

SB

257

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/8/02

REPORTED OUT

FEB 12 2002

SENATE FINANCE
COMMITTEE

FURTHER:

DATE TURNED IN TO OFFICE: 02/12/02

Finance Committee considered **SENATE BILL NO. 257**
SB 257 EXTEND BOARD OF PROFESSIONAL COUNSELORS
 "An Act extending the termination date of the Board of Professional Counselors."

and recommends:

- be replaced with CS SB 257 (FIN)
- adopt previous CS CS FORTHCOMING ()
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DCED	2/4/02	51.4		1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Linda Green</i>	✓			
<i>Mike ...</i>	✓			
<i>...</i>	✓			
<i>...</i>	✓			
<i>Drew ...</i>	✓			
<i>...</i>	✓			
COCHAIR: <i>...</i>				
COCHAIR: <i>Pete Kelly</i>	✓			

REPORTED OUT

FISCAL NOTE

FEB 12 2002

STATE OF ALASKA
2002 LEGISLATIVE SESSION

SENATE FINANCE
COMMITTEE

Fiscal Note Number: 1
Bill Version: SB 257
(S) Publish Date: 2/8/02

Revision Date/Time (Note if correction): 02-04-02 4:45 PM Dept. Affected: DCED
Title: An Act extending the termination date of the BRU: Occupational Licensing (117)
Board of Professional Counselors Component: Occupational Licensing
Sponsor: Senate Labor & Commerce
Requester: Senate Labor & Commerce Component No. 2360

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	27.2	27.2	27.2	27.2		
Travel	5.6	5.6	5.6	5.6		
Contractual	18.6	18.6	18.6	18.6		
Supplies	0.0	0.0	0.0	0.0		
Equipment	0.0	0.0	0.0	0.0		
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	51.4	51.4	51.4	51.4	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	51.4	51.4	51.4	51.4		
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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						
Other 1156-Receipt Supported Services	51.4	51.4	51.4	51.4		
TOTAL	51.4	51.4	51.4	51.4	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						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill extends the Board of Professional Counselors to June 30, 2005. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the board to conclude its affairs. The information above identifies direct expenditure and revenue information included in the FY 2003 Operating Budget request.

Prepared by: Jennifer Strickler, Administrative Manager Phone (907) 465-2144
Division: Occupational Licensing Date/Time 2/4/02 4:42 PM
Approved by: Deborah B. Sedwick, Commissioner Date 2/4/2002
Agency: Department of Community & Economic Development

SENATE FINANCE
COMMITTEE

22-LS1336\F.1

Amendment Number: # 1

Lauterbach

Bill Number: SB 257

2/11/02

Sponsor: Leman Date: 2/12/02

Logged In By: Robin

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR LEMAN

TO: CSSB 257(L&C)

- 1 Page 2, line 19:
- 2 Delete "completing the requirement of"
- 3 Insert "earning the degree required under [COMPLETING THE REQUIREMENT
- 4 OF]"

SENATE FINANCE COMMITTEE
 / / 2002 COMMITTEE ACTION

Bill Number			
Amendment	# 1		
Motion			
<u>Motion by</u>	Leman		
<u>Objection by</u>			
Removed			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Green			
Senator Hoffman			
Senator Leman			
Senator Olson			
Senator Ward			
Senator Wilken			
Senator Austerman			
Co-Chair Donley			
Co-Chair Kelly			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u>	PASSED		

Sponsor Statement

CSSB 257 – Extend Board of Professional Counselors

Under AS 08.29.010 the State Board of Professional Counselors regulates the practice of Professional Counselors ensuring that the requirements laid out for licensure are met and adhered to.

The board consists of five members appointed by the governor. Four members must be licensed professional counselors and one member must be appointed by the general public. Board members serve staggered terms of four years.

The regulation and licensing of qualified professional counselors safeguards the public by ensuring the competence and integrity of those who represent themselves as professional counselors.

