

SB

115

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: SB 115
 (S) Publish Date: 2/6/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Environmental Conservation
 Title An Act extending the Termination date BRU Spill Prevention and Response
of the Board of Storage Tank Assistance Component Contaminated Sites
 Sponsor Senate Rules Committee
 Requester Senate Finance Committee Component No. 2386

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel	11.2	11.2				
Contractual	40.2	40.2				
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	51.4	51.4	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1052 OHSRPR Prevention Account	51.4	51.4				
TOTAL	51.4	51.4	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Board Travel and Contractual Administrative Costs - Funding is provided through FY 02 for Board administrative costs. These costs have been continued into FY 03 and FY 04 as a result of the Board extension and wind down year.

Prepared by: Larry Dietrick
 Division: Spill Prevention and Response
 Approved by: Kurt Fredriksson
 Agency: Department of Environmental Conservation

Phone 465-5250
 Date/Time 1/30/02 1:26 PM
 Date 1/30/02

22-LS0634F
Lauterbach
5/10/02

HOUSE CS FOR SENATE BILL NO. 115(RLS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Offered:
Referred:

**Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Board of Marital and Family Therapy and the practitioners of
2 marital and family therapy; extending the termination date of the Board of Storage
3 Tank Assistance; extending the termination date of the Council on Domestic Violence
4 and Sexual Assault; relating to the council's duties; placing the executive director and
5 staff of the council in the exempt service; setting timelines for issuance of final orders by
6 the Regulatory Commission of Alaska, amending the authority of the commission to
7 enter compromise settlement orders, and extending the commission's termination date
8 to June 30, 2006; relating to an exemption that allows one bill to continue more than one
9 board, commission, or agency program; and providing for an effective date."

10 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

11 * Section 1. AS 08.01.050(d) is amended to read:

12 (d) At the request of one of the following boards, the department may contract

1 with public agencies and private professional organizations to provide assistance and
2 treatment to persons licensed by the board who abuse alcohol, other drugs, or other
3 substances:

- 4 (1) Board of Social Work Examiners;
- 5 (2) Board of Dental Examiners;
- 6 (3) Board of Dispensing Opticians;
- 7 (4) State Medical Board;
- 8 (5) Board of Nursing;
- 9 (6) Board of Examiners in Optometry;
- 10 (7) Board of Pharmacy;
- 11 (8) State Physical Therapy and Occupational Therapy Board;
- 12 (9) Board of Professional Counselors;
- 13 (10) Board of Psychologist and Psychological Associate Examiners;

14 [AND]

- 15 (11) Board of Veterinary Examiners; and
- 16 (12) Board of Marital and Family Therapy.

17 * Sec. 2. AS 08.63.050 is amended by adding a new subsection to read:

18 (b) The board may order a licensed marital and family therapist to submit to a
19 reasonable physical or mental examination if the board has credible evidence
20 sufficient to conclude that the marital and family therapist's physical or mental
21 capacity to practice safely is at issue.

22 * Sec. 3. AS 08.63.100(a) is amended to read:

23 (a) The board shall issue a license to practice marital and family therapy to a
24 person who

- 25 (1) applies on a form provided by the board;
- 26 (2) pays the fee established under AS 08.01.065;
- 27 (3) furnishes evidence satisfactory to the board that the person
 - 28 (A) has not engaged in conduct that is a ground for imposing
29 disciplinary sanctions under AS 08.63.210;
 - 30 (B) holds a master's degree or doctorate in marital and family
31 therapy or allied mental health field from a regionally accredited educational

1 institution approved by the board for which the person completed a course of
2 study that included instruction substantially equivalent to the following:

3 (i) three courses or nine semester or 12 quarter hours of
4 course work in marital and family therapy;

5 (ii) three courses or nine semester or 12 quarter hours of
6 course work in marital and family studies;

7 (iii) three courses or nine semester or 12 quarter hours
8 of course work in human development;

9 (iv) one course or three semester or four quarter hours
10 of course work in professional studies or professional ethics and law;

