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HFIN

FILE

AMENDMENT |

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: CSHB 507(HES)

Page 1, line 6 after "lincensure":

Delete "may"

Insert "shall"

Page 1, line 6 after "person":

Insert "or by telephone"

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



STATE CAPITOL, JUNEAU 99801
(907) 465-3759

HB 507

An Act relating to licensure by the State Medical Board and temporary permits for certain optometrists.

This bill was introduced by the House FESS Committee by the request of the State Medical Board and the Alaska Optometric Association.

Section 1 addresses the concerns of the State Medical Board for interviewing applicants for licensure in person. They would like it to be expanded to "the board or its designated representative". This would lessen the cost in time, money, and inconvenience for applicants who wish to practice medicine in the state.

Section 2 deals with granting a temporary permit for locum tenens for the purpose of providing temporary medical coverage for an underserved area as approved by the board.

Under current statute, locum tenens permits may only be issued to physicians who are substituting for an absent physician. With this change, a temporary permit may be issued to a physician who will be practicing in an area that does not have a regular, resident physician.

In Section 3 of this bill, a locum tenens permit may be issued to a nonresident optometrist for the purpose of assisting or substituting for an optometrist licensed under AS 08.72.

Alaska has a lot of solo practitioners in remote and semi-remote areas of the State. If the practitioner becomes injured, seriously ill or must leave temporarily, he presently must close down his clinic. This can bring a hardship to his patients, especially if the time away extends to several months.

Also, outside specialists in subnormal vision, visual therapy, etc, can be scheduled to assist local doctors where specialty care does not now exist.

I urge your favorable consideration of this legislation.

SPONSOR STATEMENT

(HOUSE COMMITTEE REPORT

(11)

Date Referred: March 11, 1994

FURTHER REFERRALS:

Date of Committee Action: _____

The FINANCE Committee considered:

HB 507

HOUSE BILL NO. 507

LICENSING OF OPTOMETRISTS AND PHYSICIANS

"An Act relating to licensure by the State Medical Board and temporary permits for certain optometrists."

RECOMMENDATIONS:

be replaced with 15 HB 507 (FIN) 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) _____

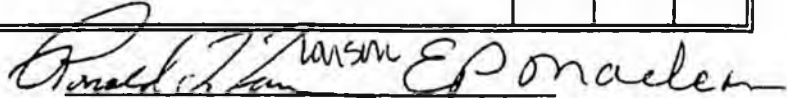
fiscal impact _____

fiscal note(s) DCED 3/2/94

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>E. P. Maclean</i> Maclean					
<i>Robert J. Hanson</i> Hanson	X				
<i>Tom Hoff</i> Hoffmann	X				
		<i>Mark Hanley</i> Hanley		X	
		<i>Paul R. Palmer</i> Palmer		X	
		<i>Terry Martin</i> MARTIN		X	


 CO CHAIRMAN'S SIGNATURE Maclean

**REPORTED OUT OF
HFC FISCAL NOTE**

No. 1
 Bill Version: CSHB 507 (HES)
 (H) Publish Date: 3/2/94

**STATE OF ALASKA
 1994 LEGISLATIVE SESSION**

Revision Date: 2/25/94
 Title: An Act relating to licensure by the
 State Medical Board....
 Sponsor: House HES
 Requestor: House HES

Department: Commerce and Economic Dev.
 BRU: Occupational Licensing
 Component: Operations
 COMPONENT SERIAL NO. 1844

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.5					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.5	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts	2.5					
1006 GF/MHTIA						
Other						
TOTAL	2.5	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) cost: \$ None

POSITIONS

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
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

ANALYSIS: (Attach a separate page if necessary)

The bill provides for a designee of the State Medical Board to interview an applicant for licensure and expands the purpose of a medical temporary permit. -The bill also creates a locum tenens permit for nonresident optometrists. The bill calls for the State Medical Board and the Board of Examiners in Optometry to adopt regulations to define new phrases. The expenditures shown above are the estimated costs of the regulations projects and additional printing costs when the regulations become effective.

Prepared by: JoAnne Cummings, Regulations Specialist
 Division: Occupational Licensing
 Approved by Commissioner: Paul Fuhs
 Agency: Commerce and Economic Development

Phone: 465-2537
 Date: 2/25/94
 Date: 2-28-94

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COMMITTEE COPY

Proposed revision to statute from a previous Board meeting:

PROPOSED REVISIONS TO STATUTES

New Agenda Item: Rework AS 08.64.255 Interview Required

Current Wording:

All applicants for licensure must be interviewed in person by at least one member of the board before a license will be issued.

Proposed Wording:

All applicants for licensure must be interviewed in person by at least one member of the board or its designated representative before a license will be issued.

Rationale:

Given the large geographical area of the state and the considerable expense involved in travelling this great expanse, this statute as currently worded often places an onerous burden on the applicant for licensure.

By inserting the words "... or its designated representative" interviews may be conducted by actively licensed physicians who have been previously approved by the Board. This will lessen the cost in time, money, and inconvenience for applicants who wish to practice medicine in the state.

1479M

*** * D R A F T * ***

Agenda Item 14: Reword Sec. 08.64.275(a)

"Temporary permit for locum tenens practice.

Current Wording:

A member of the board or its executive secretary may grant a temporary permit to a physician or osteopath for the purpose of substituting for another physician or osteopath licensed in this state.

