

S B

281

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
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State Senate

While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

April 30, 1987

Mildred Brazington
PO Box 71
Sterling, AK 99672

Dear Mildred:

Thank you very much for your letter regarding the wording of HB 205, providing for the licensing of occupational therapists. I agree with you that the listing of "Religious Practitioners of the Healing Arts" is regrettable. I am working to get this language deleted from both the proposed legislation and the Alaska Statutes.

Even though the language does not include specifications for licensing spiritual healers as many fear, it does require religious healers and counselors to report child abuse. Many of the people who have contacted me have expressed the concern that this is also a violation of the confidentiality that is essential for viable healing ministries within the pervue of the church.

It is encouraging to know that Alaskans are getting involved in the governing process on the local level. Too often we just remain silent until all that is left to do is criticize the actions of our representatives in Juneau. I appreciate your taking the time to write me on this important issue. Your support is very helpful as I work to protect our priorities in Alaska.

I hope that you will continue to keep me informed of issues that are of importance to you as we proceed toward the conclusion of this year's legislative session.

Sincerely,

Paul Fischer
Senator

PF:mal

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 18, 1987

SUBJECT: Persons required to report child abuse and neglect (Work Order 5-1120A)

TO: Senator Paul Fischer

FROM: George Utermohle *GU*
Legislative Counsel

Enclosed is the draft bill requested by Ed Oberts of your staff.

The draft bill amends the definition of "practitioner of the healing arts" in AS 47.17 by including occupational therapists and occupational therapy assistants within the definition and by excluding religious healing practitioners from the definition. The effect of the amendment is to include occupational therapists and occupational therapy assistants within the group of persons who are required to report child abuse and neglect under AS 47.17.020 and to eliminate religious healing practitioners from that group.

In addition to AS 47.17.070(9), religious healing practitioners are mentioned in AS 47.10.080(k), 47.10.085, and AS 47.17.020(d).

AS 47.10.080(k) provides that a court shall take into consideration the fact that a child was under the treatment by spiritual means of an accredited religious practitioner when the court determines that a child is a child in need of aid under AS 47.10.010 - 47.10.142. The effect of AS 47.10.080(k) is to require the court to consider the First Amendment freedom of religion implications of treatment by religious healing practitioners.

AS 47.10.085 allows the court to take into consideration the fact that a child is being provided treatment by spiritual means by an accredited religious practitioner, when the court decides whether a child is a child in need of aid based on the need for medical care. The effect of

A M E N D M E N T

Offered in the SENATE

By Fischer

TO: SB 281

Page 12, line 6:

Delete ", but not"

Insert "and"



THE AMERICAN
OCCUPATIONAL
THERAPY
ASSOCIATION, INC.

MAY 7 1987

May 4, 1987

The Honorable Paul Fischer
Chairman
Health, Education and Social Services Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. Chairman:

I understand that a bill, S. 281 the proposed Occupational Therapy Practice Act, has been introduced in the Senate and assigned to the Health, Education and Social Services, Labor and Commerce and Finance Committees. The American Occupational Therapy Association, Inc. (AOTA) strongly supports the provisions of this bill and urges you to work towards speedy passage of S. 281.

Occupational therapists are now regulated in thirty-five states (Arkansas, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Montana, Nebraska, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, and West Virginia), plus the District of Columbia, and Puerto Rico. Occupational therapists are independent health practitioners who work in a variety of health and educational settings to provide therapeutic services to individuals of all ages with both physical and mental diagnoses.

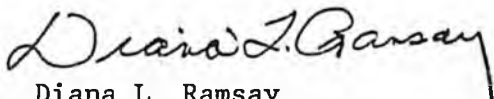
These states which have enacted regulatory laws for occupational therapy personnel have recognized the serious potential for harm to the consumer when unqualified persons attempt to provide occupational therapy services. We believe the average consumer does not have the information to judge whether or not an individual has received the proper training to practice occupational therapy. Certainly the consumer, while suffering from illness or injury, is not in any position to assess credentials and training.

OCCUPATIONAL THERAPY: A VITAL LINK TO PRODUCTIVE LIVING

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All current occupational therapy regulatory laws as well as AOTA certification require the same qualifications as set forth in S. 281. Occupational therapy personnel must meet specific academic, fieldwork experience, and examination requirements in order to practice. The AOTA believes that these are minimal requirements for the protection of occupational therapy consumers. The consumer and the medical community must be assured, through passage of this bill, that those referred to an occupational therapist will receive services from a qualified practitioner. Therefore, we urge you to vote in favor of S. 281.

Sincerely,

A handwritten signature in cursive script that reads "Diana L. Ramsay". The signature is written in dark ink and is positioned above the typed name.

Diana L. Ramsay
Legislative Specialist
Government and Legal Affairs Division

DLR:sn