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COMMITTEE REPORT

HOUSE

FURTHER: FORWARD

Date: March 7, 1953

Mr. Speaker:

The Committee on EDUCATION has had HB 125

An Act relating to 'emergency closure days' in response to a threat to the health or safety of students.

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

M. W. Miller,

MILTON H. FITZ

Mr. Tucker

Mr. Tucker
CHAIRMAN
MILTON H. FITZ

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

1/21/83

Date: _____

Mr. Speaker:

The Committee on HESS has had RE 108

An Act relating to the inclusion in the state exempt service of licensed physicians employed by the division of mental health and developmental disabilities, Department of Health and Social Services

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

Max Lecher

MILC HART

Michael W. Hill

Mike Starn

Robert Smith

John Korman

Alan ...

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Max Lecher
CHAIRMAN



Alaska Public
Employees Association **APEA**

State Headquarters: 340 N. Franklin, Juneau, AK 99801 (907) 586-2334

FACT SHEET

FROM: Cherie Shelley, Executive Director
Alaska Public Employees Association (APEA)

TO: Representatives Milo Fritz and Mae Tischer
Co-Chairpersons, HESS House Committee

SUBJECT: House Bill No. 108

DATE: February 4, 1983

APEA position concerning HB 108

APEA favors the passage of HB 108.

Employees groups referred to in HB 108

Classified - are those employees who meet state requirements and can be fired only for "just cause".

Exempt - are those employees in the state political hierarchy and can be fired without "just cause".

Physicians affected by HB 108

Physicians in "Exempt" group - are those physicians employed by the Division of Mental Health and Developmental Disabilities, Department of Health and Social Services. This group is comprised of psychiatrists and one medical physician, working mainly out of API in Anchorage. They have been and still are in the "Exempt" group.

Physicians in "Classified" group - are five medical physicians, Department of Health and Social Services, (not psychiatrists) working throughout the state. There are two Public Health Medical Specialists, a Medical Specialist, Child Development Services, a Regional Medical Officer and a Regional Health Officer in Fairbanks who is a veterinarian. They have been and still are in the "Classified" group.

Salary Schedule for "Exempt" group - the one medical physician is in range 27. The psychiatrists are in ranges 28 and 29. The Director is a range 30. Their salary is based on the F step plus five percent.

Salary Schedule for "Classified" group - the five medical physicians are in ranges 26 and 27.

Fairbanks Field Office
825-D College Road
Fairbanks, AK 99701
Telephone: (907) 456-5412

Anchorage Field Office
833 Gambell Street, Suite A
Anchorage, AK 99501
Telephone: (907) 274-1688

Juneau Field Office
227 4th Street
Juneau, AK 99801
Telephone: (907) 586-6305

Note "Exempt" group wages are higher than "Classified" group.

Legislation background

Last year SB 193, sponsored on behalf of the Blue Ribbon Commission of which I am a member, proposed the following as part of an effort to clarify the State Personnel Rules: "(15) Licensed physicians, as defined in AS 47.30.340(9), employed by the division of mental health and developmental disabilities, Department of Health and Social Services..."

SB 193 was amended by the Senate State Affairs Committee. The portion amended was AS 39.25.110, which lists the membership of the exempt service to include: "(13) all licensed physicians as defined in AS 47.30.340(9) employed by the state...."

The amendment was merely a means to shorten the language content. AS 47.30 is entitled "Mentally Ill and Insane Persons". AS 47.30.340(9) referred to physicians (psychiatrists) working for Division of Mental Health. Therefore it was redundant to state "employed by the division of mental health and development disabilities, Department of Health and Social Services..." However, AS 47.30.340(9), when read out of context with AS 47.30, entitled "Mentally Ill and Insane Persons" with articles dealing with the mental health program - could be interpreted to mean all physicians working for the state and not just the psychiatrists.

HB 108

HB 108 corrects the unintentional implication of the amendment language change. The intent of the legislation was not to move all physicians from the "Classified" to the "Exempt" group. The intent was to leave those physicians (medical) in the "Classified" group and to leave those physicians (psychiatrists) in the "Exempt" group.

