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Alaska State Legislature
Senate

JUNEAU, ALASKA

PROPOSED AMENDMENTS FOR SB 237 - THE MEDICAL PRACTICE ACT

by the SENATE HESS Committee

- 1) page 2, line 13 thru 29: DELETE
- 2) page 3, line 1 thru 4: DELETE
- 3) page 8, line 10 thru 18: DELETE
- 4) include a new section to read:

EXECUTIVE OFFICER OF THE BOARD. (a) The department, in consultation with the board, shall employ an individual who is not a member of the board to serve as executive officer of the board.

(b) The executive officer shall

 - (1) perform the administrative duties required by this chapter and the department;
 - (2) carry out regulations and policy decisions made by the board;
 - (3) assist the board in conducting examinations, continuing education programs, and other administrative work for the board.
- 5) include a new section to read:

AS 08.01.050 is amended by adding a new subsection to read:

(c) After consulting with the State Medical Board (AS 08.64.010), the department shall employ an individual to be assigned as the investigator for that board. The investigator shall

 - (1) not be a member of the State Medical Board;
 - (2) conduct investigations into alleged violations of AS 08.64,

} these deletions take out any reference to lay-midwives

and into alleged violations of regulations and orders of the State Medical Board;

(3) at the request of the State Medical Board, conduct investigations based on complaints filed with the department or with the State Medical Board; and

(4) be directly responsible and accountable to the State Medical Board, except that only the department has authority to terminate his employment.



Official Business

Alaska State Legislature

Senate

Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811

May 4, 1981

Mr. Frank Flavin
Ombudsman
Pouch WO
Juneau, Alaska 99811

Dear Frank:

Thank you for your letter regarding CSSB 237 (HESS).

I have enclosed your correspondence in each committee member's file for their information and referral.

I appreciate your bringing this to our attention.

Sincerely,

A handwritten signature in cursive script that reads "Pat".

Senator Patrick M. Rodey
Chairman

PMR/ods



Ombudsman

Frank Flavin

State of Alaska

April 20, 1981

Senator Pat Rodey, Chairman
Senate Judiciary Committee
Pouch V - Capitol Bldg.
Juneau, AK. 99811

Re: CSSB 237 (HESS)

Dear Senator Rodey:

In December of 1979 we completed an investigation (J78-0456) which alleged that a physician was practicing medicine without a license as an employee of the state. The complaint was found justified and referred to the Division of Occupational Licensing for further investigation. They were to determine if prosecution was warranted.

The general facts of the case are as follows. The employee had graduated from a foreign medical school with the degree of "M.D., Physician and Surgeon" being academically granted to him. For various reasons this person did not become licensed to practice medicine in Alaska, or any other state. He was not treating patients but was acting as a health care delivery advisor for the state.

The person in question was proud of his doctorate in medicine and chose to display the initials "M.D." on his state business card and on his office name plaque. The essence of our complaint alleged that the person was in violation of AS 08.64.380(2) which states in part that the practice of medicine means: ". . . the public display of one's name and the letters "M.D." . . . or the words "Physician" . . . or the like."

CSSB 237 (HESS), Section 15 brings this issue to light again by repealing and reenacting AS 08.64.380(2). Your committee may wish to consider amending that statute to accommodate situations described above. We have no suggestions as to the content of any such amendment, if any, that should be made.

We believe that the issue should be brought to your attention for consideration.

If you have any questions, please contact Duncan C. Fowler at our Juneau office or me in Anchorage.

Sincerely,

Frank Flavin

Frank Flavin
Ombudsman

cc: Allen Korhonen, Dep. Commissioner for Mgmt. Services, H&SS
Harry Treager, Director, Occupation Licensing, C&ED

FF:DCF:ss

Reply to:

- 840 K Street, Room 203
Anchorage, Alaska 99501
(907) 276-4011
- Pouch W0
Juneau, Alaska 99811
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- P.O. Box 74358
Fairbanks, Alaska 99707
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ALASKA ACADEMY OF PHYSICIANS ASSISTANTS

1001 Noble Street

Fairbanks, Alaska 99701

Telephone

907 - 452 - 1611

November 25, 1980

The Honorable Charles H. Parr
Pouch V
Juneau, Alaska 99811

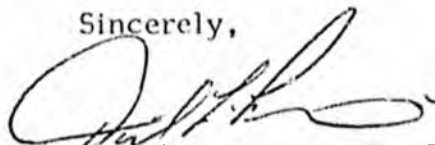
Dear Senator Parr:

I represent most of the Physician Assistants who practice medicine in the State of Alaska.