The State Board of Professional Counselors is scheduled to terminate June 30, 2002 under AS 08.03.010, Termination of State Boards and Commissions. If the legislature does not act the board would have one year, until June 30, 2003 to administratively conclude its operations.

In accordance with the provisions of Title 24 of the Alaska Statutes, Legislative Budget and Audit conducted a sunset review of the State Board of Professional Counselors. It is the opinion of Legislative Budget and Audit that the State Board of Professional Counselors is operating in an efficient and effective manner and should continue to regulate the counselor profession. CS SB 257 would extend the State Board of Professional Counselors three years to June 30, 2005.

In their sunset review, Legislative Budget and Audit also recommended that the legislature consider combining the State Board of Professional Counselors and the State Board of Marital and Family Therapists into a single oversight and licensing board. While this legislation does not combine those two boards, it extends the sunset date of the Board of Professional Counselors to coincide with that of the State Board of Marital and Family Therapists.

In Section 2 of the CS changes in the education requirement were made at the request of the Board and the Department. This change was also adopted in the House version of the bill.

Talking Points to Section 2 of CSSB 257 (L&C)

Current statutory language requires that an individual seeking licensure as a Licensed Professional Counselor (LPC) must have graduated from a regionally or nationally accredited master's level program with a minimum of 48 semester hours. They then must take additional hours of graduate level counseling course work for a total of 60 semester hours.

Some regionally or nationally accredited programs graduate master's level students with fewer than 48 semester hours. Changing the statute to delete the minimum required graduate program hours would accommodate these people and still maintain the 60-semester hour total.

The alternative is that these graduates would have to start new 48-hour master's programs. At a time of critical shortages in the mental health field across Alaska and the rest of the country, most people would opt for work elsewhere.

Audit Report

DEPARTMENT OF COMMUNITY
AND ECONOMIC DEVELOPMENT
BOARD OF PROFESSIONAL COUNSELORS
SUNSET REVIEW

September 12, 2001



Audit Control Number:

08-20012-01

Division of Legislative Audit

P.O. Box 113300, Juneau, Alaska 99811-3300

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

DIVISION OF LEGISLATIVE AUDIT

The Legislative Budget and Audit Committee is a permanent interim committee of the Alaska Legislature. The committee is made up of five senators and five representatives, with one alternate from the Senate and two from the House. The chairmanship of the committee alternates between the two chambers every legislature.

The committee is responsible for providing the legislature with audits of state government agencies. The programs and activities of state government now cost more than \$6 billion a year. As legislators and administrators try increasingly to allocate state revenues effectively and make government work more efficiently, they need information to evaluate the work of governmental agencies. The audit work performed by the Division of Legislative Audit helps provide that information.

As a guide to all their work, the Division of Legislative Audit complies with generally accepted auditing standards established by the American Institute of Certified Public Accountants and with government auditing standards established by the U.S. General Accounting Office.

Audits are performed as mandated by Alaska Statutes or at the direction of the Legislative Budget and Audit Committee. Individual legislators or committees can submit requests for audits of specific programs or agencies to the committee for consideration. Copies of all completed audits are available from the Division of Legislative Audit's offices in either Juneau, Anchorage, or our web site <http://www.legis.state.ak.us/legaud/web/default.htm>.

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DIVISION OF LEGISLATIVE AUDIT

Pat Davidson, CPA
Legislative Auditor

P.O. Box 113300
Juneau, AK 99811-3300

(907)465-3830, Juneau
(907)561-1445, Anchorage
(907)465-2347, Juneau Fax
(907)561-1452 Anchorage Fax

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit



October 1, 2001

P.O. Box 113300
Juneau, AK 99811-3300
(907) 465-3830
FAX (907) 465-2347
Internet e-mail address:
legaudit@legis.state.ak.us

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 of the Alaska Statutes, the attached report is submitted for your review.