Reason for APEA's involvement

Physicians that could be affected if this legislation does not pass are the medical doctors (not psychiatrists), employed by the Division of Public Health. As APEA members, they have contacted the Association to voice their concern about the amendment last session of the State Personnel Act (SB 193). APEA has spoken with three of the five physicians. They wish to remain in the "Classified" employee group. It is our understanding that the physicians (psychiatrists) in the "Exempt" employee group wish to remain there as set forth in the legislation.

Passage of Bill

Would satisfy physicians (medical and psychiatrists) now working for the state - would not cost the state anything as salary schedules would remain the same - and would appear to be the most practical and expedient method of correcting an inadvertent language error in the amendment.

7 0 476711 h2 1

SELECT - QUERY
00002 ALL SECTION EQ 39.25.110

AS39.25.110 DOCUMENT# 1 OF 1

CHAPTER = 39.25
SECTION = 39.25.110
TITLE = 39

HEADINGS TITLE 39.
PUBLIC OFFICERS AND EMPLOYEES.
CHAPTER 25.
STATE PERSONNEL ACT.
ARTICLE 2.
COVERAGE OF PERSONNEL.

CITATION SEC. 39.25.110.
CATCH LINE

EXEMPT SERVICE.
TEXT UNLESS OTHERWISE PROVIDED BY LAW, THE FOLLOWING POSITIONS IN THE STATE SERVICE CONSTITUTE THE EXEMPT SERVICE AND ARE EXEMPT FROM THE PROVISIONS OF THIS CHAPTER AND THE RULES ADOPTED UNDER IT
(1) PERSONS ELECTED TO PUBLIC OFFICE BY POPULAR VOTE OR APPOINTED TO FILL VACANCIES IN ELECTED OFFICES;
(2) JUSTICES, JUDGES, MAGISTRATES, AND EMPLOYEES OF THE JUDICIAL BRANCH INCLUDING EMPLOYEES OF THE JUDICIAL COUNCIL;
(3) EMPLOYEES OF THE STATE LEGISLATURE AND ITS AGENCIES;
(4) THE HEAD OF EACH PRINCIPAL DEPARTMENT IN THE EXECUTIVE BRANCH;
(5) OFFICERS AND EMPLOYEES OF THE UNIVERSITY OF ALASKA;
(6) CERTIFICATED TEACHERS AND NONCERTIFICATED EMPLOYEES EMPLOYED BY A REGIONAL EDUCATIONAL ATTENDANCE AREA ESTABLISHED AND ORGANIZED UNDER AS 14.08.031 -- 14.08.041 TO TEACH IN, ADMINISTER, OR OPERATE SCHOOLS UNDER THE CONTROL OF A REGIONAL EDUCATIONAL ATTENDANCE AREA SCHOOL BOARD;
(7) CERTIFICATED TEACHERS EMPLOYED BY THE DEPARTMENT OF

CENTERS OPERATED BY THE DEPARTMENT OF EDUCATION;

(8) PATIENTS AND INMATES EMPLOYED IN STATE INSTITUTIONS;

(9) PERSONS EMPLOYED IN A PROFESSIONAL CAPACITY TO MAKE A TEMPORARY OR SPECIAL INQUIRY, STUDY OR EXAMINATION AS AUTHORIZED BY THE GOVERNOR;

(10) MEMBERS OF BOARDS, COMMISSIONS, OR AUTHORITIES;

(11) THE OFFICERS AND EMPLOYEES OF THE FOLLOWING BOARDS, COMMISSIONS, AND AUTHORITIES:

(A) ALASKA GAS PIPELINE FINANCING AUTHORITY;

(B) ALASKA PERMANENT FUND CORPORATION;

(C) ALASKA ENERGY CENTER;

(D) ALASKA INDUSTRIAL DEVELOPMENT AUTHORITY;

(E) ALASKA COMMERCIAL FISHERIES ENTRY COMMISSION;

(F) ALASKA COMMISSION ON POSTSECONDARY EDUCATION;

