

H E S S

Correspondence



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

February 13, 1986

POUCH V  
JUNEAU, AK 99811  
465-3759

Commissioner John Pugh  
Department of Health and Social Services  
Pouch H-01  
Juneau, AK 99811

Dear Commissioner Pugh:

We have received the Department's draft of regulations to govern the practice of Midwifery. Upon review, including a number of discussions with midwives and physicians in the state, we are concerned that the regulations, as proposed, may potentially halt the practice of midwifery in Alaska.

We recognize that these regulations represent a substantial effort on the part of the working group and the Department. However, the Legislature made clear with the passage of SCSHB 335 (Fin) last session that they wished the practice of midwifery to continue. It is imperative that the regulations not thwart this intent.

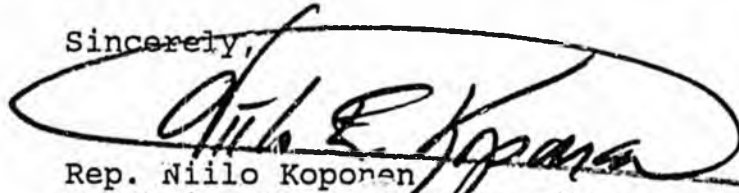
In the transmittal letter that accompanied the draft regulations, you indicated that the working group would likely be asked to review documented testimony received during the public comment period and to recommend any necessary changes to the regulations. The purpose of this letter is to formally request that the working group be reconvened upon the close of the public comment period. In addition to issues which may arise through the public testimony, we would ask that the following areas be addressed:

- (1) Inconsistencies between what the working group developed and what appears in the draft regulations, specifically the requirement that a physician "risk out" clients and the requirement that client reports be submitted to the Department.
- (2) Clarification of liability, particularly in relation to the exemption and the preceptor relationship.
- (3) The lack of consistency with licensure for similar professions.

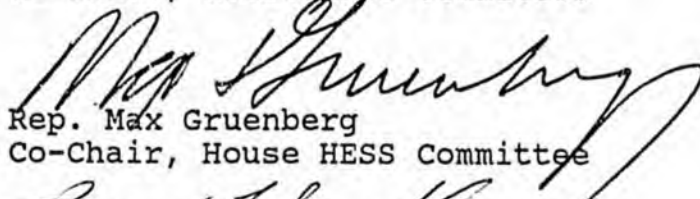
As you know, Commissioner, HB 335 required that regulations be presented to the legislature prior to their adoption and an initial draft was submitted on the 10th day of session. However, since it is likely that the regulations will be revised by the working group, we would request that the Legislature be presented with the redrafted version and allowed an opportunity to review it prior to adoption by the Department. Because of the press of time, from both the 120-day session and the importance of getting regulations in place, we would hope that redrafted regulations are available by April 15. We will be scheduling a hearing on the midwife regulations as soon after the 15th as possible.

Commissioner, thank you for your attention to our concerns. We would be happy to discuss this with you in person at your convenience.

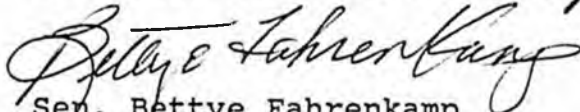
Sincerely,



Rep. Niilo Koponen  
Co-Chair, House HESS Committee



Rep. Max Gruenberg  
Co-Chair, House HESS Committee



Sen. Bettye Fahrenkamp  
Chair, Senate HESS Committee



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OFFICIAL BUSINESS

MEMORANDUM

TO: HOUSE HESS COMMITTEE MEMBERS

FROM: REP. MAX F. GRUENBERG, CO-CHAIR  
REP. NIILLO KOPONEN, CO-CHAIR  
HOUSE HESS COMMITTEE

DATE: MARCH 10, 1986

RE: POSSIBLE HESS COMMITTEE BILL

The Department of Health and Social Services has requested that the HESS Committee introduce the attached bill to comply with a new federal law prohibiting municipal sales tax on purchases made with food stamps.

Section 1505 of the Food Stamp Security Act of 1985 requires that all states participating in the food stamp program be in legal compliance with the act by October 1, 1986.

We will take up consideration of the committee sponsorship of this bill at today's HESS meeting.

IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act prohibiting municipal sales tax on purchase made with food stamps; and providing for an effective date."

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

\* Section 1. AS 29.45.650(a) is amended to read:

(a) Except as provided in (f) of this section, a [A] borough may levy and collect a sales tax not exceeding six percent on sales rents, and on services provided in the borough. The sales tax may apply to any or all of these sources. Exemptions may be granted by ordinance.

\* Sec. 2. AS 29.45.650 is amended by adding a new subsection to read:

(f) A borough may not levy and collect a sales tax on a purchase made with food coupons, food stamps, or other type of certificate issued under 7 U.S.C. 2011 - 2025 (Food Stamp Act).

\* Sec. 3. AS 29.45.700(a) is amended to read:

(a) A city in a borough that levies and collects areawide sales and use taxes may levy sales and use taxes on all sources taxed by the borough in the manner provided for boroughs. The [, EXCEPT THAT THE assembly may by ordinance authorize a city to levy and collect sales and use taxes on other sources except purchases made with food coupons, food stamps, or other type of certificate issued under 7 U.S.C. 2011 - 2025 (Food Stamp Act).

\* Sec. 4. This Act takes effect October 1, 1986.