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 1979-1980 7/98

AMERICAN ASSOCIATION OF STATE PSYCHOLOGY BOARDS

Committee on Supervision

The American Association of State Psychology Boards established a Committee on Supervision with the charge that it develop Guidelines for the attainment of that amount of supervised practice which is required as a pre-condition to licensure. The need for such Guidelines has been evidenced by mounting pressure towards uniform standards for licensing on a Federal level, as well as the continuing feedback that many States were having difficulty arriving at consistent standards for evaluating this aspect of their applicants' credentials. The Committee was also charged with the development of Guidelines for Supervision of unlicensed persons providing psychological services. This initial report concerns itself with the first of these issues.

A period of supervised professional work experience is widely recognized by statute as one of the prerequisites for credentialing for autonomous practice. The process of supervision, that is, the management of a work experience and evaluation of the psychologist's performance, serves as a bridge between graduate education and practicum training, and the detailed application of professional skills in specific client situations.

The supervisory function serves a multiplicity of purposes. It provides guidance in administrative issues in the practice setting, it continues and expands education in skills, it offers emotional support, and it provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional functioning. The supervisor assigns work, sets realistic standards for achievement, and offers evaluation of the supervisee's performance. The supervisor offers a perspective on the relationship between the supervisee's assignment, the rest of the agency and the facilities available outside of the agency, in order that the supervisee's diagnostic and intervention procedures are intelligently placed within the context of all of the systems effecting and influencing the client. In addition to all of this, the supervisor must deal with the personal characteristics of the supervisee which either enhance or interfere with his work efficiency.

The following Guidelines are based on a careful review of the operation of all of the State Boards of Examiners, and intensive consideration and debate of the Executive Committee of the American Association of State Psychology Boards. In addition to detailing what we deem to be reasonable minimal standards for supervised practice, this document underlines and emphasizes the legal, administrative and professional responsibility of the licensed psychologist designated as supervisor. It is the supervisor's obligation to limit supervision to those areas in which he/she has professional expertise, as well as to develop the specialized skills necessary to render competent supervision.

SUPERVISED PRACTICE AS PREREQUISITE FOR LICENSURE

I. Duration and Setting of Supervised Practice

- A. Two years of supervised and documented experience shall be required prior to considering a candidate as eligible for admission to examination for full licensure.
 - 1. The first year of supervised experience shall be credited only after accruing the equivalent of two years of full time graduate study in an integrated sequence of course work in psychology. The second year of supervised experience must be obtained post-doctorally. Credit shall not be granted for practice in connection with course work practicum experience for which graduate credits are granted.
- B. Supervised experience shall be credited only for professional practice in an organized public or private agency, institution or organization which will provide an opportunity for contact with other disciplines, and an opportunity for work with a broad range of clients. Other settings may be considered only by prior arrangement with, and approval, of the Board.
 - 1. A minimum qualifying placement shall consist of the equivalent of one full year (35 hours per week) assignment to insure a comprehensive, supervised work experience.

II. Qualifications of Supervisors

- A. Overall supervision of the psychologist's professional growth resides in the licensed psychologist. Specific skill training may be assigned to other specialists, under the authority of the supervising psychologist. The non-psychologist supervisor shall have clearly established practice and teaching skills demonstrable to the satisfaction of both the supervising psychologist, and the supervisee.
- B. The supervisor shall so limit supervisory responsibilities as to be certain to maintain a level of supervision and practice consistent with professional standards insuring the welfare of the supervisee and the client.

III. Amount of Supervisory Contact

In keeping with previous recommendations, there shall be one hour per week as a minimum for general administrative supervision. Specific case discussion and skill training require additional supervisory contact. Supervision is to be conducted on a one to one basis, and shall not be substituted for by group seminars or consultation which may be excellent training procedures in their own right. It is likely that much more than one hour per week would be required, especially with supervisees of lesser experience.

IV. Conduct of Supervision

- A. The committee recognizes that, under all circumstances, the variability in preparation for practice of the trainee will require individually tailored supervision. The specific content of the supervised procedures will have to be worked out between the individual and the supervisee.

- B. The licensed psychologist who provides supervision for the candidate for licensure, must have legal, administrative, and professional responsibility for the work of the supervisee. This means that the supervisor must be available to the supervisee, at the point of the decision making. The supervisor's relationship with the supervisee shall be clearly differentiated from that of consultant, who may be called in at the discretion of the consultee, and who has none of the legal, administrative or professional accountability for the services performed, and the welfare of the client.

V. Evaluation and Accreditation of Supervised Practice

- A. The Board shall require submission of information by the supervisor(s) which will enable it to evaluate and credit the extent and quality of the candidate's supervised practice.

The form requesting such information shall cover the following:

- a. Name of Supervisee
 - b. Educational level of Supervisee
 - c. Supervisor's name, address, license number, State in which granted and area of specialization.
 - d. Name and nature of setting in which supervised practice took place.
 - e. Dates of practice covered in this report.
 - f. Number of practice hours during this period.
 - g. Supervisee's duties.
 - h. Number of one to one supervisory hours.
 - i. Assessment of supervisee's performance.
- B. Supervised practice time during which the Supervisor deems Supervisee's performance to have been unacceptable shall not be credited towards the required supervised practice hours.

Morris Goodman, Ph. D.

Judy Hall, Ph. D.
Evelyn Rule, Ph. D.
Tommy Stigall, Ph. D.
Joan Taylor, Ph. D.
Morton Berger, Ph. D., Ex Officio

STATE OF ALASKA
DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
POUCH D
JUNEAU, ALASKA 99811
Phone (907) 465-2544

PSYCHOLOGY PROCEDURE SHEET

AS 03.86: Alaska law requires licensure to practice Psychology.

General Instructions: All copies of documents must be certified by a Notary Public to be true copies of the original documents. Your application and supporting documents will be returned if they are not completed and in proper form.

Foreign applicants: All foreign documents must be certified by a Notary Public and must be accompanied by certified translations by a recognized translator.

Applicants are requested to read the application and these instructions carefully, as failure to do so may cause additional correspondence and delay in the processing of your application; it may result in your having to wait for the next board meeting or examination.

REFERENCES: Attached are reference letter forms which must be forwarded by you to your list of references and then submitted directly to the Department of Commerce and Economic Development.

VERIFICATION OF OUT-OF-STATE LICENSURE: Attached is a verification form. It is your responsibility to forward this form to the state where you are presently licensed and then submit it directly to this office.

VERIFICATION OF POST DOCTORAL SUPERVISED EXPERIENCE: Attached is a Post Doctoral Supervisory Experience Verification form. This form must be submitted to your supervisor or former supervisor for completion by them and submitted directly to this office.

LICENSURE BY ENDORSEMENT: (Psychologist) The following documents must be on file in this office before you will be considered for licensure:

1. A completed notarized application, photo and \$50.00 application fee.
2. Out-of-state license fee of \$50.00.
3. Verification of current licensure in another state.
4. a. Proof of a Doctoral Degree with primary emphasis on psychology from an accredited school.
b. Proof of one year post doctoral supervised experience;
-OR-
c. Proof that you are a diplomate in good standing with the American Board of Examiners in Professional Psychology.
5. Five (5) reference letters.
6. Resume or Visa.
7. Official transcript from school that granted Bachelors Degree.
8. Official transcript from school that granted Masters Degree.
9. Official transcript from school that granted Doctoral Degree.

AS 03.86 requires that the examination and qualifications at the time of your licensure are essentially similar to Alaska. Therefore, the acceptance or rejection of your application will be based on these requirements.

If you are a diplomate of the American Board of Examiners in Professional Psychology, you are eligible for licensure by endorsement. You must submit certified evidence that you are a diplomate.

After all documents are received in this office, they will be submitted to the Board for review. You will be notified by this Department of the Board's decision.

LICENSURE BY EXAMINATION: (PSYCHOLOGIST) The following documents must be on file in this office before you will be considered for examination:

1. A completed notarized application, photo and a \$50.00 application fee.
2. A \$30.00 examination fee.
3. Proof of a Doctoral Degree with emphasis on Psychology from an accredited school.
4. Five (5) reference letters. Attached are reference letter forms.
5. Proof of one year of post doctoral supervised experience.
6. Resume or Visa.
7. Official transcript from school that granted Bachelors Degree.
8. Official transcript from school that granted Masters Degree.
9. Official transcript from school that granted Doctoral Degree.

After all documents are received in this office, they will be submitted to the Board for review. You will be notified by this Department of the Board's decision.

LICENSURE BY EXAMINATION: (Psychological Associate) The following documents must be on file in this office before you will be considered for examination:

1. A completed notarized application, photo and application fee.
2. A \$30.00 examination fee.
3. Certified copy of a Masters Degree showing proof of at least 24 semester hours of course work related to counseling or another specialized area which licensure is requested.
4. Proof of practical work or previously studied theory on your Masters Degree.
5. Proof of three (3) years' experience within the past ten (10) years which must be as follows: Two (2) years of experience in Alaska; and one (1) year of supervised post graduate experience.
6. Recommendation from your immediate supervisor, if a licensed Psychologist, or from two licensed Psychologists who hold Doctoral Degrees.
7. Five (5) reference letters.
8. Official transcript from school that granted Bachelors Degree.
9. Official transcript from school that granted Masters Degree.
10. Official transcript from school that granted Doctoral Degree.

An applicant for the Psychological Associate examination cannot be scheduled for the examination if he has failed the examination within the past

six (6) months. The applicant must wait until his six months period has expired before he can be rescheduled for the examination.

EXAMINATIONS: Examinations are usually held in March and September of each year. The Board utilizes the written examination provided by the American Association of State Psychology Boards. These examinations are usually four hours long. The answer sheets are returned to the Professional Examination Service for grading. Examinees are notified of the results of the examination by this Department after they are received in this office. The Board has approved one (1) standard deviation below the mean as an acceptable score for licensure.

RENEWAL OF LICENSES: All permanent licenses must be renewed by June 30 on odd number years. A license which is not renewed by the due date lapses. A penalty of \$10.00 shall be charged in addition to all delinquent renewal fees for reinstatement of a license which remains lapsed for more than 60 days. It is illegal to practice on a lapsed license. Notification of the necessity to renew will be mailed to each licensee approximately 30 days before the renewal date. Failure to receive a renewal notice is not considered an excuse for nonrenewal.

STATE OF ALASKA
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS
Pouch D
Juneau, Alaska 99811

I HEREBY APPLY for licensure as a
PSYCHOLOGIST () PSYCHOLOGICAL ASSOCIATE ()
by: EXAMINATION () ENDORSEMENT ()
This application must be completed in full. If any section does not
apply, write N/A in the space provided. PLEASE PRINT OR TYPE.