(12) THE EXECUTIVE SECRETARY AND LEGAL COUNSEL OF THE ALASKA MUNICIPAL BOND BANK AUTHORITY;

(13) LICENSED PHYSICIANS, AS DEFINED IN AS 47.30.340(9), EMPLOYED BY THE STATE;

(14) PETROLEUM ENGINEERS AND PETROLEUM GEOLOGISTS

EMPLOYED IN A PROFESSIONAL CAPACITY BY THE DEPARTMENT OF NATURAL RESOURCES AND BY THE OIL AND GAS CONSERVATION COMMISSION, EXCEPT FOR THOSE EMPLOYED IN THE DIVISION OF GEOLOGICAL AND GEOPHYSICAL SURVEYS IN THE DEPARTMENT OF NATURAL RESOURCES;

(15) OFFICERS, AGENTS, AND EMPLOYEES OF THE ALCOHOLIC BEVERAGE CONTROL BOARD GRANTED LIMITED PEACE OFFICER POWERS BY THE ALCOHOLIC BEVERAGE CONTROL BOARD UNDER AS 04.06.110;

(16) PERSONS EMPLOYED BY THE DIVISION OF MARINE TRANSPORTATION AS MASTERS AND MEMBERS OF THE CREWS OF VESSELS WHO OPERATE THE STATE FERRY SYSTEM AND WHO ARE COVERED BY A COLLECTIVE BARGAINING AGREEMENT PROVIDED IN AS 23.40.040;

(17) OFFICERS AND EMPLOYEES OF THE STATE WHO RESIDE IN FOREIGN COUNTRIES;

(18) EMPLOYEES OF THE ALASKA SEAFOOD MARKETING INSTITUTE;

(19) FIREFIGHTERS EMPLOYED BY THE DEPARTMENT OF NATURAL RESOURCES FOR A FIRE EMERGENCY;

(20) EMPLOYEES OF THE OFFICE OF THE GOVERNOR AND THE OFFICE OF THE LIEUTENANT GOVERNOR, INCLUDING THE STAFF OF THE GOVERNOR'S MANSION; LIMITED EFFECTIVE DATE

(21) -REPEALED JUNE 30, 1989- EMPLOYEES OF THE CITIZENS' ADVISORY COMMISSION ON FEDERAL AREAS IN ALASKA (AS 41.37.010).

HISTORY

(SEC. 5 CH 144 SLA 1960; AM SEC. 1 CH 48 SLA 1961; AM SEC. 1 CH 133 SLA 1961; AM SEC. 3 CH 93 SLA 1962; AM SEC. 3 CH 24 SLA 1966; AM SEC. 31 CH 46 SLA 1970; AM SEC. 65 CH 69 SLA 1970; AM SEC. 13 CH 113 SLA 1970; AM SEC. 3 CH 78 SLA 1971; AM SEC. 18 CH 78 SLA 1974; AM SEC. 42 CH 127 SLA 1974; AM SEC. 2 CH 32 SLA 1975; AM SEC. 2 CH 79 SLA 1975; AM SEC. 37 CH 124 SLA 1975; AM SEC. 1 CH 157 SLA 1976; AM SEC. 3 CH 90 SLA 1978; AM SEC. 7 CH 18 SLA 1980; AM SEC. 43 CH 106 SLA 1980; AM SEC. 10 CH 131 SLA 1980; AM SEC. 4 CH 148 SLA 1980; AM SEC. 4 CH 106 SLA 1981; AM SECS. 2, 3 CH 37 SLA 1982; AM SEC. 7 CH 112 SLA 1982)

1970

1975 39.25.110 No Ref to physicians

OCT 80 - SAME → DHSS

OCT 81 exempts licensed phy def 47.30.340(9) employed by
mental health DHSS

OCT 82 → (licensed) physicians (def 47.30.340-9) employed by
8 the state

4 CH 148 SCA 1980
4 CH 106 SCA 1981
2, 3 CH 37 SCA 82

7 ch 112 SCA B 2

at large
Gillespie Dr. Smith
ART PETERSON - AG.