DEPARTMENT OF COMMUNITY
AND ECONOMIC DEVELOPMENT
BOARD OF PROFESSIONAL COUNSELORS
SUNSET REVIEW

September 12, 2001

Audit Control Number

08-20012-01

This audit was conducted as required by AS 44.66.050 and under the authority of AS 24.20.271(1). Alaska Statute 44.66.050(c) lists criteria to be used to assess the demonstrated public need for a given board, commission, agency, or program subject to the sunset review process. Currently under AS 08.03.010(c)(17), the Board of Professional Counselors is scheduled to terminate on June 30, 2002. The board would be allowed one year in which to conclude its administrative operations.

In our opinion, the Board of Professional Counselors is operating in an efficient and effective manner and should continue to regulate the counselor profession. We believe the board is safeguarding the public interest by promoting the competence and integrity of those who would hold themselves out to the public as professional counselors. As discussed in Recommendation No. 1 in the Findings and Recommendations section of this report, we believe there is merit to combining the Board of Professional Counselors with the Board of Marital and Family Therapy.

This audit was conducted in accordance with generally accepted government auditing standards. Fieldwork procedures utilized in the course of developing the findings and discussion presented in this report are discussed in the Objective, Scope, and Methodology section of this report.

A handwritten signature in black ink that reads "Pat Davidson".

Pat Davidson, CPA
Legislative Auditor

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OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with the intent of Title 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities and operations of the Board of Professional Counselors. Under AS 44.66.050(a), the legislative committee of reference is to consider this report during the legislative oversight process to determine whether the board should be reestablished. Currently AS 08.03.010(c)(17) requires the board to terminate on June 30, 2002. If the legislature takes no action to extend the termination date, the board will have one year from that date to conclude its operations.

Objectives

There are three central, interrelated objectives of our report. They are:

1. To determine if the termination date of the board should be extended.
2. To determine if the board is operating in the public's interest.
3. To determine if the board has exercised appropriate regulatory oversight of licensed counselors.

The assessment of the operations and performance of the board was based on criteria set out in AS 44.66.050(c). Criteria set out in this statute relate to the determination of a demonstrated public need for the board.

Scope and Methodology

Under the direction and supervision of the Division of Legislative Audit, another auditor conducted the majority of this review. We followed professional standards to determine that the other auditor was independent and that their work was competent and sufficient.

We reviewed the board activities and licensing functions for FY 99 through FY 00. The major areas of our review were licensing, examination, investigations, and board proceedings. We reviewed and evaluated the following:

1. Applicable statutes and regulations
2. Tests of files and documentation of licensees
3. Investigation files
4. Minutes of board meetings and division correspondence files
5. Attorney general's opinions applicable to professional boards

We conducted interviews with employees of the Department of Community and Economic Development, Division of Occupational Licensing. In addition, we conducted a survey of the license holders of the following boards: Professional Counselors, Marital and Family Therapy, and Psychologist and Psychological Associate Examiners. This survey was to assist in the evaluation and gain the perspective of licensed professionals regarding possible consolidation of two or more of the aforementioned boards.

(Intentionally left blank)

ORGANIZATION AND FUNCTION

The Board of Professional Counselors was established under the provisions of Title 8, Chapter 29 of Alaska Statutes. The board consists of five members appointed by the governor and subject to legislative confirmation. Four members must be licensed professional counselors and one member must be appointed from the general public. Board members serve staggered terms of four years.

The board regulates the practice of Professional Counselors. The board sets the minimum standards to practice in Alaska by:

1. Examining and issuing licenses to qualified applicants.
2. Establishing, amending, or eliminating regulations controlling the standards of practice for the counseling profession.
3. Revoking, annulling, or suspending licenses in accordance with the Administrative Procedures Act when an individual has violated the statutes or regulations of Professional Counselors.