If applying for licensure by ENDORSEMENT, upon what state license do you
base this application? _____ Certificate number _____

Date of issuance _____

+++++

PERSONAL DATA:

1. Name in Full _____
2. Present mailing address _____ Zip Code _____
3. Permanent residence address _____ Zip Code _____
4. Resident Phone _____ Business Phone _____ Alternate
Message Phone _____ if not available at either of the above.
5. Place of Birth _____ Date of Birth _____ Age _____

+++++

EDUCATIONAL DATA: Name, addresses & Zip Codes of ALL undergraduate
colleges & universities attended. Give dates of
attendance and graduation.

6. College (Baccalaureate) _____

Name, addresses & Zip Codes of Masters & Doctorate
and attending. Give dates of attendance and graduation.

7. College (Masters) _____

8. College (Doctorate) _____

Area of Emphasis	Title of Thesis	Degree Earned
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Give names of Professors/Instructors/Directors in conjunction with 6, 7, & 8.
The Department of Commerce will initiate contact with the above.

PROFESSIONAL DATA:

9. List the states in which you are certified or licensed to practice psychology _____
10. List any states in which you took and passed a psychological licensing examination _____
11. Have you ever taken the P.F.S. examination of Professional Practice in Psychology? Yes (), No (). If yes, when and where? _____
12. Are you a member in good standing of the American Board of Examiners in Professional Psychology? Yes (), No ().

OCCUPATIONAL DATA: In chronological order, from most remote to most recent, list all relevant or related professional positions held. Provide names of employers, addresses, zip codes, phone numbers, positions held, duties and responsibilities and name of direct supervisor(s).

13. _____

14. Provide reference with _____

15 Passport type photo (taken within the last six months) certified, for positive identification.

Place

Photo

Here

I HEREBY CERTIFY that the information in this application is true and correct to the best of my knowledge. I understand that any false information may result in failure to obtain licensure as a psychologist in Alaska, or subsequent revocation of license.

Signature of applicant

SUBSCRIBED AND SWORN before me, a Notary Public, in and for the State of _____, this _____ day of _____, 19__.

Notary Public

My Commission expires

NOTARY SEAL

VERIFICATION OF LICENSURE

Sir:

I am applying for licensure to practice psychology in the State of Alaska. The Board of Psychologists and Psychological Associate Examiners requires this form to be completed by the jurisdiction in which I hold or have held licenses. Please complete this form and send it directly to the:

Department of Commerce & Economic Development
Division of Occupational Licensing
Board of Psychologists and Psychological Associate Examiners
Pouch D
Juneau, Alaska 99811

Name _____ (Printed)

Signature _____

Address _____

1. State of _____

2. Name of Licensee _____

3. Graduate of _____

4. License No. _____ Issued effective _____

5. Expiration date of License _____

6. By reciprocity/endorsement _____ Examination _____

7. List the specific requirements that the applicant had to meet to become licensed in your State

- A.
- B.
- C.
- D.

8. Has the applicant's license ever been suspended or revoked? _____

9. If so, for what reason? _____

10. Comments, if any; _____

Signed _____

(SEAL)

Title _____

State Board _____

Date _____

Address _____

POST DOCTORAL SUPERVISORY EXPERIENCE VERIFICATION

THIS PORTION TO BE COMPLETED BY THE APPLICANT.

I, _____ am applying for licensure in the State of Alaska as a Psychologist () Psychological Associate (). My application shows that I was under your supervision from _____ to _____.

THIS PORTION TO BE COMPLETED BY THE SUPERVISOR AND SENT DIRECTLY TO THE:

Department of Commerce and Economic Development
Division of Occupational Licensing
Board of Psychologists & Psychological Associate Examiners
Pouch D
Juneau, Alaska 99811

I, _____ did supervise _____
at _____
for the following number of hours _____. Comments on ability, character, etc. _____

I hereby certify the above information is true and complete to the best of my knowledge.

Signature _____

Title _____

Address _____

Subscribed and sworn before me this
_____ of _____, 19____.

Notary _____

My Commission expires _____

CERTIFICATE OF GOOD MORAL CHARACTER

Note to Applicant: This form must be submitted to your references.
Your references must submit this form directly to the:

Department of Commerce & Economic Development
Division of Occupational Licensing
Board of Psychologist and Psychological Associate
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Pouch D
Juneau, Alaska 99811

This certifies that I have been personally acquainted with

_____ of _____
for _____ years and that I know him/her to be of good moral
character, not addicted to the use of habit-forming drugs or
intemperance, and I here-by recommend him/her to the Board of
Psychologist and Psychological Associate Examiners as entirely
worthy to be licensed to practice psychology in the State of Alaska.

Name

Address

Subscribed and sworn to before me this _____ day of _____,
19____.

Notary

My Commission expires _____

Board or
Commission

Appointee

Term

BOARD OF PSYCHOLOGISTS AND PSYCHOLOGICAL ASSOCIATE EXAMINERS

AS 08.86. - 5 members,; 3 year term; serves at the pleasure of the Governor.

Dorothy Whitmore, Ed.D. (chairman)
207 E. Northern Lights Blvd.
Suite 202
Anchorage, Alaska 99503
344-2078 (home)
276-2230 (work)

July 1, 1977¹⁹⁸⁰

James C. Parsons
207 E. Northern Lights Blvd., Suite 202
Anchorage, Alaska 99503
276-2230 (work)
279 3735 (home)

July 1, 1979

Robert D. Bowers
7744 Boundary Avenue
Anchorage, Alaska 99504
337-6256 (home)
279-9544 (work)

July 1, 1981

Dick L. Madson
Suite D, Nerland Bldg.
543 Third Avenue
Fairbanks, Alaska 99701
456-7219 (home)
452-4215 or 452-4254 (work)

July 1, 1980

Pam Delys-Baglien, Ph.D.
Kodiak/Aleutian Mental Health Ctr.
P.O. Box 712
Kodiak, Ak 99615
486-5742 (work)

July 1, 1981

AMERICAN ASSOCIATION OF STATE PSYCHOLOGY BOARDS

Committee on Supervision

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Joan Taylor, Ph. D.
Morton Berger, Ph. D., Ex Officio

S T A T E O F A L A S K A

JAY HAMMOND

GOVERNOR



BOARD OF PSYCHOLOGISTS &
PSYCHOLOGICAL ASSOCIATE EXAMINERS

CENTRALIZED LICENSING STATUTE, AS 08.01

PSYCHOLOGISTS AND PSYCHOLOGICAL ASSOCIATES
AS 08.86.

REGULATIONS, 12 AAC 40

Department of Commerce & Economic Development

Division of Occupational Licensing

Pouch D

Juneau, Alaska 99811

Printed: January 1979

CHAPTER 01. CENTRALIZED LICENSING

Section	Section
10. Applicability of chapter	80. Department regulations
20. Board organization	87. Powers and duties of department
25. Public members	90. Applicability of the Administrative Procedure Act
30. Quorum	100. License renewal, lapse and reinstatement
40. Transportation and per diem	105. Penalty for improper payment
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60. Application for license	
70. Administrative duties of boards	

Sec. 08.01.010. APPLICABILITY OF CHAPTER. This chapter applies to the

- (1) Board of Public Accountancy;
- (2) Board of Barber Examiners;
- (3) Repealed by sec. 6 ch 32 SLA 1971.
- (4) Board of Chiropractic Examiners;
- (5) Board of Hairdressing and Beauty Culture Examiners;
- (6) Board of Dental Examiners;
- (7) Board of Electrical Examiners;
- (8) State Board of Registration for Architects, Engineers and Land Surveyors;
- (9) State Medical Board;
- (10) Board of Nursing;
- (11) Board of Examiners in Optometry;
- (12) Board of Pharmacy;
- (13) Real Estate Commission;
- (14) Board of Veterinary Examiners;
- (15) Board of Psychologist and Psychological Associate Examiners;
- (16) Collection Agency Board;
- (17) Board of Welding Examiners;
- (18) Board of Marine Pilots;
- (19) Board of Dispensing Opticians;
- (20) Guide Licensing and Control Board.

Sec. 08.01.020. BOARD ORGANIZATION. Unless otherwise provided, all board members are appointed by the governor and serve at his pleasure. Unless otherwise provided, the governor shall designate the chairman of the board, and all other officers shall be elected by the board members.

Sec. 08.01.025. PUBLIC MEMBERS. No public members of a board may:

- (1) be engaged in the occupation which the board regulates;
- (2) be associated by legal contract with a members of the occupation which the board regulates except as a consumer of the services provided by a practitioner of the occupation; or
- (3) have a direct financial interest in the occupation which the board regulates.

Sec. 08.01.030. QUORUM. A majority of the membership of a board constitutes a quorum unless otherwise provided.

Sec. 08.01.040. TRANSPORTATION AND PER DIEM. A board member is entitled to transportation expenses and per diem as set out in AS 39.20.180.

Sec. 08.01.050. ADMINISTRATIVE DUTIES OF THE DEPARTMENT. (a) The department shall provide the following administrative and budgetary services when appropriate:

- (1) collect fees and issue receipts;
- (2) maintain records and files;
- (3) issue and receive application forms;
- (4) notify applicants of acceptance or rejection of applicants as determined by the board;
- (5) designate dates examinations are to be held and notify applicants;
- (6) publish notice of examination;

- (7) arrange space for holding examinations;
- (8) notify applicants of results of examinations;
- (9) issue licenses and certificates or temporary licenses or certificates as authorized by the board;
- (10) issue duplicate licenses or certificates upon proof of loss of the original and payment of a fee of \$2;
- (11) notify licensees of renewal dates at least 30 days before the expiration date of their licenses;
- (12) compile and maintain current a register of licenses;
- (13) answer routine inquiries;
- (14) maintain files relating to individual licensees;
- (15) arrange for printing and advertising;
- (16) purchase supplies;
- (17) employ secretarial help when needed;
- (18) perform other services which may be requested by the board;
- (19) provide investigative services to the boards established under chs. 20, 32, 36, 64, 68, 71, 72, 80, 84, and 86 of this title, for the purpose of assisting those boards in matters of professional discipline.

(b) The form and content of a license, authorized by a board listed in sec. 10 of this chapter, including any document evidencing renewal of a license, shall be determined by the department after consultation with and consideration of the views of the board concerned.

Sec. 08.01.060. APPLICATION FOR LICENSE. All applications for examination or licensing to engage in the business or profession covered by this chapter shall be made in writing to the department.

Sec. 08.01.070. ADMINISTRATIVE DUTIES OF BOARDS. Each board shall perform the following duties in addition to those provided in its respective law:

- (1) keep minutes and records of all proceedings;
- (2) hold a minimum of one meeting each year;
- (3) hold at least one examination each year;
- (4) request, through the department, investigation of violations of its laws and regulations;
- (5) prepare and grade examinations;
- (6) pass on qualifications of applicants for examination and license;
- (7) forward minutes of meetings to the department within 20 days;
- (8) forward results of examinations to the department;
- (9) notify the department of meeting dates at least 15 days before meeting.