1/26
Joint H/S HEARING E054

ENDELL, ROGER

1500 PRISONERS space for 800
EXECUTIVE level mgt within DEPT.

Juveniles - ~~not~~ intact now but move to new Dept of Corrections
later - through

Gillespie - uncertain of timing of fiscal notes
10 NEW POSITIONS in new dept.

CORRECTIONS is 1/4 of

CORRECTIONAL INDUSTRIES - CORRECTIONS

PENAL institutions not CORRECTIONAL institutions
CAPITAL budget - 100 million

John Tabor

\$250,000 - lapsed funds to fund first FY83 allocation
Authority of dept to

Parole goes with D.O.C.

789-9561

ICOM



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG
Mail Stop 3123
Juneau, Alaska 99811
(907) 465-4442

M E M O R A N D U M

January 25, 1983

TO: House Health, Education & Social Services Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*
Administrative Assistant

SUBJECT: HB 108, Licensed Physicians in the Department of Health and Social Services

An unintended change created by an amendment to the State Personnel Act last session has caused some question in the Department of Health and Social Services. Prior to the amendment, licensed physicians employed by the Division of Mental Health and Developmental Disabilities were placed in the exempt service. Other physicians working for the department were members of the classified service. This system worked well. The exception for those working in the mental health field was necessary in order to attract and pay qualified staff.

The amendment placed all licensed physicians, as defined in AS 47.30.340(9), employed by the state into the exempt service. Title 47.30 addresses mentally ill and insane persons but the definition section defined "licensed physician" in general terms. The department brought to the commission's attention an unforeseen situation. There were two employees in the Division of Public Health serving as Regional Health Officers. One was a medical doctor and the other a licensed veterinarian. Under the amended version of the State Personnel Act, the doctor could be placed in the exempt service and the veterinarian would remain in the classified service. Both have the same duties, though in different locations.

The commission recommends that legislation be adopted to return all medical doctors except those employed by the Division of Mental Health and Developmental Disabilities to the classified service.

Bill Analysis

The bill amends the section of the State Personnel Act which lists membership in the exempt service to place only those physicians employed by the Division of Mental Health and Developmental Disabilities in the exempt service.

TBC:lmk
Attachment

BILL SHEFFIELD, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

POUCH H 01
JUNEAU, ALASKA 99811
PHONE: 465-3030

December 14, 1982

The Honorable Bill Ray, Chairman
Blue Ribbon Commission on the State Personnel Act
Pouch YG, Mail Station 3123

Attention: Terry Cramer, Administrative Assistant

Subject: Licensed Physicians - Department of Health & Social Services

Dear Senator Ray:

Subsequent to the December 7 meeting of the Blue Ribbon Commission, and at its direction, the Department of Health & Social Services considered the circumstances surrounding the statutory language relating to licensed physicians employed by the state. The original purpose for the inclusion of licensed physicians in the exempt service under AS 39.25.0110 (19) was to provide for recruitment and retention of qualified and competent staff within the Division of Mental Health & Developmental Disabilities. That situation has worked well since that time.

The amendments to that statute as adopted under HCS CSSB 193 in 1982 eliminated that particular distinction. As presently written, that statute could be interpreted to include licensed physicians in the Division of Public Health. That action is not adjudged to be in the best interests of the state and those employees. It should be noted that in 1981, AS 47.30.340 was repealed in its entirety and AS 47.30.915 was added. That section again defined "licensed physician" in the legislative reference to mental health programs.

It is therefore respectfully requested that the language in AS 39.25.110 (13) be amended to read as follows: "licensed physicians, as defined in AS 47.30.915 (11), employed by the Division of Mental Health & Developmental Disabilities, Department of Health & Social Services.

Thank you for your consideration of this matter.