Board of Professional Counselors

(As of June 1, 2001)

Anne Henry, Counselor, Chair

Janet McGillivray, M.Ed., Counselor

Allan Morotti, Ph.D., Counselor

Sondra Sexton-Jones, Counselor

David Leonard, Public Member

Department of Community and Economic Development, Division of Occupational Licensing

The Department of Community and Economic Development, Division of Occupational Licensing provides administrative and investigative assistance to the Board of Professional Counselors. Administrative assistance includes budgetary services, functions such as collecting fees, maintaining files, receiving and issuing application forms, and publishing notices of examinations and meetings.

Alaska Statute 08.01.065 mandates the Department of Community and Economic Development, with the concurrence of the board, adopt regulations to establish the amount and manner of payment of application fees, examination fees, license fees, registration fees, permit fees, investigation fees, and all other fees as appropriate for the occupations covered by the statute.

Alaska Statute 08.01.087 empowers the Division of Occupational Licensing with the authority to act on its own initiative or in response to a complaint. The division may:

1. Conduct an investigation if it appears a person engaged in or is about to engage in a prohibited professional practice.
2. Bring an action in Superior Court to enjoin the act.
3. Examine the books and records of an individual.
4. Issue subpoenas for the attendance of witnesses and records.

(Intentionally left blank)

REPORT CONCLUSIONS

In our opinion, the Board of Professional Counselors is operating in an efficient and effective manner and should continue to regulate professional counselors. We believe the board is safeguarding the public interest by promoting the competence and integrity of those who would hold themselves out to the public as professional counselors. As discussed in Recommendation No. 1, we believe there is merit to combining the Board of Professional Counselors with the Board of Marital and Family Therapy.

Alaska Statute 08.03.010(c)(1), requires that the Board of Professional Counselors be terminated on June 30, 2002. Under AS 08.03.020, the board has a one-year period to administratively conclude its operations. Based upon our review of the board's performance, we recommend the termination date for the board be extended to June 30, 2006.

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FINDINGS AND RECOMMENDATION

Recommendation No. 1

The legislature should consider combining the Board of Professional Counselors and the Board of Marital and Family Therapy into a single oversight and licensing board.

The Board of Professional Counselors was created by the 1998 legislature. From our review of the legislative history of the bill creating the board, there was some interest expressed in possibly placing the licensing and regulation of professional counselors under the already existing Board of Marital and Family Therapy (BMFT). After committee discussion and questioning, it was decided to create a separate Board of Professional Counselors – in part because of concern that the one time “start-up” costs involved in regulation should be borne entirely by counselors rather than possibly being made part of the costs that may be paid by marital and family therapists.

As part of our sunset review of the Board of Professional Counselors (BPC), we considered the merits of possibly combining the board with one or more of the boards involved with behavioral health, such as BMFT or the Board of Psychologist and Psychological Associate Examiners (BPPAE). From our review we determined the combination that had the most public policy merit was combining the Board of Professional Counselors and the Board of Marital and Family Therapy.

The factors that support such a potential combination of these boards are as follows:

1. Reduction in administrative costs and related licensing fees. The professional counselor license fee is likely to decrease regardless of merging the BPC and the BMFT boards because much of the start-up costs associated with establishing BPC have already been incurred. However, our cost analysis indicates that merging the boards would decrease administrative costs. Therefore, merging the boards would likely contribute to a reduction in the licensing fees for professional counselors.
2. Combination oversight of these professions is common in other states. We compared the licensing structure of other states for counselors and therapists to that used in Alaska. It is a common practice for both professions to be licensed and regulated by the same board or oversight agency. Other jurisdictions have evidently had success with a central oversight authority for these professional groups. In review and discussion with other state oversight boards, a majority of those contacted reported success with a combined “omnibus” board. After contacting more than 20 states, we found that over 80% had created a professional mental health or behavior sciences board to license and credential counselors as well as marital and family therapists.
3. Educational requirements and practice standards are very similar. The educational and training requirements for counselors and therapists are very similar. Marital and family therapists may have a more specialized systemic training for group and family counseling; however, this distinction does not appear to preclude developing a combined oversight board. In our view, the educational and professional distinctions are no more

disparate than they are between Architects, Engineers, and Land Surveyors – all professions regulated by a single board in Alaska.

