

H B

5 1 4

HOUSE COMMITTEE REPORT

(7)  
Date Referred: April 22, 1992

FURTHER REFERRALS:

Date of Committee Action: 4-28-92

The JUDICIARY Committee considered:

HB 514

HOUSE BILL NO. 514

IMPAIRED MEDICAL PRACTITIONERS

"An Act relating to the Board of Medicine and the impaired medical practitioner program."

RECOMMENDATIONS:

be replaced with (S HB 514 (JUD))  the same title  a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): \_\_\_\_\_ (Dept)

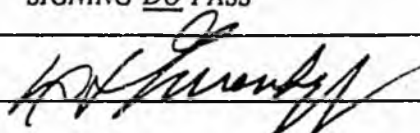
APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

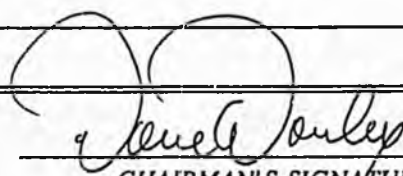
fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_

zero fiscal note(s) (amended 4-22)

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
	-	Jerry Martin		✓	
		Mike Miller		✓	
		Mark Hanley		X	
		John E. ...		X	
		Kevin ...		✓	
		David ...		✓	

  
CHAIRMAN'S SIGNATURE

1992 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Commerce & Economic Development  
 Title: An Act relating to the Board of Medicine and BRU: Occupational Licensing  
the impaired medical practitioner program. Component: Administration  
 Sponsor: Reps. B. Davis, Bruckman  
 Requestor: Rep. Lincoln COMPONENT SERIAL NO. 

0	3	5	6
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
---------	-----	-----	-----	-----	-----	-----

REVENUE	0.0	0.0	0.0	0.0	0.0	0.0
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
OTHER	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

The bill make amendments to the medical licensing statutes regarding limited liability coverage and duties of the board to establish an impaired professionals program that will include mentally ill or cognitively impaired medical professionals. New funds are not required to implement the changes made in the bill.

Prepared By: Jennifer Strickler Phone: 465-2144  
 Division: Occupational Licensing Date: 04/17/92  
 Approved by Commissioner: Glenn A. Olds *[Signature]*  
 Agency: Department of Commerce & Economic Development Date: 4.21.92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

# ALASKA STATE LEGISLATURE

Office of Majority Whip

3111 C STREET, SUITE 508  
ANCHORAGE AK 99503  
(907) 561-2039

PO BOX V  
JUNEAU AK 99811  
(907) 465-3875/4894

VICE CHAIR  
HEALTH, EDUCATION  
& SOCIAL SERVICES

COMMUNITY AND  
REGIONAL AFFAIRS

INTERNATIONAL TRADE  
AND TOURISM

CHAIR  
CHILDREN'S CAUCUS

**REPRESENTATIVE BETTYE DAVIS**  
DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

## M E M O R A N D U M

TO: REPRESENTATIVE DAVE DONLEY, CHAIRMAN  
HOUSE JUDICIARY COMMITTEE

FROM: REPRESENTATIVE BETTYE DAVIS

*B Davis*

RE: HB 514

DATE: APRIL 22, 1992

\*\*\*\*\*

I respectfully request that HB 514, "an act relating to the Board of Medicine and the impaired medical practitioner program," be scheduled for hearing before the House Judiciary Committee, at your earliest convenience. I have attached, for your review, a copy of HB 514, and a sponsor statement.

Your prompt response is appreciated. If you have any questions, please feel free to contact me, or Caren Robinson of my staff, at X3975.



# ALASKA STATE LEGISLATURE

Office of Majority Whip

3111 C STREET, SUITE 508  
ANCHORAGE AK 99503  
(907) 561-2039

PO BOX V  
JUNEAU AK 99811  
(907) 465-3875/4894

VICE CHAIR  
HEALTH, EDUCATION  
& SOCIAL SERVICES

COMMUNITY AND  
REGIONAL AFFAIRS

INTERNATIONAL TRADE  
AND TOURISM

CHAIR  
CHILDREN'S CAUCUS

## REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

### S P O N S O R   S T A T E M E N T

I appreciate the committee members hearing HB 514.

HB 514 strengthens the State Board of Medicine and medical practitioner program by requiring that they investigate physicians who are mentally ill or cognitively impaired.