Sincerely,



Allen K. Korhonen
Acting Commissioner

AS39.25.110 DOCUMENT= 1 OF 1 PAGE = 1 OF 5
CHAPTER = 39.25
SECTION = 39.25.110
TITLE = 39

HEADINGS TITLE 39.
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- (2) JUSTICES, JUDGES, MAGISTRATES, AND EMPLOYEES OF THE JUDICIAL BRANCH INCLUDING EMPLOYEES OF THE JUDICIAL COUNCIL;
- (3) EMPLOYEES OF THE STATE LEGISLATURE AND ITS

AS39.25.110 DOCUMENT= 1 OF 1 PAGE = 2 OF 5
AGENCIES;

- (4) THE HEAD OF EACH PRINCIPAL DEPARTMENT IN THE EXECUTIVE BRANCH;
- (5) OFFICERS AND EMPLOYEES OF THE UNIVERSITY OF ALASKA;
- (6) CERTIFICATED TEACHERS AND NONCERTIFICATED EMPLOYEES EMPLOYED BY A REGIONAL EDUCATIONAL ATTENDANCE AREA ESTABLISHED AND ORGANIZED UNDER AS 14.08.031 - 14.08.041 TO TEACH IN, ADMINISTER, OR OPERATE SCHOOLS UNDER THE CONTROL OF A REGIONAL EDUCATIONAL ATTENDANCE AREA SCHOOL BOARD;
- (7) CERTIFICATED TEACHERS EMPLOYED BY THE DEPARTMENT OF EDUCATION AS CORRESPONDENCE TEACHERS OR TEACHERS IN SKILL CENTERS OPERATED BY THE DEPARTMENT OF EDUCATION;

INSTITUTIONS;

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(11) THE OFFICERS AND EMPLOYEES OF THE FOLLOWING BOARDS, COMMISSIONS, AND AUTHORITIES:

AS39.25.110 DOCUMENT= 1 OF 1 PAGE = 3 OF 5
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(C) ALASKA ENERGY CENTER;
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(12) THE EXECUTIVE SECRETARY AND LEGAL COUNSEL OF THE ALASKA MUNICIPAL BOND BANK AUTHORITY;
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(16) PERSONS EMPLOYED BY THE DIVISION OF MARINE

AS39.25.110 DOCUMENT= 1 OF 1 PAGE = 4 OF 5
TRANSPORTATION AS MASTERS AND MEMBERS OF THE CREWS OF VESSELS WHO OPERATE THE STATE FERRY SYSTEM AND WHO ARE COVERED BY A COLLECTIVE BARGAINING AGREEMENT PROVIDED IN AS 23.46.040;
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(20) EMPLOYEES OF THE OFFICE OF THE GOVERNOR AND THE OFFICE OF THE LIEUTENANT GOVERNOR, INCLUDING THE STAFF OF THE GOVERNOR'S MANSION; LIMITED EFFECTIVE DATE
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AN39.25.110 DOCUMENT= 1 OF 1 PAGE = 2 OF 3
SECTION AS AMENDED BY CH. 112, SLA 1982.
THE SECOND 1982 AMENDMENT, EFFECTIVE JULY 1, 1982, REWROTE THIS SECTION.
EDITOR'S NOTES.
AS 47.30.340, REFERRED TO IN PARAGRAPH (13) WAS REPEALED BY SEC. 7, CH. 84, SLA 1981.
LEGISLATIVE HISTORY REPORTS.
FOR REPORT ON CH. 69, SLA 1970 (HB 564), SEE 1970 HOUSE JOURNAL SUPPLEMENT NO. 2, P. 7 (2/16/70). FOR REPORT ON CH. 127, SLA 1974 (SCSHB 817 AM S), SEE 1974 HOUSE JOURNAL, P. 657. FOR REPORT ON CH. 157, SLA 1976 (SCS CSHB 887 AM S), SEE 1976 HOUSE JOURNAL, P. 1449.
NOTES TO DECISIONS.
THE THRUST OF THE EXEMPTIONS IN THIS CHAPTER, THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, FORMER AS 39.35.600(5)(C), AND THE STATUTORY LEAVE PROVISIONS FOR STATE EMPLOYEES, AS 39.20.310, IS TO PROVIDE FOR THOSE PUBLIC EMPLOYEES WHO ARE NOT SUSCEPTIBLE TO ORDINARY RECRUITING AND EXAMINING PROCEDURES. HAFLING V. INLANDBOATMEN'S UNION, SUP. CT. OP. NO. 1743 (FILE NO. 3438), 585 P.2D 870 (1978).
NO INCONSISTENCY BETWEEN FERRY CREW EXEMPTION OF THIS SECTION AND INCLUSION OF SUCH PERSONNEL WITH PUBLIC EMPLOYMENT RELATIONS ACT, AS

