, intern, or resident constitute a part of a supervised course
24 of study and the student, intern, or resident is designated by a title
25 that indicates that the person is training to be a behavioral science
26 professional regulated by the board.
27 Sec. 08.15.999. DEFINITIONS. In this chapter,
28 (1) "advertise" includes issuing or causing to be dis-
29 tributed a card, sign or device to a person, or causing, permitting or

allowing a sign or marking on or in a building or structure, or in a newspaper, magazine, or directory, or on radio or television, or using other means designed to secure public attention;

(2) "behavioral science professional" means a marriage and family therapist, a social worker, or a professional counselor;

(3) "board" means the Board of Behavioral Science;

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

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

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

(1) "health care provider" means <u>a behavioral science professional licensed under AS 08.15;</u> a chiropractor licensed under AS 08.20; a dental hygienist licensed under AS 08.32; a dentist licensed under AS 08.36; a nurse licensed under AS 08.68; a dispensing optician licensed under AS 08.71; an optometrist licensed under AS 08.72; a pharmacist licensed under AS 08.80; a physical therapist licensed under AS 08.84; a physician licensed under AS 08.64; a podiatrist; a psychologist and a psychological associate licensed under AS 08.86; and a hospital as defined in AS 18.20.130, including a governmentally owned or operated hospital; a corporate entity covered under AS 21.88.050(b)(12); and an employee of a health care provider acting within the course and scope of employment;

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

(9) "health care provider" means <u>a behavioral science professional licensed under AS 08.15;</u> a chiropractor licensed under

1 AS 08.20; a dental hygienist licensed under AS 08.32; a dentist li-
2 censed under AS 08.36; a nurse licensed under AS 08.68; a dispensing
3 optician licensed under AS 08.71; an optometrist licensed under
4 AS 08.72; a pharmacist licensed under AS 08.80; a physical therapist
5 licensed under AS 08.84; a physician licensed under AS 08.64; a podia-
6 trist; a psychologist and a psychological associate licensed under
7 AS 08.86; and a hospital as defined in AS 18.20.130, including a
8 governmentally owned or operated hospital; a corporate entity covered
9 under AS 21.88.050(b)(12); and an employee of a health care provider
10 acting within the course and scope of employment;
11 * Sec. 9. AS 39.50.200(b) is amended by adding a new paragraph to read:
12 (48) an occupational licensing board or commission (AS 08).
13 * Sec. 10. AS 44.62.330(a) is amended by adding a new paragraph to
14 read:
15 (53) Board of Behavioral Science (AS 08.15.010).
16 * Sec. 11. AS 47.17.070(6) is amended to read:
17 (6) "practitioner of the healing arts" includes chiroprac-
18 tors, dentists, health aides, nurses, optometrists, osteopaths, phys-
19 ical therapists, physicians, psychiatrists, psychologists, behavioral
20 science professionals licensed under AS 08.15, religious healing
21 practitioners, and surgeons;
22 * Sec. 12. INITIAL APPOINTMENTS TO THE BOARD. (a) Notwithstanding
23 AS 08.15.030 as enacted by sec. 6 of this Act, the initial appointments of
24 members to the Board of Behavioral Science are for the following terms:
25 (1) three members for a term of one year;
26 (2) three members for a term of two years;
27 (3) three members for a term of three years.
28 (b) In making the initial appointments of professional members to the
29 Board of Behavioral Science, the governor shall consider a person licensed

1 for the purpose of AS 08.15.020 if the person qualifies to take the
2 examination for the license. The Board of Behavioral Science shall issue a
3 two-year temporary license to each professional member appointed under this
4 section.
5 * Sec. 13. (a) The board shall issue a two-year transitional license
6 to practice a behavioral science to a person who applies within one year of
7 the effective date of this section and who on that date either
8 (1) qualifies to take the examination for a permanent license; or
9 (2) is practicing the behavioral science in the state and is a
10 clinical member of a national certifying body.
11 (b) The board shall issue a two-year transitional bachelor social
12 worker license to a person that applies within one year after the effective
13 date of this section and who on that date
14 (1) holds a degree in social work from a school with a social
15 work program that is not accredited by the Council on Social Work Education
16 or a bachelor's or master's degree in a social sciences field related to
17 social work as defined by the board, and has been practicing under the
18 title "social worker" for at least 24 consecutive months before July 1,
19 1988; or
20 (2) has been practicing social work under the supervision of a
21 person eligible to be licensed under this Act for at least two years; or
22 (3) has practiced social work for at least 24 months total and
23 for the 24 months before July 1, 1988, has been employed in the administra-
24 tion of an agency that employs people under the title.
25 (c) Notwithstanding any provisions of new AS 08.15, a person who is
26 issued a two-year transitional license under this section is eligible to
27 take the examination for a permanent license of the same category.
28 * Sec. 14. (a) Notwithstanding AS 08.15.130 enacted by sec. 6 of this
29 Act the board shall approve as a supervisor a person who

1 (1) has been a clinical member of the American Association of
2 Marriage and Family Therapy for two years or more;
3 (2) has practiced marital and family therapy for three years or
4 more; and
5 (3) applies for approval as a supervisor within one year of the
6 effective date of this Act.
7 (b) A person approved as a supervisor under this section is subject
8 to the continuing education requirements and cancellation provisions of
9 AS 08.15.130.
10 * Sec. 15. AS 08.15.960, enacted by sec. 6 of this Act, has the effect
11 of amending Rule 504 of the Alaska Rules of Evidence by creating for a
12 behavioral science professional licensed under secs. 6, 12, or 13 of this
13 Act a privilege to refuse to disclose information.
14 * Sec. 16. Sections 1 -- 6 and 9 -- 16 of this Act take effect immedi-
15 ately in accordance with AS 01.10.070(c).
16 * Sec. 17. Section 7 of this Act takes effect July 1, 1986.
17 * Sec. 18. Section 8 of this Act takes effect July 1, 1987.