

LEG. FINANCE - BILLS 1975 - 1976 446

SB 629 thru HB 635 446



RECORDS CERTIFICATION

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James O. Smith
Signature of Camera Operator

2/6/90
Date

SENATE BILL NO. 629

For an act entitled: "An Act relating to the enactment of the Interstate Compact on the Placement of Children; and providing for an effective date"

34 states have adopted the Interstate Compact on the Placement of Children. Senate Bill 629 proposes the addition of that compact to Alaska State Statutes. In order to determine other states' experience on this issue, a survey letter was forwarded to each state which had adopted the compact. The specific areas of interest included:

- (1) Uses and advantages of the compact by the state,
- (2) problem areas of implementation noted by states,
- (3) unforeseen costs of implementation,
- (4) Information and referral services available to compact states,
- (5) general conclusions about experience with program.

12 states (35%) responded to the survey.

<u>STATE</u>	<u>YEARS IN PROGRAM*</u>
California	2
Colorado	1
Florida	2
Iowa	not stated
Kentucky	16
Louisiana	8
Minnesota	3
Missouri	1
New Hampshire	11
North Carolina	5
Oregon	1
Wyoming	13

* Rounded to nearest year.

The analysis that follows outlines the experience of these states in utilizing the Interstate Compact. Probably the most positive statement received to date was that forwarded by the Commonwealth of Kentucky:

We in the Commonwealth of Kentucky can state without reservation that we would recommend the passage of this compact as enabling legislation for the State of Alaska, thus providing the administrative and operational structure to make a more adequate delivery of services to the eligible clients under the Interstate Compact on the Placement of Children.

It should be noted that Kentucky speaks from 16 years of experience in the program, the longest of any respondent to the survey.

SURVEY FINDINGS
OF 12 COMPACT STATES' EXPERIENCE
WITH AGREEMENT

I. Uses and Advantages of Compact by State

A. Better Protection for Dependent Children Placed Across State Lines.

The Interstate Compact on the Placement of Children was established to insure better protection for dependent children being placed across state lines. The Interstate Compact gives recognition to the needs and rights of children to be protected and insures safeguards by establishing a system for responsible planning.

The Compact provides guidelines for member states working together cooperatively to provide for communication and written summaries between the sending and receiving states prior to the children's placement. It insures that dependent children will be placed in a suitable environment and that they receive supervision by the receiving state.

The purpose of the Interstate Compact on Placement of Children is designed to effect cooperation among member states to insure that:

1. Each child requiring placement will receive the maximum opportunity to be placed in a suitable environment.
2. Appropriate agencies in the state where the child is to be placed can determine the full circumstances of the proposed placement, thereby promoting the protection of the child.
3. Appropriate agencies in the state from which the child is being sent can obtain the most complete information on the proposed placement and evaluate the placement before it is made.
4. Jurisdictional arrangements for the care of the child to be placed are appropriate.

B. Definition of Responsibility

The Compact clearly defines who is financially and legally responsible for the child and under what circumstances these responsibilities may be transferred or terminated. These responsibilities are placed in statute by adopting state carrying that level of authority for enforcement.

C. Uniformity of Procedures

Each adopting state approves a basic compact agreement. This uniformity in law simplifies transactions. Rather than state dealing with each individual states' unique statutes and laws, all states approving the compact agree to one standard set of procedures. Prior to the compact, individual states had no central authority. Practices often lacked coordination. The compact is one means of minimizing problems in these interstate procedures.

D. "Spirit of Cooperation"

Most of the states responding to the survey noticed a renewed interest in cooperation between states on placement of children since adoption of the compact. Planning for proper placement of child often involves much discussion and correspondence in order to find most appropriate situation for him.

E. Designated Person in Each Compact State to Coordinate Placements with Compact Adoption.

Persons were designated in each state to coordinate placements across state lines. These people were held responsible for implementing the compact and thus became knowledgeable in interstate laws, including their requirements and limitations. Prior to the compact, many states had no single individual designated with these responsibilities.

F. Retention of Jurisdiction included in Compact

Many states that have adopted the compact find that specification of jurisdiction is invaluable to safety and proper placement of children in a mobile society. This provision allows compact states to monitor care of dependent children currently placed out of state. Specific examples included reviewing care of abused or neglected dependent child returned to his family on a "trial basis", when that family has moved to another state. The original state would retain jurisdiction in that situation.

II. Problem Areas of Implementation Noted by States

A. Administrative

1. Adjustment of agencies to new forms and procedures.
2. Informing those individuals or agencies receiving children of provisions of compact.

3. Re-education of staff in preparation of referrals to process them in a timely manner to insure that studies are completed by the time the scheduled placement is to occur.

4. Creation of more paperwork than anticipated to monitor placements.

5. Insufficient state funding to adequately implement the program.

B. Medical

Reluctance of other states medical communities to provide medical care for children from other states.

C. Legal

No amendment or adverse legal decision since passage of compact in two states

III. Unforeseen Costs of Implementation

A. Survey Results:

<u>RESPONSE</u>	<u># OF RESPONSES</u>	<u>% OF RESPONSES</u>
No Appreciable Additional Cost	6	50%
Program Not Implemented due to Legislative Freeze on New Programs	1	8%
Cannot be determined	1	8%
No Comment	4	34%
<hr/>		
Total	12	100%

B. Areas of Expenditure:

1. Staff from 0 additional in New Hampshire to 2 additional in California,

2. Long Distance Telephone

3. Training of Staff

4. Printing and distribution of forms and manuals

IV. Information and Referral Services Available to States

- a. Compact itself does not provide specific information but serves as a vehicle to obtain such information.
- B. No state provides actual planned education activities to inform others in compact of available services.
- C. Compact states provide specific information, evaluation, and recommendations regarding institutions, and other placement facilities, upon request.

V. General Conclusions About Experience with Program

A. Survey Results:

<u>Responses</u>	<u># of Responses</u>	<u>Category Total</u>
<u>"Favorable" Response</u>		10
"Useful and affords children better care and protection"	6	
"Very pleased"	2	
"Feeling of confidence with placements"	1	
Recommend passage of compact "without reservation"	1	
<u>"Neutral" Response</u>		2
"No comment"	1	
"Not implemented yet, due to legislative freeze on new programs"	1	
Total:	12	12

ALASKA LAW AND THE INTERSTATE
CONTACT ON THE PLACEMENT OF CHILDREN

Alaska is in a situation that is both materially similar to and substantially different from that of the contiguous forty-eight states. As in any of these other jurisdictions, the Alaska State Government bears the public responsibility for the welfare of children. It is up to state law to fix the procedures and responsibilities attendant on adoption, foster care, and the institutional placement of juveniles under adjudication of delinquency.

Like other states, Alaska has a large number of people who have come from or will go to other states, often accompanied by their own natural children or those for whom they are caring on some other basis. Movement of adults also means the certainty that situations will occur in which children who have been deprived of normal home environments with their natural parents are or should be placed into Alaska from other states or are the subjects of placements from Alaska to other jurisdictions.

Every state has found that it is not and cannot be a closed and self-sufficient child care community. At any given time, there are children in the state for whom no appropriate placement resources can be found locally or for whom there are better ones elsewhere. Conversely, there inevitably are instances in which children in other states do or should come to Alaska for preadoptive placement, foster care, or post delinquency adjudication placement.

In attempting to deal with these situations, Alaska finds itself in an unusual situation. Its own population is small, thereby decreasing the likelihood of a local balance between children needing placement and adults or institutions willing or anxious to provide them. Furthermore, the noncontiguous position of Alaska makes every interstate placement a long distance

affair, and so one in which the parties are confronted with even greater than normal difficulties in ascertaining the facts about the present and intended environment for the child and in providing or making arrangements for placement supervision and child care services.

Alaska statutes recognize the importance of interstate arrangements to the state, but they do not sufficiently provide the basis for the necessary interstate relationships and procedures. To make this point clear, it is desirable to examine each of the several statutes and to indicate its coverage and limitations.

The Interstate Compact on Juveniles. (Ala. Stat. 47.15.010 et seq.)

All fifty states, including Alaska, are parties to the Interstate Compact on Juveniles. This compact is sometimes confused with the Interstate Compact on the Placement of Children, but their coverages are different. The Juvenile Compact deals with interstate runaway children and with parole and probation supervision for juveniles adjudicated delinquent. The Interstate Compact on the Placement of Children covers preadoptive placements, foster care placements, and institutional placements of adjudicated delinquents.

Article X of the Juvenile Compact authorizes the making of agreements between compact states for the institutional care and confinement of adjudicated delinquents and Alaska is one of the few states which have made significant use of its provisions. This has been done in the past because of Alaska's relative lack of appropriate facilities and specialized juvenile reformatory or correctional programs. However, the provisions of Article X make it difficult or impossible to use the Juvenile Compact properly for placements in private child caring institutions. Thus major resources in other states for child care (particularly where specialized programs are needed) cannot be utilized under that compact. The Interstate Compact on the Placement of Children remedies this deficiency.

Another recognition in Alaska statutes of the need for interstate arrangements for child welfare is a seemingly very broad authorization to the Department of Health and Social Services to make reciprocal agreements with other states. Section 47.05.010(11) of the Alaska Statutes provides that the Department has a duty to enter into reciprocal agreements with other states relative to ... welfare services ... which are considered advisable. While this appears to be an appropriate provision to cover most placement services provided by the Department or other public agencies, and even services procured from out-of-state private agencies by public agencies in Alaska, such is not actually the case. The problem is that the statute is only authorizing in character. As a unilateral act of the Alaska Legislature, Section 47.05.010(11) may be enough to allow the Department to negotiate for services from persons and agencies in other jurisdictions who are both authorized and willing to provide them to children and public agencies of other states. For welfare departments and other public agencies in other states, this means the ones which have sufficient authorization from their own legislatures and which are also willing to commit staff time on a voluntary basis. In other words, Section 47.05.010(11) can be useful for such purely voluntary cooperation as Alaska may be able to secure from other states. The amount of such cooperation is certainly worthwhile, but it is far from sufficient. In the absence of the compact, each public agency in every state often feels impelled, and sometimes is statutorily restricted, to provide for its purely intrastate placement situations and to give lesser or no attention to interstate placements. While this circumstance is understandable, it seriously diminishes opportunities for needed placements, lessens the quality and quantity of available protective and other children's services, and results in deprivation for children in Alaska and elsewhere.

Alaska law presently provides for the support of a child by parents or other responsible private persons in some circumstances where placements have been made. (Ala. Stat. 47.10.120) So long as all the parties involved are in Alaska, such statutory requirements can be enforced. However, where either the obligated adults or the child are in other states, such responsibilities are now enforced either with great difficulty or not at all. This is especially true when the liability is or should be that of a nonrelative because provisions of the Uniform Reciprocal Enforcement of Support Laws do not apply.

Experience has shown that no state can rely entirely on its own internal resources to take care of the placement needs of its children. Also, it is clear that every state needs the support of law and appropriate administrative processes in other states if interstate placements are to be properly supervised and services assured. These are the reasons why thirty-four states have already enacted the Interstate Compact on the Placement of Children. Of particular interest to Alaska is the fact that all three of the states of Washington, Oregon and California are in the Compact. However, this is by no means the limit of its significance for Alaska. Experience has shown that in our presently mobile society, interstate placements are made among even the most distant jurisdictions.

Value of the Compact.

This memorandum has identified several problems relating to the interstate placement of children. It should also be emphasized that the public policy of no state prohibits interstate placements of children, nor could it constitutionally do so. Such placements occur among states, whether or not they have the Compact. Indeed, as population and mobility continue to increase, the numbers of such interstate placements also are bound to increase. However, the Compact makes known many interstate placements which, in its

absence, remain outside the knowledge of public authorities and so largely beyond the protection of the law.

The Compact either cures entirely or provides substantial help in overcoming each of the deficiencies and omissions noted earlier. Notably, it makes the obtaining of home studies and supervisory services in other states a matter of right rather than of uncertain voluntary cooperation; it removes confusion as to responsibilities in interstate placement situations and makes them enforceable; it opens up the resources of private institutions and programs in other states on a legally protected basis for the placement, care and treatment of adjudicated delinquents who need special facilities and programs.