THOMAS BRANTON x3370

All mental health employees in exempt for salary purposes - psychiatry

State pay bill for exempt employees - inadvertently included all physicians
Psych were

Range 30 not enough
EASIER to

legislative act or bargaining agreement sets salary

Fully exempt - pleasure of ^{governor.} governor

⇒ All physicians ARE exempt now
⇒ CLASSIFIED

⇒ Physicians - API

HB 108

House bill 108 changes the current statute back to the original wording of the statute in 1980. AS 39.25.110 (19), in October, 1980, included as exempt employees the licensed physicians employed by the division of health and developmental disabilities, Department of Health and Social Services.

The October, 1982 revision of the statute changed the wording to include all licensed physicians employed by the state as exempt employees.

The language of HB 108 returns licensed physicians to the classified service, except for those working within the division of health and developmental disabilities, of the DHSS.

This affects psychiatrists, primarily, but also includes other specialists within the Alaska Psychiatric Institute. the justification for placing psychiatrists in the exempt category is that they demand salaries in excess of the established salary range for the classified service. Rather than change the salary range, the proposal is to revert to the previous exempt status. Those people categorized as exempt serve at the pleasure of the governor, and are not subject to the personnel rules.



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG
Mail Stop 3123
Juneau, Alaska 99811
(907) 465-4442

MEMORANDUM

January 25, 1983

TO: House Health, Education & Social Services Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*
Administrative Assistant

SUBJECT: HB 108, Licensed Physicians in the Department of Health and Social Services

An unintended change created by an amendment to the State Personnel Act last session has caused some question in the Department of Health and Social Services. Prior to the amendment, licensed physicians employed by the Division of Mental Health and Developmental Disabilities were placed in the exempt service. Other physicians working for the department were members of the classified service. This system worked well. The exception for those working in the mental health field was necessary in order to attract and pay qualified staff.

The amendment placed all licensed physicians, as defined in AS 47.30.340(9), employed by the state into the exempt service. Title 47.30 addresses mentally ill and insane persons but the definition section defined "licensed physician" in general terms. The department brought to the commission's attention an unforeseen situation. There were two employees in the Division of Public Health serving as Regional Health Officers. One was a medical doctor and the other a licensed veterinarian. Under the amended version of the State Personnel Act, the doctor could be placed in the exempt service and the veterinarian would remain in the classified service. Both have the same duties, though in different locations.

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Bill Analysis

The bill amends the section of the State Personnel Act which lists membership in the exempt service to place only those physicians employed by the Division of Mental Health and Developmental Disabilities in the exempt service.

TBC:Imk
Attachment

FISCAL NOTE

FEB 3 1983

I. REQUEST
 Bill/Resolution No. House Bill 108/Senate Bill 64
 Title Inclusion in state exempt service of licensed physicians
 Requested by Commissioner's Office Date 1/24/83 FINANCE

II. FISCAL DETAIL
 Agency Affected Health & Social Services
 Program Category Affected Mental Health & Developmental Disabilities
 BRU, Program, Or Subprogram(s) Affected _____
 (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 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-			

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

No cost impact is foreseen to the Department of Health & Social Services as a result of this legislation.

Thomas R. Bradlee

IV. DATE 1/25/83 PREPARED BY Robert W. Marshall, M.D., Director
 AGENCY Health & Social Services/Mental Health & DD
 Original: Legislative Finance PHONE 465-3370
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

OMB Reviewed by: Nancy Dunn

Nancy Dunn

All licensed physicians currently in exempt category
39.25.110 (13).