4. There is some sentiment for combining boards amongst practitioners. As part of our review, we surveyed licensees of three behavioral health boards; BMFT, BPC, and BPPAE. While psychologists were (for the most part) opposed to any such combination, a majority of BMFT and BPC licensees responding to the survey expressed support for a combined board.

If the legislature passes a measure combining the two boards, we would recommend the termination date for the new board be set June 30, 2005. This would coincide with the current termination date established for the Board of Marital and Family Therapy.

ANALYSIS OF PUBLIC NEED

The following analysis of the Board of Professional Counselors (board) activities relates to the public need factors defined in the "sunset" review law, AS 44.66.050. These analyses are not intended to be comprehensive, but address those areas we were able to cover within the scope of our review.

Determine the extent to which the board, commission, or agency has operated in the public interest.

Since its inception in 1998, the board has acted in the interest of the public by establishing licensing requirements and minimal practice standards for counselors. Such standardization has improved the manner and consistency with which counseling services are delivered. In addition, the licensing of professionals has qualified more service delivery for Medicaid insurance reimbursement – thereby providing more public access to counseling services.

Determine the extent to which the operations of the board has been impeded or enhanced by existing statutes, procedures, and practices, which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

The current examination statutes and regulations have somewhat impeded the board's ability to provide for a consistent examination process. Currently, the board is in the process of revising regulations to provide for a more improved process of licensing professional counselors through an examination process.

Under the board's statutes [AS 08.29.020(1)] it has the authority "to provide for licensure in areas of counseling specialization." This suggests that the board can develop and apply criteria for licensing specialized counselors such as marital and family therapists. As discussed in Recommendation No. 1, these "specialized" counselors currently fall under the purview of another board. This presents the potential for future conflict should the Board of Professional Counselors ever choose to develop a specialization in marital and family counseling.

Determine the extent to which the board has recommended statutory changes that are generally of benefit to the public interest.

The board has had limited activity in this area. Since the board is relatively new, it has spent most of its time developing regulations that would ensure counselors are licensed and regulated in a manner consistent with the public interest.

Determine the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of services, economy of service, and availability of services that it has provided.

The location, date, and time of board meetings and licensing examinations were advertised in Alaskan newspapers with adequate time for interested individuals to attend or to submit written comment for review. The board's meeting agenda sets aside suitable time for public comment. Minutes from the meetings of the board reflect public participation at various meetings.

Determine the extent to which the board has encouraged public participation in the making of its regulations and decisions.

Public notice was given for all proposed regulations in major Alaskan newspapers. The board meeting minutes document that unlimited time was allotted for the scheduled public comment period. All proposed regulation changes are submitted to the public participation process.

Determine the efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

For the period between July 1, 1998 and June 30, 2001 (FY 99 – FY 01), the Division of Occupational Licensing opened 18 cases related to professional counselors. Most of the cases involved applicants seeking initial licensure as professional counselors. These applicants were attempting to be licensed on a "grandfather" basis. That is, they sought to be licensed by virtue of their education or work experience. The cases can be summarized as follows:

1. Licensing disputes. Of the 11 cases involving licensing disputes, two completed the formal hearing process. In one of the appeals, the hearing officer upheld the board's initial license denial decision. In the other hearing, the hearing officer recommended that licensure be granted, and the board adopted his decision.

As of August 2001, the disposition of the other nine cases involving disputes over licensure was as follows:

- a. Two hearings were dismissed on procedural grounds by the hearing officer involved.
 - b. After requesting a hearing one individual withdrew his application.
 - c. Six other individuals (who were denied licensure) either had hearing requests, or have hearing officer decisions still pending.
2. Complaints from the public regarding counseling practice of licensees. The division received five complaints from the public regarding the way licensees (or, in one instance, an applicant for licensure) were conducting their practice. The case involving the applicant was closed when the individual involved withdrew his application for licensure. In one complaint the investigation found no violation by the licensee, and in another, the individual involved agreed to voluntarily comply with state advertising regulations related to the term "professional counselor." Investigations involving the two other complaints were still in progress as of August 2001.