The Interstate Compact on the Placement of Children accomplishes all of these objectives to an extent impossible for the ordinary statutes of Alaska because enactment of it makes the Compact law on a multilateral basis in all of the party jurisdictions. Consequently, both ends of the interstate placement transaction, all parts of the process, and all of the individuals and agencies involved with the placements have the Compact as part of the statutory framework in their own jurisdictions.

Susan Sullivan

ALASKA STATE LEGISLATURE

1121 LALANDE
ANCHORAGE, ALASKA 99504
333-6412



POUCH V
JUNEAU, ALASKA 99901
465-3797

HOUSE OF REPRESENTATIVES

Dear


Dear

It is my understanding that your state is one of the 34 which have adopted the Interstate Compact on the Placement of Children. The state of Alaska has used the services and institutions of other states in the past and we are researching the possibility of adopting this compact. Thus we are seeking any information regarding the uses that your state has had in relation to the compact, as well as any problem areas that have arisen during its use; and the unforeseen costs which might be incurred by passage of this compact. Another area of concern is whether the compact enables the states involved to be educated as to the services of the institutions involved.

We would appreciate the above information and any other that you feel is relevant. Because our legislature is in session now and has a relatively short session, your expediency in this matter is urged.

Sincerely,

Sharon Macklin
Staff Assistant



STATE OF IOWA

Department of Social Services

LUCAS STATE OFFICE BUILDING DES MOINES, IOWA 50319

ROBERT D. RAY
Governor

February 25, 1976

KEVIN J. BURNS
Commissioner

Ms. Sharon Macklin
Staff Assistant
House of Representatives
Alaska State Legislature - Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Mrs. Turnbull, our Adoption Specialist, has requested that I reply to your letter of February 10, 1976, as Deputy Administrator of the Interstate Compact on the Placement of Children and the Interstate Compact on Juveniles.

It has been our experience in Iowa that both these compacts have greatly assisted us in planning for our children when they are out of the jurisdictional boundaries of our state. We have found these states to be very responsive and there is a cooperative effort between these states in planning for children. One of the significant factors in this cooperation is that there are specific designated persons in these states who are responsible for seeing that the placement laws are adhered to and in dealing with interstate laws. The law related to the Compacts is a uniform one, and these persons are knowledgeable of its requirements and also of its limitations.

Unless a state is a member of the Interstate Compact on the Placement of Children and the child is placed through the Interstate Compact, the jurisdictional boundary ends at the state line. Whereas, when a child is sent through the Compact, the laws of the sending state apply to that child.

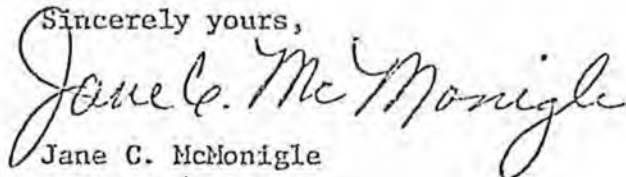
The Interstate Compact on the Placement of Children does provide for placement of the delinquent child through this Compact and such a child could be placed in a private institution in another state. However, after-care service for the delinquent child, either on probation or parole, would be placed through the Interstate Compact on Juveniles. If your state has not enacted Article X of that Compact, which is the Out-of-State Confinement Amendment, placement in a public institution in another state would have the same jurisdictional limitations as mentioned above even with your being signatory to the basic Compact of the Interstate Compact on Juveniles. We have placed children from Iowa through the Interstate Compact on the Placement of Children in private institutions in our bordering states through a purchase of service contract; but, although we have the Out-of-State Confinement Amendment of the Juvenile Compact, we have never placed a juvenile in a public institution in another state or received one in Iowa.

February 25, 1976

I would certainly encourage your Legislature to become signatory to the Interstate Compact on the Placement of Children as I am sure every other state that is a member would. My experience, in the five years I have been in this position and worked with the Compact, has been very positive and I can think of no negative reason to give to you. I would certainly encourage you to contact Mr. Brendan V. Callanan, Project Director, Interstate Compact on the Placement of Children, American Public Welfare Association, and Mr. Mitchell Wendell, the Compact's legal consultant. I guess I would also like to add that one of the additional side effects of this Compact for member states is the spirit of cooperation between the states and also, when we have problems, we have a designated person within the other state with whom we can discuss the matter and come to some agreement and resolution.

You also requested some information regarding unforeseen costs that might be incurred by passage of this Compact. I am rather uncertain how to respond to this question. If your state is already purchasing services for care of children in jurisdictions outside of your state and see as your responsibility on-going planning and financial support in the area of services, there would be no additional expense. Usually the person designated as the Compact Administrator probably should be appointed by your Governor as the Administrator of your Department of Social Services and the alternate would be someone at your state level who already is involved in placement planning for children. Therefore, the additional cost that I could probably see would be the expense of printing forms and procedures and staff development which is already a component of your Department of Social Services.

I hope this information will be helpful to you and I would be glad to reply to any additional specifics you may have.

Sincerely yours,

Jane C. McMonigle
Deputy Administrator
of Interstate Compacts

JCM/djr

cc: C. O.
Debra S. Dahab, Research Analyst
Iowa Legislative Service Bureau



State of New Hampshire
DEPARTMENT OF HEALTH AND WELFARE
DIVISION OF WELFARE
8 LOUDON ROAD
CONCORD 03301

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

February 25, 1976

Sharon Macklin, Staff Assistant
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Your letter of February 10 regarding the Interstate Compact on the Placement of Children to Arthur G. Marx, Office of Legislative Services, was forwarded to me for reply.

New Hampshire has made considerable use of the Compact and of course as states join in, more use will be made of it. The Compact speaks for itself in terms of the protection of the children and all parties involved in the placement. It clearly defines who is financially and legally responsible for the child and under what circumstances these responsibilities may be transferred or terminated.

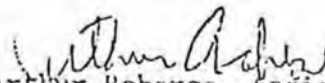
Another advantage is that the procedure for implementing the Compact are uniform and therefore simplify transactions between member states (one procedure instead of one for each state).

In respect to education as to the services of the institutions (or family home) involved, the Compact does not speak to this specifically. However, when a particular placement is selected for a child, it is done so on the basis of whether the institution's or home's program can meet the child's need, and professional staff must know what the home's program is.

Your question as to the possibility of unforeseen cost is not difficult to answer. All states make interstate placements, whether members of the Compact or not, and in this regard the Compact simply unifies the procedure. New Hampshire was one of the first states to join the Compact (1965) and no new staff has been added for Compact purposes since that time. Since things run smoother under the Compact, there should be reduction of cost in interstate placements.

I hope this helps in your deliberation.

Sincerely yours,


Arthur Roberge, Assistant Chief
Bureau of Child and Family Services

AK:s



STATE OF NORTH CAROLINA
INTERSTATE COMPACT ON JUVENILES
DEPARTMENT OF HUMAN RESOURCES

DIVISION OF SOCIAL SERVICES
325 N. SALISBURY STREET RALEIGH 27611

March 4, 1976

The Honorable Susan Sullivan
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Sullivan:

Your February 10, 1976 letter regarding the Interstate Compact on the Placement of Children was referred to us for response. We were pleased to hear that Alaska is considering enactment of the Compact. Each additional state participant strengthens the Compact and further ensures that dependent children will be adequately protected as they move into placement across state lines.

North Carolina became a member of the Interstate Compact on the Placement of Children in 1971. (We had joined the Interstate Compact on Juveniles in 1963). Through the years we had operated more or less successfully in interstate placement situations involving dependent children on the basis of North Carolina's unilateral interstate placement statute. Success depended, however, on the degree of cooperation the other state was willing to give.

The growing nation wide evidence of the scope of abuse and neglect situations served as an impetus to us to seek support from the public and the Legislature to enact the Interstate Compact on the Placement of Children into North Carolina Law.

First of all we asked the Attorney General to verify for us that the Compact would not be in conflict with other North Carolina Statutes.

We then pointed out reasons we believe the Compact would provide greater protection to our children than previously existing unilateral Interstate Placement Laws.

We saw as the major benefit of the Compact over North Carolina law, Article V relating to Retention of Jurisdiction. We cited three types of cases to support our position favoring enactment of the Compact.

The first kind of situation involved abused or neglected children being returned to parents or relatives, but remaining in the legal custody of the placing agency. It is generally recognized that families receiving protective services are quite mobile. We argued that surely children who have been victims

of abuse or neglect need maximum protection when returned to their families for trial placement, especially when the families have moved to another state and cannot be closely followed by the agency holding court custody of the children. Retention of jurisdiction would facilitate removal of the children from the home in the receiving state, should conditions warrant such action.

The second type of case which was pointed up as needing the authority of Article V of the Compact behind it involved the child who is allowed to move to another state with agency foster parents. As an illustration, we used the case of foster parents who were permitted to take two children in agency custody with them when they moved to another state. A unilateral interstate agreement was made. The foster parents filed abandonment proceedings against the children's parents and petitioned to adopt the children in the other state without the North Carolina's agency knowledge or consent. The adoption was upheld in spite of North Carolina's protest.

The third kind of situation which caused us concern involved children placed for adoption with families who then left the state before the legal adoption was finalized and custody remained with the placing agency. The example used here was where an infant was placed with a military family. The father was ordered overseas shortly after the petition for adoption was filed. The mother moved the baby to another state to await her husband's return. Neighbors there reported to the out-of-state agency providing courtesy supervision that the adoptive mother was abusing the child. This was confirmed and plans were made for the child to be returned to North Carolina. In the meantime, the adoptive father came home, carried the case to court, and the court in the other state overruled the North Carolina court, allowing the child to remain in the adoptive home.

We have found that the statutory weight of the Compact has served to strengthen cooperative relationships with other states and has afforded us the opportunity to intervene legally in crisis situations involving dependent children who have moved into or out of North Carolina under its provisions. Rather than causing problems relative to the interstate movement of children, the Compact has helped to avoid or overcome problems. We can think of at least one case involving the proposed placement of Alaskan children in North Carolina where the Compact could have provided additional needed protection. The fact that 20 states have enacted the Compact since 1971 attests to its benefits.

Since Alaska already has staff in the Family and Children's Services Division of the Department of Health and Social Services responsible for coordinating child welfare services with other states, there should be no appreciable additional costs to the state in implementing the Interstate Compact on the Placement of Children.

Compact states provide information, evaluation and recommendations regarding institutions and other child placement facilities upon request.

Mr. Brendan Callanan, Project Director of the Interstate Compact on the Placement of Children with the American Public Welfare Association in Washington can answer any additional questions you may have and can also provide technical assistance and legal consultation relative to legislation. Mr. Callanan's mailing


The Honorable Susan Sullivan
March 4, 1976
Page 3

address is: 1155 Sixteenth Street, N.W., Washington, D. C. 20036. He can be reached by telephone at (202) 833-9250.

Hopefully this information will be helpful to you as you plan for enactment of the Compact in Alaska. Good luck.

Sincerely,

Renee P. Hill
Director-Administrator



June Stallings
Deputy Administrator

RPH:JS:dvh

cc: Mr. Brendan Callanan



STATE OF MISSOURI
DEPARTMENT OF SOCIAL SERVICES
DIVISION OF FAMILY SERVICES

ADULT SUPPLEMENTATION
AID TO DEPENDENT CHILDREN
GENERAL RELIEF
AID TO THE BLIND
BLIND PENSION
MEDICAID
SOCIAL SERVICES
CHILD WELFARE SERVICES
SERVICES TO THE BLIND
FOOD STAMP PROGRAM

LAWRENCE L. GRAHAM, DIRECTOR
DEPARTMENT OF SOCIAL SERVICES

March 2, 1976

BROADWAY STATE OFFICE BLDG.
JEFFERSON CITY, MISSOURI
65101

EWING B. GOURLEY, DIRECTOR
DIVISION OF FAMILY SERVICES

Ms. Sharon Macklin, Staff Assistant to
Representative Susan Sullivan
Alaska House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

This letter is in response to your inquiry of February 10, 1976, to Mr. Frank Masters, Committee on Legislative Research regarding the adoption of the Interstate Compact on the Placement of Children by Missouri. As of September 1, 1975, Missouri became a member of the compact. We are still in the implementation stage therefore, we have very little documented information to give you.