Sec. 08.01.080. DEPARTMENT REGULATIONS. The department shall adopt regulations to carry out the purposes of this chapter including but not limited to describing

- (1) how an examination is to be conducted;
- (2) what is contained in application forms;
- (3) how a person applies for an examination or license.

Sec. 08.01.087. POWERS AND DUTIES OF DEPARTMENT. (a) The department may, upon its own motion, conduct investigations to determine whether any person has violated a provision of this chapter or a regulation adopted under it or a provision of a chapter in this title dealing with one of the boards listed in sec. 10 of this chapter or a regulation adopted by one of those boards, or to secure information useful in the administration of this chapter.

(b) If it appears to the commissioner that a person has engaged in or is about to engage in an act or practice in violation of a provision of this chapter or a regulation adopted under it, or any of the laws pertaining to or regulations adopted by the boards listed in sec. 10 of this chapter, he may, if he considers it in the public interest, and after notification to all board members by telephone or telegraph of a proposed order or action unless a majority of the members of the board object within 10 days,

(1) issue an order directing the person to stop the act or practice; however reasonable notice of and an opportunity for a hearing must first be given to the person, except that the commissioner may issue a temporary order before a hearing is held; a temporary order remains in effect until a final order affirming, modifying, or

reversing the temporary order is issued or until 15 days after the person receives a notice and has not requested a hearing by that time; a temporary order becomes final if the person to whom the notice is addressed does not request a hearing within 15 days after receiving the notice; the commissioner or his designee shall be the hearing officer at the hearing and shall issue a final order within 10 days after the hearing;

(2) bring an action in the superior court to enjoin the acts or practices and to enforce compliance with this chapter, a regulation adopted under it, or an order issued under it, or any of the laws pertaining to or regulations adopted by the boards listed in sec. 10 of this chapter;

(3) examine or have examined the books and records of any person whose business activities require license by a board listed in sec. 10 of this chapter and he may require that person to pay the reasonable costs of the examination; and

(4) issue subpoenas for the attendance of witnesses, and the production of books, records and other documents.

Sec. 08.01.090. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT. The Administrative Procedure Act (AS 44.62) applies to regulations and proceedings held under this chapter, except those under AS 08.01.087(b).

Sec. 08.01.100. LICENSE RENEWAL, LAPSE AND REINSTATEMENT. (a) All licenses shall be renewed biennially on the dates set by the department with the approval of the respective board.

(b) A registration, license, permit or certificates requiring renewal to continue effective must be renewed on or before the date set by the department or it will lapse. A penalty of \$10 shall be charged in addition to all delinquent renewal fees for reinstatement of a registration, license, permit or certificate which remains lapsed for more than 60 days.

Sec. 08.01.105. PENALTY FOR IMPROPER PAYMENT. An applicant shall pay a penalty of \$10 each time a negotiable instrument is presented to the department in payment of an amount due and payment is subsequently refused by the named payor.

Sec. 08.01.110. DEFINITIONS. In this chapter

- (1) "board" includes the boards and commissions listed in sec. 10 of this chapter;
- (2) "department" means the Department of Commerce and Economic Development;
- (3) "commissioner" means the commissioner of commerce and economic development;
- (4) "license" means any license, certificate, permit, or registration or similar evidence of authority issued by one of the boards listed in sec. 10 of this chapter;
- (5) "licensee" means any person who holds a license;
- (6) "occupation" means any of the trades or professions for which licensure is required by one of the boards listed in sec. 10 of this chapter.

CHAPTER 86. PSYCHOLOGISTS AND PSYCHOLOGICAL ASSOCIATES.

Article

1. Board of Psychologist and Psychological Associate Examiners (§§ 08.86.010-08.86.050)
2. Administration of Board Affairs (§§ 08.86.070-08.86.100)
3. Licensing of Psychologists (§§ 08.86.120-08.86.150)
- 3A. Licensing of Psychological Associates (§§ 08.86.160-08.86.162)
4. Prohibitions and Penalties (§§ 08.86.170-08.86.220)
5. General Provisions (§ 08.86.230)

Article 1. Board of Psychologist and Psychological Associate Examiners.

Section

- | | |
|--|---|
| <ol style="list-style-type: none"> 10. Creation and membership of board 20. Appointment and term of office | <ol style="list-style-type: none"> 30. Board meetings 40. Assistants 50. Transportation and per diem |
|--|---|

Sec. 08.86.010. CREATION AND MEMBERSHIP OF BOARD. There is created a Board of Psychologist and Psychological Associate Examiners. It consists of three licensed psychologists, and two persons who have no direct financial interest in the health care industry. (§ 1, ch. 136, SLA 1967; am § 1, ch. 65, SLA 1973; am § 30, ch. 102, SLA 1976)

Effect of amendment. -- The 1976 amendment added "and two persons who have no direct financial interest in the health care industry" to the end of the second sentence.

Effective date. -- Section 50, ch. 102, SLA 1976, makes the amendment to this section effective 30 days after the effective date of this act. Section 51 of ch. 102 makes the act effective May 29, 1976, in accordance with AS 01.10.070(c).

Sec. 08.86.020. APPOINTMENT AND TERM OF OFFICE. Members of the board are appointed by the governor and confirmed by the legislature for staggered terms of three years. The terms of the public members shall be set so that they do not expire at the same time. A member serves at the pleasure of the governor. (§ 1, ch. 136, SLA 1967; am § 31, ch. 102, SLA 1976)

Effect of amendment. -- The 1976 amendment added the present second sentence.

Effective date. -- Section 50, ch. 102, SLA 1976, makes the amendment to this section effective 30 days after the effective date of this act. Section 51 of ch. 102 makes the act effective May 29, 1976, in accordance with AS 01.10.070(c).

Sec. 08.86.030. BOARD MEETINGS. The board shall hold a regular annual meeting. The board may hold special meetings at the call of the chairman or of two board members. (§ 1, ch. 136, SLA 1967)

Sec. 08.86.040. ASSISTANTS. The board may employ assistants to prepare and grade examinations and to investigate alleged violations of this chapter. (§ 1, ch. 136, SLA 1967)

Sec. 08.86.050. TRANSPORTATION AND PER DIEM. Notwithstanding the provisions of AS 39.20, no board member is entitled to transportation or per diem allowance. (§ 1, ch. 136, SLA 1967)

ARTICLE 2. ADMINISTRATION OF BOARD AFFAIRS.

Section	Section
70. Duties of the board	100. Applicability of the Administrative Procedure Act
80. Board regulations	
90. Administrative duties of the department	

Sec. 08.86.070. DUTIES OF THE BOARD. The board shall

- (1) pass on qualifications of applicants for licenses;
- (2) prepare, administer and grade written examinations;
- (3) after hearing, suspend or revoke the license of a licensed psychologist or psychological associate who violates a regulation of the board;
- (4) set fees which are charged for psychological associates. (§ 1, ch. 136, SLA 1967; am §§ 2, 3, ch. 65, SLA 1973)

Effect of amendment. -- The 1973 amendment inserted "or psychological associate" in paragraph (3) and added paragraph (4).

Sec. 08.86.080. BOARD REGULATIONS. The board shall adopt regulations to carry out the purposes of this chapter. (§ 1, ch. 136, SLA 1967)

Sec. 08.86.090. ADMINISTRATIVE DUTIES OF THE DEPARTMENT. The department shall furnish administrative services for the board. (§ 1, ch. 136, SLA 1967)

Sec. 08.86.100. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT. The Administrative Procedure Act (AS 44.62) applies to regulations and proceedings under this chapter. (§ 1, ch. 136, SLA 1967)

ARTICLE 3. LICENSING OF PSYCHOLOGISTS.

Section	Section
120. Entitlement to licensure	135. Temporary license
125. Malpractice insurance	140. Fees
130. Qualification for examination	150. Out-of-state license

Sec. 08.86.120. ENTITLEMENT TO LICENSURE. A person who passes the examination given by the board is entitled to be licensed as a psychologist. (§ 1, ch. 136, SLA 1967)

Sec. 08.86.125. MALPRACTICE INSURANCE. If medical malpractice insurance for psychologists or psychological associates becomes unavailable on the voluntary market and the director of insurance finds, after public hearing, that the unavailability is impairing the delivery of psychologist or psychological associate services to the public, the director of insurance may require all persons licensed under this chapter to carry medical malpractice insurance and to purchase their insurance from the Medical Indemnity Corporation of Alaska established under AS 21.88. If a finding of unavailability of insurance on the voluntary market and impairment of services has been made under this section, purchase of medical malpractice insurance from the Medical Indemnity Corporation of Alaska is a condition of licensure under this chapter. The provisions of this section are satisfied if the licensee's employer maintains insurance for him from the Medical Indemnity Corporation of Alaska. (§ 32, ch. 102, SLA 1976)

Effective date. -- Section 50, ch. 102, SLA 1976 makes this section effective 30 days after the effective date of this act. Section 51 of ch. 102 makes the act effective May 29, 1976, in accordance with AS 01.10.070(c).

Sec. 08.86.130. QUALIFICATION FOR EXAMINATION. A person is entitled to take an examination if the board finds he

(1) has not engaged in dishonorable conduct relevant to the practice of psychology;

(2) holds a doctoral degree with primary emphasis on psychology from an accredited school;

(3) has at least one year's experience acceptable to the board. (§ 1, ch. 136, SLA 1967)

Sec. 08.86.135. TEMPORARY LICENSE. The board may issue a temporary license to a person who meets the requirements of § 130 of this chapter. A temporary license issued under this section is valid until the results of the examination following the issuance of the temporary license are published. (§ 1, ch. 38, SLA 1970)

Sec. 08.86.140. FEES. Each application fee, renewal fee, biennial and out-of-state license fee is \$50. The fee for a temporary license is \$10. The fee for a duplicate license is \$2. (§ 1, ch. 136, SLA 1967; am § 2, ch. 38, SLA 1970)

Revisor's note (1970). -- In ch. 38, SLA 1976, "biannual" was used instead of "biennial" in the first sentence of this section. The correction was made in light of AS 08.01.100(a) (which requires biennial renewal) and the statement in Webster's

Third New International Dictionary that the two words are "sometimes" synonymous. Such a usage was clearly the intent of ch. 38, SLA 1970.

Sec. 08.86.150. OUT-OF-STATE LICENSE. A person who is licensed or certified as a psychologist by an authority other than Alaska is entitled to be licensed in Alaska without examination if

(1) he holds a doctoral degree with primary emphasis on psychology from an accredited school;

(2) the examination and qualification requirements for his out-of-state license or certificate were essentially similar to the examination and qualification requirements for licensure in Alaska at the time he was licensed; or

(3) he is a diplomate in good standing of the American Board of Examiners in Professional Psychology;

(4) he completes and returns the proper application forms, and pays the out-of-state certificate fee. (§ 1, ch. 136, SLA 1967)

ARTICLE 3A. LICENSING OF PSYCHOLOGICAL ASSOCIATES.