11 (v) one course or three semester or four quarter hours of
12 course work in research; and

13 (vi) one year of supervised clinical practice in marital
14 and family therapy;

15 (C) after receiving a degree described in (B) of this paragraph,
16 has

17 (i) practiced marital and family therapy [WITHIN
18 THREE YEARS OF THE PERSON'S APPLICATION], including
19 1,500 hours of direct clinical contact with couples, individuals, and
20 families; and

21 (ii) been supervised in the clinical contact for at least
22 200 hours, including 100 hours of individual supervision and 100 hours
23 of group supervision approved by the board;

24 (D) has received training related to domestic violence; and

25 (E) has passed a written or oral examination administered by
26 the board.

27 * Sec. 4. AS 08.63.200(a) is amended to read:

28 (a) A person licensed under this chapter may not reveal to another person a
29 communication made to the licensee by a client about a matter concerning which the
30 client has employed the licensee in a professional capacity. This section does not
31 apply to

1 (1) a case conference or case consultation with other mental health
2 professionals at which the patient is not identified;

3 (2) the release of information that the client in writing authorized the
4 licensee to reveal;

5 (3) information released to the board as part of a disciplinary or other
6 proceeding; [OR]

7 (4) situations where the rules of evidence applicable to the
8 psychotherapist-patient privilege allow the release of the information;

9 (5) a communication to a potential victim or to law enforcement
10 officers where a threat of imminent serious physical harm to an identified victim
11 has been made by a client: or

12 (6) a disclosure revealing a communication about an act that the
13 licensee has reasonable cause to suspect constitutes unlawful or unethical conduct
14 that would be grounds for imposition of disciplinary sanctions by a person
15 licensed to provide health or mental health services, if the disclosure is made only
16 to the licensing board with jurisdiction over the person who allegedly committed
17 the act, and the disclosure is made in good faith.

18 * Sec. 5. AS 08.63.210 is amended to read:

19 Sec. 08.63.210. Grounds for imposition of disciplinary sanctions. After a
20 hearing, the board may impose a disciplinary sanction under AS 08.01.075 on a person
21 licensed under this chapter when the board finds that the person

22 (1) secured a license through deceit, fraud, or intentional
23 misrepresentation;

24 (2) engaged in deceit, fraud, or intentional misrepresentation in the
25 course of providing professional services or engaging in professional activities;

26 (3) advertised professional services in a false or misleading manner;

27 (4) has been convicted of a felony or of another crime that affects the
28 person's ability to practice competently and safely;

29 (5) failed to comply with a provision of this chapter or a regulation
30 adopted under this chapter, or an order of the board;

31 (6) continued to practice after becoming unfit due to

1 (A) professional incompetence;

2 (B) addiction or severe dependency on alcohol or another drug
3 that impairs the person's ability to practice safely;

4 (7) engaged in unethical conduct in connection with the delivery of
5 professional services to clients;

6 (8) engaged in sexual misconduct with a client during the course of
7 therapy, either within or outside the treatment setting, or within two years after
8 therapy or counseling with the client has terminated; in this paragraph, "sexual
9 misconduct" includes sexual contact, as defined in regulations adopted under this
10 chapter, or attempted sexual contact, regardless of the client's or former client's
11 consent or lack of consent.

12 * Sec. 6. AS 08.63.210 is amended by adding a new subsection to read:

13 (b) The board may summarily suspend the license of a licensee who refuses to
14 submit to a physical or mental examination under AS 08.63.050(b). A person whose
15 license is suspended under this subsection is entitled to a hearing by the board within
16 seven days after the effective date of the order. If, after a hearing, the board upholds
17 the suspension, the licensee may appeal the suspension to a court of competent
18 jurisdiction.