You have been provided with a copy of the House Bill Number 254. The unforeseen costs which might be incurred by passage of this compact is impossible to pinpoint. The main cost appears to be the printing and distributing of all the necessary material to be used in educating those involved with the interstate compact. There would be additional forms and manual material that should go to all public and private agencies and institutions.

Surely, you have been provided information by the American Public Welfare Association, Brendan Callanan, Project Director, Suite 201, 1155 16th Street NW, Washington, D.C. 20036. Mr. Callanan helped Missouri a great deal with our questions when the compact was being considered.

Our main problem area has been the education of the public and private agencies as to the actual procedures to go through to complete an interstate placement according to the compact. As I stated, Missouri passed the bill and it became effective September 1, 1975. Very little prior knowledge about procedures used by other compact states was known to many of the public and private agencies in Missouri. We have not yet distributed manual material which gives specific instructions which can be followed by workers. Therefore, interstate correspondence comes in many different stages of placement other than a desired step by step procedure. This will all be ironed out soon hopefully, by planned meetings and manual material distributed.

The question "whether the compact enables the states involved to be educated as to the services of institutions involved" was not clear. This is translated to ask if member states take part in educating each other of their services provided. There is an Interstate Compact for the Placement of Children Manual provided by the APWA to member states such as: directions for correspondence, licensing requirements, state law on independent placements, adoption petition, age of majority and court jurisdiction.

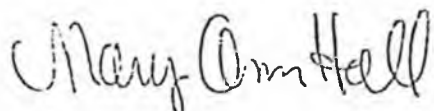
However, there is no actual planned education of services available in member states that we know of presently. We have had no difficulty getting information needed regarding services, programs, procedures etc. from other states. Most of the time this is done by the Compact Administrators of the two states involved over the telephone.

March 2, 1976

Being a member of the compact gives us a feeling of confidence and willingness to help one another in our interstate placements. Knowing and agreeing to what is expected of us and other member states makes the interstate placements proceed much more efficiently.

I hope this information is helpful in Alaska considering the adoption of the Interstate Compact on the Placement of Children.

Sincerely,



Mary Ann Hall,
Child Placement Coordinator

MAH:eb

cc: Frank M. Masters

STATE OF FLORIDA



DEPARTMENT OF
Health & Rehabilitative Services

Reubin O'D Askew, Governor

5920 ARLINGTON EXPRESSWAY P.O. BOX 2050

JACKSONVILLE, FLORIDA 32203

REFER TO-SES

March 4, 1976

Mrs. Sharon Macklin
Staff Assistant to
Representative Susan Sullivan
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Mrs. Macklin:

This is to acknowledge your correspondence of February 10, 1976, regarding the Interstate Compact On the Placement of Children.

Florida has been a member of the Compact for approximately two years. The Compact provides better protection for children being placed across state lines.

Please find attached a copy of manual material developed by our agency. We hope this information will be of some help to you.

Sincerely,

Barbara J. McGriff
(Mrs.) Barbara J. McGriff, Consultant II
Protective Services, Bureau of Children's
Services

BJMcG:zf
Attachments

MANUAL TRANSMITTAL LETTER

October 14, 1974

Number 2156

To: Region Directors
From: E. Douglas Endsley, Director
Re: Interstate Placement of Children

The attached manual material will become a part of the new Social Services Manual and is effective immediately upon receipt and is the program implementation of Laws of Florida 74.317, passed in the 1974 Legislative session. The procedures outlined represent a marked change in current practice and will require careful review.

Child Welfare Manual Chapter XIV, Interstate Placement of Children, dated March, 1961 (Operations Letter 906, 3-07-61) is obsolete upon receipt of this material.

EDE:br

Distribution:

Lists V and VI

INTERSTATE PLACEMENT OF CHILDREN

DEFINITION AND PURPOSE

Interstate placement is defined as the movement of children, by social agencies or authorized individuals, from one state to another on a planned basis.

The Interstate Compact on the Placement of Children was established to insure better protection for dependent children being placed across state lines. The Interstate Compact gives recognition to the needs and rights of children to be protected and insures safeguards by establishing a system for responsible planning.

The Compact provides guidelines for member states working together cooperatively to provide for communication and written summaries between the sending and receiving states prior to the child(ren)'s placement. It insures that dependent children will be placed in a suitable environment and that they receive supervision by the receiving state.

During the 1974 session, the legislature enacted House Bill 1836, establishing Florida as a member of the Interstate Compact on Placement of Children and providing the structure and limits for such placement. The Division of Family Services was designated the "appropriate public authority" for the establishment of guidelines.

Under the Compact, an Administrator is appointed by the Governor of each member state to coordinate planning for the placement of children within the guidelines of the Compact. The Director, Division of Family Services, has been appointed the Administrator of Florida's program. The Assistant Chief, Bureau of Children's Services, has been appointed Deputy Compact Administrator. The Compact applies to all children under the age of 18 whom a party or state or state sub-division, officer, employee, court or person, corporation, association, charitable agency or other entity sends, brings or causes to be sent or brought to another party state.

Children included under the Interstate Compact are:

- a. Children placed with relatives
- b. Children placed with non-relatives or foster families
- c. Children placed in child caring institutions
- d. Children placed in adoptive homes
- e. Children placed through independent adoption placement

Children excluded from the Interstate Compact are:

- a. Child(ren) brought or sent to another state by his parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or guardian and placed with such relatives or any non-agency guardian

INTERSTATE PLACEMENT OF CHILDREN

- b. Children placed in institutions providing care for the mentally ill, mentally defective, epileptic, etc.
- c. Children placed in educational institutions
- d. Children placed in a hospital or other medical facility

As of the present time, twenty-three (23) states have enacted legislation enabling them to become members of the Interstate Compact:

Connecticut	Maine	North Dakota
Delaware	Massachusetts	Oklahoma
Florida	Minnesota	Pennsylvania
Illinois	Nebraska	Rhode Island
Iowa	New Hampshire	South Dakota
Kentucky	New York	Tennessee
Louisiana	North Carolina	Vermont
		Washington
		Wyoming

The purpose of the Interstate Compact on Placement of Children is designed to effect cooperation among member states to insure that:

- a. Each child requiring placement will receive the maximum opportunity to be placed in a suitable environment.
- b. Appropriate agencies in the state where the child is to be placed can determine the full circumstances of the proposed placement, thereby promoting the protection of the child.
- c. Appropriate agencies in the state from which the child is being sent can obtain the most complete information on the proposed placement and evaluate the placement before it is made.
- d. Jurisdictional arrangements for the care of the child to be placed are appropriate.

Requests to and from member states of the Interstate Compact on the Placement of Children will be handled according to the procedures established under the Compact. All correspondence will be forwarded through the Deputy Compact Administrator in the State Office.

In the interest of consistency, requests to and from non-member states will also be handled according to Compact procedures. The Deputy Compact Administrator maintains responsibility for assignment, routing, and consultation for all requests involving interstate placement originating in the regions or from out-of-state agencies.

INTERSTATE PLACEMENT OF CHILDREN

Requests from individuals will not be accepted, unless the individual is a physician or attorney licensed to practice in Florida, who is acting as an intermediary in an independent adoption. Usually, individuals will be referred back to the appropriate placement authority in their state.

PROCEDURES

I. Referrals from Agencies in Other States for Service in Florida

A. Method of Referral

The Compact Administrator of the state that wishes to place a child in Florida (hereafter called the "sending state") submits to the Florida Compact Administrator in quadruplicate the Request to Place Child (ICPC-100A) form along with additional summary information on the child (ICPC-101) and the prospective receiving family (ICPC-102) in Florida, if this latter is appropriate. This information is reviewed by the State Office and three copies of the Request to Place Child form (ICPC-100A), together with two copies each of the ICPC-101 and 102 summaries, are routed to the appropriate region office to request a recommendation within 30 days on the suitability of the placement. Additional information may be requested by the Florida Compact Administrator from the sending state prior to forwarding the request to the regions.

B. Approval of Placement Plan - Interstate Placement Agreement

Upon completing the study, using the ICPC-102 as a guide, the local office submits its summary and recommendation within the 30 day limit to the Florida Deputy Compact Administrator in the State Office. One copy of the ICPC-100A is to be used as a transmittal form for the summary submitted by the local office. After review, the Deputy Compact Administrator writes to the sending state either agreeing to or disagreeing with the proposed placement plans and attaching copies of the study summary. If the proposed placement plans are approved, the sending state will be asked to complete the Interstate Placement Agreement for DFS-S-2067. Copies of the correspondence are distributed by the two Compact Administrators to their appropriate local offices.

C. Finalization of Placement Plans

Details for the actual placement of the child can be worked out between the original requesting agency in the sending state and the appropriate regional office. Copies of all correspondence between the original requesting agency in the sending state and the appropriate regional office should be forwarded to both the sending and receiving states' Compact Administrators. Copies of all subsequent correspondence and supervisory reports are to be forwarded to both Compact Administrators.

INTERSTATE PLACEMENT OF CHILDREN

D. Termination of Interstate Agreement

The Compact placement may be terminated by legal adoption or by other kind of discharge. When this occurs, the Compact Administrator of both states should be notified by forwarding of the Interstate Compact Report on Placement Status of Child form (ICPC-100B).

II. Referrals from Florida Agencies for Service in Other States

A. Method of Referral

When a Division region office or other individual or child placing agency in Florida wishes to seek approval for an interstate placement plan, that office or individual will forward five (5) copies of the Request to Place Child form (ICPC-100A) to the Florida Compact Administrator in the State Office. Accompanying the request will be summary information on the child (ICPC-101), as well as the most complete information known on the prospective receiving family (ICPC-102). The Florida Compact Administrator requests through the Compact Administrator of the state to which the child is to be placed, (hereafter called the receiving state), those services required by the region office or other individual or child placing agency.

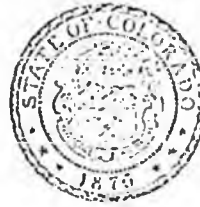
B. Approval of Placement Plan

Upon receiving the request, the receiving state Compact Administrator will forward the request to the appropriate local agency in the receiving state. The requested information and recommendations will be returned within the thirty day limit to the receiving state Compact Administrator who will agree or disagree to the placement plan and will notify the Florida Compact Administrator, attaching copies of the study summary.

C. Finalization of Placement Plans - Interstate Agreement

If approval of the placement plan is granted by the receiving state, the Florida Compact Administrator will notify the region office or other individual or child placing agency, through copies of the original ICPC-100A form, and copies of the study summary, that approval has been granted. The region office or other individual or child placing agency will then proceed to complete details for the actual placement with the appropriate local agency in the receiving state. The receiving state may request the Division or sending agency to sign an interstate placement agreement. Appropriate sections of the agreement should be completed on the local level and then forwarded to the State Office for return to the receiving state. Copies of all correspondence to the local agency in the receiving state should be routed to the State Office and to the Compact Administrator in the receiving state.

COLORADO GENERAL ASSEMBLY



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LEGISLATIVE COUNCIL

ROOM 46 STATE CAPITOL
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REP. ROY E. WELLS

February 18, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

The Colorado General Assembly adopted legislation in the 1975 session (H.B. 1266) permitting the Governor to execute a compact on the placement of children. The compact serves as an added protection for children who are involved in transfers across state lines.

There has been a freeze on the implementation of new programs and the hiring of personnel. Thus Colorado has not implemented the compact to date. The Department of Social Services is in the process of hiring an administrator for the compact and one clerical assistant also will be available. The department simply does not have the experience necessary to comment upon your letter.

Enclosed is a copy of the compact language as adopted in Colorado.