Section
160. Associates: Entitlement to
licensure

Section
162. Associates: Qualification
for examination

Sec. 08.86.160. ASSOCIATES: ENTITLEMENT TO LICENSURE: A person who passes the examination given by the board is entitled to be licensed as a psychological associate. (§ 5, ch. 65, SLA 1973)

Sec. 08.86.162. ASSOCIATES: QUALIFICATION FOR EXAMINATION. A person is entitled to take a psychological associate examination if the board finds that he:

(1) has not engaged in dishonorable conduct related to the practice of counseling or psychometry;

(2) holds a master's degree from an accredited or approved educational institution, with at least 24 credit hours of course work directly related to counseling or another specialized area in which licensure is requested, including a practicum;

(3) has at least three years' experience within the past ten years, two of which are in Alaska, and including one year's supervised postgraduate experience acceptable to the board;

(4) has the recommendation of his immediate supervisor if a licensed psychologist, or two licensed psychologists who hold doctoral degrees;

(5) has not within the preceding six months failed an examination given by the board. (§ 5, ch. 65, SLA 1973)

ARTICLE 4. PROHIBITIONS AND PENALTIES.

Section	Section
170. Use of title	200. Confidentiality of communication
180. Practice of psychology	210. Penalty
185. Practice of counseling and psychometrics	220. Limits or conditions on license; discipline
190. Name under which person practices	

Sec. 08.86.170. USE OF TITLE. (a) Unless he is licensed under this chapter, no person may use the title "psychologist" or a title, designation, or device indicating or tending to indicate that he is a psychologist or practices psychology.

(b) Unless he is licensed under this chapter, no person may use the title "psychological associate" or a title, designation, or device indicating or tending to indicate that he is a psychological associate or practices counseling or psychometrics. (§ 1, ch. 136, SLA 1967; am § 6, ch. 65, SLA 1973)

Effect of amendment. -- The 1973 amendment added subsection (b).

Sec. 08.86.180. PRACTICE OF PSYCHOLOGY. (a) Unless he is licensed under this chapter, no person may practice psychology, or offer to practice psychology, or represent to the public that he is a psychologist or that he practices psychology.

(b) This section does not apply to

(1) a person employed by a governmental unit, educational institution or private agency who may be required to engage in some phase of work of a psychological nature in the course of his employment, if the employer maintains appropriate supervision of psychological activities and professional conduct;

(2) a student, intern, or resident in psychology pursuing a course of study approved by the board as qualifying training and experience for psychologist, if his activities constitute a part of his supervised course of study and he is designated by title such as "psychology intern" or "psychology trainee";

(3) a qualified member of another profession, such as a social worker, or pastoral counselor, in doing work of a psychological nature consistent with his training and consistent with the code of ethics of his profession;

(4) Repealed by § 15, ch. 65, SLA 1973.

(5) a person practicing medicine, if he is licensed to practice medicine.

(c) Nothing in this chapter authorizes a person licensed as a psychologist to engage in the practice of medicine, as defined by the laws of the state. (§ 1, ch. 136, SLA 1967; am § 10, ch. 69, SLA 1970; am §§ 7, 15, ch. 65, SLA 1973)

Effect of amendment. -- The 1973 amendment deleted "or" preceding "educational institution" in paragraph (1) of subsection (b) inserted "or private agency" and the proviso, and repealed paragraph (4) of that subsection.

Legislative committee report. -- For report on ch. 69, SLA 1970 (HB 564), see 1970 House Journal Supplement No. 2, p. 7.

Sec. 08.86.185. PRACTICE OF COUNSELING AND PSYCHOMETRICS. (a) Unless he is licensed under this chapter, no person may practice counseling or psychometrics, offer to practice counseling or psychometry, or represent to the public that he is a counselor or psychometrist.

(b) This section does not apply to:

(1) a person employed by a governmental unit, educational institution or private agency who may be required to engage in some phase of work of a counseling nature in the course of his employment, if the employer maintains appropriate supervision of psychological activities and professional conduct;

(2) a student, intern or resident in psychology pursuing a course of study approved by the board as qualified training and experience for counseling, if his activities constitute a part of his supervised course of study;

(3) pastoral counselors.

(c) Nothing in this chapter authorizes a person licensed as a psychological associate to engage in the practice of medicine, as defined by the laws of the state. (§ 8, ch. 65, SLA 1973)

Sec. 08.86.190. NAME UNDER WHICH PERSON PRACTICES. (a) A licensed psychologist may practice psychology only under his own name.

(b) A licensed psychological associate may practice counseling or psychometry only under his own name. (§ 1, ch. 136, SLA 1967; am § 9, ch. 65, SLA 1973)

Sec. 08.86.200. CONFIDENTIALITY OF COMMUNICATION. No psychologist or psychological associate may reveal to another person a communication made to him by a client of his about a matter concerning which the

client has employed the psychologist or psychological associate in a professional capacity. This section does not apply to a case conference with other psychologists, psychological associates or with physicians and surgeons, or in the case in which the client in writing authorized the psychologist or psychological associate to reveal a communication. (§ 1, ch. 136, SLA 1967; am § 10, ch. 65, SLA 1973)

Effect of amendment. -- The 1973 amendment, in the first sentence, inserted "or psychological associate" twice and, in the second sentence, inserted "psychological associates" and "or psychological associate."

Sec. 08.86.210. PENALTY. A person who violates §§ 170, 180, 185, or 190 of this chapter is guilty of a misdemeanor. (§ 1, ch. 136, SLA 1967; am § 11, ch. 65, SLA 1973)

Effect of amendment. -- The 1973 amendment inserted "185."

Sec. 08.86.220. LIMITS OR CONDITIONS ON LICENSE: DISCIPLINE. (a) Upon a finding that by reason of demonstrated problems of competence, experience, education or health the authority to practice psychology or as a psychological associate under this chapter should be limited or conditioned or the practitioner disciplined, the board may reprimand, censure, place on probation, restrict practice by time, specialty, procedure or facility, require additional education or training, or revoke or suspend a license.

(b) The Administrative Procedure Act (AS 44.62) applies to any action taken by the board under this section. (§ 32, ch. 102, SLA 1976)

Effective date. -- Section 50, ch. 102, SLA 1976, makes this section effective 30 days after the effective date of this act. Section 51 of ch. 102 makes the act effective May 29, 1976, in accordance with AS 01.10.070(c).

ARTICLE 5. GENERAL PROVISIONS.

Section 230. Definitions

Sec. 08.86.230. DEFINITIONS. In this chapter

- (1) "psychologist" means a person who practices psychology;
- (2) "to practice psychology" means to apply established principles of learning, motivation, perception, thinking, and emotional relationships to problems of personnel evaluation, group relations, and behavior adjustment, including
 - (A) counseling and guidance;

(B) using psychotherapeutic techniques with persons or groups of persons who have adjustment problems in the family, at school, or at work;

(C) measuring and testing of personality, intelligence, aptitudes, emotions, and attitudes and skills;

(D) conducting research on human behavior;

(3) "board" means the Board of Psychologist and Psychological Associate Examiners;

(4) "department" means the Department of Commerce and Economic Development;

(5) "psychological associate" includes a counselor and psychometrist;

(6) "counselor" means a person who practices counseling;

(7) "to practice counseling" means to apply established principles of learning, motivation, perception, thinking, and emotional relationships to problems of group relations, and behavior adjustment.

(A) counseling and guidance;

(B) using counseling techniques with persons or groups of persons who have adjustment problems in the family, school or at work;

(C) limited use of testing including tests of intelligence or tests of motor skills;

(8) "psychometrist" means a person who practices psychometrics;

(9) "to practice psychometrics" means to apply the recognized principles, methods and procedures of the science and profession of psychology, but limited to the administering, scoring, and interpreting of tests of mental abilities, aptitudes, interests, motor skills and objective tests of personality characteristics for purposes such as psychological evaluation or for educational or vocational selection, guidance or placement;

(10) "private agency" means a clinic or private practice under the direction of a licensed psychologist, psychiatrist, or a custodial, rehabilitative or health care organization which is acceptable to the board;

(11) "supervision" means at least one hour a week of personal interview with a supervisor whose educational qualifications are consistent with the level of activity being supervised; a supervisor is responsible for insuring that the extent, kind and quality of the psychological

and counseling services performed are consistent with a psychological associate's training and experience, as well as his obedience to the provisions of this chapter. (§ 1, ch. 136, SLA 1967; am §§ 12, 13, ch. 65, SLA 1973; am § 55, ch 218, SLA 1976)

Effect of amendment. The 1976 amendment substituted "Department of Commerce and Economic Development" for "Department of Commerce" in paragraph (4).

TITLE 12. PROFESSIONAL AND VOCATIONAL REGULATIONS

CHAPTER 60. BOARD OF PSYCHOLOGIST AND
PSYCHOLOGICAL ASSOCIATE EXAMINERS

Article

1. Applications (12 AAC 60.010 - 12 AAC 60.060)
2. Experience and education (12 AAC 60.070 - 12 AAC 60.090)
3. Examinations (12 AAC 60.100 - 12 AAC 60.160)
4. Rules of professional conduct (12 AAC 60.170 - 12 AAC 60.220)
5. Reinstatement of professional privileges after discipline (12 AAC 60.230 - 12 AAC 60.240)
6. General provisions (12 AAC 60.900 - 12 AAC 60.910)

ARTICLE 1. APPLICATIONS

Section

10. Application forms; supporting evidence
20. Application for temporary licensure
30. Application for licensure by endorsement
40. Applications reviewed by the board
50. Application made under oath; penalty
60. Application not returned

12 AAC 60.010. APPLICATION FORMS; SUPPORTING EVIDENCE.

(a) An application for initial licensure as a psychologist must be submitted on a form provided by the department with

(1) a check or money order in the amount specified in AS 08.86.140;

(2) transcripts from all undergraduate and graduate schools attended by the applicant;

(3) a certified copy of the applicant's doctoral degree diploma awarded with primary emphasis on psychology by a school accredited by a regional accrediting association;

(4) a complete vita from the date of high school graduation to the time of application, including dates and places of residency;

(5) a copy of the applicant's doctoral dissertation abstract;

(6) five letters of reference, one of which must be from the applicant's doctoral committee membership, preferably the chairperson; two from licensed psychologists, members of the American Psychological Association, or diplo-

mates of the American Board of Examiners in Professional Psychology; and, two from other persons not related to the applicant; and

(7) evidence of one year of professional experience as defined in sec. 70 of this chapter. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080
AS 08.86.130

12 AAC 60.020. APPLICATION FOR TEMPORARY LICENSE. An applicant who is qualified to sit for the psychologist examination may be issued a temporary license by making a written request and submitting the fee specified in AS 08.86.140. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(1)
AS 08.86.080
AS 08.86.135

12 AAC 60.030. APPLICATION FOR LICENSURE BY ENDORSEMENT. An applicant for licensure by endorsement will be licensed without examination if

(1) she or he complies with sec. 10 of this chapter;

(2) submits verification of her or his valid and current certificate, license or other evidence of qualification issued by a state board created by state authority; and

(3) for applicants who were licensed in another jurisdiction before 1968, the board determines that the applicant's out-of-state certificate, license or other evidence of qualification was based upon examination and qualifications substantially similar to the board's at the time of application for an Alaska license. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(1)
AS 08.86.080
AS 08.86.150

12 AAC 60.040. APPLICATIONS REVIEWED BY THE BOARD.
(a) An application received by the department will be reviewed by the board at a regular meeting before the applicant will be approved to sit for the examination, approved for a temporary license or approved for licensure by endorsement. No application will be reviewed until all the submis-

sions required by secs. 10 or 20 of this chapter have been received by the department. It is the responsibility of the applicant to assure that all submissions are received by the department.