Last year we requested the legislature authorize adding a Physician Assistant to the State Medical Board. We received good support from several of the Health and Social Services Committee members of the House and Senate. However, we eventually were forced to withdraw our request while the State Medical Board was being considered under the Sunset Law. It was thought proceeding with our request could jeopardize the very existence of the State Medical Board. We believe, however, that having a Physician Assistant on the State Medical Board would assure representation of our profession on the governing state board and that it is essential and more desirable for all parties than to establish a State Physician Assistant Board. We note where all other major medical professions are governed by a separate state board (AS 08.01.010).

I would like very much to discuss this at length with you in the near future.

Sincerely,



David L. Lewis, PA-C
President

D.L.:mb
enc.



Official Business

Alaska State Legislature

Senate

Committee on

Health, Education & Social Services

Charlie Parr, Chairman
Terry Stimson, Vice-Chairman
Vic Fischer
Tim Kelly
Mike Colletta

Pouch V
State Capitol
Juneau, Alaska 99811

465-4907
465-4908

MEMORANDUM

TO: Senate HESS Committee Members
FROM: Rocky Plotnick Weller
DATE: April 3, 1981
RE: SB 237 - the Medical Practice Act

Dr. Kathleen Todd, M.D., would like to go on record opposing section 10 of SB 237. Section 10 is on page 4, lines 8 thru 19 and raises fees. Dr. Todd says that fees should not be raised because they will be indirectly passed on to patients. She questions the state's need for the additional money. Also, she feels the fee for inactive renewals (line 18) will hurt small towns in Alaska. This is because it will be difficult for doctors to find substitutes when they want to go on vacation. Persons with inactive licenses may not want to pay \$200. to replace someone for a month.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSSB 237 (HESS) "An Act relating to professional licensing and
 Title to the regulation of the practice of medicine.
 Requested by Governor Date 4-9-81

II. FISCAL DETAIL
 Agency Affected Department of Commerce & Economic Development
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Regulation & licensing of professions; administration & investigations
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		102.8	110.0	117.7	125.9	134.7
200 TRAVEL		5.1	5.7	6.4	7.2	8.0
300 CONTRACTUAL		10.2	10.9	11.7	12.5	13.4
400 COMMODITIES		.0	.0	.0	.0	.0
500 EQUIPMENT		2.4	.0	.0	.0	.0
600 LAND & STRUCTURES		8.1	8.1	8.1	8.1	8.1
700 GRANTS, CLAIMS, ETC.						
TOTAL		128.6	134.7	143.9	153.7	164.2

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		128.6	134.7	143.9	153.7	164.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME	3	3	3	3	3	3
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

PERSONAL SERVICES - FY'82 salary schedule, 7% inflation factor projected.

1 Investigator, Range 18, gen. govt., 12 mos.	\$ 40,348.00
1 Executive Officer, Range 18, partially exempt, 12 mos.	40,348.00
1 Clerk typist III, Range 8, gen. govt., 12 mos.	22,140.00
	\$ 102,836.00

TRAVEL - 12 % inflation factor projected

Investigator: 5 days per diem per month @ \$67/day	4,000.00
One out-of-town trip per month @ \$250.00 per trip	3,000.00
Executive Officer, 5 board meetings	1,500.00
One out-of-state trip	700.00
	\$ 9,200.00

CONTRACTUAL - 7% inflation factor projected.

1 Mag Card typewriter lease	3,000.00
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IV. DATE 4-9-81 PREPARED BY Marjorie Odland, Regulations Specialist (continued next page)

AGENCY Division of Occupational Licensing
 PHONE 465-2535

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

CCSB 237 continued. . .

Computer terminal use, prorated share at \$350/mo.	4,200.00
Postage, phones, printing, publication and operating costs	3,000.00
	<u>\$ 10,200.00</u>

EQUIPMENT - one time cost FY'82 only.

2 desks, double pedestal, 60x30	704.64
1 desk, single pedestal with typing extension	432.83
2 chairs, exec. swivel with arms	353.66
1 chair, posture without arms	134.77
2 bookcases, 3 shelves	205.28
1 lanier recorder	355.00
1 file cabinet, 4 drawer legal with lock	215.99
	<u>\$ 2,402.17</u>

LAND & STRUCTURES

(for 3 positions) 150 sq.ft. X 1.50 X 12 X 3 = \$8,100