3. Self-reported criminal background. In two instances, cases were opened when prospective applicants reported past criminal offenses on their license application. In both instances the board reviewed the nature of the offenses involved and the length of time since the most recent offense, before deciding to grant licenses to both individuals.

We have reviewed the nature and extent of complaints filed involving licensed professional counselors. In our view, the Division of Occupational Licensing, in conjunction with the board, took appropriate investigative actions, prioritized complaints in a reasonable manner, and proceeded in a manner consistent with the potential threat the complaints posed to the public welfare.

Determine the extent to which the board regulates entry into an occupation or profession and whether it has presented qualified applicants to serve the public.

Since the board's inception it has licensed most individuals by what is termed "transition" (see table that follows). To qualify for transitional licensure an individual had to submit an application by June 30, 2000 and meet the following qualifications:

1. Hold a masters or doctorate degree in counseling or related field
2. Demonstrate that they had 24 months of post-graduate work experience within the 60 months preceding the date of application
3. Submit two letters of reference from counselors familiar with the applicant's work

To date, few individuals have been licensed by credentials. To qualify for licensure by credentials, the individual must demonstrate they were licensed and practiced in good standing in another jurisdiction with requirements equivalent to those in Alaska.

New Licenses Issued	FY 99	FY 00	FY 01	Total	Issued to Date
Licensed by Transition	0	114	184	298	298
Licensed by Credential	0	5	18	23	23
Counselor Supervisor	0	0	11	11	11

The board has developed regulations to provide for licensure by examination; however, the board has not yet developed or offered an examination. The board is working toward developing an appropriate examination.

Currently people may still offer counseling without a license. Those without a license cannot advertise or hold themselves out to be licensed professional counselors.

Determine the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board to its own activities and the area of activity or interest.

We did not find any evidence that the board was not complying with the state personnel practices, including affirmative action in qualifying applicants. In no instances has the board denied an applicant a license based on personal attributes.

Determine the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the board to better serve the interest of the public and to comply with the factors enumerated in this subsection.

As discussed in Recommendation No. 1, we recommend the Board of Professional Counselors and the Board of Marital and Family Therapy be combined. In our view, such a combination would result in less administrative costs and lessen the possible conflict between the scope of practice of counselors and marital and family therapists.

Appendix A: Survey Results

Below are the results of the survey conducted to assess the support for a combined board. The rate of response is as follows:

Licensees	Surveyed	Responses	% Response
Marriage and Family Therapists (MFT)	227	28	12%
Professional Counselors (PCO)	325	75	23%
Psychologists and Associates (PSY)	208	74	36%

1. What combination of the following state licensing boards would you believe would be effective?

	PCO & MFT	PCO & PSY	MFT & PSY	Combination of all three	None	Not Sure
Marital and Family Therapists	2 7%	1 3.5%	3 11%	15 54%	6 21%	1 3.5%
Professional Counselors	18 24%	2 3%	0 0%	34 45%	20 27%	1 1%
Psychologists and Associates	25 34%	1 1.5%	1 1.5%	12 16%	32 43%	3 4%

2. Do you think that your professional representation would be impaired if the state oversight boards of (a) Professional Counselors, (b) Marital and Family Therapists, and (c) Psychologists and Psychological Associates were combined?