(b) An application and supporting documents must be received at least 45 days before a scheduled examination for the applicant to be approved to sit for that exam. If an application and supporting documents are received less than 45 days before the next scheduled examination, the applicant will be considered for the following examination. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(1)
AS 08.86.080

12 AAC 60.050. APPLICATION MADE UNDER OATH; PENALTY. An application must be signed and the truth of its contents sworn to by the applicant. False or misleading statements or information, whether made knowingly or not, are grounds for denial of approval to take the examination or revocation of a license granted on the basis of the false or misleading statement. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.06.080

12 AAC 60.060. APPLICATION NOT RETURNED. An application becomes the property of the board upon receipt by the department and neither the application nor its supporting documents will be returned to the applicant. However, if an applicant fails to qualify for licensure, the \$50 license fee will be refunded. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080
AS 08.86.140

ARTICLE 2. EXPERIENCE AND EDUCATION.

Section

- 70. "Experience" defined
- 80. Criteria for evaluation of experience
- 90. "Accreditation" defined

12 AAC 60.070. "EXPERIENCE" DEFINED. (a) The one year's experience required by AS 08.86.130(3) is satisfied by any one of the following through December 31, 1978:

- (1) graduation from an American Psychological Association approved doctoral program; or

(2) graduation from a doctoral program not approved by the American Psychological Association but which meets the American Psychological Association doctoral program standards to the satisfaction of the board; or

(3) one year of supervised post-doctoral experience acquired in a facility authorized to provide a full range of psychological services; or

(4) one year of supervised post-doctoral experience which the applicant can show meets the American Psychological Association doctoral program standards to the satisfaction of the board.

(b) After December 31, 1978, the experience requirement is satisfied by one year of post-doctoral experience acquired under the supervision of a licensed psychologist or a diplomate of the American Board of Examiners in Professional Psychology. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(1)
AS 08.86.080
AS 08.86.130(3)

12 AAC 60.080. CRITERIA FOR EVALUATION OF EXPERIENCE.

(a) In order to be credited with the experience required by sec. 70 of this chapter, the following minimum requirements must be met:

(1) the applicant's supervised experience must have been in the same or similar field of psychology as was the applicant's education and training;

(2) a year of experience must consist of not less than 1,500 clock hours completed within 24 consecutive calendar months;

(3) during the entire supervised experience, contact between the supervisor and applicant must have been for a minimum of one hour per person per week of personal consultation and the supervisor must verify to the board the applicant's supervised experience, setting forth the nature and extent of the supervision;

(4) the supervised experience must be with a licensed or certified psychologist, a diplomate of the American Board of Professional Psychology, or a person holding a doctorate degree in psychology and who is considered by the board qualified to supervise;

(5) the supervisor must have had, before the period of supervision, three years of board approved professional experience;

(6) a full-time appointment teaching psychology may count for one-half of the one year of supervised experience if the appointment was for courses in the same or a similar field of psychology as was the applicant's education and training; the post-doctoral experience may have taken place in any post-doctoral training program presently or after the effective date of this section approved by the American Psychological Association for specialty training in applied psychology or in any other post-doctoral training program determined as comparable by the board;

(7) the experience may consist of work in psychological research for an accredited college or university offering an advanced degree or work in a research organization in which psychological research is an important function if the research was performed under the supervision of a person meeting the qualifications of (4) and (5) of this subsection.

(b) Unsupervised independent private practice will not be considered as acceptable supervised professional experience. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(1)
AS 08.86.080
AS 08.86.130(3)

12 AAC 60.090. "ACCREDITATION" DEFINED. (a) For the purposes of AS 08.86 and this chapter, an accredited school is one which is accredited by any regional accrediting agency recognized by the American Association of Collegiate Registrars and Admissions Officers.

(b) An accredited doctoral program is one which has been approved by the American Psychological Association or which is clearly equivalent to the standard used by the American Psychological Association. The burden of establishing equivalent standards rests with the applicant. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(1)
AS 08.86.080
AS 08.86.130(2)

ARTICLE 3. EXAMINATIONS.

Section

- 105. Frequency of examination
- 110. Examination
- 120. Identification of applicant
- 130. Time allowed for examination
- 140. Passing score
- 150. Regrading
- 160. Reexamination; abandonment of application

12 AAC 60.100. FREQUENCY OF EXAMINATION. Examinations will be given twice a year, usually in April and October. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(2)
AS 08.86.080

12 AAC 60.110. EXAMINATION. (a) The examination is both objective and essay.

(b) Answers to the written portion must be recorded on the answer sheets furnished by the board.

(c) No applicant may leave the written examination location during the examination without permission of an examiner.

(d) The written examination may include questions about the provisions of AS 08.86.

(e) An applicant may not remove examination materials from the examination location nor make any record of examination materials.

(f) Any applicant assisting or receiving assistance from another applicant or violating any provisions of sec. 120 of this chapter will be dismissed from the examination and will forfeit fees paid and the privilege of examination. (Eff. 12/24/78 Reg. 68)

Authority: AS 08.86.070(2)
AS 08.86.080

12 AAC 60.120. IDENTIFICATION OF APPLICANT. (a) For purposes of anonymity, the department will assign each applicant an examination number which neither the department nor applicant may reveal.

(b) No applicant may place any identification marks on the examination papers or reveal the examination number to an examiner or to any other person.

(c) No applicant may identify herself or himself by making any oral or written reference to any college, professor, present licenses, present position, or specialty until the examination has been completed.

(d) No items turned in to the examiners may identify the applicant except by the assigned examination number. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

12 AAC 60.130. TIME ALLOWED FOR EXAMINATION. Time limits may be set for each section of the written examination; examination begins when the applicant is told to start by the examiner. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

12 AAC 60.140. PASSING SCORES. When the board uses the Professional Examination Service, a score of .75 standard deviation below the national mean is the passing grade on the objective portion of the examination. The essay section of the examination will be graded on a pass/fail basis. Each applicant will be given written notification by the department of his or her score on the written examination and no examination scores or pass/fail information will be released except in writing. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(2)
AS 08.86.080

12 AAC 60.150. REGRADING. (a) Subject to (b) of this section, an applicant who receives a failing score may request regrading or reviewing of the examination via written request to the department within 30 days of receiving notification of the score.

(b) No written examination will be regraded or reviewed if the applicant received a score of more than one standard deviation below the mean.

(c) The review must be made in the presence of one board member and any recommended change in the score must be approved by the board at a duly conducted meeting of the board. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(2)
AS 08.86.080

12 AAC 60.160. REEXAMINATION; ABANDONMENT OF APPLICATION.
(a) An applicant who fails the examination may be re-examined if she or he notifies the department in writing of her or his intent to be reexamined. A reexamination under this subsection will not be authorized, however, if it has been more than one year since the applicant took and failed the examination.

(b) Eighteen months after an applicant has failed the examination or failed to qualify for licensure by endorsement, the application will be considered abandoned and will be destroyed. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

ARTICLE 4. RULES OF PROFESSIONAL CONDUCT.

Section

- 180. Competence
- 190. Misrepresentation
- 200. Confidentiality
- 210. Test security
- 220. Effect of violation

12 AAC 60.180. COMPETENCE. Neither a psychologist nor a psychologist-supervisor may function outside her or his particular field or fields of competence as established by her or his education, training, and experience. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

12 AAC 60.190. MISREPRESENTATION. A psychologist may not misrepresent nor permit the misrepresentation of her or his professional qualifications, affiliations, or purposes, or those of the institutions, organizations, products or services with which she or he is associated. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

12 AAC 60.200. CONFIDENTIALITY. A psychologist shall safeguard confidential information that has been obtained in the course of her or his teaching, practice, or investigation. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080
AS 08.86.200

12 AAC 60.210. TEST SECURITY. A psychologist may not reproduce or describe in ways that might invalidate the techniques, in public or in publications subject to general public distribution, any psychological tests or other assessment devices the value of which depends in whole or in part on the naivete of the subject, and shall limit access to such tests or devices to persons with professional interests who will safeguard their use. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

12 AAC 60.220. EFFECT OF VIOLATION. Violation of any of the provisions of secs. 170 - 210 of this chapter or AS 08.86.190 - 200 is unprofessional conduct and grounds for disciplinary proceedings. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070(3)
AS 08.86.080
AS 08.86.210

ARTICLE 5. REINSTATEMENT OF PROFESSIONAL
PRIVILEGES AFTER DISCIPLINE.

Section

- 230. Appearance required for reinstatement of professional privileges
- 240. Documentation of rehabilitation

12 AAC 60.230. APPEARANCE REQUIRED FOR REINSTATEMENT OF PROFESSIONAL PRIVILEGES. A person seeking reinstatement of professional privileges whose license has been revoked or suspended or whose authority to practice has been limited or conditioned shall appear in person before the board at a time and place designated by the board to determine the individual's present fitness. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

12 AAC 60.240. DOCUMENTATION OF REHABILITATION. An applicant for reinstatement of professional privileges has the burden of satisfying the board that he or she is rehabilitated. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.070
AS 08.86.080

ARTICLE 6. GENERAL PROVISIONS.

Section
900. Filing of addresses

12 AAC 60.900. FILING OF ADDRESSES. Each person licensed under AS 08.86 shall file with the department his or her current mailing address and shall immediately report to the department at its Juneau office any change of address, giving both old and new address. (Eff. 12/24/78, Reg. 68)

Authority: AS 08.86.080

BOARD of
VET. EXAM.