This bill would fill a very important gap, and, if enacted, will allow the State Medical Board to more effectively police their own and keep unfit practitioners from jeopardizing the health of Alaskans.



# HOUSE COMMITTEE REPORT

(7) Date Referred: February 18, 1992 FURTHER REFERRALS: Judiciary

Date of Committee Action: 4/22/92

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: HB 514

HOUSE BILL NO. 514 IMPAIRED MEDICAL PRACTITIONERS

"An Act relating to the Board of Medicine and the impaired medical practitioner program."

- RECOMMENDATIONS:  the same title  
 be replaced with \_\_\_\_\_  a new title  
 have attached amendments(s)  
 do pass  
 do not pass  
 no recommendations  
 individual recommendations  
 additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) APPROVES PREVIOUS: (Dept/Date)  
 fiscal impact \_\_\_\_\_  fiscal note(s) \_\_\_\_\_  
 zero fiscal note \_\_\_\_\_  zero fiscal note(s) \_\_\_\_\_

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	✓				
<i>[Signature] Earney</i>	-				
<i>Mary Miller</i>	✓				
<i>Betty Davis</i>	✓				
<i>J. E. [Signature]</i>	✓				
<i>Cheri Davis</i>	✓				
<i>Mark [Signature]</i>	X				

*[Signature]*  
 Co-CHAIRMAN'S SIGNATURE

HB 514: "Impaired Medical Practitioner Program"

This bill extends protection from a lawsuit being brought against a contractor or their agent for reporting or participating in administrative or judicial proceedings.

It also adds mentally ill or cognitively impaired practitioners to the list of practitioners who may be identified, confronted, evaluated, and treated under the impaired medical practitioner program.

The department does not object to these changes and, thus, does not oppose this bill.

*Glenn A. Olds*

Glenn A. Olds, Commissioner

Date: 4.21.92



# ALASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-6334 • (907) 682-2682

April 22, 1992

## TESTIMONY BEFORE THE HOUSE HESS COMMITTEE

### HOUSE BILL 514

Representative Lincoln, my name is Donald Lehmann. I am a physician specializing in Family Medicine in Sitka. My remarks will be brief.

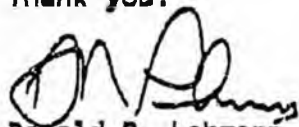
I am here today representing the Alaska State Medical Association. House Bill 514 before you would fill a gap in the duties of the State Medical Board. This bill would require that the board investigate physicians who are mentally ill or cognitively impaired. The State Board has become increasingly effective in its dealings and disciplining of physicians who abuse alcohol and other drugs. Indeed, our current program has become a model for other states. There currently exists a gap in the board's authority to intervene in less than clear cut cases of mental illness or cognitive impairment, such as early Alzheimer's disease or mental impairment due to drugs, though drug abuse cannot be proven. You cannot separate substance abuse and emotional and mental illness. All impairments are identified with a behavioral problem. Only until you identify what the problem is can you truly assess what the impairment might be.

This bill would make it easier to report impaired physicians and would give clear authority and direction to the board to step in early and stop these practitioners from causing harm.

Physicians have a good record of policing our own. We want to make it better. This bill will do just that.

In the interest of public health for all Alaskans, I would encourage your support in speedy passage of this bill.

Thank you.



Donald R. Lehmann, M.D.  
Chairman, Legislative Affairs Committee

DRL:bj

**DIVISION OF LEGAL SERVICES**

**LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA**

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

240 Main Street, Suite 500  
Juneau, Alaska 99801-2101

MEMORANDUM

April 28, 1992

**SUBJECT:** CSHB 514(JUD) (Work Order No. 17LS-2031\G)

**TO:** Representative Dave Donley  
Attn: Laurie Otto

**FROM:** Jerry Luckhaupt *JEL*  
Legislative Counsel

Attached is the final CS you requested for HB 514. Be advised that section 1 of the CS, which immunizes anyone making a good faith report about a medical practitioner licensed under AS 08.64, only applies to persons making reports about medical practitioners licensed under AS 08.64 and not to reports concerning every licensed profession under AS 08. It could conceivably be misunderstood by someone that section 1 of the bill applies to all licensed professions due to its placement in AS 08.02 which deals generally with persons licensed under AS 08.

JL:gc  
92-330.glc

Attachment