	Yes	No	Unanswered	Not Sure
Marital and Family Therapists	9 32%	19 68%	0 0%	0 0%
Professional Counselors	29 38.5%	41 54.5%	3 4%	2 3%
Psychologists and Associates	59 80%	12 16%	0 0%	3 4%

Appendix A: Survey Results (continued)

3. Are you currently licensed by more than one occupational licensing board?

	Yes		No		Unanswered	
Marital and Family Therapists	10	36%	16	57%	2	7%
Professional Counselors	12	16%	63	84%	0	0%
Psychologists and Associates	9	12%	65	88%	0	0%

4. The licensing of Professional Counselors would most effectively be monitored by . . .

	BOARD COMBINATIONS											
	PCO	PSY	MFT	PCO/ PSY	PSY/ MFT	MFT/ PCO	All	None	Unsure			
Marital and Family Therapists	12	43%	1	3.5%	3	11%	1	3.5%	1	3.5%	6	21%
Professional Counselors	52	70%	1	1%	3	4%	3	4%	0	0%	6	8%
Psychologists and Associates	43	58%	8	11%	1	1%	5	7%	1	1%	5	7%

5. The state licensing board adequately regulates entry into your profession.

	Strongly Agree		Agree		Neutral		Disagree		Strongly Disagree	
Marital and Family Therapists	7	25%	12	43%	6	21%	2	7%	1	4%
Professional Counselors	14	19%	47	63%	10	14%	2	2%	2	2%
Psychologists and Associates	16	21.5%	43	58%	11	15%	3	4%	1	1.5%

Appendix A: Survey Results (continued)

6. The initial and biennial occupational licensing fees for your profession are reasonable.

	Strongly Agree	Agree	Neutral Disagree	Strongly Disagree
Marital and Family Therapists	0 0%	3 11%	0 0%	7 25% 18 64%
Professional Counselors	0 0%	10 13%	15 20%	22 30% 28 37%
Psychologists and Associates	0 0%	5 7%	2 2.5%	13 17.5% 54 73%

7. What, in your opinion, would be the advantages and/or disadvantages of merging the state boards of (a) Professional Counselors, (b) Marital and Family Therapists, and (c) Psychologists and Psychological Associates?

Marital and Family Therapists

Combining boards would allow for lower fees.

The general consensus of marriage and family therapists is to combine boards with professional counselors to benefit uniform and statute regulations.

Note that not all professions would be equally represented.

A concern was expressed to consider adding social workers.

All professional licenses are better represented for the mental health profession and it is good without the cost of litigation.

Another concern was that the ethics violation would decrease and need to be further regulated instituting more government control, which the therapists do not want.

Professional Counselors

Professional counselors wouldn't mind teaming with the marriage and family therapists, feeling somewhat inferior to the psychologists.

Master levels under one board are devalued.

LPC needs more time and effort to make a valid decision.

The peer reviews would be cumbersome.

Appendix A: Survey Results (continued)

The psychologists have lobbied to have counselors excluded from licensing.

There would be fewer board members.

There should be a decrease in operating expenses.

It would strengthen the professional platform clinically and legislatively.

Biennial occupational licensing is too frequent; suggests 5 years.

We should have a more prompt renewal rate.

There should be higher educational training opportunities.

Allow board to delegate administrators.

Psychologists and Associates

No advantages; psychologists would be misrepresented. There are different requirements for each profession, and they cannot be compared.

Effectiveness of the board would be diluted.

Decreased understanding and awareness of the different professions by the public.

There should be uniform standards which should include social workers.

Fees in Alaska are 8 times higher than any other state.



**Department of Community
and Economic Development**

Division of Occupational Licensing

P.O. Box 110806, Juneau, AK 99811-0806

Telephone: (907) 465-2534 • Fax: (907) 465-2974 • Text Telephone: (907) 465-5437

Email: license@dced.state.ak.us • Website: www.dced.state.ak.us/occ/

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LEGISLATIVE AUDIT

November 12, 2001

Jim Griffin
Audit Manager
Division of Legislative Audit
P.O. Box 113300
Juneau, AK 99811-3300

Dear Mr. Griffin:

On November 9, 2001, the Board of Professional Counselors met in their regularly scheduled meeting. During that meeting we made time on the agenda to discuss the draft of the Legislative Auditor's Report. Additionally, we had an opportunity discuss with members of the Board of Marital and Family Therapists, the recommendation that there be a merging of the boards.

