

SCOMM

#51:22

July 1, 1983

SB 64 - Licensed physicians placed in the exempt service

History - IN THE SENATE

Labor & Commerce: This bill had no hearings because the House Bill moved first.

Companion Bill: HB 108 is the companion. It became Chapter 11, SLA 1983 on May 2, 1983. The Senate Bill is no longer needed.

Introduced: 1/21/83
Referred: Labor and Commerce

BY THE RULES COMMITTEE BY
REQUEST OF THE LEGISLATIVE
COUNCIL (for the Blue
Ribbon Commission on the
State Personnel Act)

1 IN THE SENATE

2

SENATE BILL NO. 64

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the inclusion in the state exempt

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service of licensed physicians employed by the divi-

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sion of mental health and developmental disabilities,

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Department of Health and Social Services."

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

11 * Section 1. AS 39.25.110(13) is amended to read:

12

(13) [LICENSED] physicians licensed to practice in this

13

state and [, AS DEFINED IN AS 47.30.340(9)] employed by the division of

14

mental health and developmental disabilities, Department of Health and

15

Social Services [THE STATE];



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG
Mail Stop 3123
Juneau, Alaska 99811
(907) 465-4442

MEMORANDUM

January 25, 1983

TO: Senate Labor and Commerce Committee

FROM: Teresa B. Cramer
Administrative Assistant

SUBJECT: Senate Bill 64 - Licensed Physicians in the Department of Health and Social Services

An unintended change created by an amendment to the State Personnel Act last session has caused some question in the Department of Health and Social Services. Prior to the amendment, licensed physicians employed by the Division of Mental Health and Developmental Disabilities were placed in the exempt service. Other physicians working for the department were members of the classified service. This system worked well. The exception for those working in the mental health field was necessary in order to attract and pay qualified staff.

The amendment placed all licensed physicians, as defined in AS 47.30.340(9), employed by the state into the exempt service. Title 47.30 addresses mentally ill and insane persons but the definition section defined "licensed physician" in general terms. The department brought to the commission's attention an unforeseen situation. There were two employees in the Division of Public Health serving as Regional Health Officers. One was a medical doctor and the other a licensed veterinarian. Under the amended version of the State Personnel Act, the doctor could be placed in the exempt service and the veterinarian would remain in the classified service. Both have the same duties, though in different locations.

The commission recommends that legislation be adopted to return all medical doctors except those employed by the Division of Mental Health and Developmental Disabilities to the classified service.

Bill Analysis

The bill amends the section of the State Personnel Act which lists membership in the exempt service to place only those physicians employed by the Division of Mental Health and Developmental Disabilities in the exempt service.

TBC:lmk
Attachment

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH H 01
JUNEAU, ALASKA 99811
PHONE: 465-3030

December 14, 1982

The Honorable Bill Ray, Chairman
Blue Ribbon Commission on the State Personnel Act
Pouch YG, Mail Station 3123

Attention: Terry Cramer, Administrative Assistant

Subject: Licensed Physicians - Department of Health & Social Services

Dear Senator Ray:

Subsequent to the December 7 meeting of the Blue Ribbon Commission, and at its direction, the Department of Health & Social Services considered the circumstances surrounding the statutory language relating to licensed physicians employed by the state. The original purpose for the inclusion of licensed physicians in the exempt service under AS 39.25.0110 (19) was to provide for recruitment and retention of qualified and competent staff within the Division of Mental Health & Developmental Disabilities. That situation has worked well since that time.

The amendments to that statute as adopted under HCS CSSB 193 in 1982 eliminated that particular distinction. As presently written, that statute could be interpreted to include licensed physicians in the Division of Public Health. That action is not adjudged to be in the best interests of the state and those employees. It should be noted that in 1981, AS 47.30.340 was repealed in its entirety and AS 47.30.915 was added. That section again defined "licensed physician" in the legislative reference to mental health programs.

It is therefore respectfully requested that the language in AS 39.25.110 (13) be amended to read as follows: "licensed physicians, as defined in AS 47.30.915 (11), employed by the Division of Mental Health & Developmental Disabilities, Department of Health & Social Services.

Thank you for your consideration of this matter.

Sincerely,

Allen K. Korhonen
Acting Commissioner

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Acting Commissioner

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

December 27, 1982

SUBJECT: Work Order No. 13-0381
TO: Senator Bill Ray
FROM: Russ Josephson *RJ*
Legislative Counsel

I have tried to reach Terry Cramer at the Blue Ribbon Commission on the State Personnel Act to inquire about a problem I encountered while drafting the enclosed bill.

The draft varies from the request you sent us because it adds the term "mental health professionals" to the bill. The reason for this is that AS 47.30.915(11), which was requested to be in the draft, defines "mental health professionals" and not "physicians". In order to use the requested approach, I felt it was necessary to add the phrase "mental health professionals". If it is your desire to limit the scope of the exempt service so that it includes the physicians employed by the Division of Mental Health and Developmental Disabilities, Department of Health and Social Services but excludes the other mental health professionals employed in that division, I certainly can draft the bill accordingly. To do so, we will have to modify the requested language "licensed physicians, as defined in AS 47.30.915(11)".

Please let us know how you want this handled and we will proceed accordingly.

RJ:lmb

Enclosure

This is the commission's intent, so make whatever modifications are necessary.
Thanks

*Terry Cramer
Blue Ribbon Commission
465-4442*

Please make the indicated
changes

13-0382
Josephson
12-22-82

BY THE RULES COMMITTEE BY
REQUEST OF THE LEGISLATIVE
COUNCIL (for the Blue
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2 SENATE BILL NO.

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7 service of licensed physicians ~~and mental health~~
8 ~~professionals~~ employed by the division of mental
9 health and developmental disabilities, Department of
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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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13 (13) licensed physicians ~~and mental health professionals~~, as
14 defined in AS 47.30.915(11) [AS 47.30.340(9)], employed by the divi-
15 sion of mental health and developmental disabilities, Department of
16 Health and Social Services [THE STATE];

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18 It might be appropriate to add, for clarification,
19 to line 16 before the "; "but not mental
20 health professionals"
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