Very truly yours,

David F. Morrissey
Assistant Director

DM/po



WYOMING COUNCIL FOR CHILDREN AND YOUTH
 1614 GARFIELD AVENUE
 LARAMIE, WYOMING 82070

ED HERSCHLER
 GOVERNOR

EVERETT LANTZ
 EXECUTIVE-SECRETARY

February 25, 1976

Sharon Macklin, Staff Assistant
 Alaska State Legislature
 Pouch V
 Juneau, Alaska 99801

Dear Ms Macklin:

The Honorable Nels J. Smith, House of Representatives, State of Wyoming, referred your letter concerning the Interstate Compact on Placement of Children to me. I am pleased to respond for Mr. Smith.

Wyoming is one of 34 having adopted the Interstate Compact. Other states are giving consideration to the plan. Kansas approved their version of the Act today.

Wyoming adopted its Compact Act, Section 14-52.1, in 1963. No amendments nor counter decisions have been made since that time. Authority and responsibilities for enforcement were placed with the Division of Public Assistance and Social Services.

Mr. John Steinberg, adoption Consultant Division of Public Assistance and Social Services, Hathaway Building, Cheyenne, Wyoming 82002, is Compact Administrator for Wyoming. Mr. Steinberg could provide first hand information should you wish to talk with him. His telephone number is 307-777-7657.

Wyoming views the Interstate Compact as a positive factor. The Act goes into effect when a child crosses a state line. Wyoming presently has 47 children involved in the Interstate Compact program. Basically, a child receiving assistance in a Compact State can not be taken into another Compact State without the knowledge and consent of the Compact Administrator. The state involved must write to the Administrator for permission. Thus providing information as to who is responsible for the child. This is definitely protection for the child, the family, and the state. It appears to be a desirable program for Wyoming.

Should you desire additional information, please let me know.

Cordially yours,

Everett D. Lantz
 Everett D. Lantz
 Executive Secretary

Handwritten notes:
 Lantz
 Smith
 Steinberg
 Herschler
 Macklin

EDL:mea
 cc: Nels J. Smith
 John Steinberg



STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE
CENTENNIAL OFFICE BUILDING
ST. PAUL, MINNESOTA 55155

OFFICE OF THE
COMMISSIONER
612/235-2701

GENERAL
INFORMATION
612/235-5117

February 21, 1976

Susan Sullivan
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

ATTENTION: Sharon Macklin, Staff Assistant

Re: Interstate Compact on the Placement of Children

Dear Representative Sullivan:

I have been asked by our Senate Research Staff to respond to your letter of February 10, 1976, with questions concerning the Interstate Compact on the Placement of Children. Minnesota became a Compact member in 1973, and we feel very fortunate in having three of our four adjoining states as Compact members.

Minnesota, like most states, has for some time had specific statutes concerned with the importation-exportation of children for the purpose of adoption or placement in foster care. Operating under such statutes with individuals or agencies in other states often proves frustrating because of the lack of coordination, central authority and conflicting statutes. Requests for information or service were often ignored or greatly delayed with courts and local agencies acting autonomously in some states. The Compact, although not a panacea for all interstate placement problems, does provide a uniform statutory base and a designated individual responsible for administering placements.

Minnesota has made extensive use of the Compact for adoption and foster care placements. Present Minnesota Statutes do not require our Commissioner's consent for children either leaving or entering the state for placement in residential treatment facilities. For member states, the Compact does provide for the Compact administrator's approval for residential placements, giving us, for the first time, an opportunity to review the propriety of such placements. Our experience with the Compact has been positive and our expectations as envisioned under the Purpose and Policy in Article I of the Compact have been fulfilled.

Although dealing with other Compact states is not without problems, the problems are more easily reconcilable under the Compact. New states, including our

AN EQUAL OPPORTUNITY EMPLOYER

own, appear to have problems in adjusting to new forms and procedures, and informing those individuals or agencies placing or receiving children of the provisions of the Compact. Time and experience usually reconcile these problems and the Secretariat has been more than willing to provide technical assistance.

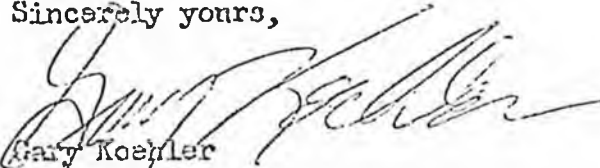
I am not aware of any unforeseen costs incurred because of our membership in the Compact. Article V of the Compact does establish the sending state's continuing responsibility for the child, and this may pose a problem for those states that refuse to pay for children outside of that state.

It is my understanding that the purpose of the Compact is not to provide specific information concerning services of individual institutions, but rather, the Compact provides a more efficient and uniform vehicle for obtaining such information.

Although Minnesota has been a Compact member for only a short time, I feel the Compact is the best response to the interests of children being placed between states and our local agencies have expressed faith in placements made under the Compact.

If I can be of any service, please feel free to contact me.

Sincerely yours,



Gary Koehler
Protective Services Specialist
Division of Social Services

GK:rj

LOUISIANA LEGISLATIVE COUNCIL

BOX 44012, CAPITOL STATION

BATON ROUGE, LOUISIANA 70804

TELEPHONE: (504) 332-5111



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February 27, 1976

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ASSISTANT DIRECTOR
MRS. OLLIVE REED MAXEY
ACTING ASSISTANT DIRECTOR

The Honorable Susan Sullivan
State Representative
Pouch V
Juneau, Alaska 99031

Dear Ms. Sullivan:

In response to your request received on February 17, 1976, I have enclosed a copy of the applicable Louisiana statutes concerned with the Interstate Compact on the Placement of Children. This statute was enacted in 1968 and there have been no amendments nor court cases dealing directly with the statute.

I spoke with Mrs. Weinstein in the Division of Family Services concerning your request as to the uses, problem areas, and unforeseen costs of the statute. She informed me that the compact is used only with other states which also have adopted the Interstate Compact on the Placement of Children. The Interstate Compact is applied to children who have been abused, neglected, or exploited, but it does not apply if the child is being sent from one relative to another, it applies only if the child is being sent to an institution. Information concerning institutions available under the compact in the various compact states may be obtained upon request from the respective states.

This was all she could tell me without any specific request for information. If you want to receive more information or have any questions concerning the operation of our interstate compact, you may get in touch with the Deputy Commissioner of the Interstate Compact for the Placement of Children. You may write her at the address listed below:

Mrs. Wilma Salmon
Division of Family Services
Box 44055
Baton Rouge, Louisiana 70804 Phone: (504) 389-5571

If this office can be of further assistance to you, please do not hesitate to let us know.

Sincerely,

FOR THE DIRECTOR

Thomas L. Tyler

Thomas L. Tyler
Staff Attorney

TLT/rs
encl.

DEPARTMENT OF HUMAN RESOURCES
CHILDREN'S SERVICES DIVISION

PUBLIC SERVICE BUILDING SALEM, OREGON 97310
March 1, 1976

ROBERT W. STRAUB
GOVERNOR

Richard A. Davis
Director

DEPARTMENT OF
HUMAN RESOURCES

FRED SEGREST
Administrator

DIVISIONS

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- Corrections
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- Mental Health
- Vocational Rehabilitation
- Welfare

SPECIAL PROGRAMS

- Aging
- Camps
- Economic Opportunity
- Multi-Service Centers

Ms. Sharon Macklin, Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Your letter to Mr. Thomas G. Clifford, Office of Oregon's Legislative Council, requesting information on Oregon's experience as a Compact State on the Placement of Children has been referred to me for reply. My assignment is as the Deputy Administrator for the Compact. This entails coordinating plans between the local office and/or private agencies in Oregon with other member states and plans from other states with our local offices and/or local private agencies. I review and sign the agreements on placements in Oregon and the requests for placement in other states.

Our experience with the Compact is somewhat limited in that the program became operational on September 13, 1975. Other states that have been members for a longer period of time could undoubtedly give you a better view of the Compact's effectiveness. So far we have found the Compact useful in providing information about resources in other states and affording children better care and protection in supervised placements.

The American Public Welfare Association has recently published a Compact Administrators Manual prepared by Mr. Brendon V. Callanon and Ms. Maureen H. Herman which provides in the first chapter the pros and cons of an Interstate Placement Law.

So far our biggest problem has been in reluctance of other states medical communities to provide medical care for children from other states. This has also been a problem in our own state in some locations securing medical care. Another problem has been in the re-education of staff in preparing referrals in sufficient time so that studies, etc. can be completed by the time the scheduled placement is to take place.

If we can be of further service to you, please feel free to contact us.

Sincerely,

INTERSTATE COMPACT ON PLACEMENT OF CHILDREN

Fred Segrest, Administrator

Clyde Dale
Clyde Dale, Deputy Administrator

cc: Thomas G. Clifford



DEPARTMENT FOR HUMAN RESOURCES
COMMONWEALTH OF KENTUCKY
FRANKFORT 40601

BUREAU FOR SOCIAL SERVICES

February 26, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

The Interstate Compact on the Placement of Children was enacted by the Legislature of the Commonwealth of Kentucky in their 1960 session. At the same time, the Interstate Compact on Juveniles was ratified by the legislature, and there is a relationship between these two compacts, as well as the Interstate Compact on Mental Health.

As Alaska has ratified the Interstate Compact on Juveniles, it would certainly be appropriate to supplement this legislation by ratifying the ICPC as there are instances when these compacts can be used together so that one supplements the other one. Even if these two compacts were to be administered by different state agencies, by cooperation the maximum benefits in the delivery of services to children could be made possible by combining the services available under the compacts. This is particularly applicable to the runaway provisions of the Interstate Compact on Juveniles, and I am sure that these provisions are well known in your state.

This Compact can also be utilized to affect the return of a foster child or other children who have not been adjudicated as being delinquent. The runaway provisions of the ICJ are especially likely to provide support for placements under the ICPC. As brought out in the manual of procedures, another opportunity to use both compacts in tandem is presented by juveniles adjudicated delinquent and placed in institutions in receiving states pursuant to Article VI of the Interstate Compact on the Placement of Children. If such juveniles escape from the institutions and flee to a third state, the mechanism which provides for their return is Article V of the Interstate Compact on Juveniles.

We here in Kentucky have found that the delivery of services in the placement of children into all types of residential facilities for children, other than those having been committed as delinquent, becomes a realistic and workable plan on a purchase of care agreement between the sending and receiving agencies. The utilization of the ICPC would eliminate the possibility of the placement of a child into an unlicensed setting and would insure services to the sending state by the monitoring of a case by the receiving state agency delegated the mandated responsibility for the administration of the ICPC.

Ms. Sharon Macklin
Page two
February 26, 1976

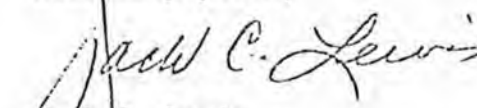
The secretariat services to the Interstate Compact on the Placement of Children is provided by the American Public Welfare Association, and I am taking the liberty of sending a copy of your request for information, and my reply, to Mr. Brendan V. Callanan, Project Director, American Public Welfare Association, 1155 Sixteenth Street, N.W., Suite 201, Washington, D.C. 20036. A copy is also being sent to Mr. Mitchell Wendell, Legal Consultant, American Public Welfare Association, 1155 Sixteenth Street, N.W., Suite 201, Washington, D.C. 20036. These two gentlemen were instrumental in the preparation of the manual on the Interstate Compact on the Placement of Children and as a part of project services prepared to provide states with information and technical assistance towards legislative enactment and administrative implementation of the Interstate Compact on the Placement of Children. I am sure you might wish to contact either of them; however, I am requesting that they forward you pertinent information, via a copy of this letter, as quickly as possible because of the relatively short session of the legislature in your state.

I would like to assure all concerned that the enactment of this Compact should not in any way create problem areas, and in our state it has eliminated to a great degree many of the tragic circumstances surrounding the placement of children without proper agency controls. Our experiences have also shown that no unforeseen costs have developed by the enactment of this Compact and, without presenting any specific statistical data, should enable your state to provide a delivery of services to children more compatible with the needs of the eligible clients in your state.

Information regarding the programs of licensed private facilities, as well as information regarding public or governmental facilities would be available from each individual state which has ratified the Compact.