19 * Sec. 7. AS 08.63 is amended by adding new sections to read:

20 **Sec. 08.63.230. Disclosure statement.** A client may not be charged a fee for
21 marital and family therapy services unless, before the performance of the services, the
22 client was furnished a copy of a professional disclosure statement that contained

23 (1) the name, title, business address, and business telephone number of
24 the marital and family therapist;

25 (2) a description of the formal professional education of the marital
26 and family therapist, including the institutions attended and the degrees received from
27 the institutions;

28 (3) the marital and family therapist's areas of specialization and the
29 services available;

30 (4) the marital and family therapist's fee schedule listed by type of
31 service or hourly rate;

1 (5) a description of the exception to confidentiality contained in
2 AS 08.63.200(a)(6); and

3 (6) at the bottom of the first page of the statement, the following
4 sentence: "This information is required by the Board of Marital and Family Therapy,
5 which regulates all licensed marital and family therapists," followed by the name,
6 address, and telephone number of the board's office.

7 **Sec. 08.63.240. Limitation of practice.** Notwithstanding that a specific act is
8 within the definition of the "practice of marital and family therapy," a person licensed
9 under this chapter may not perform the act if the person lacks the appropriate
10 education, training, and experience related to the act.

11 * **Sec. 8.** AS 18.66.050 is amended to read:

12 **Sec. 18.66.050. Duties of the council.** The council shall

13 (1) hire an executive director, and the executive director may hire
14 [NECESSARY] staff; the executive director and staff are in the exempt service
15 under AS 39.25.110;

16 (2) elect one of its members as presiding officer;

17 (3) in consultation with authorities in the field, develop, implement,
18 maintain, and monitor domestic violence, sexual assault, and crisis intervention and
19 prevention programs, including educational programs, films, and school curricula on
20 the cause, prevention, and treatment of domestic violence and sexual assault;

21 (4) coordinate services provided by the Department of Law, the
22 Department of Education and Early Development, the Department of Public Safety,
23 the Department of Health and Social Services, and other state agencies and community
24 groups dealing with domestic violence, sexual assault, and crisis intervention and
25 prevention, and provide technical assistance as requested by those state agencies and
26 community groups;

27 (5) develop and implement a standardized data collection system on
28 domestic violence, sexual assault, and crisis intervention and prevention;

29 (6) conduct public hearings and studies on issues relating to violence,
30 including domestic violence and sexual assault, and on issues relating to the role of
31 crisis intervention and prevention;

1 (7) receive and dispense state and federal money and award grants and
2 contracts from appropriations for the purpose to qualified local community entities for
3 domestic violence, sexual assault, and crisis intervention and prevention programs;

4 (8) oversee and audit domestic violence, sexual assault, and crisis
5 intervention and prevention programs that receive money under this chapter;

6 (9) provide fiscal and technical assistance to plan, organize, implement
7 and administer domestic violence, sexual assault, and crisis intervention and
8 prevention programs;

9 (10) make an annual report to the governor on the activities of the
10 council, plans of the council for new services and programs, and concerns of the
11 council, including recommendations for legislation necessary to carry out the purposes
12 of this chapter; the council shall notify the legislature that the report is available;

13 (11) adopt regulations in accordance with AS 44.62 (Administrative
14 Procedure Act) to carry out the purposes of this chapter and to protect the health,
15 safety, well-being, and privacy of persons receiving services financed with grants or
16 contracts under this chapter;

17 (12) consult with the Department of Health and Social Services in the
18 formulation of standards and procedures for the delivery of services to victims of
19 domestic violence by health care facilities and practitioners of healing arts and
20 personnel in those facilities as required in AS 18.66.300;

21 (13) consult with the Alaska Police Standards Council and other police
22 training programs in the state to develop training programs regarding domestic
23 violence for police officers and for correction, probation, and parole officers;

24 (14) consult with public employers, the Alaska Supreme Court, school
25 districts, and prosecuting authorities who are required by AS 18.66.300 - 18.66.310 to
26 provide continuing education courses in domestic violence to employees

27 * **Sec. 9.** AS 39.25.110 is amended by adding a new paragraph to read:

28 (37) the executive director and staff of the Council on Domestic
29 Violence and Sexual Assault established under AS 18.66.010.

30 * **Sec. 10.** AS 42.05 is amended by adding a new section to read:

31 **Sec. 42.05.175. Timelines for issuance of final orders.** (a) The commission

1 shall issue a final order not later than six months after a complete application is filed
2 for an application

- 3 (1) for a certificate of public convenience and necessity;
- 4 (2) to amend a certificate of public convenience and necessity;
- 5 (3) to transfer a certificate of public convenience and necessity; and
- 6 (4) to acquire a controlling interest in a certificated public utility.

7 (b) Notwithstanding a suspension ordered under AS 42.05.421, the
8 commission shall issue a final order not later than nine months after a complete tariff
9 filing is made for a tariff filing that does not change the utility's revenue requirement
10 or rate design.

11 (c) Notwithstanding a suspension ordered under AS 42.05.421, the
12 commission shall issue a final order not later than 15 months after a complete tariff
13 filing is made for a tariff filing that changes the utility's revenue requirement or rate
14 design.

15 (d) The commission shall issue a final order not later than 12 months after a
16 complete formal complaint is filed against a utility or, when the commission initiates a
17 formal investigation of a utility without the filing of a complete formal complaint, not
18 later than 12 months after the order initiating the formal investigation is issued.

19 (e) The commission shall issue a final order in a rule making proceeding not
20 later than 24 months after a complete petition for adoption, amendment, or repeal of a
21 regulation under AS 44.62.180 - 44.62.290 is filed or, when the commission initiates a
22 rule making docket, not later than 24 months after the order initiating the proceeding is
23 issued.

24 (f) The commission may extend a timeline required under (a) - (e) of this
25 section if all parties of record consent to the extension or if, before the timeline
26 expires, the commission

- 27 (1) reasonably finds that good cause exists to extend the timeline; and
- 28 (2) issues a written order extending the timeline and setting out its
29 findings regarding good cause.

30 (g) The commission shall file quarterly reports with the Legislative Budget
31 and Audit Committee identifying all extensions ordered under (f)(2) of this section

1 during the previous quarter, and including copies of the written orders issued under
2 (f)(2) of this section.

3 (h) If the commission does not issue and serve a final order regarding an
4 application or suspended tariff under section (a), (b), or (c) of this section within the
5 applicable timeline specified, and if the commission does not extend the timeline in
6 accordance with (f) of this section, the application or suspended tariff filing shall be
7 considered approved and shall go into effect immediately.

8 (i) For purposes of this section, "final order" means a dispositive
9 administrative order that resolves all matters at issue and that may be the basis for a
10 petition for reconsideration or request for judicial review.

11 (j) For purposes of this section, an application, tariff filing, formal complaint,
12 or petition is complete if it complies with the filing, format, and content requirements
13 established by statute, regulation, and forms adopted by the commission under
14 regulation.

15 * **Sec. 11.** AS 42.05.191 is amended to read:

16 **Sec. 42.05.191. Contents and service of orders.** Every formal order of the
17 commission shall be based upon the facts of record. However, the commission may
18 issue an order approving any settlement supported by all the parties of record in
19 a proceeding, including a compromise settlement, if the settlement is consistent
20 with this chapter and AS 42.06. Every order entered pursuant to a hearing must state
21 the commission's findings, the basis of its findings and conclusions, together with its
22 decision. These orders shall be entered of record and a copy of them shall be served
23 on all parties of record in the proceeding.

24 * **Sec. 12.** AS 44.66.010(a)(4) is amended to read:

25 (4) Regulatory Commission of Alaska (AS 42.04.010) -- June 30, 2006
26 [2002];

27 * **Sec. 13.** AS 44.66.010(a)(11) is amended to read:

28 (11) Council on Domestic Violence and Sexual Assault
29 (AS 18.66.010) -- June 30, 2006 [2002];

30 * **Sec. 14.** AS 44.66.010(a)(18) is amended to read:

31 (18) Board of Storage Tank Assistance (AS 46.03.360) -- June 30,

1 2003 [2001];

2 * **Sec. 15.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 EXEMPTION FROM AS 44.66.050(e). This Act is exempt from the provision of
5 AS 44.66.050(e) that prohibits a bill from continuing the existence of more than one board,
6 commission, or agency program.

7 * **Sec. 16.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 PRIOR DOCKETS. The provisions of AS 42.05.175, added by sec. 10 of this Act do
10 not apply to dockets of the Regulatory Commission of Alaska that are initiated before July 1,
11 2002.

12 * **Sec. 17.** Sections 8 - 16 of this Act take effect immediately under AS 01.10.070(c).

22-LS0634\C
Lauterbach
5/8/02

HOUSE CS FOR SENATE BILL NO. 115(RLS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Offered:
Referred:

**Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Board of Marital and Family Therapy and the practitioners of
2 marital and family therapy; extending the termination date of the Board of Storage
3 Tank Assistance; extending the termination date of the Council on Domestic Violence
4 and Sexual Assault; relating to the council's duties; placing the executive director and
5 staff of the council in the exempt service; relating to an exemption that allows one bill to
6 continue more than one board, commission, or agency program; and providing for an
7 effective date."

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

9 * **Section 1.** AS 08.01.050(d) is amended to read:

10 (d) At the request of one of the following boards, the department may contract
11 with public agencies and private professional organizations to provide assistance and
12 treatment to persons licensed by the board who abuse alcohol, other drugs, or other
13 substances:

- 1 (1) Board of Social Work Examiners;
- 2 (2) Board of Dental Examiners;
- 3 (3) Board of Dispensing Opticians;
- 4 (4) State Medical Board;
- 5 (5) Board of Nursing;
- 6 (6) Board of Examiners in Optometry;
- 7 (7) Board of Pharmacy;
- 8 (8) State Physical Therapy and Occupational Therapy Board;
- 9 (9) Board of Professional Counselors;
- 10 (10) Board of Psychologist and Psychological Associate Examiners;

11 [AND]

- 12 (11) Board of Veterinary Examiners; and
- 13 (12) Board of Marital and Family Therapy.

14 * Sec. 2. AS 08.63.050 is amended by adding a new subsection to read:

15 (b) The board may order a licensed marital and family therapist to submit to a
 16 reasonable physical or mental examination if the board has credible evidence
 17 sufficient to conclude that the marital and family therapist's physical or mental
 18 capacity to practice safely is at issue.

19 * Sec. 3. AS 08.63.100(a) is amended to read:

20 (a) The board shall issue a license to practice marital and family therapy to a
 21 person who

- 22 (1) applies on a form , rovided by the board;
- 23 (2) pays the fee established under AS 08.01.065;
- 24 (3) furnishes evidence satisfactory to the board that the person
 - 25 (A) has not engaged in conduct that is a ground for imposing
 - 26 disciplinary sanctions under AS 08.63.210;
 - 27 (B) holds a master's degree or doctorate in marital and family
 - 28 therapy or allied mental health field from a regionally accredited educational
 - 29 institution approved by the board for which the person completed a course of
 - 30 study that included instruction substantially equivalent to the following:
 - 31 (i) three courses or nine semester or 12 quarter hours of

1 course work in marital and family therapy;

2 (ii) three courses or nine semester or 12 quarter hours of
3 course work in marital and family studies;

4 (iii) three courses or nine semester or 12 quarter hours
5 of course work in human development;

6 (iv) one course or three semester or four quarter hours
7 of course work in professional studies or professional ethics and law;

8 (v) one course or three semester or four quarter hours of
9 course work in research; and

10 (vi) one year of supervised clinical practice in marital
11 and family therapy;

12 (C) after receiving a degree described in (B) of this paragraph,

13 has

14 (i) practiced marital and family therapy [WITHIN
15 THREE YEARS OF THE PERSON'S APPLICATION], including
16 1,500 hours of direct clinical contact with couples, individuals, and
17 families; and

18 (ii) been supervised in the clinical contact for at least
19 200 hours, including 100 hours of individual supervision and 100 hours
20 of group supervision approved by the board;

21 (D) has received training related to domestic violence; and

22 (E) has passed a written or oral examination administered by

23 the board.

24 * Sec. 4. AS 08.63.200(a) is amended to read:

25 (a) A person licensed under this chapter may not reveal to another person a
26 communication made to the licensee by a client about a matter concerning which the
27 client has employed the licensee in a professional capacity. This section does not
28 apply to

29 (1) a case conference or case consultation with other mental health
30 professionals at which the patient is not identified;

31 (2) the release of information that the client in writing authorized the

1 licensee to reveal;

2 (3) information released to the board as part of a disciplinary or other
3 proceeding; [OR]

4 (4) situations where the rules of evidence applicable to the
5 psychotherapist-patient privilege allow the release of the information;

6 (5) a communication to a potential victim or to law enforcement
7 officers where a threat of imminent serious physical harm to an identified victim
8 has been made by a client; or

9 (6) a disclosure revealing a communication about an act that the
10 licensee has reasonable cause to suspect constitutes unlawful or unethical conduct
11 that would be grounds for imposition of disciplinary sanctions by a person
12 licensed to provide health or mental health services, if the disclosure is made only
13 to the licensing board with jurisdiction over the person who allegedly committed
14 the act, and the disclosure is made in good faith.

15 * Sec. 5. AS 08.63.210 is amended to read:

16 Sec. 08.63.210. Grounds for imposition of disciplinary sanctions. After a
17 hearing, the board may impose a disciplinary sanction under AS 08.01.075 on a person
18 licensed under this chapter when the board finds that the person

19 (1) secured a license through deceit, fraud, or intentional
20 misrepresentation;

21 (2) engaged in deceit, fraud, or intentional misrepresentation in the
22 course of providing professional services or engaging in professional activities;

23 (3) advertised professional services in a false or misleading manner;

24 (4) has been convicted of a felony or of another crime that affects the
25 person's ability to practice competently and safely;

26 (5) failed to comply with a provision of this chapter or a regulation
27 adopted under this chapter, or an order of the board;

28 (6) continued to practice after becoming unfit due to

29 (A) professional incompetence;

30 (B) addiction or severe dependency on alcohol or another drug
31 that impairs the person's ability to practice safely;

1 (7) engaged in unethical conduct in connection with the delivery of
2 professional services to clients;

3 (8) engaged in sexual misconduct with a client during the course of
4 therapy, either within or outside the treatment setting, or within two years after
5 therapy or counseling with the client has terminated; in this paragraph, "sexual
6 misconduct" includes sexual contact, as defined in regulations adopted under this
7 chapter, or attempted sexual contact, regardless of the client's or former client's
8 consent or lack of consent.

9 * Sec. 6. AS 08.63.210 is amended by adding a new subsection to read:

10 (b) The board may summarily suspend the license of a licensee who refuses to
11 submit to a physical or mental examination under AS 08.63.050(b). A person whose
12 license is suspended under this subsection is entitled to a hearing by the board within
13 seven days after the effective date of the order. If, after a hearing, the board upholds
14 the suspension, the licensee may appeal the suspension to a court of competent
15 jurisdiction.

16 * Sec. 7. AS 08.63 is amended by adding new sections to read:

17 **Sec. 08.63.230. Disclosure statement.** A client may not be charged a fee for
18 marital and family therapy services unless, before the performance of the services, the
19 client was furnished a copy of a professional disclosure statement that contained

20 (1) the name, title, business address, and business telephone number of
21 the marital and family therapist;

22 (2) a description of the formal professional education of the marital
23 and family therapist, including the institutions attended and the degrees received from
24 the institutions;

25 (3) the marital and family therapist's areas of specialization and the
26 services available;

27 (4) the marital and family therapist's fee schedule listed by type of
28 service or hourly rate;

29 (5) a description of the exception to confidentiality contained in
30 AS 08.63.200(a)(6); and

31 (6) at the bottom of the first page of the statement, the following

1 sentence: "This information is required by the Board of Marital and Family Therapy,
2 which regulates all licensed marital and family therapists," followed by the name,
3 address, and telephone number of the board's office.

4 **Sec. 08.63.240. Limitation of practice.** Notwithstanding that a specific act is
5 within the definition of the "practice of marital and family therapy," a person licensed
6 under this chapter may not perform the act if the person lacks the appropriate
7 education, training, and experience related to the act.

8 * **Sec. 8.** AS 18.66.050 is amended to read:

9 **Sec. 18.66.050. Duties of the council.** The council shall

10 (1) hire an executive director, and the executive director may hire
11 [NECESSARY] staff; the executive director and staff are in the exempt service
12 under AS 39.25.110;

13 (2) elect one of its members as presiding officer;

14 (3) in consultation with authorities in the field, develop, implement,
15 maintain, and monitor domestic violence, sexual assault, and crisis intervention and
16 prevention programs, including educational programs, films, and school curricula on
17 the cause, prevention, and treatment of domestic violence and sexual assault;

18 (4) coordinate services provided by the Department of Law, the
19 Department of Education and Early Development, the Department of Public Safety,
20 the Department of Health and Social Services, and other state agencies and community
21 groups dealing with domestic violence, sexual assault, and crisis intervention and
22 prevention, and provide technical assistance as requested by those state agencies and
23 community groups;

24 (5) develop and implement a standardized data collection system on
25 domestic violence, sexual assault, and crisis intervention and prevention;

26 (6) conduct public hearings and studies on issues relating to violence,
27 including domestic violence and sexual assault, and on issues relating to the role of
28 crisis intervention and prevention;

29 (7) receive and dispense state and federal money and award grants and
30 contracts from appropriations for the purpose to qualified local community entities for
31 domestic violence, sexual assault, and crisis intervention and prevention programs;

L

1 (8) oversee and audit domestic violence, sexual assault, and crisis
2 intervention and prevention programs that receive money under this chapter;

3 (9) provide fiscal and technical assistance to plan, organize, implement
4 and administer domestic violence, sexual assault, and crisis intervention and
5 prevention programs;

6 (10) make an annual report to the governor on the activities of the
7 council, plans of the council for new services and programs, and concerns of the
8 council, including recommendations for legislation necessary to carry out the purposes
9 of this chapter; the council shall notify the legislature that the report is available;

10 (11) adopt regulations in accordance with AS 44.62 (Administrative
11 Procedure Act) to carry out the purposes of this chapter and to protect the health,
12 safety, well-being, and privacy of persons receiving services financed with grants or
13 contracts under this chapter;

14 (12) consult with the Department of Health and Social Services in the
15 formulation of standards and procedures for the delivery of services to victims of
16 domestic violence by health care facilities and practitioners of healing arts and
17 personnel in those facilities as required in AS 18.66.300;

18 (13) consult with the Alaska Police Standards Council and other police
19 training programs in the state to develop training programs regarding domestic
20 violence for police officers and for correction, probation, and parole officers;

21 (14) consult with public employers, the Alaska Supreme Court, school
22 districts, and prosecuting authorities who are required by AS 18.66.300 - 18.66.310 to
23 provide continuing education courses in domestic violence to employees.

24 * **Sec. 9.** AS 39.25.110 is amended by adding a new paragraph to read:

25 (37) the executive director and staff of the Council on Domestic
26 Violence and Sexual Assault established under AS 18.66.010.

27 * **Sec. 10.** AS 44.66.010(a)(11) is amended to read:

28 (11) Council on Domestic Violence and Sexual Assault
29 (AS 18.66.010) -- June 30, 2006 [2002];

30 * **Sec. 11.** AS 44.66.010(a)(18) is amended to read:

31 (18) Board of Storage Tank Assistance (AS 46.03.360) -- June 30,

1 2003 [2001];

2 * **Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 EXEMPTION FROM AS 44.66.050(e). This Act is exempt from the provision of
5 AS 44.66.050(e) that prohibits a bill from continuing the existence of more than one board,
6 commission, or agency program.

7 * **Sec. 13.** Sections 8 - 12 of this Act take effect immediately under AS 01.10.070(c).