A PERFORMANCE REVIEW
OF THE
BOARD OF VETERINARY EXAMINERS

November 1, 1978

A PERFORMANCE REVIEW
OF THE
BOARD OF VETERINARY EXAMINERS

November 1, 1978

Commissioner of the Department
of Commerce and Economic
Development

H. Phillip Hubbard

Deputy Commissioner of the
Department of Commerce and
Economic Development

Bertram L. Wagon

Members of the
Board of Veterinary Examiners

Chairman
Member
Member

Berton A. Gore, DVM
David Howe, DVM
Clifford D. Lobaugh, DVM

STATE OF ALASKA

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

FINANCE DIVISION
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

November 1, 1978

Members of the
Legislative Budget and Audit Committee:

In accordance with the intent of Title 24 and 44 of the
Alaska Statutes, the attached report is submitted for your
review:

A PERFORMANCE REVIEW
OF THE
BOARD OF VETERINARY EXAMINERS

November 1, 1978



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

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PURPOSE AND SCOPE OF THE REVIEW

Purpose

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a review of the Board of Veterinary Examiners was conducted to review board activities and accomplishments to determine if the board has been operating in an effective, efficient and economical manner.

As required by legislative intent, this report shall be considered during the legislative oversight function in determining whether the Board of Veterinary Examiners should be reestablished. The law currently specifies that this Board will terminate on June 30, 1979, but will continue until June 30, 1980 for the purpose of concluding its affairs.

Scope

The major areas reviewed were the Board's operations and its licensing, examination, administration, complaint and affirmative action functions. Our review consisted of analyzing and evaluating the following:

- (1) Applicable statutes and Board regulations;
- (2) Interviews with Board members and questionnaires sent to the Board;
- (3) Interviews with professional associations;
- (4) Tests of records and documents of the Board and the Division of Occupational Licensing (OL), Department of Commerce and Economic Development;
- (5) Interviews with OL employees;
- (6) Complaints filed with OL, the Ombudsman's Office, Consumer Affairs Agency, and the Equal Employment Opportunity Office;
- (7) Questionnaires sent to State licensed veterinarians; and
- (8) Review of other states' licensing requirements.

Scope Constraints

This review was hampered by the following constraints:

- (1) The Board has not established and reported financial and program plans as required by AS 37.07.050 nor

has it developed and reported performance information regarding its effectiveness and accomplishments as required by AS 37.07.090.

- (2) OL has not adequately collected, recorded or maintained pertinent files and statistics relating to the Board to effectively and efficiently carry out its administrative responsibilities.

ORGANIZATION AND FUNCTION

The Board of Veterinary Examiners is a regulatory board consisting of three licensed veterinarians. The authority of the Board is outlined by Alaska Statutes 08.08.010-.250.

Basically, the Board determines the minimum quality of veterinary care in the State by:

1. Examining and issuing licenses to qualified applicants;
2. Establishing or amending rules and regulations necessary or desirable to enforce State statutes; and
3. Holding hearings in order to revoke, or suspend the license of a person violating the veterinary statutes and regulations.

An applicant is statutorily qualified to take an examination if he has graduated from a Board approved school, has never had a license revoked, and is of good moral character.

Presently, the examination contains three parts: A multiple choice test provided by Professional Examinational Service, a written test and an oral examination prepared by the Board.

A candidate is statutorily qualified for licensure by endorsement if the applicant passed a veterinary examination, actively practiced veterinary medicine at least five of the last seven years, and graduated from an accredited veterinary college.

Temporary permits are allowed for applicants who are qualified to take the examination and such permits are valid only until the results of the examination have been determined.

The Board has staff support from the Division of Occupational Licensing which consists of two sections. The licensing section, which processes applications, is supposed to maintain license files, gather and collect statistics, answer inquiries and provide other administrative help to the licensing boards. The other section provides investigative services to the Board in the event of consumer or professional complaints.

REPORT CONCLUSION

Policy Issues

This review contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this review but require legislative consideration. In debating these decisions, the legislative oversight committees should take into consideration the findings and alternatives presented in this report, so that the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the Board of Veterinary Examiners should continue to regulate and license veterinarians. The regulation and licensing of these professionals is necessary to protect the public's health, safety and welfare.

However, certain changes need to be implemented in order for the Board to efficiently perform its duties. The Board needs to develop standards, regulations and formal procedures for the examination given to license applicants. (see Recommendation No. 1).

Legislation should be introduced which will require continuing education for veterinarians. Continuing education will assist in avoiding professional obsolescence and keep practitioners aware of changes taking place in their profession (see Recommendation No. 2).

Legislation should also be introduced which will require public members be appointed to the Board. Public representation on the Board will help insure that the public's interest is represented and protected (see Recommendation No. 3).

OL should provide adequate assistance and support necessary for the proper functioning of the Board. In 1975 and 1976 the Board requested, but did not receive, assistance from OL to propose legislative changes to the Veterinary Practice Act (see Recommendation No. 4).

FINDINGS AND RECOMMENDATIONS

Findings and Recommendations No. 1 and No. 2 are addressed to the Board of Veterinary Examiners. Findings and Recommendations No. 3 through No. 5 are addressed to the Division of Occupational Licensing (OL), and should be read in conjunction with "A Performance Review of the Division of Occupational Licensing, Department of Commerce and Economic Development, October 30, 1978" issued under separate cover.

Recommendation No. 1

The Board of Veterinary Examiners should develop grading standards, procedures and regulations for the examination given to license applicants.

In a Legislative Audit questionnaire sent to State licensed veterinarians, several respondents mentioned that they were asked irrelevant questions by a Board member during the veterinary oral examination. The following are problems with the examination given to applicants:

1. Lack of regulations specifying what types of tests will be required for applicants with certain qualifications;
2. lack of grading and scoring procedures for the Alaska written and oral examination; and
3. applicants are not anonymous to Board members grading the oral examination. Applicants' pictures must be submitted with applications. These are reviewed by the Board prior to the oral examination and allow the Board members to associate the applicants with their applications and pictures. This lack of anonymity would allow applicants who failed the test to charge grading discrimination.

The Board keeps completed examinations although Alaska Statutes establish that OL is responsible for maintaining past examinations. OL is better suited to keep examination papers because they can provide adequate security. Also, OL will have quicker and easier access to the examination papers if questions arise.

Standardization and consistency serves to protect the interests of the applicants, Board and public. The following is recommended:

1. Regulations should be implemented which define:
 - a. Grading procedures;

- b. types of tests required for applicants with certain qualifications; and
 - c. a Board policy of no grading discrimination.
2. A test manual should be created in which standard test answers, examination procedures and grading procedures are outlined to guide all graders.
 3. The Board should not require an applicant's picture to be on an application. The licensing examiner can require that an identification card be shown when an applicant first enters the examination rooms. The examiner should not be involved with the grading.

Recommendation No. 2

Legislation should be introduced which will require continuing education for veterinarians.

Veterinary practitioners are acutely aware of the public trust involved in maintaining their professional competency. Required continuing education is one means of fulfilling that trust.

Twenty-nine of the 42 veterinarians responding to a Legislative Audit questionnaire believe that continuing education should be required of their profession. A program of continuing education will help avoid professional obsolescence and keep practitioners aware of changes taking place in their profession.

Recommendation No. 3

Legislation should be introduced to require public members on the Board of Veterinary Examiners.

The Board regulates veterinarians for the purpose of public protection. The Board is currently composed of only three licensed veterinarians. At the last Board meeting, the Board requested the Department of Commerce to pursue the possibilities of having a public member at the Board meetings.

We agree with the Board that the public should have its views represented since the Board's purpose is for public protection. In 1977, the State of California passed the Public Members Act which requires that one-third (1/3) of all health related board members be represented by the public. California claims that the public's confidence and well being have been enhanced by this law.

Recommendation No. 4

OL should provide adequate assistance and support necessary for the proper functioning of the Board of Veterinary Examiners.

In 1975 and 1976 the Board requested assistance from the Division in order to propose legislative changes to the Veterinary Practice Act. There is no evidence showing that the Division provided help to the Board. As a result, the Board was forced to go to the Alaska State Veterinary Association for the help and aid that it needed.

OL is required by statute to provide administrative services to the Board. In order for the Board to properly discharge its responsibilities, it needs and requires the cooperation and help of the Division.

Recommendation No. 5

The Board of Veterinary Examiners should establish formal goals, objectives and quantifiable measures which should be included in the OL's budget document.

Objectives describe what an agency or Board is seeking to accomplish during a specific year. Well formulated objectives are capable of measurement and should include numerical targets so that actual accomplishments can be compared with stated targets. Without goals and objectives, the Board's performance cannot be adequately evaluated and analyzed.

OL establishes its own budget goals and objectives. The budget documents do not include any goals or measures for individual boards. Without the Board's goals and measures being identified or measured, neither the Governor's Office nor the Legislature can evaluate the Board's performance (see the OL Performance Audit Report).

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative attainments as Board activities relate to the public need factors defined by "Sunset" law. These analyses are not intended to be comprehensive in nature but address those areas covered in the scope of our review

- I. The extent to which the board, commission or program has operated in the public interest.
 1. The Board of Veterinary Examiners has composed regulations concerning application procedures, definitions of licensing violations and clarifications of acceptable veterinary practice.
 2. The Board has held an average of one meeting per year and one examination per year (see Schedule B).
 3. The Board has promptly processed and evaluated applications. They have averaged seven weeks per application.

- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and any other matter, including budgetary, resource, and personnel matters.
 1. OL has not provided adequate assistance and support necessary for the proper functioning of the Board (see Recommendation No. 4).
 2. OL has not maintained updated records, files and statistics for Board use (see the OL Performance Audit Report).
 3. Investigations have not been processed by the investigation section of OL in a timely manner. It has been noted that a complaint against veterinarians averages about a year to be processed.

- III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.
 1. The Board has made five requests for statutory changes, according to Board meeting minutes. Two requests were to implement a new Veterinary Practice Act. There is little evidence which

demonstrates a need for this revision. However, some of the recommended changes are in the public's best interest, including a continuing education requirement (see Recommendation No. 2) and the placement of public members on the Board (see Recommendation No. 3).

Another recommendation was to amend the temporary license permit requirements to require that all veterinarians granted a temporary permit work under the supervision of a State licensed veterinarian. We have seen no evidence or complaints against veterinarians with temporary licenses which demonstrate that this change is needed.

In addition, the Board has proposed a regulation that all applicants must take the State Veterinary Examination. Again, we have seen no evidence which demonstrates that this change is needed.

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

1. There is no documentation in the Board minutes which identifies that the Board has encouraged feedback.

V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

1. The Board advertises in newspapers to encourage public participation and also sends notices to interested associations. During the last three years, the Board has averaged slightly more than one advertisement per newspaper for each meeting and examination. One advertisement was published per paper for a regulations change.