~~WAS RESTRICTED to licensed~~

HB 108

SUMMARY:

OCTOBER 1980 STATUTE 39.25.110 (19) INCLUDED AS
EXEMPT EMPLOYEES LICENSED PHYSICIANS EMPLOYED BY THE
DIVISION OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES,
DEPARTMENT OF HEALTH AND SOCIAL SERVICES

OCTOBER 1982, 39.25.110 (13) INCLUDED ALL PHYSICIANS
EMPLOYED BY THE STATE AS EXEMPT

HB 108 RETURNS TO EXEMPT SERVICES ONLY PHYSICIANS
WITHIN THE DIVISION OF MENTAL HEALTH AND DEVELOPMENTAL
DISABILITY, DEPT OF H/SS.

AFFECTS PSYCHIATRISTS, PRIMARILY BUT ALSO OTHER SPECIALISTS
WITHIN ALASKA PSYCHIATRIC INSTITUTE

ALSO, BY DELETING REFERENCE TO ALL PHYSICIANS, RETURNS
OTHER PHYSICIANS TO CLASSIFIED SERVICE.

JUSTIFICATION FOR PLACING PSYCHIATRISTS IN EXEMPT CATEGORY
IS THAT THEY DEMAND A SALARY IN EXCESS OF THE
RANGE ESTABLISHED FOR CLASSIFIED SERVICE. RATHER THAN
CHANGE THE SALARY RANGE, THE PROPOSAL IS TO REVERT TO

previous legislation. Also - those working under exempt
status serve at the pleasure of governor.

1/25

PURPOSE: to ^(PLACE psych into) ~~EXEMPT~~ ^{SERVICE} psychiatrists from CLASSIFIED SERVICE to allow payment in EXCESS of pay scale since going RATE is higher than pay scale allows -

QUESTION: why not adjust pay scale?
At request of governor

AFFECTS ONLY PHYSICIANS - NOT OTHER EMPLOYEES

ARE THERE OTHER PHYSICIANS IN CLASSIFIED SERVICE WITHIN DHSS? ^{at staff exempt now!}

why have them ~~EXEMPT~~ ^{CLASSIFIED} and MENTAL HEALTH EXEMPT

ARE THERE OTHER PSYCHIATRISTS IN DHSS NOT IN MENTAL HEALTH? DIRECTOR ALASKA PSYCHIATRIC INSTITUTE - ALREADY EXEMPT - STAFF? No.

Norm

FEB 3 1983

I. REQUEST
Bill/Resolution No. House Bill 108/Senate Bill 64
Title Inclusion in state exempt service of licensed physicians.
Requested by Commissioner's Office Date 1/24/83 FINANCE

II. FISCAL DETAIL
Agency Affected Health & Social Services
Program Category Affected Mental Health & Developmental Disabilities
BRU, Program, Or Subprogram(s) Affected _____
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EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
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500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-			

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

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

No cost impact is foreseen to the Department of Health & Social Services as a result of this legislation.

Thomas R. Bradshaw

IV. DATE 1/25/83 PREPARED BY Robert W. Marshall, M.D., Director
AGENCY Health & Social Services/Mental Health & DD
Original: Legislative Finance PHONE 465-3370
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/82)

OMB Reviewed by: Nancy Dunn

Nancy Dunn

HB 108

House bill 108 changes the current statute back to the original wording of the statute in 1980. AS 39.25.110 (19), in October, 1980, included as exempt employees the licensed physicians employed by the division of health and developmental disabilities, Department of Health and Social Services.

The October, 1982 revision of the statute changed the wording to include all licensed physicians employed by the state as exempt employees.

The language of HB 108 returns licensed physicians to the classified service, except for those working within the division of health and developmental disabilities, of the DHSS.

This affects psychiatrists, primarily, but also includes other specialists within the Alaska Psychiatric Institute. The justification for placing psychiatrists in the exempt category is that they demand salaries in excess of the established salary range for the classified service. Rather than change the salary range, the proposal is to revert to the previous exempt status. Those people categorized as exempt serve at the pleasure of the governor, and are not subject to the personnel rules.