We in the Commonwealth of Kentucky can state without reservation that we would recommend the passage of this Compact as enabling legislation for the State of Alaska, thus providing the administrative and operational structure to make a more adequate delivery of services to the eligible clients under the Interstate Compact on the Placement of Children.

Sincerely yours,


Jack C. Lewis
Commissioner

nt

cc: Ms. Dianna McClure
Mr. Raymond T. Lathren
Mr. Brendan V. Callanan
Mr. Mitchell Wendell

Airmail

SENATE OFFICE OF RESEARCH

SENATE P.O. BOX 47, STATE CAPITOL SACRAMENTO, CALIFORNIA 95814

(916) 445-1727

William J. Egan, Director

February 19, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

California adopted the Interstate Compact on the Placement of Children in 1974. The statute went into effect in 1975; therefore, the state's experience with the use of the compact is somewhat limited. However, I am pleased to share with you what knowledge we have on the matter.

The Family and Children's Services Unit and the Adoptions Unit of the Social Services Division of the State Department of Health have shared responsibility for implementing the compact. In general, both units are pleased to have the compact as it provides protection for children that was previously lacking.

They have found that the compact has created more of a workload than they originally estimated. Initially they assumed that one-half time of one person in the Family and Children's Unit and one-half time of one person in the Adoptions Unit would be sufficient. But, the workload has required nearly the full-time of the two persons.

One reason for this is, as you might imagine, the paperwork involved. When a child and family comes into the state, a copy of the child's case study and a copy of the placement family's study must be obtained, reviewed and approved. The procedure reverses itself when a child and family leave the state. If a California child is placed for adoption or foster care outside the state, the responsibility on this end is to send a copy of the child's case study to the receiving state. Simultaneously, the receiving state is requested to send the placement family's case

February 19, 1976

study for California to review and approve. The reverse is also true in this instance. As you can see from these examples, paperwork is considered crucial to the process and additional paperwork can be expected.

Some additional direct costs appear likely to also be incurred. It is difficult to determine just what those costs are in detail without some longer experience. It can be determined, for instance, that long distance telephone calls must be an anticipated cost. On the other hand, it is questionable whether the compact will have any noticeable effect on California's adoption and foster care caseload costs.

California's adoption and foster care laws clearly state that no child-in-need can be refused; and that certain adoption and foster care costs are to be paid out of the state's general fund money. So, whatever the caseload costs per year are, that is what the state pays, regardless of why the caseload exists. The caseload has fluctuated greatly since 1971, thus making it quite difficult to focus on "additional" costs (if any).

Lastly, a consultant from the American Public Welfare Association who is paid from a special fund (federal, I believe) acts as project coordinator of the Interstate Compact on the Placement of Children for the Department of Health, Education and Welfare. He has proven to be helpful to California in implementing the compact. His name is Brendan V. Callanan (telephone number, 202-833-9250) and he can be reached in Washington, D.C.

I hope this information will be timely for you and of some value. Please let me know if you have further questions.

Very truly yours,



Rita Gordon
Consultant

RG:jav
Enclosure

State of Maryland

CARL N. EVERSTINE
DIRECTOR



TELEPHONES:
301/267-5551
301/269-0511

DEPARTMENT OF LEGISLATIVE REFERENCE
16 FRANCIS STREET—P. O. BOX 348
ANNAPOLIS, MARYLAND 21404

February 17, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

In your letter of February 10, you inquired about the administration of the Interstate Compact on the Placement of Children.

In Maryland, the administrative agency for this Compact was designated as the Department of Human Resources. I am forwarding your letter to the Secretary of that department with the request that he ask a member of his staff to answer it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carl N. Everstine".

Director

CNE/mh

cc: Mr. Richard Batterton



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/6/90
Date

COMMITTEE REPORT

2/23/76

HOUSE

Mr. Speaker:

Date March 22, 1976

The Committee on FINANCE has had HB 631

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends: <u>do not pass</u>
_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:

[Signature] Chairman

Introduced: 1/20/76
Referred: Judiciary

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL SUB-
COMMITTEE ON TELECOMMUNICATIONS

1 IN THE HOUSE

2 HOUSE BILL NO. 631

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a communications carriers section
7 in the Alaska Public Utilities Commission."

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

9 * Section 1. AS 42.07 is amended by adding a new section to read:

10 Sec. 42.07.123. COMMUNICATIONS CARRIERS SECTION. (a) There is
11 established within the commission a communications carriers section
12 which shall develop, recommend and administer policies and programs with
13 respect to the regulation of rates, services, accounting and facilities
14 of communications common carriers within the state involving the use of
15 wire, cable, radio and space satellites.

16 (b) The section shall advise and make recommendations to the com-
17 mission and represent the commission in matters pertaining to communica-
18 tion common carrier regulation and licensing and shall participate, as a
19 party, in adjudicatory hearings in which significant common carrier is-
20 sues are involved.

21 (c) It is the responsibility of the communications carrier sec-
22 tion in its participation in rate or tariff adjudication proceedings
23 to advocate and provide support for the lowest practicable rate under
24 the circumstances.

25
26
27
28
29 #

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature
REVISED 4/4/76

I. REQUEST

Bill No. HB 631

Title: An Act providing a communications carriers section in P.U.C.

Requested by: House Finance

Date: _____

Return Date Requested: _____

Agency: Commerce & Econ. Development

Program: Regulation of Bus. & Professions

II. FISCAL DETAIL

Budget Request Unit(s) Affected: PUBLIC UTILITIES COMMISSION

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		76.8				
200 TRAVEL		-0-				
300 CONTRACTUAL		5.2				
400 COMMODITIES		7				
500 EQUIPMENT		4.3				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		87.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		87.0				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	3 /	/	/	/	/
MAN MONTHS (P./T.)	/	36 /	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

It is the intent of the House Finance Committee to appropriate funds for a Communications Engineer, Utilities Financial Analyst IV and a Clerical position.

The agency's travel request was denied. Current funding level seems sufficient when compared with FY 76 travel expenditure--during first seven months of FY 76 (7/1/75-2/29/76) they have expended \$17,640 or 39.9% of their travel allocation. The contractual services, commodities and equipment objects are funded according to the agency's request adjusted for the two disallowed positions.

Communications testing equipment will be considered in the operating budget.

IV. ATTACHMENTS

V. DATE: 4/4/76

PREPARED BY: Robert F. Schroeder

At request of House Finance Committee
Chairman

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

50.4
↓

56.9

APUC / FB

APUC COMMON CARRIER BUREAU

PERSONNEL

1	Communications Engineer (u.E. IV, R22C)	32,112	
1	Utilities Financial Analyst IV (R21C) <i>OK</i>	29,808	
1	Utilities Financial Analyst III (R18C)	23,928	
1	Secretary (R10C) <i>OK</i>	<u>13,596</u>	99,444
	Benefits (21%)		<u>20,883</u>
			120,327

TRAVEL: *4.0*

Average 6 trips per month, 2 days per trip

72 trips at \$90	6,430	
144 Days at \$40 per day	<u>5,760</u>	12,190

CONTRACTURAL: *3.6*

Office Space:

3 each at 1,890	5,670	
1 each at 705	<u>705</u>	6,375

Telephone:

4 each at \$240	<u>960</u>	960
-----------------	------------	-----

Commodities:

Stationery and Office Supplies <i>500</i>		
4 offices at \$230	<u>920</u>	8,255

EQUIPMENT: *2.5*

3 ea Desks at 295		
1 ea Desk at <u>340</u>	1,225	
3 ea Chairs 135		
1 ea Chair <u>110</u>	515	
	at	
1 ea Typewriter	610	
4 ea File Cabinet at 190	760	
3 ea Calculators at 150	450	
3 ea Dictating Machines 450	1,350	
1 ea Transcriber <u>650</u>		5,560

Communications Testing Equipment	<u>10,000</u>	15,560
		<u>156,332</u>

Handwritten notes and scribbles at bottom left.

APUC COMMON CARRIER BUREAU

ADDITIONAL POSSIBLE EXPENSES:

CONSULTANTS FEES	50,000 per year
OUT OF STATE TRAVEL	10,000 per year

NOTE: The foregoing represents the minimum organization required to maintain a modicum of regulatory surveillance over the long lines carrier.

THIS FISCAL NOTE WAS ADOPTED BY HOUSE FINANCE
COMMITTEE on SATURDAY, MARCH 20, 1976.

*Revised
again
4/4/76*

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST
 Bill No. HB 631
 Title: An act providing a Communications Carriers Section in P.U.C.
 Requested by: House Finance Date: 3/23/76
 Return Date Requested: _____
 Agency: Commerce & Econ. Dev. Program: Reg. of Bus. & Professions

II. FISCAL DETAIL
 Budget Request Unit(s) Affected: Public Utilities Commission
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		50.4				
200 TRAVEL		-0-				
300 CONTRACTUAL		3.1				
400 COMMODITIES		.5				
500 EQUIPMENT		2.9				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		56.9				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		56.9				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	2 /	/	/	/	/
MAN MONTHS (P./T.)	/	24 /	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

It is the intent of the House Finance Committee to appropriate funds for a Utilities Analyst IV and a Clerical position.

The agency's travel request was denied. Current funding level seems sufficient when compared with FY76 travel expenditure- during first seven months of FY76 (7/1/75-2/29/76) they have expended \$17,640 or 39.9% of their travel allocation. The contractual services, commodities and equipment objects are funded according to the agency's request adjusted for the two disallowed positions.

Communications testing equipment will be considered in the operating budget.

IV. ATTACHMENTS

V. DATE: 3/22/76 PREPARED BY: Robert F. Schroder

At request of House Finance Committee
3/20/76

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 631
 Title: Communications Carrier Act
 Requested by: Legislative Finance Date: _____
 Return Date Requested: ASAP
 Agency: APUC Program: Communications Carrier Section

II. FISCAL DETAIL

Budget Request Unit(s) Affected: APUC

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		120.3				
200 TRAVEL		12.2				
300 CONTRACTUAL		7.3				
400 COMMODITIES		.9				
500 EQUIPMENT		15.6				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		156.3				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		156.3				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	4/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 22 March 1976 PREPARED BY: G.J. Zerbetz

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Re H B 631 - Fiscal Note

MEMORANDUM

State of Alaska

TO: Marco A. Pignalberi
Special Assistant
Office of the Governor

DATE: April 11, 1975

FILE NO:

TELEPHONE NO: 272-1487

FROM: Commissioner B. Richard Edwards
Alaska Public Utilities Comm.

SUBJECT: Contractual Services
for Fiscal Year 1976

Pursuant to our conversations with respect to the consulting money this Commission needs to properly handle its anticipated caseload in FY 1976, I have compiled the following information. The following companies have either filed for or are in the process of filing for a rate change: B-C Cable Company; Central Alaska Utilities, Inc.; Anchorage Refuse, Inc.; Kotzebue Electric Cooperative; Chugach Electric Association; WPTV; Nome TV; KOTV; KCCS TV; Cordova TV; Boling Enterprises TV; Ketchikan TV; Sitka TV; Matanuska Electric Association; Glacier Highway Electric Association; Alaska Village Electric Cooperative; Alyeska Utilities, Inc.; S&S Development, Inc.; Anchorage Water Utility; Anchorage Municipal Light & Power; Anchorage Telephone Utility; Alaska Electric Light & Power; Matanuska Telephone Association; Glacier State Telephone Company; Juneau-Douglas Telephone Company; Alaska Gas & Service Co.; General Telephone Company; and RCA Alaska Communications, Inc.

For each of these companies I have broken down the necessary consulting requirements into the following categories: Revenue Requirements (rate base and operating expenses), Operating Expenses, Rate of Return and Rate Design.

The approximate cost for a consultant in the Revenue Requirement area is \$15,000-\$30,000 per case. An example of this cost is the Greater Anchorage Area Borough Sewer case for which we recently received a bill from Price Waterhouse & Co., for \$29,358. The average cost of a revenue requirement consultant, therefore, will be approximately \$20,000 per case. It is the Commission's opinion that a revenue requirement consultant will be needed for the following rate cases: Anchorage Refuse, Inc.; Chugach Electric Association; Anchorage Water Utility; Anchorage Municipal Light & Power; Anchorage Telephone Utility; Alaska Electric Light & Power Co.; Matanuska Telephone Association; and Alaska Gas & Service Co. The total amount needed, therefore, for revenue requirement consultants for FY 1976 is \$160,000.

The average cost for a consultant in the Operating Expense area will be approximately \$10,000. It is the Commission's opinion that an operating expense consultant will be needed only in the Central Alaska Utilities rate case. Consequently, \$10,000 in consulting fees for FY 1976 will be needed in the operating expense area.

With respect to the consultants needed in the Rate of Return area, the Commission has already received an estimate for each of the TV rate cases from a consultant in the amount of \$1,500 for each filing to prepare and testify on rate of return. As you will note above, in the list of rate cases there are nine television rate cases involved. Thus for television rate cases only, a total of \$13,500 is needed for rate of return consultants. In the much larger cases, rate of return consultants cost approximately \$10,000 per case. This is approximately the amount that the Commission paid for a rate of return expert in the Juneau-Douglas Telephone rate case a year and a half ago. It is the Commission's opinion that a \$10,000 rate of return consultant will be needed in the following rate cases: Anchorage Water Utility; Anchorage Municipal Light & Power; Anchorage Telephone Utility; Alaska Electric Light & Power Co.; Matanuska Telephone Association; Glacier State Telephone Co.; and Alaska Gas & Service Co. This adds up to an additional \$70,000 needed for rate of return consultants. This totals \$83,500 for rate of return consultant fees.

In the Rate Design area where the consultants that we would hire would determine which classification of customers (residential, commercial or other classification) will pay what amount for the services they are receiving, it is the Commission's opinion that rate design consultants will cost approximately \$7,500 each and that rate design consultants will be needed in the following cases: Chugach Electric Association; Anchorage Municipal Light & Power; Alaska Electric Light & Power Co.; and Matanuska Telephone Association. Thus, the total cost for rate design expertise in FY 1976 will be \$30,000.

In addition to the above figures, it is the Commission's opinion that the RCA Alaska Communications' case contemplated to be filed by January 1, 1976, will require revenue requirement and rate of return consultants in the amount of approximately \$50,000. We expect RCA Alaska Communications, Inc., to file a rate case requesting an increase in intrastate rates somewhere in the neighborhood of \$2 million.

As you will note, all of the cases that I have listed at the beginning of this memorandum do not necessarily show up in each of the categories. Our present staff will be able to handle each of the categories for the following cases: Kotzebue Electric; Matanuska Electric; Glacier Highway Electric; Alaska Village Electric Cooperative; Alyeska Utilities, Inc.; S&S Development, Inc.; and General Telephone Company. Additionally, as you will note, in most of the cases listed above our staff will handle the categories where consultants are not hired.

If my calculations are correct, therefore, and adding an additional \$25,000 for reporting services, it appears that the

April 11, 1975

Commission needs for FY 1976 in contractual services a total of \$358,500. This is an increase over FY 1975 of \$248,500. This is the amount by which our budget should be increased.

Although the amount we are requesting might sound alarming, it should be noted that prior to 1974 fewer than ten rate cases had been filed with this Commission which took any kind of expertise in the areas of revenue requirements, rate of return or rate design. Because of the escalating costs in every segment of our society, many of the utilities which we regulate now find it necessary to come forward and file rate cases to increase rates to the general public of the State.

If you need any further assistance from me on this matter, please feel free to bring your questions to my attention.

BRE:McP

"THE ABOVE MEMO WAS TELECOPIED TO YOU BY LORI CALHOUN IN THE GOV.'S OFFICE IN ANCHORAGE--APRIL 12, 1975 (Saturday)"

STATE
of ALASKA

MEMORANDUM

* The time period per
exhibit is 6 moTO: Gordon J. Zerbetz, Chairman
B. Richard Edwards, Commissioner
Marvin R. Weatherly, Commissioner
Carolyn S. Guess, Commissioner
Susan M. Knowles, Commissioner

DATE : January 21, 1976

THRU: J. Lowell Jensen, Executive
FROM: Director
Maurice H. Oaksmith, Deputy
DirectorSUBJECT: Prospective Estimated Ex-
penditures for ConsultantsFROM: Dwight W. MacCurdy, Jr.
Utility Financial Analyst III

The attached page shows a chart of prospective estimated expenditures for consultants in the upcoming months. In my estimation it is a conservative estimate of the expenditures for consultants which will be required for pending and upcoming rate cases. In summary the chart shows that an estimated \$18,000 will be spent on consultants in the Juneau Douglas and Glacier State Telephone Company cases and the AGAS case. According to Elaine there is approximately \$25,000 in our consultant fund and the expenditures on consultants for these three rate cases would consume a large portion of that \$25,000.

At this point in time it is difficult to foresee whether or not expenditures on consultants will be necessary in the ATU and/or RCA rate cases prior to the new fiscal year. If such expenditure is necessary it is very possible that the amount of available funds for consultants will be insufficient and could result in shortcomings in the staff's investigation and representation of the public interest. As the chart reflects, rate of return testimony in a number of these cases will be given by Commission staff personnel which represents somewhat of a divergence from past practices wherein the norm was to obtain rate of return testimony from outside consultants. This practice, however, will represent a substantial savings to the Commission in consulting fees.

In the area of separations, both the Glacier State and Juneau Douglas Telephone Company rate cases include major proforma adjustments to revenues to account for the switchover in calculating separations from the Charleston method to the Ozark method. There apparently is no one at the staff level who is intimately familiar with the cost separation study who could analyze the volumes of cost sheets which go into such a study within the time frame of the Commission staff workload, or who feels comfortable with the many ramifications of cost separation studies. The impact of the proforma adjustments from the altered separations formula on Juneau Douglas and Glacier State customers is between three-quarters of a million and one million dollars. Accordingly, there appears to be a need to hire an expert in this area to review the cost separation studies prepared by Continental Telephone Company and to provide the staff with expert assistance and testimony in public hearings.

January 21, 1976

Since the Juneau Douglas and Glacier State rate cases are of a smaller magnitude than either the ATU or RCA rate cases, they offer a good jumping off point into the area of cost separation studies. In such studies the size of the utility, measured by diversity of plant, by traffic, or usage, determines to some extent the size or volume of the cost separation study itself. The ATU cost separation study is expected to be more voluminous than either the Juneau Douglas or Glacier State studies, and in turn the RCA cost separation study should be even more voluminous and require a far greater number of manpower hours in order to ascertain the validity of the study.

The estimated expenditures on the attached page were guesstimated after having discussed the matter with separations personnel from the consulting firm of Ernst & Ernst. Accordingly, these estimates should only be used as guidelines. There are separations consulting firms which charge less than Ernst & Ernst and there are firms which charge more for separations work. As such, the estimates contained on the attached page which show gross expenditures of approximately \$75,000 may either be overstating or understating the actual cost. However, I felt that it would be appropriate at this time to review said prospective expenditures so as to give the Commission some ballpark estimation of foreseeable expenditures on consultants.

DWM:dj

CONCURRENCE:

Bruce C. Milne, Chief
Finance and Accounting

Russell N. Staley, Chief
Engineering Section

Robert A. Lindblom, Chief
Tariff Section

RESPECTIVE ESTIMATED EXPENDITURES & CONSULTANTS

FILING	Actual (A) or Expected (E) End of Suspension Period.	AMOUNT OF CONSULTING ASSISTANCE		
		Separations	R. of Return	TOTAL
J-D	5-22-76 A	\$4,000	IN HOUSE	\$4,000
GSTC	5-22-76 A	4,000	✓	4,000
AGAS	6-8-76 A	—	\$10,000	10,000
MLAP	6-30-76 E	—	IN HOUSE	—
CEA	3-15-76 A	—	—	—
ATU	12-31-76 E	5,000	IN HOUSE	5,000
RCA	10-15-76 E	40,000	10,000	50,000
AWU	9-15-76 E	—	IN HOUSE	—
GVEA	9-30-76 E	—	✓	—
GHEA	7-31-76 E	—	✓	—
Down Development	8-31-76 E	—	—	—
MITA	6-15-76 E	—	IN HOUSE	—
MEFA	3-1-76 A	—	✓	—
SATV & KATV	3-19-76 A	—	✓	—
GAAIZ	8-15-76 E	—	✓	—
CEI	7-1-76 E	—	?	—
WPTV	1-31-76 A	—	IN HOUSE	—
		\$53,000	\$20,000	\$73,000
			Deduct Available Funds	<25,000>
			Potential Shortage	\$48,000

100% of the projected expenditures may not be expended before the new fiscal year, but probably the full amount of even RCA/ATU expenditures (\$18,000) will be utilized by July 1, 1976, budget permitting. It is possible that the RCA/ATU cases will require some expenditures before July 1, 1976, in which case the remaining balance in our consultant fund (25,000 - 18,000 = \$7,000) may be insufficient.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James A. Smith
Signature of Camera Operator

2/6/90
Date

"An Act relating to licensing of speech pathologists and audiologists."

COMMITTEE REPORT

4/12/76

HOUSE

Mr. Speaker:

Date _____

The Committee on FINANCE has had HB 635

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

() "and" recommends it BE REFERRED TO THE _____
COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

_____ Chairman

COMMITTEE REPORT

1/21/76

HOUSE

FINANCE

Mr. Speaker:

Date March 25, 1976

HEALTH, EDUCATION & SOCIAL SERVICES

The Committee on _____ has had HB 635

under consideration. +3 A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR HB 635 AND THAT

CS FOR id DO PASS

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>Susan Sullivan</u>	<u>Do Pass</u>	_____
<u>Helen Beine</u>	<u>Do Pass</u>	_____
<u>Kathryn O'Rourke</u>	<u>Do Pass</u>	_____
_____	_____	_____

Members NOT concurring in the Majority report:

<u>Charles Han</u>	recommends:	<u>Do not No recommendation</u>
<u>Alicia O'Rourke</u>	recommends:	<u>No Rec.</u>
<u>Gene Adams</u>	recommends:	<u>NO REC.</u>

_____ recommends:

_____ recommends:

Sullivan

Chairman

Original sponsor: H. B. J.

Offered: 4/12/76
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 635

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to licensing of speech pathologists
7 and audiologists; and providing for an effective date."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 74. SPEECH PATHOLOGISTS AND AUDIOLOGISTS.

11 ARTICLE 1. BOARD OF SPEECH PATHOLOGY

12 AND AUDIOLOGY.

13 Sec 08.74.010. ESTABLISHMENT; MEMBERSHIP; APPOINTMENT OF BOARD.

14 There is established the Board of Speech Pathology and Audiology, con-
15 sisting of five members from as many separate judicial districts as
16 possible. Members shall have been residents of the state for at least
17 two years immediately preceding their appointment. The board consists
18 of two speech pathologists, one audiologist, one physician, and one
19 public member. The speech pathologists and audiologist on the first
20 board shall meet the requirements of sec. 110 of this chapter. Members
21 are appointed by the governor, who may appoint members from a list of
22 persons submitted by the Alaska Speech and Hearing Association.

23 Sec. 08.74.020. TERM OF OFFICE; COMPENSATION. (a) Board members
24 serve staggered three-year terms. Two members of the first board serve
25 three-year terms, two members serve two-year terms, and one member
26 serves a one-year term. A member may not serve more than two full terms
27 consecutively.

28 (b) Board members serve voluntarily except that members are en-
29 titled to travel expenses and per diem as allowed by law for other

COMMITTEE COPY

1 boards.

2 Sec. 08.74.030. CHAIRPERSON, MEETINGS, QUORUM. (a) The board
3 annually elects a chairperson from its members.

4 (b) The board shall hold a regular meeting annually and other
5 meetings as may be necessary. Special meetings may be called by the
6 chairperson or by concurrence of two board members. A majority of the
7 members of the board constitutes a quorum.

8 Sec. 08.74.040. DUTIES AND POWERS. The board shall

9 (1) adopt standards for licensure of speech pathologists and
10 audiologists;

11 (2) adopt regulations necessary to effectuate the purposes of
12 this chapter;

13 (3) evaluate the qualifications of applicants;

14 (4) investigate persons engaging in practices violating the
15 provisions of this chapter;

16 (5) conduct hearings and keep records and minutes necessary
17 for carrying out the purposes of this chapter;

18 (6) adopt standards for continuing professional education for
19 persons licensed under this chapter;

20 (7) establish, in consultation with the department, fees for
21 licenses issued by the board.

22 ARTICLE 2. LICENSING OF SPEECH PATHOLOGISTS
23 AND AUDIOLOGISTS.

24 Sec. 08.74.100. LICENSURE AS AUDIOLOGIST. To be eligible for a
25 license as an audiologist, an applicant shall

26 (1) have a master's degree in audiology;

27 (2) submit evidence to the board of having completed the
28 requirements of the American Speech and Hearing Association for the cer-
29 tificate of clinical competence in audiology.

1 Sec. 08.74.110. LICENSURE AS SPEECH PATHOLOGIST. To be eligible
2 for a license as a speech pathologist, an applicant shall

3 (1) have a master's degree in speech pathology;

4 (2) submit evidence to the board of having completed the
5 requirements of the American Speech and Hearing Association for the
6 certificate of clinical competence in speech pathology.

7 Sec. 08.74.120. WAIVER OF REQUIREMENTS. The board shall waive the
8 requirements of sec. 100 or 110 of this chapter for an applicant who, on
9 the effective date of this Act or in the two years before the effective
10 date of this Act for a period of at least six consecutive months, has
11 been actively engaged in the practice of speech pathology or audiology
12 and has a bachelor's degree in speech pathology or audiology, pays the
13 applicable fees, and applies for a license under this section or within
14 a year after the effective date of this Act.

15 Sec. 08.74.130. ENDORSEMENT. The board may license a person as an
16 audiologist or speech pathologist if the person

17 (1) holds the American Speech and Hearing Association Certi-
18 ficate of Clinical Competence in speech pathology or audiology; and

19 (2) is currently licensed as a speech pathologist or audiolo-
20 gist in another state or in Canada and that state or province in Canada
21 maintains professional licensing standards equivalent to those in this
22 chapter.

23 Sec. 08.74.140. DENIAL, SUSPENSION OR REVOCATION OF LICENSE. The
24 board may deny, suspend, or revoke a license of, or reprimand or censure
25 a person or applicant who has

26 (1) obtained or attempted to obtain a license under this
27 chapter by fraud or deceit; or

28 (2) wilfully violated a provision of this chapter or a
29 regulation adopted under this chapter.

1 Sec. 08.74.150. RENEWAL OF LICENSE. (a) Licenses expire bien-
2 nially on a date set by the department and may be renewed by making an
3 application to the department and meeting the requirements established
4 by the board under sec. 40 of this chapter.

5 (b) A person who fails to renew his license within five years
6 after the date of its expiration must meet the requirements for obtain-
7 ing an initial license under this chapter.

8 Sec. 08.74.160. SPEECH PATHOLOGY AND AUDIOLOGY AIDES. A person
9 pursuing a degree in speech pathology or audiology at an accredited
10 college or university may work as a speech pathologist or audiologist
11 aide if the person meets the standards set by the board for speech
12 pathologist or audiologist aides and is supervised by a speech patholo-
13 gist or audiologist licensed under this chapter.

14 ARTICLE 3. GENERAL PROVISIONS.

15 Sec. 08.74.200. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
16 The board shall adopt regulations and conduct hearings in accordance
17 with the Administrative Procedure Act (AS 44.62).

18 Sec. 08.74.210. VIOLATIONS. (a) It is unlawful for a person to

19 (1) fraudulently obtain or furnish a license, renewal or
20 record required by this chapter;

21 (2) use the title "speech pathologist" or "audiologist", or a
22 title or designation indicating or tending to indicate that he is a
23 speech pathologist or audiologist unless licensed by this chapter;

24 (3) wilfully violate a provision of this chapter or a regula-
25 tion adopted under this chapter.

26 (b) A person who violates this section is guilty of a misdemeanor
27 and upon conviction is punishable by a fine of \$500, or by imprisonment
28 for one year, or by both.

29 Sec. 08.74.220. DEFINITIONS. In this chapter

1 (1) "actively engaged in the practice of speech pathology or
2 audiology" means the accumulation of 360 hours of practice in the appli-
3 cable field within a six-month period;

4 (2) "audiology" means the application of principles, methods,
5 and procedures for measurement, testing, evaluation, prediction, con-
6 sultation, counseling, instruction, habilitation, or rehabilitation
7 related to hearing and disorders of hearing;

8 (3) "speech pathology" means the application of principles,
9 methods and procedures for the measurement, testing, evaluation, diag-
10 nosis, counseling, instruction, habilitation, or rehabilitation related
11 to the development and disorders of speech, voice, or language.

12 (4) "board" means the Board of Speech Pathology and Audi-
13 ology;

14 * Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

15 (21) Board of Speech Pathology and Audiology.

16 * Sec. 3. This Act takes effect July 1, 1976.
17
18
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26
27
28
29

1687
Riemers

Introduced: 1/21/76
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY H. BEIRNE

2 HOUSE BILL NO. 635

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to licensing of speech pathologists
7 and audiologists."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 74. SPEECH PATHOLOGISTS AND AUDIOLOGISTS.

11 ARTICLE 1. BOARD OF EXAMINERS

12 OF SPEECH PATHOLOGY AND AUDIOLOGY.

13 Sec. 08.74.010. CREATION AND MEMBERSHIP OF BOARD. There is
14 created the Board of Examiners of Speech Pathology and Audiology. The
15 board shall have three members, residing in as many separate Alaska
16 judicial districts as possible. Members shall have been residents of
17 the state for at least two years immediately preceding their appoint-
18 ment. Two board members shall be speech pathologists, and one member
19 shall be an audiologist. Board members shall be licensed for the
20 practice of speech pathology or audiology in this state, except for
21 the three members first appointed who shall fulfill the requirements
22 of sec. 110 of this chapter.

23 Sec. 08.74.020. APPOINTMENTS. (a) Members shall be appointed
24 by the governor from names submitted to the governor by the Alaska
25 Speech and Hearing Association. The governor shall appoint one board
26 member for a term of one year, one for a term of two years, and one for
27 a term of three years. Appointments made thereafter shall be for three-
28 year terms. No person is eligible to serve more than two full consecu-
29 tive terms. Terms begin on the first day of the calendar year and end

1 on the last day of the calendar year, except the first appointed members
2 who shall serve through the last calendar day of the year in which they
3 are appointed before commencing the terms prescribed by this section.

4 (b) Within 30 days after the date of enactment of this chapter,
5 the association shall submit the names of six speech pathologists for
6 two board positions, and three audiologists for one board position
7 created by (a) of this section. After the initial appointment, the
8 association shall recommend, at least 60 days before the end of each
9 calendar year, three speech pathologists or audiologists for each
10 vacancy occurring at the end of the calendar year. A vacancy shall be
11 filled by appointment for the unexpired term.

12 Sec. 08.74.030. MEETINGS OF THE BOARD. (a) A majority of the
13 board constitutes a quorum.

14 (b) The board shall meet during the first month of each calendar
15 year. At least one additional meeting shall be held before the end of
16 each calendar year. Further meetings may be convened at the written
17 request of a board member. All meetings of the board shall be open to
18 the public.

19 (c) Members of the board are entitled to per diem and expenses
20 authorized by law.

21 Sec. 08.74.040. FUNCTIONS OF THE BOARD. The board is authorized
22 to

23 (1) adopt regulations necessary to make this chapter effec-
24 tive;

25 (2) administer the provisions of this chapter, evaluate the
26 qualifications of applicants, and investigate persons engaging in
27 practices which violate the provisions of this chapter;

28 (3) conduct hearings, administer oaths to persons giving
29 testimony at hearings, and keep records and minutes necessary to an

1 orderly dispatch of business; and

2 (4) establish fees for licenses issued by the board.

3 Sec. 08.74.060. ANNUAL REPORTS. The board shall make an annual
4 report to the governor no later than November 15 of each year. The
5 report shall contain an account of all money received, licenses issued,
6 suspended or revoked, and all expenditures made by the board in the 12
7 months before that date.

8 ARTICLE 2. LICENSING OF SPEECH

9 PATHOLOGISTS AND AUDIOLOGISTS.

10 Sec. 08.74.100. LICENSE REQUIRED. (a) No person may practice
11 speech pathology or audiology or represent himself as a speech patholo-
12 gist or audiologist in this state without first obtaining a license in
13 accordance with the provisions of this chapter.

14 (b) Licenses shall be granted in either speech pathology or audi-
15 ology independently. A person may be licensed in both areas if he meets
16 the respective qualifications.

17 Sec. 08.74.110. ELIGIBILITY. To be eligible for a license as a
18 speech pathologist or audiologist, the applicant shall

19 (1) possess at least a master's degree in the area of speech
20 pathology or audiology;

21 (2) submit evidence to the board of meeting the requirements
22 of the American Speech and Hearing Association for the certificate of
23 clinical competence in speech pathology or audiology.

24 Sec. 08.74.120. WAIVER OF REQUIREMENTS. The board shall waive
25 the requirements of sec. 110 of this chapter for an applicant who

26 (1) on the effective date of this chapter, or in the two
27 years before the effective date of this chapter for a period of at
28 least six consecutive months, has been actively engaged in the practice
29 of speech pathology or audiology and has a bachelor's degree in speech

1 pathology or audiology;

2 (2) is currently licensed in another state or United States
3 territory, including the District of Columbia, or a province of Canada,
4 which maintains professional standards equivalent to those set out in
5 this chapter;

6 (3) holds the American Speech and Hearing Association Certi-
7 ficate of Clinical Competence in speech pathology or audiology.

8 Sec. 08.74.130. SUSPENSION AND REVOCATION OF LICENSE. (a) The
9 board shall issue a license to a person who meets the requirements of
10 this chapter. The board may refuse to issue or renew a license or may
11 suspend or revoke a license if the licensee or applicant has been guilty
12 of unprofessional conduct which has endangered or is likely to endanger
13 the health, welfare, or safety of the public. Unprofessional conduct
14 may result from

15 (1) procurement of a license by means of fraud, misrepresenta-
16 tion, or concealment of material facts;

17 (2) unprofessional conduct as defined by the regulations
18 established by the board;

19 (3) conviction of a felony involving moral turpitude; or

20 (4) violation of a provision of this chapter or a regulation
21 issued under this chapter.

22 (b) The board may deny an application for, or suspend, revoke, or
23 impose probationary conditions upon a license after a hearing has been
24 conducted.

25 (c) One year from the date of revocation of a license under this
26 section, application may be made to the board for reinstatement. The
27 board may accept or reject an application for reinstatement and may
28 require an examination for reinstatement.

29 Sec. 08.74.140. RENEWAL OF LICENSE. (a) A license issued under

1 this chapter shall be issued for a term of two years and may be renewed
2 for a like period.

3 (b) A revoked license is subject to expiration, but it may not be
4 renewed. If a revoked license is reinstated after its expiration, the
5 licensee, as a condition of reinstatement, shall pay a reinstatement
6 fee.

7 (c) A person who fails to renew his license within five years
8 after the date of its expiration may not renew it but may apply for and
9 obtain a new license upon compliance with the provisions of this chapter
10 for the issuing of an initial license.

11 Sec. 08.74.150. CONTINUING PROFESSIONAL EDUCATION. The board
12 shall assure continuing professional education of persons licensed under
13 this chapter as a condition for continued licensure.

14 Sec. 08.74.160. SPEECH PATHOLOGY AND AUDIOLOGY AIDS. (a) A
15 person pursuing a course of study at an accredited college or university
16 which leads to a degree in speech pathology or audiology and who has
17 been designated as a speech pathology or audiology aide or intern or
18 any other title appropriate to his level of training may provide speech
19 pathology or audiology services.

20 (b) A speech pathology or audiology aide shall be supervised by
21 a speech pathologist or audiologist who is licensed under this chapter.

22 (c) The board shall adopt minimum standards for speech pathology
23 and audiology aides which shall be less than the standards applicable
24 to speech pathologists and audiologists.

25 Sec. 08.74.170. EXEMPTIONS. This chapter does not apply to

26 (1) a physician or surgeon engaging in the practice of medi-
27 cine;

28 (2) a hearing aid dealer engaging in the business of fitting
29 and selling hearing aids;

1 (3) a person engaging in a profession or occupation for
2 which he is licensed by the state;

3 (4) a person who holds a valid and current credential as a
4 speech or hearing specialist, issued by the Department of Education, or
5 a person employed as a speech pathologist or audiologist by the govern-
6 ment of the United States while engaging in the discharge of his offi-
7 cial duties or offering lectures to the public for a fee;

8 (5) a person not a resident of this state and not licensed
9 under this chapter who meets the qualifications and requirements
10 described in sec. 110 of this chapter if he provides speech pathology
11 or audiology services for not more than 60 days in any calendar year
12 and his services are performed in cooperation with a speech pathologist
13 or audiologist licensed under this chapter.

14 ARTICLE 3. GENERAL PROVISIONS.

15 Sec. 08.74.200. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
16 The board shall adopt regulations and conduct hearings in accordance
17 with the Administrative Procedure Act (AS 44.62).

18 Sec. 08.74.210. PENALTIES. A person practicing, or presenting
19 himself to be practicing, speech pathology or audiology without a
20 license is guilty of a misdemeanor and upon conviction is punishable
21 by a fine of not less than \$50 nor more than \$100, or by imprisonment
22 for not less than 10 days nor more than 90 days, or by both. Each day
23 of unlicensed practice is a separate offense.

24 Sec. 08.74.220. DEFINITIONS. In this chapter

25 (1) "actively engaged" means the accumulation of 360 hours of
26 practice within a six-month period;

27 (2) "audiologist" means an individual who practices audiology
28 or who presents himself to the public by a title or description of ser-
29 vices incorporating the words audiologist, audiology, audiological,

1 hearing clinician, hearing clinic, hearing therapist, or a similar title
2 or description of service;

3 (3) "audiology" means the application of principles, methods,
4 and procedures for measurement, testing, evaluation, prediction, con-
5 sultation, counseling, instruction, habilitation, or rehabilitation
6 related to hearing and disorders of hearing for the purpose of evalua-
7 ting, identifying, preventing, treating, ameliorating, or modifying these
8 disorders and conditions in individuals or groups of individuals;

9 (4) "board" means the Alaska Board of Examiners of Speech
10 Pathology and Audiology;

11 (5) "speech pathologist" means an individual who practices
12 speech pathology or who presents himself to the public by a title or
13 description of services incorporating the words speech pathologist,
14 speech therapist, speech correctionist, speech clinician, language
15 pathologist, language therapist, logopedist, communicologist, voice
16 therapist, voice pathologist, or a similar title or description of
17 service;

18 (6) "speech pathology" means the application of principles,
19 methods and procedures for the measurement, testing, evaluation, diag-
20 nosis, counseling, instruction, habilitation, or rehabilitation related
21 to the development and disorders of speech, voice, or language for the
22 purpose of evaluating, preventing, ameliorating, or modifying these
23 disorders and conditions in individuals or groups of individuals.
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ALASKA STATE LEGISLATURE

Legislature Session

HOUSE NO. 635

By

"An Act relating to licensure of ..."

Introduced in the House 1971

HISTORY IN THE HOUSE

19 71	Read first time and referred to Committee on Health, Education & Social Services and Finance												
Jan 21	Reported back with recommendation that												
	Read second time and												
	Read third time and												
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CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
	By Governor
	Filed with Lt. Governor
	Chapter No.

THE LEGISLATURE OF THE STATE OF ALASKA

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 635

Title: An Act relating to licensing of speech pathologists & audiologists

Requested by: _____ Date: _____

Return Date Requested: _____

Agency: Commerce Program: Licensing of Professions

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Regulating and Licensing of Professions

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		15.4	16.9	18.6	20.5	22.5
200 TRAVEL		3.2	3.5	3.9	4.3	4.7
300 CONTRACTUAL		2.5	2.8	3.0	3.3	3.7
400 COMMODITIES		.7	.8	.8	.9	1.0
500 EQUIPMENT		1.3	.0	.0	.0	.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		23.1	24.0	26.3	29.0	31.9

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PERMANENT/TEMPORARY	/	1 /	1 /	1 /	1 /	1 /
MAN MONTHS (P./T.)	/	12 /	12 /	12 /	12 /	12 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Division has reached capacity as far as providing administrative services to licensing boards with existing staff. Five examiners share 21 boards which is an average of 4 1/4 each. One examiner is assigned the Board of Architects, Engineers and Land Surveyors and one examiner works exclusively with construction contractors because of the large numbers of licensees. Any new board will require additional examiner staffing. Assumes 10% inflation and effective date of July 1, 1976.

IV. ATTACHMENTS

V. DATE: February 4, 1976 PREPARED BY: Sharon Andrew, Director

Original: Legislative Finance
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Prime Sponsor (First Legislator Named)

Original sponsor: H. Beirne

Offered: 4/12/76
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 635

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to licensing of speech pathologists
7 and audiologists; and providing for an effective date."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 74. SPEECH PATHOLOGISTS AND AUDIOLOGISTS.

11 ARTICLE 1. BOARD OF SPEECH PATHOLOGY

12 AND AUDIOLOGY.

13 Sec. 08.74.010. ESTABLISHMENT; MEMBERSHIP; APPOINTMENT OF BOARD.

14 There is established the Board of Speech Pathology and Audiology, con-
15 sisting of five members from as many separate judicial districts as
16 possible. Members shall have been residents of the state for at least
17 two years immediately preceding their appointment. The board consists
18 of two speech pathologists, one audiologist, one physician, and one
19 public member. The speech pathologists and audiologist on the first
20 board shall meet the requirements of sec. 110 of this chapter. Members
21 are appointed by the governor, who may appoint members from a list of
22 persons submitted by the Alaska Speech and Hearing Association.

23 Sec. 08.74.020. TERM OF OFFICE; COMPENSATION. (a) Board members
24 serve staggered three-year terms. Two members of the first board serve
25 three-year terms, two members serve two-year terms, and one member
26 serves a one-year term. A member may not serve more than two full terms
27 consecutively.

28 (b) Board members serve voluntarily except that members are en-
29 titled to travel expenses and per diem as allowed by law for other

1 boards.

2 Sec. 08.74.030. CHAIRPERSON, MEETINGS, QUORUM. (a) The board
3 annually elects a chairperson from its members.

4 (b) The board shall hold a regular meeting annually and other
5 meetings as may be necessary. Special meetings may be called by the
6 chairperson or by concurrence of two board members. A majority of the
7 members of the board constitutes a quorum.

8 Sec. 08.74.040. DUTIES AND POWERS. The board shall

9 (1) adopt standards for licensure of speech pathologists and
10 audiologists;

11 (2) adopt regulations necessary to effectuate the purposes of
12 this chapter;

13 (3) evaluate the qualifications of applicants;

14 (4) investigate persons engaging in practices violating the
15 provisions of this chapter;

16 (5) conduct hearings and keep records and minutes necessary
17 for carrying out the purposes of this chapter;

18 (6) adopt standards for continuing professional education for
19 persons licensed under this chapter;

20 (7) establish, in consultation with the department, fees for
21 licenses issued by the board.

22 ARTICLE 2. LICENSING OF SPEECH PATHOLOGISTS
23 AND AUDIOLOGISTS.

24 Sec. 08.74.100. LICENSURE AS AUDIOLOGIST. To be eligible for a
25 license as an audiologist, an applicant shall

26 (1) have a master's degree in audiology;

27 (2) submit evidence to the board of having completed the
28 requirements of the American Speech and Hearing Association for the cer-
29 tificate of clinical competence in audiology.

1 Sec. 08.74.110. LICENSURE AS SPEECH PATHOLOGIST. To be eligible
2 for a license as a speech pathologist, an applicant shall

3 (1) have a master's degree in speech pathology;

4 (2) submit evidence to the board of having completed the
5 requirements of the American Speech and Hearing Association for the
6 certificate of clinical competence in speech pathology.

7 Sec. 08.74.120. WAIVER OF REQUIREMENTS. The board shall waive the
8 requirements of sec. 100 or 110 of this chapter for an applicant who, on
9 the effective date of this Act or in the two years before the effective
10 date of this Act for a period of at least six consecutive months, has
11 been actively engaged in the practice of speech pathology or audiology
12 and has a bachelor's degree in speech pathology or audiology, pays the
13 applicable fees, and applies for a license under this section or within
14 a year after the effective date of this Act.

15 Sec. 08.74.130. ENDORSEMENT. The board may license a person as an
16 audiologist or speech pathologist if the person

17 (1) holds the American Speech and Hearing Association Certi-
18 ficate of Clinical Competence in speech pathology or audiology; and

19 (2) is currently licensed as a speech pathologist or audiolo-
20 gist in another state or in Canada and that state or province in Canada
21 maintains professional licensing standards equivalent to those in this
22 chapter.

23 Sec. 08.74.140. DENIAL, SUSPENSION OR REVOCATION OF LICENSE. The
24 board may deny, suspend, or revoke a license of, or reprimand or censure
25 a person or applicant who has

26 (1) obtained or attempted to obtain a license under this
27 chapter by fraud or deceit; or

28 (2) wilfully violated a provision of this chapter or a
29 regulation adopted under this chapter.

1 Sec. 08.74.150. RENEWAL OF LICENSE. (a) Licenses expire bien-
2 nially on a date set by the department and may be renewed by making an
3 application to the department and meeting the requirements established
4 by the board under sec. 40 of this chapter.

5 (b) A person who fails to renew his license within five years
6 after the date of its expiration must meet the requirements for obtain-
7 ing an initial license under this chapter.

8 Sec. 08.74.160. SPEECH PATHOLOGY AND AUDIOLOGY AIDES. A person
9 pursuing a degree in speech pathology or audiology at an accredited
10 college or university may work as a speech pathologist or audiologist
11 aide if the person meets the standards set by the board for speech
12 pathologist or audiologist aides and is supervised by a speech patholo-
13 gist or audiologist licensed under this chapter.

14 ARTICLE 3. GENERAL PROVISIONS.

15 Sec. 08.74.200. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
16 The board shall adopt regulations and conduct hearings in accordance
17 with the Administrative Procedure Act (AS 44.62).

18 Sec. 08.74.210. VIOLATIONS. (a) It is unlawful for a person to

19 (1) fraudulently obtain or furnish a license, renewal or
20 record required by this chapter;

21 (2) use the title "speech pathologist" or "audiologist", or a
22 title or designation indicating or tending to indicate that he is a
23 speech pathologist or audiologist unless licensed by this chapter;

24 (3) wilfully violate a provision of this chapter or a regula-
25 tion adopted under this chapter.

26 (b) A person who violates this section is guilty of a misdemeanor
27 and upon conviction is punishable by a fine of \$500, or by imprisonment
28 for one year, or by both.

29 Sec. 08.74.220. DEFINITIONS. In this chapter

1 (1) "actively engaged in the practice of speech pathology or
2 audiology" means the accumulation of 360 hours of practice in the appli-
3 cable field within a six-month period;

4 (2) "audiology" means the application of principles, methods,
5 and procedures for measurement, testing, evaluation, prediction, con-
6 sultation, counseling, instruction, habilitation, or rehabilitation
7 related to hearing and disorders of hearing;

8 (3) "speech pathology" means the application of principles,
9 methods and procedures for the measurement, testing, evaluation, diag-
10 nosis, counseling, instruction, habilitation, or rehabilitation related
11 to the development and disorders of speech, voice, or language.

12 (4) "board" means the Board of Speech Pathology and Audi-
13 ology;

14 * Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

15 (21) Board of Speech Pathology and Audiology.

16 * Sec. 3. This Act takes effect July 1, 1976.
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