2. During the past four years, no one other than Board members and support staff participated in Board meetings, as recorded by Board minutes.

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

1. We found no filed complaints against the Board.

VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

1. Complaints against veterinarians are indicators of the quality of veterinary practice in the State. We found only two complaints against veterinarians on file with OL (see Appendix B).

VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the a of activity or interest.

1. Veterinary applications require unnecessary information such as an applicant's age and picture. This is a violation of Equal Employment Opportunity requirements (see the OL Performance Audit Report).

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

Please refer to the previous section, Findings and Recommendations.

APPENDIXES

APPENDIX A

VETERINARY LICENSE REVENUES
COMPARED WITH EXPENDITURES
 (UNAUDITED)

Average Revenue (see Schedule 1 and Note 1)	\$ 2,700
Expenditures (see Note 2)	<u>10,000</u>
Excess of Expenditures Over Revenues	<u>\$(7,300)</u>

Schedule 1
 Types of Revenues

<u>Revenues</u>	<u>Amount</u>	<u>Collection Time</u>
Initial License Fee	\$25	With issuance of license
Biennial Renewal	50	Biennially
Temporary License	10	With issuance of license
Reciprocity Fee	25	With issuance of license
Examination Fee	25	With taking of examination

Note 1

Most of the veterinary revenues are composed of renewal registration fees. These fees are collected once every two years and cause revenues in one year to be much greater than the revenues collected in the next year. Therefore, we calculated and reported an average of the revenues collected in fiscal years 1977 and 1978 in order to obtain an accurate representation of collected revenues.

Note 2

Expenditures include those made by Board members, such as travel and per diem and an allocated percentage (estimated) of total administrative expenses of OL. They do not include expenditures for efforts of other departments, such as the Department of Law, that may be assisting the Board and OL.

APPENDIX B

BOARD STATISTICS

Schedule 1
Veterinary Examination

	<u>1978</u>	<u>1977</u>	<u>1976</u>	<u>1975</u>	<u>Pass Rate Four-Year Average</u>
Veterinary Applicants	8	8	11	12	
Number of Fails	<u>3</u>	<u>0</u>	<u>2</u>	<u>1</u>	
Number of Passes	<u>5</u>	<u>8</u>	<u>9</u>	<u>11</u>	
Percent Pass	<u>62%</u>	<u>100%</u>	<u>82%</u>	<u>92%</u>	<u>84%</u>

Schedule 2
Veterinary Complaints

Malpractice Complaints	1
Overpricing Complaints	<u>1</u>
<u>Total</u>	<u>2</u>

Schedule 3
Administrative Statistics

As of October 31, 1978

Licensed Veterinarians	100
Board Meetings:	
Average number of meetings per year	7 meetings
Average time length per meeting	4 hours

APPENDIX C

QUESTIONNAIRE SENT TO BOARD MEMBERS

1. What do you believe to be the goals and objectives of the Board of Veterinary Examiners?

<u>Description</u>	<u>Number of Board Members' Responses</u> (See Note 1 & 2)
To keep incompetent veterinarians from practicing within the State.	<u>2</u>
To examine and license qualified applicants.	<u>1</u>
To help maintain good health of Alaskans.	<u>1</u>
To investigate and, if necessary, punish veterinarians who illegally practice veterinary medicine.	<u>1</u>

2. How does the Board measure its progress in meeting its goals and objectives?

<u>Description</u>	<u>Number of Board Members' Responses</u>
No progress under old regulations.	<u>1</u>
By examining applicants, Board can evaluate quality of new licenses.	<u>1</u>
Number of complaints and seriousness of the complaints will be a good indicator.	<u>1</u>

3. Is the staff from the Department of Commerce and/or other departments adequate to perform and enforce all laws and regulations relating to the Board of Veterinary Examiners? What staff support services are provided adequately? Inadequately?

<u>Description</u>	<u>Number of Board Members' Responses</u>
Staff support is currently good and has improved.	<u>2</u>

3. (cont'd.)

Description

Number of Board
Members' Responses

Problems have arisen concerning:

- | | |
|---|----------|
| a. Failure to follow through on requested services; | <u>1</u> |
| b. slow to complete task; | <u>1</u> |
| c. inadequate knowledge of Board's activities; | <u>1</u> |
| d. failure to assist Board on problems; | <u>1</u> |
| e. slow and reluctant assistance from Attorney General's Office; | <u>2</u> |
| f. lack of interest or initiative in regards to Board activities; and | <u>1</u> |
| g. high turnover in staff. | <u>1</u> |

4. What evidence exists demonstrating that the Board has operated in the public's best interest?

Description

Number of Board
Members' Responses

There are few complaints regarding licensed veterinarians. Without regulation, more serious complaints will occur.

1

5. What evidence exists demonstrating that the absence of veterinary regulations and/or the Board would be detrimental to the public's best interest?

Description

Number of Board
Members' Responses

No immediate evidence, although the American Veterinary Medical Association may have done studies.

1

6. Has the Board recommended any statutory changes which are generally in the public's best interest?

Description

Number of Board
Members' Responses

The Board submitted a new practice act to the Division of Occupational Licensing and to the Legislature.

2

7. Has the Board made any studies to determine if there is a veterinary manpower shortage in Alaska or certain areas of Alaska? What were the study's conclusions? What do you believe is the manpower situation?

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>Services in the city is adequate and rural services, through Public Health Service, are also adequate.</i>	<u>2</u>
<i>There is no emergency help in the remote areas.</i>	<u>2</u>

8. Are there any statutes or regulations that you believe to be obsolete, vague, unduly restrictive, and/or inadequate to provide the Board with the responsibility and power to properly govern the purpose and activities of the Board? Please list and explain.

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>Licensing requirements too lenient. Anyone applying for licensure should be required to take an examination.</i>	<u>1</u>
<i>No public members.</i>	<u>1</u>
<i>Licensing by reciprocity is allowed and it should be.</i>	<u>1</u>
<i>Temporary license statutes should be eliminated or changed.</i>	<u>1</u>
<i>No provision for registering animal health technicians.</i>	<u>1</u>
<i>No provision for relief veterinarian in an emergency.</i>	<u>1</u>
<i>Limited investigative force.</i>	<u>1</u>

9. What changes could be made to the Board which would improve its service to the public?

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>Add one or two non-veterinarians to the Board.</i>	<u>1</u>
<i>Need additional funds to travel to Juneau to discuss problems with Legislature.</i>	<u>1</u>

10. Do you think continuing education requirements should be enacted by the Legislature and/or the Board?

Description

Number of Board
Members' Responses

Yes, for a minimum of 10 hours.

1

State Veterinary Association requires it. However, continuing education will not assure that a veterinarian is remaining competent.

1

Note 1

At the time the questionnaires were sent out, there were only two Board members. Both members responded.

Note 2

Each Board member responded to each question with several answers. Therefore, total responses for each question may exceed the number of Board members.

APPENDIX D

QUESTIONNAIRE SENT TO VETERINARIANS

		(See Note 1)		
		<u>% Responses</u>		
		<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
1.	Have you been able to attend any veterinarian seminars or classes within the last year?	98%	2%	-0-
2.	If so, how many hours of continuing education have you had during the last year?	Average Hours 29		
3.	Do you believe that State laws should require continuing education before veterinarian licenses are renewed?	69%	31%	-0-
4.	When you were licensed in the State, did you have to take the following examinations?			
	a. Professional Examination Service multiple choice examination.	57%	36%	7%
	b. An oral examination.	62%	33%	5%
	c. Any others?			
	1. <i>Most prevalent answer is written examination.</i>	26%	29%	45%
5.	Do you believe the examination(s) that you were required to take for Alaska's veterinarian license was relevant and useful for testing the abilities of a veterinarian applicant?	42%	29%	29%

Please identify those that you believe aren't relevant:

1. *Most criticism concerned the National Examination which is the professional examination service.*
2. *Criticisms were also directed at irrelevant questions asked by a prior Board member.*

(See Note 1)

% Responses

	<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
6. Are there other procedures that you believe are more relevant and useful for testing the abilities of a veterinarian applicants?	43%	24%	33%
Please specify:			
1. <i>Most often mentioned answer was practical examinations with slides or a diagnostic case study.</i>			
7. Do you believe that the Board of Veterinary Examiners has operated in the public's best interest?	86%	7%	7%
8. Do you have any complaints concerning the service provided by the support staff of the Division of Occupational Licensing, Department of Commerce?	19%	76%	5%
9. Do you believe that all geographic areas within the State are adequately serviced by veterinarians in private practice?	55%	38%	7%
10. Do you know of any studies or statistics which support your answer in number 9?	2%	96%	2%
11. Are you aware of any discriminatory practice involving licensing of minority groups?	2%	96%	2%
12. Do you believe Alaska's licensing requirements for temporary and permanent licenses are adequate and effective in ensuring that the public is protected?	50%	48%	2%
13. Do you believe that current statutes are restricting the more effective and efficient use of veterinarian technicians and aides?	14%	76%	10%

Note 1

Number of questionnaires sent to State licensed veterinarians.	<u>100</u>
Number of questionnaires received.	<u>42</u>
Response rate.	<u>42%</u>

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

RECEIVED

JAN 11 AM.

LEGISLATIVE
AUDIT

January 9, 1979

Mr. Gerald Wilkerson
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

We have reviewed your preliminary reports as shown below:

1. Board of Examiners in Optometry
2. Board of Dispensing Opticians
3. Board of Psychologist and Psychological Associate Examiners
4. Board of Chiropractic Examiners
5. Alaska State Medical Board
6. Board of Veterinary Examiners
7. State Physical Therapy Board
8. Board of Pharmacy
9. Board of Nursing
10. Board of Nursing Home Administrators
11. Board of Dental Examiners
12. Alaska Transportation Commission

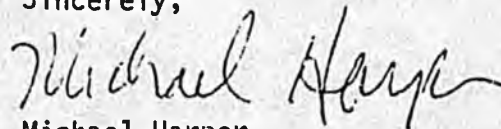
We view these reviews of agency programs and activities which are specifically subject to termination in a manner different from those made of State departments or agencies. Usually we in the Executive Branch endeavor to respond directly to each finding and recommendation. However, in regard to the Boards and Commissions, the Executive Branch agency during a public hearing shall demonstrate a public need for its continued existence or the discontinuation of the program, and the extent to which any change in the manner of exercise of its functions or activities may increase efficiency of administration or operation consistent with the public interest.

The Executive Branch of Alaska Government has made an extensive study of the above Boards and the Alaska Transportation Commission. We are continuing to study those entities, their origin, their present and future potential, and other related subjects in conjunction with Alaska statutes 24 and 44 (Sunset Legislation). As prescribed in AS 44.66.050 one or more legislative hearings are to be held to receive testimony from the public, the Commissioner of the department having administrative responsibility for each, and the members of the Boards or Commission involved. During those hearings we will present our findings and recommendations affecting each of the foregoing Boards and the Alaska Transportation Commission.

