

HB

507

SENATE COMMITTEE REPC

DATE: 4/13/94

FURTHER: Finance

DATE TURNED INTO OFFICE: 5/2/94

HESS Committee considered CS FOR HOUSE BILL NO. 507(FIN)

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

and recommends:

- replace with Senate CS CS HB 507 (HES)
- or adopt previous CS _____
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

- adopts _____ Letter of Intent
- further referral to the _____

- do pass
- do not pass
- no recommendation
- individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
Commerce & Econ Dev	2/3/94		2.5

Appropriation No Fiscal Note

DO PASS:

OTHER RECOMMENDATIONS:

Mike Miller No Rec
 [Signature] No Rec
 [Signature] NR
 Bert Sharp NR

[Signature] Do Pass
 Chair: Signature and Recommendation

8-LS1732K
Lauterbach
4/18/94

SENATE CS FOR CS FOR HOUSE BILL NO. 507(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE BY
REQUEST

A BILL

FOR AN ACT ENTITLED

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

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

4 * Section 1. AS 08.64.255 is amended to read:

5 Sec. 08.64.255. INTERVIEW REQUIRED. An applicant [ALL
6 APPLICANTS] for licensure shall be interviewed in person by at least one member
7 of the board or by a licensed physician designated for that purpose by the board
8 before a license will be issued. The interview must be recorded. If the application is
9 denied on the basis of the interview, the denial must be stated in writing, with the
10 reasons for it, and the record must be preserved.

11 * Sec. 2. AS 08.64.275(a) is amended to read:

12 (a) A member of the board or its executive secretary may grant a temporary
13 permit to a physician or osteopath for the purpose of substituting for another physician
14 or osteopath licensed in this state or for the purpose of providing health care

1 services on a temporary basis in an area of the state that is underserved, as
2 determined by the board under regulations. The permit is valid for 60 consecutive
3 days. If circumstances warrant, an extension of the permit may be granted by the
4 board.

5 * Sec. 3. AS 08.72 is amended by adding a new section to read:

6 Sec. 08.72.172. PERMIT FOR LOCUM TENENS PRACTICE. (a) A
7 member of the board may issue a temporary permit to a nonresident optometrist for
8 the purpose of assisting or substituting for an optometrist licensed under this chapter.
9 The office employing an optometrist with a permit under this section must be an
10 established practice, as determined under regulations adopted by the board, and be
11 owned by a licensed optometrist whose practice is full time.

12 (b) A permit issued under this section is valid for 60 consecutive days and
13 may be renewed up to three times within a 12-month period if circumstances warrant.
14 Permits issued under this section are not valid for more than 240 consecutive days of
15 practice within a 12-month period.

16 (c) A person who applies for a permit under this section shall pay the required
17 fee and furnish proof of

18 (1) meeting the requirements of AS 08.72.140; and

19 (2) holding a valid license to practice optometry issued by a state or
20 territory of the United States or by a province or territory of Canada.

21 (d) Within 10 days after a permit has been issued under this section, the board
22 member shall forward to the department a report of the issuance of the permit.

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

STATE CAPITOL, JUNEAU 99801
(907) 465-3759



CS HB 507 (Fin)

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

This bill was introduced by the House HESS 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.

The only difference between the original bill and the Finance Committee substitute is that interviews by a member of the medical board or its designated representative can also be conducted by telephone.

I urge your favorable consideration of this legislation.

FISCAL NOTE

**STATE OF ALASKA
 1994 LEGISLATIVE SESSION**

Revision Date: 2/25/94 Department: Commerce and Economic Dev.
 Title: An Act relating to licensure by the BRU: Occupational Licensing
State Medical Board.... Component: Operations
 Sponsor: House HES
 Requestor: House HES 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)

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

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 Phone: 465-2537
 Division: Occupational Licensing Date: 2/25/94
 Approved by Commissioner: Paul Fuhs Gary Bellfor Date: 2-28-94
 Agency: Commerce and Economic Development

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COMMITTEE COPY

Proposed revision to statute from a previous Board meeting:

PROPOSED REVISIONS TO STATUTES

New Agenda Item: Reword 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.XXXXXX 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. In 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.