Proposed Wording:

A member of the board or its executive secretary may grant a temporary permit to a physician or osteopath for the purpose of substituting for another physician or osteopath licensed in this state or for the purpose of providing temporary medical coverage for an underserved area as approved by the board.

Rationale:

Many remote Alaskan communities do not have medical services available to them within the community. In many cases, there has never been a physician located in these areas. To provide periodic medical services, the Board wishes to amend this section of the statute to allow locum tenens physicians to practice for limited periods of time (locum tenens licenses are 60-day permits) in remote, underserved areas with the knowledge, scrutiny, and approval of the Board.

Under the current wording, locum tenens permits may only be issued to physicians who are substituting for an absent physician. With the revised wording, a temporary permit may be issued to a physician who will be practicing in an area that does not have a regular, resident physician.

The licensing approval process is not quite as rigorous for a locum tenens as it is for a full licensure; however, the essential elements of the individual's record are required the same as for full licensure and are carefully scrutinized. These elements include proof of education, residency or internship, FSMB approval, and at least one verification from another state where the physician is licensed.

1466M

PROPOSED:

Sec. 08.xxxxx Temporary permit for locum tenens practice:
(a) A member of the board of examiners in Optometry may grant a temporary permit to an optometrist for the purpose of assisting or substituting for another optometrist licensed in this state. The office employing a Locum Optometrist must be an established practice, and the Locum employed by a resident Alaska licensed optometrist who owns and practices full time in that practice. The permit is valid for sixty (60) consecutive days. If circumstances warrant, an extension of the permit may be granted by the board.

(b) A Locum Optometrist applying under (a) of this section shall pay the required fee and shall meet the requirements of AS 08.72-140. In addition, the optometrist shall submit evidence of holding a license to practice optometry in a state or territory of the United States or in a province or territory of Canada.

(c) Within ten (10) days after the permit has been granted, the board member shall forward to the department a report of the issuance of the permit.

(d) Permits and extensions of permits issued under this section to an individual are not valid for more than 240 (two hundred forty) consecutive days during any consecutive 12 (twelve) months.

RATIONALE:

Alaska has a lot of solo practitioners in remote and semi-remote areas of the State. If the practitioner becomes injured, seriously ill or must leave temporarily, he presently must close down his clinic. This can bring a hardship to his patients.

Also, outside specialists in subnormal vision, visual therapy etc. can be scheduled to assist local doctors where specialty care does not now exist.

The Locum Tenens statute would allow a temporary permit be issued to a nonresident optometrist for the purpose of assisting or substituting for an optometrist licensed under this chapter.

Sec. 08.72.115. Malpractice insurance. [Repealed. § 40 ch 117 SLA 1978.]

Sec. 08.72.120. Registration. [Repealed § 9 ch 50 SLA 1988.]

Sec. 08.72.125. Licensing of branch offices. (a) The board shall license each branch office of an Alaskan licensee.

(b) A person may not practice, or attempt or offer to practice, optometry without obtaining a license for each branch office from the board.

(c) The board shall prescribe in the regulations the factors to be considered in issuing a branch office license. (§ 2 ch 76 SLA 1969; am § 9 ch 75 SLA 1980; am § 12 ch 37 SLA 1986; am § 4 ch 50 SLA 1988)

Effect of amendments. — The 1988 amendment, effective May 26, 1988, substituted "Licensing" for "Registration" in the catchline, rewrote subsection (a), which read "The board shall issue a branch office certificate of registration to an Alaskan licensee," and substituted

"without obtaining a license for each branch office" for "in communities on a part-time basis without obtaining a branch office certificate of registration" in subsection (b) and "license" for "certificate of registration" in subsection (c).

Sec. 08.72.130. Optometry register. [Repealed. § 13 ch 37 SLA 1986.]

Sec. 08.72.140. Qualifications for examination. The board shall admit to the examination a person who furnishes proof that the person

(1) has a visual acuity of a standard of at least 20/40 in at least one eye as corrected;

(2) is not afflicted with a contagious or infectious disease;

(3) has had education equivalent to four years attendance at a state high school;

(4) is a graduate of a recognized school or college of optometry. (§ 35-3-141 ACLA 1949; am § 1 ch 95 SLA 1966; am §§ 3 — 5 ch 76 SLA 1969; am §§ 10, 23 ch 75 SLA 1980)

Sec. 08.72.150. Application for examination and issuance of license. An applicant shall apply for the examination by filing an application with the department together with the examination fee at least 15 days before the examination. Upon successful completion of the examination by the applicant and payment of the license fee, the board shall issue a license to the successful applicant. The applicant may practice optometry in the state upon receipt of the license. (§ 35-3-141 ACLA 1949; am § 6 ch 76 SLA 1969; am § 5 ch 50 SLA 1988)

(7)
Date Referred: March 2, 1994

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/10/94

The LABOR AND COMMERCE Committee considered:

HB 507

HOUSE BILL NO. 507

LICENSING OF OPTOMETRISTS AND PHYSICIANS

"An Act relating to licensure by the State Medical Board and temporary permits for certain optometrists."

- RECOMMENDATIONS: the same title
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ADOPTS: _____ letter of Intent

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APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) Commerce

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO PASS</u>	DP	<u>OTHER</u> RECOMMENDATIONS	DNP	NR
<i>Bill Hudson</i>	✓	<i>Brian Porter</i>		✓
		<i>Putton</i>		✓
		<i>[Signature]</i>		✓
		<i>[Signature]</i>		✓
		<i>[Signature]</i>		✓

Bill Hudson
CHAIRMAN'S SIGNATURE