We agree with the Auditor's conclusions that the Board is operating in an efficient and effective manner and that we are safeguarding the public interest. The Board also supports the Auditor's recommended extension of the termination date to June 30, 2006.

With your permission, I shared with Licensed Professional Counselor Board members and representatives from the Board of Marital and Family Therapists, a draft of legislative language to combine the two boards. While we agreed that there are many points in common with the boards, there are many rough spots that will require considerable work to incorporate into such language. Neither board is currently prepared to either endorse the idea of a combined board, nor are they of a mind to reject the notion. However, we would appreciate your support in continuing along the current path of discussion.

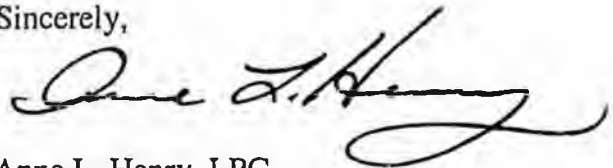
We believe that there are benefits to continuing as separate boards, and to combining. Other states do have combined boards, and it would be beneficial to study different structures and methods that are employed. A combined board would slightly reduce the administrative costs of licensing, but the actual fee reduction to individual licensees might not outweigh the extra representation by individual boards. And finally, the main point that needs consideration is the impact on public protection.

After considerable discussion it was agreed that our Board's response to Recommendation No. 1 of the Legislative Audit Report should be a request that the recommendation be amended. We strongly urge you to recommend that the legislature urge the two boards to explore combining boards, and if they find that combining boards would be of benefit to the public and licensees, that they develop legislative language to combine boards by the 2004 legislative session.

Please allow us to take the time to make a thoughtful decision about whether or not to combine boards, to develop statutory language that will be agreed upon by both current boards and their members, and to develop language what we will not have to amend over the next several years because we rushed into this potential change.

Thank you for your thoughtful and thorough audit of the Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne L. Henry".

Anne L. Henry, LPC
Chair

Board of Licensed Professional Counselors

Tony Knowles, Governor

Alaska

Department of Community
and Economic Development

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LEGISLATIVE AUDIT

November 27, 2001

Pat Davidson, Legislative Auditor
Legislative Budget and Audit Committee
Division of Legislative Audit
PO Box 113300
Juneau, AK 99811

Dear Ms. Davidson:

Thank you for the opportunity to comment on the Board of Professional Counselors preliminary audit.

The division agrees that the board is operating in an efficient and effective manner and should continue to regulate professional counselors.

Recommendation No. 1

The legislature should consider combining the Board of Professional Counselors and the Board of Marital and Family Therapy into a single oversight and licensing board.

The division appreciates the auditors' review of this issue and the survey of licensees. The Board of Professional Counselors and the Board of Marital and Family Therapy met and discussed the recommendation. The division agrees with the letter from the chair of the Board of Professional Counselors. It appears that more time is needed to develop a consensus on board merger and draft legislation that will address the concerns of affected professions.

Sincerely,



Catherine Reardon, director

(Intentionally left blank)

SB 257-EXTEND BOARD OF PROFESSIONAL COUNSELORS
SENATE FINANCE COMMITTEE

SIGN-IN

NAME: Pat Davidson Subject/Bill No: SB 257
Co./Dept./Title: Leg Audit Phone: x3830
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: Anne Henry Subject/Bill No: SB 257
Co./Dept./Title: LPC Board Chair
Div. of Mental Health + ND - special projects Phone: 4852
Address: PO Box 110620 Juneau Zip: 99811
Do you wish to testify? Yes No Respond To Questions

NAME: Catherine Reardon Subject/Bill No: SB 257
Co./Dept./Title: Director, Division - P Phone: 445-2538
Address: Occupational Licensing Zip: 99811
DCED 120 110806 Juneau AK
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions