

S B

481

FEB 28 1990

February 15, 1990

Legislators, HESS Committee
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

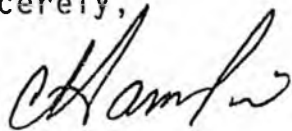
Committee Members:

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I strongly urge passage of this bill during the current session. Prompt attention to this bill will substantially improve the state's commitment to the welfare of its families.

Thank you for your consideration and efforts toward the passage of this bill.

Sincerely,

A handwritten signature in cursive script, appearing to read "Clint Hamlin".

Clint Hamlin,
VOA ARCH, Supervisor

FEB 20 1990

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Paul A. Fischer
Chairman, HESS Committee, Senate
Alaska State Legislature
P.O. Box V
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Rachel Hines
Secondary Schoolteacher, Alaska School District

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Joe Griffith



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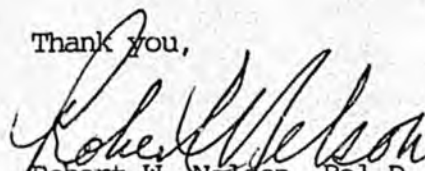
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The Alaskan public deserves to know that its State government establishes standards and regulates the profession of marriage and family therapists.

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AN OPEN LETTER TO ALASKA LEGISLATORS

Dear Legislator:

On behalf of the members of the Alaska Division of the American Association for Marriage and Family Therapy (AkAMFT), I am writing to introduce our organization and the profession it represents. As a prelude to a fuller discourse, some highlights are listed below.

1. Marriage and Family Therapy (MFT) is a well-established profession with a distinct body of knowledge and established code of ethics.
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It is noteworthy that this non-biased source comprised of state regulators, believes that there is a separate profession of marriage and family therapy. A considerable body of research suggests that marriage and family therapy is an efficient and effective treatment alternative to traditional

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A significant change from last year's NCSL meeting was an increased awareness of marriage and family therapy among attendees. This awareness was demonstrated by specified inquiries regarding the profession and expressions of support for the work done by marriage and family therapists.

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"AAMFT and its members have worked closely with state legislators to help them to gain a better understanding of the practice and profession of marriage and family therapy. These efforts had dramatic results" said Michael Bowers, AAMFT Director of Division Affairs. "This year, state legislators were telling us now that we know more about you, we look forward to utilizing your members' expertise in a variety of policy development areas. This new direction provides both AAMFT and state legislators with opportunities that offer potential benefits for everyone."

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Colorado	Connecticut
Florida	Georgia
Maine	Massachusetts
Michigan	Minnesota
Nevada	New Jersey
North Carolina	Oregon
Rhode Island	South Carolina
Tennessee	Utah
Washington State	Wyoming

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The Maine Legislature Joint Standing Committee on Business Legislation initially considered a title protection law for marriage and family therapists, professional counselors, and clinical professional counselors. During the committee's hearing on the proposed legislations, representatives of the three professional groups provided important testimony outlining the need to protect consumers from unprofessional and unqualified practitioners. In one instance, the legislators were told of a state licensed mental health professional who had had his license revoked but continued to practice as "a marriage counselor." Based upon such testimony and other

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John Pagan, M.S., Past President
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Vivian Finlay, M.Ed., Treasurer
P. O. Box 872433
Wasilla, AK 99687

Sara Griffith, M.Ed., Secretary
9292 Hiland Road
Eagle, AK 99577

Tim Sander, M.Ed.
P. O. Box 60635
Fairbanks, AK 9706

Lowell Roddy, M.Ed.
131-B Iliamna Avenue
Anchorage, AK 99505

Rhoda Vandervoort, M.A.
2131 Tudor Hills Court
Anchorage, AK 99507



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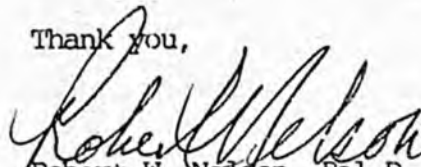
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NEWSLETTER

SPECIAL BULLETIN FOR STATE LEGISLATORS

This special bulletin of the Alaska Marital and Family Therapists is being distributed to all state legislators and their staff. This is AkAMFT's way of thanking legislators for taking time to learn more about the practice and profession of marriage and family therapy; acquainting them with the many ways with which our profession impacts family life at both the national and state levels; and encouraging an atmosphere of mutual cooperation and assistance between AkAMFT and Alaska legislators.

AkAMFT and its members welcome future opportunities to provide assistance and information to legislators and staff in their efforts to increase the quality of life in Alaska.

Randall G. Jones, M.A.
President-AkAMFT

LEGISLATIVE UPDATE:

Since the early 1980's, the Alaska Association for Marriage and Family Therapy has been engaged in the process of developing legislation which would license the mental health profession of marriage and family therapy. Founded on the belief that licensure is one of the most effective recognized vehicles at the state level to protect the public, AkAMFT is committed to the development of licensure for all health education professionals. Currently, there are six free-standing legitimate, fully-accredited, and educationally sound mental health professions which form the major component of mental health industry, i.e., psychology, marriage and family therapy, mental health counseling, and clinical social work, making up the non-medical arm, while psychiatry and psychiatric nursing form the medical branch.

The need for licensure arises out of several factors. All mental health professions, by whatever name they call themselves "dispense strong medicine" which takes many system-psychotherapeutic forms. The various therapeutic interventions have the power to profoundly impact the family relationship or individual for better or for the worse at the deepest levels. It is the mandated responsibility of the state to protect the (mental) health of its citizens. One way the state has chosen to protect its citizens is through the vehicle licensure. Four mental health professions to this date are licensed by the state. They are: psychiatry, psychiatric nursing, psychology, and social work. Unfortunately, instances where consumers have been disadvantaged or mistreated by those claiming to be mental health professionals are well-documented. It is our strong belief that by responsibly regulating all mental health professions by means of licensure, the state could effectively close many existing gaps which allow those who are untrained and unqualified to identify themselves, by the same time as those who are highly trained, competent, and ethical in their practice. Licensure would serve to better inform the public regarding qualifications, provide

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approaches for a wide variety of emotional and behavioral disorders. For this and other reasons, the federal government has recognized marriage and family therapists for some time. For many years, marriage and family therapists have been eligible mental health providers under the Civilian Health and Medical Program of the Unified Services (Champus). Additionally, marriage and family therapists are listed as one of the core mental health professions by the National Institute of Mental Health, and under federal law (Public Service Act, PL100-6900), as one of the core mental health professions, training programs in marriage and family therapy are eligible to receive clinical training grants on the same basis as programs in medicine, psychology, social work, and nursing. Thus, there is a consistent consensus among federal agencies and national committees that MFT carries distinct status as a profession.

Unfortunately, however not all who provide family therapy services have attained the necessary training for the practice of the profession, nor have they necessarily agreed to be bound by a code of ethics established by their peers. Given the fact that the State of Alaska does not regulate our profession, there exists the potential for untrained individuals to present themselves as marriage and family therapists. This is a source of concern for the qualified professionals and members of the public. Since we know that psychotherapy of any kind can do damage, the public, without the capacity to distinguish qualified professionals, remains more vulnerable to mistreatment. The lack of regulation of the profession of MFT in Alaska may present a greater loss to the public than it does to our professional membership, since many of our members can identify with other professions.

A growing number of marriage and family therapists have received the most contemporary training developed in the field. Often this training is through graduate programs in marriage and family therapy. These mental health professionals are prepared to offer effective treatment options to Alaskan families, yet these professionals are neither recognized nor regulated. Trained family therapists, although sanctioned nationally as legitimate providers in mental health services, have no such status in Alaska. The result is that in many contexts, Alaskan do not have a real option to select a qualified family therapist for treatment because most reimbursement systems do not recognize unregulated providers. This denies freedom of choice for mental health services to Alaskans who may already be disadvantaged.

We do not believe this state of affairs, with the public being exposed to unqualified and unprofessional practitioners, and potentially prohibited from legitimate treatment options has been the Governor's nor the legislators' intent. Rather, it may be due to limited awareness of the part of state officials regarding the professional of marriage and family therapy. In a state known to be in the vanguard when it comes to protecting the general welfare of its citizenry, these seems unfortunate. As mentioned, some twenty states have now recognized the need to regulate and recognize the profession of marriage and family therapy. Alaska should not be among the last to do so. We strongly urge that you consider exploring with us ways to address this issue. Members of AkMFT are available to meet with you to discuss appropriate options. AkMFT members also stand ready to act as consultants with regard to a wide variety of issues relevant to families in Alaska. We hope you find the enclosed special issue of our newsletter helpful in increasing your knowledge of our organization.

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considerations, the committee recommended that the bill be redrafted as a licensure law. The bill became law with the overwhelming support of the state legislature and the Governor.

The Oregon state legislature passed a multiple disciplinary regulatory law. The law prohibits the use of title of marriage and family therapy or professional counselor by uncertified practitioners and replaced a registration process for social workers with licensure. The law also includes provisions for privileged communication except in certain cases (such as suspected child abuse or neglect).

The original bill was the product of extensive negotiations between various mental health professional organizations in Oregon. Despite the withdrawal of one group from the bill and some change to the draft version, the bill became law with wideranging support. In other regulatory developments, Oklahoma governor, Harry Belimon, vetoed a bill designed to license marriage and family therapists in the state. At this time, the legislature is not in session. However, it is anticipated that the legislature may attempt to override the governor's veto.

Senate Marriage and Family Therapy Bill Introduced

Senator Daniel Monahan (D-NY) recently introduced the Community Mental Health Services Act, S.1591, to provide Medicare reimbursement for the services of marriage and family therapists, clinical social workers, and psychiatric nurses working in community mental health centers (CMHC). Medicare would also reimburse CMHC's for partial hospitalization services. Under current law, only hospitals may receive reimbursement for partial hospitalization services.

Enactment of this legislation would enhance access to marriage and family therapy and other mental health services for millions of elderly Americans who might benefit from mental health care, but who often do not receive services. It is especially important in states with large rural areas where access to outpatient mental health services is often severely limited and where the closest hospital providing partial hospitalization services may be hundreds of miles away. It will also have a positive impact on the ability of CMHC's in poor underserved urban communities to provide services to the Medicare eligible population.

Sponsors of the Community Mental Health Services Act include Senators Robert Dole and Spark Matsunaga (D-Hawaii) both high-ranking members of Senate Finance Committee which will consider the bill and Senator Daniel Inouye (D-Hawaii) a leader on the mental health policy. The Senate Finance Committee is expected to consider S.1591 in late September and early October as part of the budget reconciliation package for fiscal year 1990. Other mental health provisions, including Medicare reimbursement for all services provided by psychologists and social workers will also be considered as part of the package.

Other Legislative News:

AAMFT endorsed Basic Health Benefits Act, S.768, received approval from the Senate Labor and Human Resources last July. The bill, authorized by Senator Edward Kennedy, would require employers to provide health care insurance for all of their employees who work at least 17.5 hours a week. (Requirements for small employers would be phased in.) Marriage and family therapists are recognized as "equivalent mental health professionals" for reimbursement purposes under the bill's mental health provision. There has been no action on the House version bill.

The provision of family therapy and the work of marriage and family therapists are recognized as crucial components in a substance abuse treatment, by drug treatment, and Crimes Reductions Act, HR 2456, authorized by Congressmen Pete Stark (D-CA), Chair of the House Ways and Means Health Subcommittee. This innovative legislation would establish a separate addiction treatment services trust fund under Medicare to be financed through a minimal increase in excise taxes of

1 IN THE HOUSE

BY GRUENBERG AND MENARD

2

HOUSE BILL NO. 305

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act regulating the practice of marital and family
7 therapy; and providing for an effective date."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 63. MARITAL AND FAMILY THERAPY.

11 ARTICLE 1. BOARD OF MARITAL AND FAMILY THERAPY.

12 Sec. 08.63.010. BOARD ESTABLISHED. (a) There is established
13 the Board of Marital and Family Therapy.

14 (b) The board consists of three persons licensed under this
15 chapter and two members of the public.

16 Sec. 08.63.020. BOARD APPOINTMENTS. The governor shall appoint
17 the members of the board subject to confirmation by the legislature.

18 Sec. 08.63.030. MEETINGS. The board shall hold an annual meet-
19 ing and may hold special meetings at the call of the chair or a major-
20 ity of the board members.

21 Sec. 08.63.040. REMOVAL OF BOARD MEMBERS. The governor may
22 remove a member of the board for good cause.

23 Sec. 08.63.050. POWERS AND DUTIES OF THE BOARD. The board shall
24 (1) establish objective examination requirements and train-
25 ing and education requirements for persons who apply for a license to
26 practice martial and family therapy;

27 (2) examine applicants and issue licenses to qualified
28 applicants;

29 (3) establish continuing education requirements for license

1 renewal;

2 (4) adopt a code of ethical practice for marital and family
3 therapy;

4 (5) hold hearings and order the disciplinary sanction of a
5 person who violates this chapter or a regulation of the board;

6 (6) establish standards for supervisors and supervision
7 under this chapter;

8 (7) report annually to the governor and the department on
9 the board's proceedings each year; the report must include the number
10 of licensure applicants, the number of examinations conducted, the
11 failure rate for each examination, a financial report, and other
12 information requested by the department;

13 (8) enforce the provisions of this chapter and adopt regu-
14 lations necessary to carry out its duties under this chapter.

15 Sec. 08.63.060. AUTHORIZED SUPERVISORS. (a) A person may not
16 supervise a person under this chapter unless approved by the board to
17 be a supervisor.

18 (b) A person who supervises a licensee under this section must

19 (1) have practiced marital and family therapy for five
20 years;

21 (2) be licensed under this chapter; and

22 (3) meet the minimum standards established by the board for
23 approved supervisors.

24 Sec. 08.63.070. PROCEDURES. The Administrative Procedure Act
25 (AS 44.62) applies to regulations and proceedings under this chapter.

26 ARTICLE 2. MARITAL AND FAMILY THERAPY LICENSES.

27 Sec. 08.63.100. QUALIFICATIONS FOR LICENSE TO PRACTICE. (a)

28 The board shall issue a license to practice marital and family therapy
29 to a person who

1 (1) applies on a form provided by the board;
2 (2) pays the fee required under AS 08.63.200;
3 (3) furnishes evidence satisfactory to the board that the
4 person

5 (A) has not engaged in conduct that is a ground for
6 imposing disciplinary sanctions under AS 08.63.220;

7 (B) holds a master's degree, doctorate, or the equiva-
8 lent, from an accredited educational institution approved by the
9 board for which the person completed a course of study that
10 included instruction substantially equivalent to the following:

11 (i) courses in marital and family therapy;

12 (ii) courses in marital and family studies;

13 (iii) courses in human development;

14 (iv) a course in professional studies or
15 professional ethics and law;

16 (v) a course in research; and

17 (vi) one year of supervised clinical practice in
18 marital and family therapy;

19 (C) after receiving a degree described in (B) of this
20 paragraph, has

21 (i) practiced marital and family therapy within
22 three years of the person's application, including 1,500
23 hours of direct clinical contact with couples and families;
24 and

25 (ii) been supervised in the clinical contact for
26 at least 200 hours, including 100 hours of individual super-
27 vision and 100 hours of group supervision approved by the
28 board; and

29 (D) has passed a written or oral examination

1 administered by the board.

2 (b) The board may not allow an applicant who fails an examina-
3 tion given under this section to take a subsequent examination for a
4 period of six months from the date of the examination that the appli-
5 cant failed.

6 (c) A license issued under this section expires two years from
7 the date of issue. It may be renewed by payment of the fee required
8 under AS 08.63.200 and by satisfaction of the continuing education
9 requirements established by the board for the renewal of licenses
10 issued under this section.

11 Sec. 08.63.110. LICENSE FOR SUPERVISED PRACTICE. (a) The board
12 shall issue a four-year license for the supervised practice of marital
13 and family therapy to a person who meets the requirements of AS 08.-
14 63.100(a)(1), (2), and (3)(A) - (B).

15 (b) A licensee under this section may practice only

16 (1) under the direct supervision of a supervisor approved
17 by the board under AS 08.63.060; and

18 (2) in a clinic, social service agency, or other setting
19 approved by the board.

20 (c) A license for supervised practice expires four years from
21 the date of issuance and may not be renewed.

22 (d) A licensee under this section shall submit to the board for
23 its approval a proposed plan for satisfying the supervision require-
24 ments of AS 08.63.100(a)(3)(C).

25 (e) A licensee under this section shall use the title "marital
26 therapy associate," "family therapy associate," or other title that is
27 approved by the board.

28 (f) The board shall revoke a license for supervised practice if
29 the person fails the examination required under AS 08.63.100 two or

1 more times.

2 Sec. 08.63.120. TEMPORARY LICENSE FOR THE PRACTICE OF MARITAL
3 AND FAMILY THERAPY. (a) The board shall issue a temporary license
4 for the practice of marital and family therapy to an applicant who
5 satisfies the requirements of AS 08.63.100(a)(1), (2) and (3)(A), (B),
6 and (C) and has been approved by the board to take the marital and
7 family therapy examination.

8 (b) A person may practice under a temporary license until the
9 board issues the results of the first marital and family therapy
10 examination given after issuance of the person's temporary license and
11 either issues or denies a license under AS 08.63.100 to the person.

12 (c) If a licensee under this section fails the marital and
13 family therapy examination, the board may not renew the person's
14 temporary license.

15 Sec. 08.63.130. LICENSURE BY CREDENTIALS. The board shall issue
16 a license to practice marital and family therapy to a person who

17 (1) is licensed or certified as a marital and family thera-
18 pist in another state that has requirements for the license or certif-
19 icate that are substantially equal to or greater than the requirements
20 of this state; and

21 (2) meets the requirements of AS 08.63.100(a)(1), (2), and
22 (3)(A).

23 ARTICLE 3. GENERAL PROVISIONS.

24 Sec. 08.63.200. FEES. The department shall establish fees under
25 AS 08.01.065 for the following procedures related to licensing under
26 this chapter:

27 (1) application;

28 (2) examination;

29 (3) credential review;

- 1 (4) license;
- 2 (5) temporary license;
- 3 (6) license for supervised practice;
- 4 (7) renewal of license.

5 Sec. 08.63.210. CONFIDENTIALITY OF COMMUNICATION. (a) A person
6 licensed under this chapter may not reveal to another person a commu-
7 nication made to the licensee by a client about a matter concerning
8 which the client has employed the licensee in a professional capacity.
9 This section does not apply to

10 (1) a case conference with other persons licensed under
11 this chapter or with clinical social workers, psychologists, psycho-
12 logical associates, physicians, or surgeons;

13 (2) the release of information that the client in writing
14 authorized the licensee to reveal; or

15 (3) information revealed as part of the discovery of evi-
16 dence related to a court proceeding or introduced in evidence in a
17 court proceeding.

18 (b) Notwithstanding (a) of this section, a person licensed under
19 this chapter shall report incidents of child abuse or neglect as
20 required by AS 47.17.020.

21 Sec. 08.63.220. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-
22 TIONS. After a hearing, the board may impose a disciplinary sanction
23 on a person licensed under this chapter when the board finds that the
24 person

25 (1) secured a license through deceit, fraud, or intentional
26 misrepresentation;

27 (2) engaged in deceit, fraud, or intentional misrepresenta-
28 tion in the course of providing professional services or engaging in
29 professional activities;

- 1 (3) advertised professional services in a false or mislead-
2 ing manner;
- 3 (4) has been convicted of a felony or other crime that
4 affects the person's ability to practice competently and safely;
- 5 (5) failed to comply with a provision of this chapter or a
6 regulation adopted under this chapter, or an order of the board;
- 7 (6) continued to practice after becoming unfit due to
- 8 (A) professional incompetence;
- 9 (B) addiction or severe dependency on alcohol or
10 another drug that impairs the person's ability to practice safe-
11 ly;
- 12 (C) physical or mental disability;
- 13 (7) engage in lewd or immoral conduct in connection with
14 the delivery of professional services to clients.

15 Sec. 08.63.230. DISCIPLINARY SANCTIONS. (a) When it finds that
16 a licensee has violated a provision of AS 08.63.220, the board may
17 impose the following sanctions singly or in combination:

- 18 (1) permanently revoke a license to practice;
- 19 (2) suspend a license for a determinate period of time;
- 20 (3) censure a licensee;
- 21 (4) issue a letter of reprimand;
- 22 (5) place a licensee on probationary status and require the
23 licensee to
- 24 (A) report regularly to the board on matters involving
25 the basis of probation;
- 26 (B) limit practice to prescribed areas;
- 27 (C) continue professional education until a satisfac-
28 tory degree of skill has been attained in those areas determined
29 by the board to need improvement;

1 (6) impose limitations or conditions on the practice of a
2 licensee.

3 (b) The board may withdraw a limitation, condition, or proba-
4 tionary status if it finds that the deficiency that required the
5 sanction has been remedied.

6 (c) The board may summarily suspend a license before final
7 hearing or during the appeals process if the board finds that the
8 licensee poses a clear and immediate danger to the public welfare and
9 safety if the licensee continues to practice. A person whose license
10 is suspended under this section is entitled to a hearing by the board
11 no later than seven days after the effective date of the order. The
12 person may appeal the suspension after the hearing to the superior
13 court.

14 (d) The board may reinstate a license that has been suspended or
15 revoked if the board finds after a hearing that the applicant is able
16 to practice with reasonable skill and safety.

17 (e) The board shall seek consistency in the application of
18 disciplinary sanctions, and the board shall explain a significant
19 departure from prior decisions involving similar situations in its
20 findings of fact or orders.

21 Sec. 08.63.240. LICENSE REQUIRED. (a) A person who knowingly
22 engages in the practice of marital and family therapy without obtain-
23 ing a license issued by the board and without qualifying for an exemp-
24 tion from this chapter is guilty of a class B misdemeanor.

25 (b) A person who is not licensed under this chapter or whose
26 license is suspended or revoked, or whose license has lapsed, who
27 knowingly uses in connection with the person's name the words or
28 letters ^[L.] "M.F.T.," ^[LICENCED] "Marital and Family Therapist," or other letters,
29 words, or insignia indicating or implying that the person is a

1 licensed marital and family therapist or who in any way, orally, or in
2 writing, directly or by implication, knowingly holds out as a
3 licensed marital and family therapist is guilty of a class B misde-
4 meanor.

5 Sec. 08.63.250. EXEMPTIONS. This chapter does not apply to a
6 person who

7 (1) practices marital and family therapy as an employee of
8 a federal, state, or local government or of a private nonprofit organi-
9 zation that is exempt from federal income tax; or

10 (2) is a qualified member of a recognized profession, other
11 than marital and family therapy, and does not represent to the public
12 by title or description of service as practicing marital and family
13 therapy.

14 Sec. 08.63.900. DEFINITIONS. In this chapter, unless the con-
15 text indicates otherwise,

16 (1) "advertise" includes issuing or causing to be distri-
17 buted a card, sign or device to a person, or causing, permitting, or
18 allowing a sign or marking on or in a building or structure, or in a
19 newspaper, magazine, or directory, or on radio or television, or using
20 other means designed to secure public attention;

21 (2) "board" means the Board of Marital and Family Therapy;

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

25 (4) "practice of marital and family therapy" means the
26 diagnosis and treatment of mental and emotional disorders that are
27 referenced in the standard diagnostic nomenclature for marital and
28 family therapy, whether cognitive, affective, or behavioral, within
29 the context of human relationships, particularly marital and family

1 systems; marital and family therapy involves

2 (A) the professional application of assessments and
3 treatments of psychotherapeutic services to individuals, couples,
4 and families for the purpose of treating the diagnosed emotional
5 and mental disorders;

6 (B) an applied understanding of the dynamics of mari-
7 tal and family interactions, along with the application of
8 psychotherapeutic and counseling techniques for the purpose of
9 resolving intrapersonal and interpersonal conflict and changing
10 perceptions, attitudes, and behaviors in the area of human rela-
11 tionships and family life;

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

16 * Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

17 (31) Board of Marital and Family Therapy (AS 08.63.010).

18 * Sec. 3. AS 08.02.010(a) is amended to read:

19 (a) An audiologist licensed under AS 08.11, a person licensed in
20 the state as a chiropractor under AS 08.20, a dentist under AS 08.36,
21 a marital and family therapist under AS 08.63, a medical practitioner
22 or osteopath under AS 08.64, a registered nurse under AS 08.68, an
23 optometrist under AS 08.72, a registered pharmacist under AS 08.80, a
24 registered physical therapist or occupational therapist under AS 08.-
25 84, a psychologist under AS 08.86, or a clinical social worker li-
26 censed under AS 08.95, shall use as professional identification appro-
27 priate letters or a title after that person's name which represents
28 that person's specific field of practice. The letters or title shall
29 appear on all signs, stationery, or other advertising in which the

1 person offers or displays personal professional services to the pub-
2 lic. In addition, a person engaged in the practice of medicine or
3 osteopathy under AS 08.64.380(2) or a person engaged in any manner in
4 the healing arts who diagnoses, treats, tests, or counsels other
5 persons in relation to human health or disease and uses the letters
6 "M.D." or the title "doctor" or "physician" or another title that
7 tends to show that the person is willing or qualified to diagnose,
8 treat, test, or counsel another person, shall clarify the letters or
9 title by adding the appropriate specialist designation, if any, such
10 as "dermatologist", "radiologist", "audiologist", "naturopath", or the
11 like.

12 * Sec. 4. AS 08.03.010(c) is amended by adding a new paragraph to read:

13 (24) Board of Marital and Family Therapy (AS 08.63.010) --
14 June 30, 1993.

15 * Sec. 5. AS 21.88.900(a)(9) is amended to read:

16 (9) "health care provider" means an audiologist licensed
17 under AS 08.11; a chiropractor licensed under AS 08.20; a dental
18 hygienist licensed under AS 08.32; a dentist licensed under AS 08.36;
19 a marital and family therapist licensed under AS 08.63; a nurse li-
20 censed under AS 08.68; a dispensing optician licensed under AS 08.71;
21 an optometrist licensed under AS 08.72; a pharmacist licensed under
22 AS 08.80; a physical therapist or occupational therapist licensed
23 under AS 08.84; a physician licensed under AS 08.64; a podiatrist; a
24 psychologist and a psychological associate licensed under AS 08.86; a
25 hospital as defined in AS 18.20.130, including a governmentally owned
26 or operated hospital; a corporate entity covered under AS 21.88.-
27 050(b)(11); an employee of a health care provider acting within the
28 course and scope of employment;

29 * Sec. 6. AS 44.62.330(a) is amended by adding a new paragraph to read:

1 (55) Board of Marital and Family Therapy (AS 08.63.010).

2 * Sec. 7. AS 47.17.070(9) is amended to read:

3 (9) "practitioner of the healing arts" includes chiro-
4 practors, dental hygienists, dentists, health aides, nurses, nurse
5 practitioners, occupational therapists, occupational therapy assis-
6 tants, optometrists, osteopaths, naturopaths, physical therapists,
7 physical therapy assistants, physicians, physician's assistants,
8 psychiatrists, psychologists, psychological associates, marital and
9 family therapists licensed under AS 08.63, audiologists licensed under
10 AS 08.11, hearing aid dealers licensed under AS 08.55, religious
11 healing practitioners, and surgeons;

12 * Sec. 8. INITIAL APPOINTMENTS. (a) In making the initial appoint-
13 ments of professional members to the Board of Marital and Family Therapy,
14 the governor shall consider a person licensed for the purpose of AS 08.63.-
15 010 if the person would be entitled to a license under AS 08.63.100(a)(1) -
16 (3)(A) - (B), enacted by sec. 1 of this Act. The Board of Marital and
17 Family Therapy shall issue a license to practice marital and family therapy
18 to the professional members appointed under this section.

19 (b) A license issued under this chapter is subject to the same re-
20 newal requirements as a license issued under AS 08.63.100 as enacted by
21 sec. 1 of this Act.

22 * Sec. 9. TRANSITIONAL LICENSING. (a) Notwithstanding AS 08.63.100,
23 enacted by sec. 1 of this Act, the board shall issue a license to practice
24 marital and family therapy to a person who

25 (1) applies for a license before July 1, 1990;

26 (2) satisfies the requirements of AS 08.63.100(a)(1) - (3)(A),
27 enacted by sec. 1 of this Act;

28 (3) holds a master's or doctorate degree from an accredited
29 educational institution either in

1 (A) marital and family therapy; or
2 (B) an appropriate course of study approved by the board;

3 and

4 (4) has practiced marital and family therapy in the state for at
5 least two years preceding application.

6 (b) A license under this section is subject to the same renewal
7 requirements as a license issued under AS 08.63.100, as enacted by sec. 1
8 of this Act.

9 (c) The board shall liberally construe the requirements of (a) of
10 this section for the purposes of licensing as a marital and family therapy
11 professional every person who merits licensing by virtue of the person's
12 education, training, and experience in the field of marital and family
13 therapy.

14 * Sec. 10. AS 08.63.240 and 08.63.250, as enacted by sec. 1 of this
15 Act, take effect July 1, 1990.

16 * Sec. 11. Except as provided in sec. 10 of this Act, this Act takes
17 effect July 1, 1989.

1 IN THE SENATE

2 SENATE BILL NO. 481

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 FOR AN ACT ENTITLED: "AN ACT REGULATING THE PRACTICE OF MARITAL AND FAMILY
7 THERAPY; AND PROVIDING FOR AN EFFECTIVE DATE."

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

9 * SECTION 1. AS 08 IS AMENDED BY ADDING A NEW CHAPTER TO READ:

10 CHAPTER 63. MARITAL AND FAMILY THERAPY.

11 ARTICLE 1. DUTIES OF DEPARTMENT.

12 SEC. 08.63.010. AUTHORITY OF DEPARTMENT. THE DEPARTMENT HAS
13 JURISDICTION OVER THE PRACTICE OF MARITAL AND FAMILY THERAPY UNDER
14 THIS CHAPTER. IN ADDITION TO THE DUTIES OF THE DEPARTMENT UNDER
15 AS 08.01 THE DEPARTMENT SHALL

16 (1) ESTABLISH OBJECTIVE EXAMINATION REQUIREMENTS AND TRAIN-
17 ING AND EDUCATION REQUIREMENTS FOR PERSONS WHO APPLY FOR A LICENSE TO
18 PRACTICE MARITAL AND FAMILY THERAPY;

19 (2) EXAMINE APPLICANTS AND ISSUE LICENSES TO QUALIFIED
20 APPLICANTS;

21 (3) ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR LICENSE
22 RENEWAL;

23 (4) ADOPT A CODE OF ETHICAL PRACTICE FOR MARITAL AND FAMILI-
24 THERAPY;

25 (5) EXERCISE WITH REGARD TO MARITAL AND FAMILY THERAPY, TO
26 THE DISCIPLINARY POWERS GRANTED TO BOARDS BY AS 08.01.075;

27 (6) ESTABLISH STANDARDS FOR SUPERVISORS AND SUPERVISION
28 UNDER THIS CHAPTER;

29 (7) ENFORCE THE PROVISIONS OF THIS CHAPTER AND ADOPT

1 REGULATIONS NECESSARY TO CARRY OUT ITS DUTIES UNDER THIS CHAPTER.

2 SEC. 08.63.029. AUTHORIZED SUPERVISORS. (A) A PERSON MAY NOT
3 SUPERVISE A PERSON UNDER THIS CHAPTER UNLESS APPROVED BY THE DEPART-
4 MENT TO BE A SUPERVISOR.

5 (B) A PERSON WHO SUPERVISES A LICENSEE UNDER THIS SECTION MUST

6 (1) HAVE PRACTICED MARITAL AND FAMILY THERAPY FOR FIVE
7 YEARS;

8 (2) BE LICENSED UNDER THIS CHAPTER; AND

9 (3) MEET THE MINIMUM STANDARDS ESTABLISHED BY THE DEPART-
10 MENT FOR APPROVED SUPERVISORS.

11 SEC. 08.63.030. PROCEDURES. THE ADMINISTRATIVE PROCEDURE ACT
12 (AS 44.62) APPLIES TO REGULATIONS AND PROCEEDINGS UNDER THIS CHAPTER.

13 ARTICLE 2. MARITAL AND FAMILY THERAPY LICENSES.

14 SEC. 08.63.100. QUALIFICATIONS FOR LICENSE TO PRACTICE. (A)
15 THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE MARITAL AND FAMILY
16 THERAPY TO A PERSON WHO

17 (1) APPLIES ON A FORM PROVIDED BY THE DEPARTMENT;

18 (2) PAYS THE FEE ESTABLISHED BY THE DEPARTMENT;

19 (3) FURNISHES EVIDENCE SATISFACTORY TO THE DEPARTMENT THAT
20 THE PERSON

21 (A) HAS NOT ENGAGED IN CONDUCT THAT IS A GROUND FOR
22 IMPOSING DISCIPLINARY SANCTIONS UNDER AS 08.63.210;

23 (B) HOLDS A MASTER'S DEGREE, DOCTORATE, OR THE EQUIVA-
24 LENT, FROM AN ACCREDITED EDUCATIONAL INSTITUTION APPROVED BY THE
25 DEPARTMENT FOR WHICH THE PERSON COMPLETED A COURSE OF STUDY THAT
26 INCLUDED INSTRUCTION SUBSTANTIALLY EQUIVALENT TO THE FOLLOWING:

27 (I) COURSES IN MARITAL AND FAMILY THERAPY;

28 (II) COURSES IN MARITAL AND FAMILY STUDIES;

29 (III) COURSES IN HUMAN DEVELOPMENT;

1 (IV) A COURSE IN PROFESSIONAL STUDIES OR
2 PROFESSIONAL ETHICS AND LAW;

3 (V) A COURSE IN RESEARCH; AND

4 (VI) ONE YEAR OF SUPERVISED CLINICAL PRACTICE IN
5 MARITAL AND FAMILY THERAPY;

6 (C) AFTER RECEIVING A DEGREE DESCRIBED IN (B) OF THIS
7 PARAGRAPH, HAS

8 (I) PRACTICED MARITAL AND FAMILY THERAPY WITHIN
9 THREE YEARS OF THE PERSON'S APPLICATION, INCLUDING 1,500
10 HOURS OF DIRECT CLINICAL CONTACT WITH COUPLES AND FAMILIES,
11 AND

12 (II) BEEN SUPERVISED IN THE CLINICAL CONTACT FOR
13 AT LEAST 200 HOURS, INCLUDING 100 HOURS OF INDIVIDUAL SUPER
14 VISION AND 100 HOURS OF GROUP SUPERVISION APPROVED BY THE
15 DEPARTMENT; AND

16 (D) HAS PASSED A WRITTEN OR ORAL EXAMINATION ADMINIS-
17 TERED BY THE DEPARTMENT.

18 (B) THE DEPARTMENT MAY NOT ALLOW AN APPLICANT WHO FAILS AN
19 EXAMINATION GIVEN UNDER THIS SECTION TO TAKE A SUBSEQUENT EXAMINATION
20 FOR A PERIOD OF SIX MONTHS FROM THE DATE OF THE EXAMINATION THAT THE
21 APPLICANT FAILED.

22 SEC. 08.63.110. LICENSE FOR SUPERVISED PRACTICE. (A) THE
23 DEPARTMENT SHALL ISSUE A LICENSE FOR THE SUPERVISED PRACTICE OF MARI
24 TAL AND FAMILY THERAPY TO A PERSON WHO MEETS THE REQUIREMENTS OF
25 AS 08.63.100(A)(1), (2), AND (3)(A) - (B).

26 (B) A LICENSEE UNDER THIS SECTION MAY PRACTICE ONLY

27 (1) UNDER THE DIRECT SUPERVISION OF A SUPERVISOR APPROVED
28 BY THE DEPARTMENT UNDER AS 08.63.020; AND

29 (2) IN A CLINIC, SOCIAL SERVICE AGENCY, OR OTHER SETTING

1 APPROVED BY THE DEPARTMENT.

2 (C) A LICENSE FOR SUPERVISED PRACTICE EXPIRES FOUR YEARS FROM
3 THE DATE OF ISSUANCE AND MAY NOT BE RENEWED.

4 (D) A LICENSEE UNDER THIS SECTION SHALL SUBMIT TO THE DEPARTMENT
5 FOR ITS APPROVAL A PROPOSED PLAN FOR SATISFYING THE SUPERVISION RE-
6 QUIREMENTS OF AS 08.63.100(A)(3)(C).

7 (E) A LICENSEE UNDER THIS SECTION SHALL USE THE TITLE "MARITAL
8 THERAPY ASSOCIATE," "FAMILY THERAPY ASSOCIATE," OR OTHER TITLE THAT IS
9 APPROVED BY THE DEPARTMENT.

10 (F) THE DEPARTMENT SHALL REVOKE A LICENSE FOR SUPERVISED PRAC-
11 TICE IF THE PERSON HOLDING THE LICENSE FAILS THE EXAMINATION REQUIRED
12 UNDER AS 08.63.100 TWO OR MORE TIMES.

13 SEC. 08.63.120. TEMPORARY LICENSE FOR THE PRACTICE OF MARITAL
14 AND FAMILY THERAPY. (A) THE DEPARTMENT SHALL ISSUE A TEMPORARY
15 LICENSE FOR THE PRACTICE OF MARITAL AND FAMILY THERAPY TO AN APPLICANT
16 WHO SATISFIES THE REQUIREMENTS OF AS 08.63.100(A)(1), (2) AND (3)(A),
17 (B), AND (C) AND HAS BEEN APPROVED BY THE DEPARTMENT TO TAKE THE
18 MARITAL AND FAMILY THERAPY EXAMINATION.

19 (B) A PERSON MAY PRACTICE UNDER A TEMPORARY LICENSE UNTIL THE
20 DEPARTMENT ISSUES THE RESULTS OF THE FIRST MARITAL AND FAMILY THERAPY
21 EXAMINATION GIVEN AFTER ISSUANCE OF THE PERSON'S TEMPORARY LICENSE AND
22 EITHER ISSUES OR DENIES A LICENSE UNDER AS 08.63.100 TO THE PERSON.

23 (C) IF A LICENSEE UNDER THIS SECTION FAILS THE MARITAL AND
24 FAMILY THERAPY EXAMINATION, THE DEPARTMENT MAY NOT RENEW THE PERSON'S
25 TEMPORARY LICENSE.

26 SEC. 08.63.130. LICENSURE BY CREDENTIALS. THE DEPARTMENT SHALL
27 ISSUE A LICENSE TO PRACTICE MARITAL AND FAMILY THERAPY TO A PERSON WHO

28 (1) IS LICENSED OR CERTIFIED AS A MARITAL AND FAMILY THERA-
29 PIST IN ANOTHER STATE THAT HAS REQUIREMENTS FOR THE LICENSE OR

1 CERTIFICATE THAT ARE SUBSTANTIALLY EQUAL TO OR GREATER THAN THE RE-
2 QUIREMENTS OF THIS STATE; AND

3 (2) MEETS THE REQUIREMENTS OF AS 08.63.100(A)(1), (2), AND
4 (3)(A).

5 ARTICLE 3. GENERAL PROVISIONS.

6 SEC. 08.63.200. CONFIDENTIALITY OF COMMUNICATION. (A) A PERSON
7 LICENSED UNDER THIS CHAPTER MAY NOT REVEAL TO ANOTHER PERSON A COMMU-
8 NICATION MADE TO THE LICENSEE BY A CLIENT ABOUT A MATTER CONCERNING
9 WHICH THE CLIENT HAS EMPLOYED THE LICENSEE IN A PROFESSIONAL CAPACITY.
10 THIS SECTION DOES NOT APPLY TO

11 (1) A CASE CONFERENCE WITH OTHER PERSONS LICENSED UNDER
12 THIS CHAPTER OR WITH CLINICAL SOCIAL WORKERS, PSYCHOLOGISTS, PSYCHO-
13 LOGICAL ASSOCIATES, PHYSICIANS, OR SURGEONS;

14 (2) THE RELEASE OF INFORMATION THAT THE CLIENT IN WRITING
15 AUTHORIZED THE LICENSEE TO REVEAL; OR

16 (3) INFORMATION REVEALED AS PART OF THE DISCOVERY OF EVI-
17 DENCE RELATED TO A COURT PROCEEDING OR INTRODUCED IN EVIDENCE IN A
18 COURT PROCEEDING.

19 (B) NOTWITHSTANDING (A) OF THIS SECTION, A PERSON LICENSED UNDER
20 THIS CHAPTER SHALL REPORT INCIDENTS OF CHILD ABUSE OR NEGLECT AS
21 REQUIRED BY AS 47.17.020.

22 SEC. 08.63.210. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-
23 TIONS. AFTER A HEARING, THE DEPARTMENT MAY IMPOSE A DISCIPLINARY
24 SANCTION ON A PERSON LICENSED UNDER THIS CHAPTER WHEN THE DEPARTMENT
25 FINDS THAT THE PERSON

26 (1) SECURED A LICENSE THROUGH DECEIT, FRAUD, OR INTENTIONAL
27 MISREPRESENTATION;

28 (2) ENGAGED IN DECEIT, FRAUD, OR INTENTIONAL MISREPRESENTA-
29 TION IN THE COURSE OF PROVIDING PROFESSIONAL SERVICES OR ENGAGING IN

1 PROFESSIONAL ACTIVITIES;

2 (3) ADVERTISED PROFESSIONAL SERVICES IN A FALSE OR MISLEAD-
3 ING MANNER;

4 (4) HAS BEEN CONVICTED OF A FELONY OR OTHER CRIME THAT
5 AFFECTS THE PERSON'S ABILITY TO PRACTICE COMPETENTLY AND SAFELY;

6 (5) FAILED TO COMPLY WITH A PROVISION OF THIS CHAPTER OR A
7 REGULATION ADOPTED UNDER THIS CHAPTER, OR AN ORDER OF THE DEPARTMENT;

8 (6) CONTINUED TO PRACTICE AFTER BECOMING UNFIT DUE TO

9 (A) PROFESSIONAL INCOMPETENCE;

10 (B) ADDICTION OR SEVERE DEPENDENCY ON ALCOHOL OR
11 ANOTHER DRUG THAT IMPAIRS THE PERSON'S ABILITY TO PRACTICE SAFE-
12 LY; OR

13 (C) PHYSICAL OR MENTAL DISABILITY; OR

14 (7) ENGAGE IN LEWD OR IMMORAL CONDUCT IN CONNECTION WITH
15 THE DELIVERY OF PROFESSIONAL SERVICES TO CLIENTS.

16 SEC. 08.63.220. LICENSE REQUIRED. (A) A PERSON WHO KNOWINGLY
17 ENGAGES IN THE PRACTICE OF MARITAL AND FAMILY THERAPY WITHOUT OBTAIN-
18 ING A LICENSE ISSUED BY THE DEPARTMENT AND WITHOUT QUALIFYING FOR AN
19 EXEMPTION FROM THIS CHAPTER IS GUILTY OF A CLASS B MISDEMEANOR.

20 (B) A PERSON WHO IS NOT LICENSED UNDER THIS CHAPTER OR WHOSE
21 LICENSE IS SUSPENDED OR REVOKED, OR WHOSE LICENSE HAS LAPSED, WHO
22 KNOWINGLY USES IN CONNECTION WITH THE PERSON'S NAME THE WORDS OR
23 LETTERS "M.F.T.," "MARITAL AND FAMILY THERAPIST," OR OTHER LETTERS,
24 WORDS, OR INSIGNIA INDICATING OR IMPLYING THAT THE PERSON IS A LI-
25 CENSED MARITAL AND FAMILY THERAPIST OR WHO IN ANY WAY, ORALLY, OR IN
26 WRITING, DIRECTLY OR BY IMPLICATION, KNOWINGLY HOLDS OUT AS A LICENSED
27 MARITAL AND FAMILY THERAPIST IS GUILTY OF A CLASS B MISDEMEANOR.

28 SEC. 08.63.230. EXEMPTIONS. THIS CHAPTER DOES NOT APPLY TO A
29 PERSON WHO

1 (1) PRACTICES MARITAL AND FAMILY THERAPY AS AN EMPLOYEE OF
2 A FEDERAL, STATE, OR LOCAL GOVERNMENT OR OF A PRIVATE NONPROFIT
3 ORGANIZATION THAT IS EXEMPT FROM FEDERAL INCOME TAX; OR

4 (2) IS A QUALIFIED MEMBER OF A RECOGNIZED PROFESSION, OTHER
5 THAN MARITAL AND FAMILY THERAPY, AND DOES NOT REPRESENT TO THE PUBLIC
6 BY TITLE OR DESCRIPTION OF SERVICE AS PRACTICING MARITAL AND FAMILY
7 THERAPY.

8 SEC. 08.63.700. DEFINITIONS. IN THIS CHAPTER, UNLESS THE CON-
9 TEXT INDICATES OTHERWISE,

10 (1) "ADVERTISE" INCLUDES ISSUING OR CAUSING TO BE DISTRI-
11 BUTED A CARD, SIGN OR DEVICE TO A PERSON, OR CAUSING, PERMITTING, OR
12 ALLOWING A SIGN OR MARKING ON OR IN A BUILDING OR STRUCTURE, OR IN A
13 NEWSPAPER, MAGAZINE, OR DIRECTORY, OR ON RADIO OR TELEVISION, OR USING
14 OTHER MEANS DESIGNED TO SECURE PUBLIC ATTENTION;

15 (2) "COURSE" MEANS A CLASS OF AT LEAST THREE CREDIT HOURS
16 IN A GRADUATE PROGRAM AT AN ACCREDITED EDUCATIONAL INSTITUTION OR AN
17 INSTITUTION APPROVED BY THE DEPARTMENT;

18 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF COMMERCE AND
19 ECONOMIC DEVELOPMENT;

20 (4) "PRACTICE OF MARITAL AND FAMILY THERAPY" MEANS THE
21 DIAGNOSIS AND TREATMENT OF MENTAL AND EMOTIONAL DISORDERS THAT ARE
22 REFERENCED IN THE STANDARD DIAGNOSTIC NOMENCLATURE FOR MARITAL AND
23 FAMILY THERAPY, WHETHER COGNITIVE, AFFECTIVE, OR BEHAVIORAL, WITHIN
24 THE CONTEXT OF HUMAN RELATIONSHIPS, PARTICULARLY MARITAL AND FAMILY
25 SYSTEMS; MARITAL AND FAMILY THERAPY INVOLVES

26 (A) THE PROFESSIONAL APPLICATION OF ASSESSMENTS AND
27 TREATMENTS OF PSYCHOTHERAPEUTIC SERVICES TO INDIVIDUALS, COUPLES,
28 AND FAMILIES FOR THE PURPOSE OF TREATING THE DIAGNOSED EMOTIONAL
29 AND MENTAL DISORDERS;

1 (B) AN APPLIED UNDERSTANDING OF THE DYNAMICS OF MARI-
2 TAL AND FAMILY INTERACTIONS, ALONG WITH THE APPLICATION OF
3 PSYCHOTHERAPEUTIC AND COUNSELING TECHNIQUES FOR THE PURPOSE OF
4 RESOLVING INTRAPERSONAL AND INTERPERSONAL CONFLICT AND CHANGING
5 PERCEPTIONS, ATTITUDES, AND BEHAVIORS IN THE AREA OF HUMAN RELA-
6 TIONSHIPS AND FAMILY LIFE;

7 (5) "SUPERVISION" MEANS FACE-TO-FACE CONSULTATION, DIREC-
8 TION, REVIEW, EVALUATION, AND ASSESSMENT OF THE PRACTICE OF THE PERSON
9 BEING SUPERVISED, INCLUDING DIRECT OBSERVATION AND THE REVIEW OF CASE
10 PRESENTATIONS, AUDIO TAPES AND VIDEO TAPES.

11 * SEC. 2. AS 08.01.010 IS AMENDED BY ADDING A NEW PARAGRAPH TO READ:

12 (32) REGULATION OF MARITAL AND FAMILY THERAPY UNDER
13 AS 08.63.

14 * SEC. 3. AS 08.02.010(A) IS AMENDED TO READ:

15 (A) AN ACUPUNCTURIST LICENSED UNDER AS 08.06, AN AUDIOLOGIST
16 LICENSED UNDER AS 08.11, A PERSON LICENSED IN THE STATE AS A CHIRO-
17 PRACTOR UNDER AS 08.20, A DENTIST UNDER AS 08.36, _A MARITAL AND FAMILY
18 THERAPIST UNDER AS 08.63, _ A MEDICAL PRACTITIONER OR OSTEOPATH UNDER
19 AS 08.64, A REGISTERED NURSE UNDER AS 08.68, AN OPTOMETRIST UNDER
20 AS 08.72, A REGISTERED PHARMACIST UNDER AS 08.80, A PHYSICAL THERAPIST
21 OR OCCUPATIONAL THERAPIST LICENSED UNDER AS 08.84, A PSYCHOLOGIST
22 UNDER AS 08.86, OR A CLINICAL SOCIAL WORKER LICENSED UNDER AS 08.95,
23 SHALL USE AS PROFESSIONAL IDENTIFICATION APPROPRIATE LETTERS OR A
24 TITLE AFTER THAT PERSON'S NAME WHICH REPRESENTS THAT PERSON'S SPECIFIC
25 FIELD OF PRACTICE. THE LETTERS OR TITLE SHALL APPEAR ON ALL SIGNS,
26 STATIONERY, OR OTHER ADVERTISING IN WHICH THE PERSON OFFERS OR DIS-
27 PLAYS PERSONAL PROFESSIONAL SERVICES TO THE PUBLIC. IN ADDITION, A
28 PERSON ENGAGED IN THE PRACTICE OF MEDICINE OR OSTEOPATHY UNDER AS 08.-
29 64.380(2) OR A PERSON ENGAGED IN ANY MANNER IN THE HEALING ARTS WHO

1 DIAGNOSES, TREATS, TESTS, OR COUNSELS OTHER PERSONS IN RELATION TO
2 HUMAN HEALTH OR DISEASE AND USES THE LETTERS "M.D." OR THE TITLE
3 "DOCTOR" OR "PHYSICIAN" OR ANOTHER TITLE THAT TENDS TO SHOW THAT THE
4 PERSON IS WILLING OR QUALIFIED TO DIAGNOSE, TREAT, TEST, OR COUNSEL
5 ANOTHER PERSON, SHALL CLARIFY THE LETTERS OR TITLE BY ADDING THE
6 APPROPRIATE SPECIALIST DESIGNATION, IF ANY, SUCH AS "DERMATOLOGIST",
7 "RADIOLOGIST", "AUDIOLOGIST", "NATUROPATH", OR THE LIKE.

8 * SEC. 4. AS 21.88.900(9) IS AMENDED TO READ:

9 (9) "HEALTH CARE PROVIDER" MEANS AN ACUPUNCTURIST LICENSED
10 UNDER AS 08.06; AN AUDIOLOGIST LICENSED UNDER AS 08.11; A CHIROPRACTOR
11 LICENSED UNDER AS 08.20, A DENTAL HYGIENIST LICENSED UNDER AS 08.32; A
12 DENTIST LICENSED UNDER AS 08.36; A MARITAL AND FAMILY THERAPIST LI-
13 CENSED UNDER AS 08.63; A NURSE LICENSED UNDER AS 08.68; A DISPENSING
14 OPTICIAN LICENSED UNDER AS 08.71; AN OPTOMETRIST LICENSED UNDER
15 AS 08.72; A PHARMACIST LICENSED UNDER AS 08.80; A PHYSICAL THERAPIST
16 OR OCCUPATIONAL THERAPIST LICENSED UNDER AS 08.84; A PHYSICIAN LI-
17 CENSED UNDER AS 08.64; A PODIATRIST; A PSYCHOLOGIST AND A PSYCHOLOGI-
18 CAL ASSOCIATE LICENSED UNDER AS 08.86; A HOSPITAL AS DEFINED IN
19 AS 18.20.130, INCLUDING A GOVERNMENTALLY OWNED OR OPERATED HOSPITAL; A
20 CORPORATE ENTITY COVERED UNDER AS 21.88.050(B)(11); AN EMPLOYEE OF A
21 HEALTH CARE PROVIDER ACTING WITHIN THE COURSE AND SCOPE OF EMPLOYMENT;

22 * SEC. 5. AS 44.62.330(A) IS AMENDED BY ADDING A NEW PARAGRAPH TO READ:

23 (55) DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT CON-
24 CERNING THE LICENSING AND REGULATION OF MARITAL AND FAMILY THERAPISTS
25 UNDER AS 08.63.

26 * SEC. 6. AS 47.17.070(9) IS AMENDED TO READ:

27 (9) "PRACTITIONER OF THE HEALING ARTS" INCLUDES ACUPUNCTUR-
28 ISTS, CHIROPRACTORS, DENTAL HYGIENISTS, DENTISTS, HEALTH AIDES,
29 NURSES, NURSE PRACTITIONERS, OCCUPATIONAL THERAPISTS, OCCUPATIONAL

1 THERAPY ASSISTANTS, OPTOMETRISTS, OSTEOPATHS, NATUROPATHS, PHYSICAL
2 THERAPISTS, PHYSICAL THERAPY ASSISTANTS, PHYSICIANS, PHYSICIAN'S
3 ASSISTANTS, PSYCHIATRISTS, PSYCHOLOGISTS, PSYCHOLOGICAL ASSOCIATES,
4 _MARITAL AND FAMILY THERAPISTS LICENSED UNDER AS 08.63, _ AUDIOLOGISTS
5 LICENSED UNDER AS 08.11, HEARING AID DEALERS LICENSED UNDER AS 08.55,
6 RELIGIOUS HEALING PRACTITIONERS, AND SURGEONS;

7 * SEC. 7. TRANSITIONAL LICENSING. (A) NOTWITHSTANDING AS 08.63.100,
8 ENACTED BY SEC. 1 OF THIS ACT, THE DEPARTMENT SHALL ISSUE A LICENSE TO
9 PRACTICE MARITAL AND FAMILY THERAPY TO A PERSON WHO

10 (1) APPLIES FOR A LICENSE BEFORE JULY 1, 1991;

11 (2) SATISFIES THE REQUIREMENTS OF AS 08.63.100(A)(1), (2), AND
12 (3)(A), ENACTED BY SEC. 1 OF THIS ACT;

13 (3) HOLDS A MASTER'S OR DOCTORATE DEGREE FROM AN ACCREDITED
14 EDUCATIONAL INSTITUTION EITHER IN

15 (A) MARITAL AND FAMILY THERAPY; OR

16 (B) AN APPROPRIATE COURSE OF STUDY APPROVED BY THE DEPART-
17 MENT; AND

18 (4) HAS PRACTICED MARITAL AND FAMILY THERAPY IN THE STATE FOR AT
19 LEAST TWO YEARS PRECEDING APPLICATION.

20 (B) A LICENSE UNDER THIS SECTION IS SUBJECT TO THE SAME RENEWAL
21 REQUIREMENTS AS A LICENSE ISSUED UNDER AS 08.63.100, AS ENACTED BY SEC. 1
22 OF THIS ACT.

23 (C) THE DEPARTMENT SHALL LIBERALLY CONSTRUE THE REQUIREMENTS OF (A)
24 OF THIS SECTION FOR THE PURPOSES OF LICENSING AS A MARITAL AND FAMILY
25 THERAPY PROFESSIONAL EVERY PERSON WHO MERITS LICENSING BY VIRTUE OF THE
26 PERSON'S EDUCATION, TRAINING, AND EXPERIENCE IN THE FIELD OF MARITAL AND
27 FAMILY THERAPY.

28 * SEC. 8. AS 08.63.220 AND 08.63.230, AS ENACTED BY SEC. 1 OF THIS ACT,
29 TAKE EFFECT JULY 1, 1991.

1 * SEC. 9. EXCEPT AS PROVIDED IN SEC. 8 OF THIS ACT, THIS ACT TAKES
2 EFFECT JULY 1, 1990.



515 E. Dahlia
P.O. Box 1687
Palmer, AK 99645
907-745-4813

January 5, 1990

Dear Governor and Legislators,

I strongly support the state of Alaska establishing certification or licensing requirements at the state level for Family and Marriage Therapists.

As Associate Administrator of Health Services at Valley Hospital, I think the assurance licensure provides, that family and marriage therapists have been properly trained, is essential when referring patients and employees to their services.

It has been my observation that at the time a family or couple are referred for therapy, they are often in crisis, and extremely vulnerable to a therapists guidance and influence. An, improperly trained therapist represents a threat to these at risk individuals.

Passage of state legislation, insuring licensure of family and marriage therapists is urgently needed, and has my complete support.

Sincerely,

A handwritten signature in cursive script that reads "Christine Blackgoat".

Christine Blackgoat,
Associate Administrator
of Health Service



GREATER WASILLA CHAMBER OF COMMERCE

COTTONWOOD CREEK MALL
P.O. BOX 871826
WASILLA, ALASKA 99687
(907) 376-1299

RESOLUTION

- WHEREAS there have been cases of abuse and mistreatment by people claiming to be qualified marriage and family therapists.
- WHEREAS there are currently no laws regulating the practice of marital and family therapy in the State of Alaska.
- WHEREAS the public should have the right to know that practitioners claiming to be marital and family therapists have met professional standards and are qualified to perform marital and family therapy.
- WHEREAS the State of Alaska has developed regulations and licensing requirements for other health care providers.

BE IT RESOLVED that the Greater Wasilla Chamber of Commerce supports the concept of regulation and licensing of practitioners of marital and family therapy, the establishment of a board of marital and family therapy, and the qualifications for license to practice marital and family therapy as outlined in House Bill - 305.

Signed,
Rocky Spear

A handwritten signature in black ink, appearing to read "Rocky Spear", is written over the typed name. The signature is stylized and extends to the right.

President,
Greater Wasilla Chamber of Commerce

5/18/89

Greater Wasilla Area Chamber of Commerce
Resolution on Licensing Marriage and Family Therapists

At a Board of Directors meeting on May 2, 1989, the Directors of the Greater Wasilla Area Chamber of Commerce unanimously approved a resolution supporting the licensing of Marriage and Family Therapists in the State of Alaska.

The Board recognized that consumers of therapy services may have difficulty evaluating the stated credentials of people holding themselves out as marital and family therapists. Therefore, state regulation is needed to provide consumers with information about credentialed/licensed professionals. Also from a business point of view, licensing is often a prerequisite for therapists to receive reimbursement for their services from insurance companies.

Therefore, the Board of Directors of the Greater Wasilla Area Chamber of Commerce resolved to support HB 305 which will be introduced in the 1990 session, and which provides for licensing of Marriage and Family Therapists.



CHARTER NORTH HOSPITAL

COUNSELING CENTERS

1001 Noble Street, Suite 380
Fairbanks, Alaska 99701
(907) 456-7575

240 E. Tudor Road, Suite 240
Anchorage, Alaska 99503
(907) 561-7576

951 E. Bogard Road, Suite 102
Wasilla, Alaska 99687
(907) 373-7575

Optifast Weight Loss
(907) 561-7577
Chemical Dependency
(907) 561-7576

February 13, 1989

Mercy Dennis
2550 Denali Street
Suite 905
Anchorage, Alaska 99503

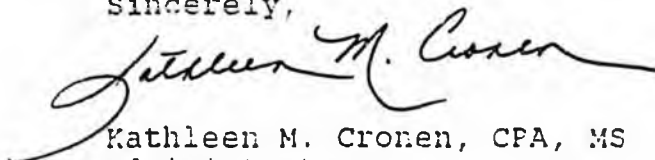
Dear Mercy:

I am writing in support of licensing for Marriage and Family Therapy by the State of Alaska. Alaska currently licenses and regulates psychiatry, psychiatric nursing, clinical psychology and psychological associate, and social work. Marriage and family therapy is recognized as a separate mental health discipline by the Federal government. Currently, 18 states license and regulate marriage and family therapists with an additional 22 states considering such legislation in 1989.

As a certified professional in the State of Alaska, I know that licensure and ongoing regulation is essential to maintaining both quality and integrity. I realize that some marriage and family therapists choose membership in the American Association of Marriage and Family Therapy. However, such voluntary membership is no substitution for regulation by the State. As the Administrator of Charter North Hospital, I am gravely concerned at the lack of regulations and requirements for licensure by individuals performing therapy.

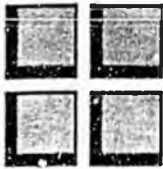
Best of luck in this endeavor. Please feel free to contact me for further support on this matter.

Sincerely,


Kathleen M. Cronen, CPA, MS
Administrator

KMC:rlr
2088





Deborah Cicero, MSW, ACSW

INDIVIDUAL & GROUP THERAPY
1407 West 31st Avenue
Anchorage, Alaska 99503
(907) 279-1222

3-24-89

Dear Mercy,

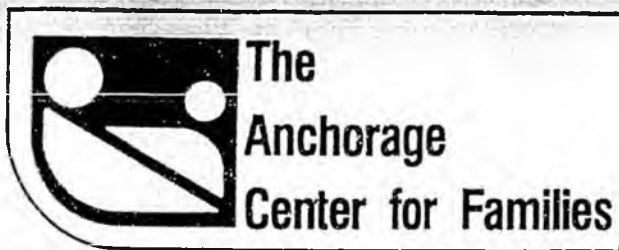
I am writing this letter to you in support of licensure for Marriage and Family Therapists. In my opinion it is of the utmost importance for professionals offering counseling services to the general public to be licensed.

I am sure that you are aware of recent legislation requiring all social workers in private practice to be licensed. I definitely believe that licensure requirements are in order for Marriage and Family Therapists.

Passage of such a bill can only be beneficial to both the professional and the public he or she serves.

I strongly support passage of such legislation.

Sincerely,
Deborah Cicero, MSW, ACSW



- Intermision
- Family Connection
- The Center for Children and Parents

3745 Community Park Loop, Suite 201 • Anchorage, Alaska 99508 • (907) 276-4994

April 5, 1989

Mercy Dennis
2550 Denali, Suite 905
Anchorage, Alaska 99503

Dear Mercy:

I am writing to express my support of your efforts to put in place a licensing system for private practice marriage and family therapists. Recent data show that more and more mental health services are being provided by a wide variety of practitioners with very different backgrounds. As you know, at present in Alaska, there is no way for a consumer to judge the difference in quality of care that may be provided by these various practitioners. With a licensing system in place, based on accepted professional standards of certification and completion of extensive supervision requirements, Alaskan consumers will be better assured that they are purchasing quality mental health services.

Please let me know if I can assist you in this important effort.

Sincerely,

Peter Scales, Ph.D.
Executive Director





CHARTER NORTH HOSPITAL

March 26, 1989

Mercy Dennis MA
AAMFT (Alaska Division)
Charter North Hospital
Anchorage, AK 99508

Dear Ms. Dennis,

It is my understanding that the Alaska division of the American Association of Marriage and Family Therapists are involved in sponsoring a Licensure Bill for Marriage and Family Therapists.

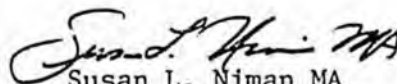
I have just relocated to Alaska from California with a recent degree (Masters of Arts in Counseling with an Emphasis in Marriage and Family Therapy) and have been concerned about licensure. Since I am aware of the California MFT Licensure process I have been designing my job and supervision hours to meet the criteria there as Alaska does not have a license at this time for Marriage and Family Therapists. They do for other mental health professionals, ie Psychologists and Social Workers.

It has in only recent years been recognized by the entire mental health field that when a person is emotionally disturbed or has a mental disability it is not the problem of a single member of a family, but is systemic, treatable and often preventive for additional members of the same family. The field of Marriage and Family Therapy has encompassed that tenet of the human condition and has created educational programs especially designed to train highly skilled mental health professionals in working with family systems. Psychologists are trained to critically consider the individual and to have specialized skills such as psychological testing and individual therapy. Social workers are trained with clinical skills as well as considering the system of the family and community as support systems, but not necessarily as part of the problem and solution within the therapeutic process.

There are even some insurance companies such as Champus which consider Family Therapy a crucial part of treatment for individuals. Family Therapists are a vital part of the therapeutic team...and equal part. Many states other than California also recognize the importance of the inclusion of Family Therapy in the therapeutic process of individuals. To be an equal member of the therapeutic team in the state of Alaska it is vital for Family Therapists to be licensed and be eligible for insurance payments. Without such governmental support and recognition for this profession, families in the mental health system do not have the increased potential (as would be the case in utilizing a team approach) for sustained mental health within a family system.

I sincerely urge you to pass this bill and to consider stretching it to include third party payments for Marriage and Family Therapists. I also urge you to consider the state of the family in Alaska and consider the important role that Family Therapists have in the mental health of the state of Alaska.

Thank you for your attention.


Susan L. Niman MA
Family Therapist





The
Episcopal
Diocese of Alaska

The Rt. Rev. George C. Harris, Bishop

Post Office Box 441

Fairbanks, Alaska 99707-0441

Telephone (907) 452-3040

March 2, 1989

The Honorable Steve Cowper
State of Alaska
Juneau AK 99802

Dear Governor Cowper:

Of the many fiscal issues facing state government at this time, the licensing of marriage and family therapists is an issue of significant importance for consumer protection.

Incompetent people practicing in the mental health professions are very dangerous, and I feel the state needs to provide the people of this state with the necessary protection to ensure their safety and well-being. State regulation is important in providing consumers with information about credentialed professionals.

Currently, 18 states have licensing laws that regulate the practice of marriage and family therapy. Twenty-two additional states are presently considering such legislation.

Clergy in our parishes are on the front-line for referring families for marriage and family therapy. They need to have information about quality referrals. They need to know that persons who advertise themselves as marriage and family therapists do, in fact, have the training, experience, and clinical supervision they claim. The State of Alaska is the only public agency that can provide such through licensing and regulation, as it does in the case of clinical social workers, psychiatrists, clinical psychologists, psychiatric nurses, etc.

I urge you to consider and enact legislation into law that will license and regulate the field of marriage and family therapy in order to protect the people of Alaska and to promote standards of excellence across the entire field of mental health providers in our state.

Yours in Christ,

George C. Harris

George C. Harris

*Dictated by the bishop but signed in his absence.

BOYER, TIMM & PETERS A P.C.

CERTIFIED PUBLIC ACCOUNTANTS

P.O. Box 871625
Wasilla, Alaska 99687

Clyde T. Boyer, Jr., CPA
Sandra L. Bowers, CPA
Janet C. Kennedy, CPA

Telephone
(907) 376-3576
(907) 376-5889

April, 24, 1989

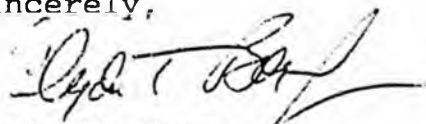
TO: Legislators, House of Representatives
c/o Bob Nelson, AKAMFT
4502 Cassin Drive
Anchorage, AK 99507

FROM: Clyde T. Boyer, Jr.

As a certified public accountant, and as President of The Board of Directors of the Valley Hospital Association, I am writing to express support for licensing for marriage and family therapists. I believe that professional disciplines need to be licensed so that there is regulation of standards to practice in the profession. Specifically, marriage and family therapists provide necessary services in our community, but the public does not know which therapists have relevant education and training without a licensing standard.

I urge that the licensing bill for marital and family therapists be voted in as soon as possible.

Sincerely,



Clyde T. Boyer, Jr.
Certified Public Accountant

CTB/cg

David R. Samson M.D.
Board Certified Psychiatrist

October 20, 1989

Dr. Robert Nelson, President-Elect
Alaska Association for Marriage
and Family Therapists
4502 Cassin Drive
Anchorage, Alaska 99507

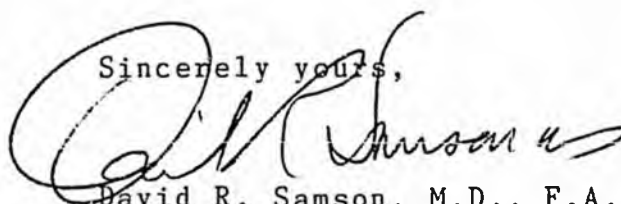
Dear Dr. Nelson:

This letter is written in support of licensing or certification at the state level for marriage and family therapists.

As a psychiatrist, I believe marriage and family therapists provide specific services that are needed in our communities. I believe it is essential that our state government assures the public that the people who claim to be marriage and family therapists do in fact have the necessary advanced educational requirements and experience to provide marriage and family therapy services. I have worked with multiple therapists in and out of community mental health center settings. I have worked closely with several trained marriage and family therapists.

I urge that the state legislature pass legislation in the coming year to license or certify marriage and family therapists. Please feel free to use this letter in support of your Association's endeavors.

Sincerely yours,



David R. Samson, M.D., F.A.P.A.

DRS/ag

The Family and Children's Clinic

561 SO DENALI ST., SUITE A

PALMER, ALASKA 99645

(907) 745-3327

KENNETH P. FALLON, JR. M.S.W., A.C.S.W.

CLINICAL SOCIAL WORKER

CHERYL F. MITCHELL, M.S.W.

CLINICAL SOCIAL WORKER

MARY DALL, M.S.W.

CLINICAL SOCIAL WORKER

CHRISTOPHER L. DATTAN, M.D.

PSYCHIATRIST

PATRICIA SANDBERG, M.A.

THERAPIST

CHRISTINE CHILDERS, Ph.D.

CLINICAL PSYCHOLOGIST

December 4, 1989

Dr. Robert Nelson, President-Elect
Alaska Association for Marriage
and Family Therapists
4502 Cassin Drive
Anchorage, AK 99507

Dear Dr. Nelson:

I am writing this letter in support of the certification and/or licensing at the Alaska state level for marriage and family therapists.

As an Alaska state licensed clinical social worker, I feel strongly that licensing of family and marriage therapists is necessary to insure that the public receives the best possible level of services. Licensure would go a long way toward assuring the public that each licensed marriage and family therapist has adequately completed the nationally standardized graduate-level educational requirements as well as several years of supervised training necessary to be competent to deliver these services.

I have worked closely with a number of marriage and family therapists, and have attended seminars and continuing education classes with them. I respect their level of expertise and believe that their services are needed in Alaska.

I strongly recommend passage of state legislation in the coming year to license marriage and family therapists. If I can be of further assistance in this regard, please contact me.

Sincerely,

Cheryl F. Mitchell, M.S.W.

Cheryl F. Mitchell
Licensed Clinical Social Worker