January 9, 1979

Accordingly, we are presenting this in addition to the responses from the Department of Commerce, Department of Law, and the individual Board or Commission members and others on an interim basis.

Sincerely,

A handwritten signature in cursive script that reads "Michael Harper".

Michael Harper
Administrative Assistant
to the Governor

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

POUCH D

JUNEAU, ALASKA 99811

December 15, 1978

RECEIVED

JAN 17 AM.

**LEGISLATIVE
AUDIT**

Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

The following comments are in response to the Performance Review of the Board of Veterinary Examiners, as submitted by the Division of Legislative Audit.

Recommendation No. 1. Agreed. Grading standards, regulations and formal examination procedures are desirable for all licensing boards. The proposed act, requested by the board and introduced through the department, addresses these concerns.

Recommendation No. 2. Agreed. Continuing competency is generally advocated as one method of assuring that practitioners remain qualified once licensed. The proposed act, requested by the board and introduced through the department, addresses this subject.

Recommendation No. 3. Agreed. We agree that the public should be represented through membership on the board. The proposed practice act also addresses this subject.

Recommendation No. 4. Agreed. The division should, and currently is, providing administrative assistance to the board although past deficiencies are recognized.

Recommendation No. 5. Agreed. The board's goals and objectives will be incorporated within the division's budget document. Contact will be made with all boards in March or April, 1979 for input to the budget for FY 1981

The recommendations cited will be acted upon regardless of action taken on the proposed practice act.

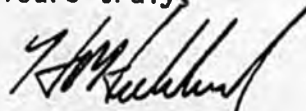
Gerald L. Wilkerson, CPA

-2-

December 15, 1978

I appreciate the time and efforts expended by your staff.

Yours truly,

A handwritten signature in dark ink, appearing to read "H. Phillip Hubbard". The signature is written in a cursive style with a large, sweeping initial "H".

H. Phillip Hubbard
Commissioner

JAN 17 A.M.

A Performance Review of the
Board of Veterinary Examiners--
Comments of Board of Veterinary Examiners.

LEGISLATIVE
AUDIT

Page 5, Paragraph 5 concerning licensing by endorsement:

The board does not feel that a candidate is statutorily qualified for licensure by endorsement if the applicant has passed a veterinary examination, actively practiced veterinary medicine at least five of the last seven years and graduated from an accredited veterinary college.

According to Section 03.98.210, a veterinarian may be licensed without examination if he fulfills the above criteria. In this section the word "may" is very important as it gives the board the option of licensure by endorsement or by examination. The board feels this authority is very important if it is to assure to the public a "certain degree" of competence of licensed veterinarians. A July 5, 1978, interpretation of the statute by the Attorney General's office states that we do not have this authority. The board has asked the Attorney General's office for a re-interpretation of this section.

Page 7, Recommendation Number 1:

The board agrees almost completely with the recommendation.

1. Regulations should be implemented which define:
 - a. grading procedures--the board enters in the board minutes at each examination the grading procedure. We agree that this should be in the regulation but were not aware of the necessity previously.
 - b. types of tests required for applicants with certain qualifications-- the board agrees with the concern over oral examination. At the December, 1978, examination no oral examination was given nor will this type of examination be used in the future. The board feels that anonymity is important and all examinations are graded with only an identification number identifying each examination. The department alone knows which applicant has which identification number.
2. A test manual should be created--the board feels this would be a definite improvement to the administration of the board examinations. However, this would take a great amount of time as well as expertise in preparing and wording examination questions. In 1978, in California, certain questions on the veterinary board examination were successfully challenged because they were ambiguous. The California board states that "from now on, experts will be used to prepare the exam".

Continuation of:

Page 7, Recommendation Number 1:

(2.)

The board feels that monies should be appropriated to fund a group with the expertise to draft such a test manual.

3. The board agrees that pictures of applicants are not necessary on the application. At the December, 1978, board meeting, the board instructed the department to remove the requirement of a picture from the application.

Recommendation Number 2:

The board agrees that continuing education for all licensed veterinarians would be an important way of maintaining professional competency as well as assuring public trust in practicing veterinarians. We also agree that it will keep practitioners aware of changes taking place in their profession. The board wishes to note that continuing education requirements do not assure that all licensed veterinarians will maintain a high level of competence.

Recommendation Number 5:

Establish goals and objectives--the board feels this is certainly a worthwhile procedure, but was not aware of its requirement. At its December, 1978, board meeting the board asked the department to draft an outline which would help the board develop formal goals, objectives, and quantifiable measures which then could be included in the Occupational Licensing's budget document.

Page 11:

Recommendation of board to exceed the temporary license permit requirements. The present statutes allow an applicant to practice veterinary medicine without supervision, with a temporary license, until the results of the next examination are published. This time period could be six months to one year, depending on whether one examination or two are given during a particular year. The board feels that allowing an applicant to practice medicine without supervision is not in the public's best interests. (Some states no longer offer temporary permits.) The Medical Board does offer temporary permits, but the applicant must have completed an internship and taken and have passed a national examination. The Division of Audit states that because there have been no complaints, they see no reason for any change. The board does not feel that we should wait for a complaint or for a problem to exist before suggesting a change. We do not feel that requiring an applicant to work under the supervision of a licensed veterinarian is that great a hardship on the applicant. In return, we feel we better guard the public's best interest.

Page 11, Paragraph 3:

Recommendation by the board that all applicants may be required by the board to take the state portion of the veterinary examination. The Division of Audit again states that they have seen no evidence which demonstrates that this change is needed. The board does not feel that waiting until there is a problem before taking action is the best approach. The state portion of the examination is of a more practical nature as opposed to the national examination which is more detailed and technical. The board feels that if a veterinarian is keeping current with continuing education, that he or she should be able to pass the practical portion of the examination. The board also realizes that once a veterinarian is given a license, it is very difficult to prove incompetence and have his or her license revoked. More and more, Alaska is becoming a popular state for people to retire in. Of this group are veterinarians who are no longer in active practice, who may have graduated twenty to thirty years ago, but who would like to be licensed to practice veterinary medicine in Alaska. This type of applicant is very difficult for the board to evaluate for competency without giving a practical examination.

Page 12, VIII:

Application picture and applicant's age--the board has instructed the department to omit the requirement of age and a recent photo from all application forms.

Appendix A, Page 14:

Expenditures, 10,000

The board questions where the 10,000 figure comes from. Certainly, per diem and travel are a very small portion. The board was denied the request to send a member to a national board of veterinary exsinsess meeting as had been done the previous two years. The board feels this is an in extant method of keeping current in trends, problems, and improvements of examining boards.

Perhaps the 10,000 amount was arrived at by taking a per cent of department expenses and allocating them to the board of veterinary examiners. We do not feel we have received this amount of service from the department.

The board feels it is important to point out that many hours of each member's time is devoted to board activities each year without monetary compensation. Filling out questionnaires, responding to reports such as the audit reports associated with the Sunset Law are examples of additional time required of board members.

The board is concerned over the large difference between revenue and expenditures. At the December 6, 1973, board meeting the board suggested that biennial renewal of license fees be increased from 50 to \$100.

Continuation of:

Power of Investigation:

Presently the board has no power of investigation. There is a department-wide investigation division that handles all complaints. The board's position is to be an impartial board and to make a ruling on the complaint after the investigation is completed. The board has no knowledge of an investigation or the person or persons being investigated nor the party making the complaint. The rationale is to assure that the board does not become influenced during an investigation but remains an impartial board enabling it to make a fair and just ruling on the complaint after the investigation is completed. The board has no complaint with this procedure; however, this procedure does create certain problems and perhaps shortcomings.

1. Many complaints are made directly to board members. The board members are the persons the public will turn to with a problem or complaint.
2. The present investigation procedure is quite slow, owing directly to a large workload.
3. Spending time investigating a complaint that is perhaps more of a misunderstanding than a complaint.
4. Investigation being performed by persons with no expertise in the field in which they are investigating.

Perhaps communication between the investigator and the board would be advantageous in the following ways:

1. Help in deciding whether or not a complaint is a serious violation of the state statutes or a minor violation or perhaps a misunderstanding.
2. Shorten the investigation necessary if the complaint is not felt to be serious or is a misunderstanding.
3. If the complaint is a serious violation, then immediate attention is necessary to decide if the complaint is valid. If the complaint is valid, then quick action would be necessary to prevent additional violations from occurring.
4. By facilitating the investigation and possibly eliminating investigation on minor complaints, time and money could be saved by the investigation division.
5. Shorten the time it is now taking to have a complaint investigated.

Page 21, Number 6, Questionnaire sent to veterinarians:

Procedures felt more relevant and useful for testing the abilities of a veterinary applicant? Most often mentioned was a practical examination.

The state portion of the board examination is primarily practical in nature. The difficulty of a practical examination is that it is difficult to avoid ambiguity and it also requires an opinion. The Professional Examining Service has now developed a practical portion of their examination and it will be incorporated into the veterinary board examination for the year 1979.

The veterinary school at Washington State University will also be contacted to see if they have slides or transparencies for our use in the examination.

*David Howe DVM
MEMBER Bd. of Veterinary Examiners*

HB 86

THE ALASKA STATE VETERINARY MEDICAL ASSOCIATION

BOX 631

ANCHORAGE, ALASKA 99501

February 7, 1979

The Honorable W. E. (Brad) Bradley
Pouch V
Juneau, Alaska 99811

Dear Senator Bradley:

The Alaska State Veterinary Medical Association has written a new practice act, known as House Bill No. 86, that will be introduced this legislative session. The purpose of my letter is to give you an understanding of the bill.

We now have a veterinary practice act which was enacted in 1963 and has had no major revisions since then. We chose to write a new act rather than revise the old because in nearly all parts of the act changes have been proposed to clarify the intent. Writing a new act seemed the easiest way to accomplish this.

We have compared the content of the old act with the proposed act. In nearly all cases, the proposed act and the old act handle regulation and licensing of the profession in the same way. Notable exceptions are as follows:

The size of the Board of Veterinary Examiners was increased from three to five members. This was done because the present board size of three members often proved inadequate due to the absence of members for various reasons.

A public member was provided as one of the members of the Board to encourage representation of the public interest in regulation of the profession.

A section was included which defines the legal responsibilities of aides and trained technicians working under the direction of a veterinarian. The present act makes no mention of persons employed by veterinarians leaving it legally open to question as to whether or to what extent a veterinarian may use these people to aid in treatment of animals.

The new act provides for the examination and registration of Animal Health Technicians. Technicians are a relatively new profession employed by veterinarians to do a wide variety of technical tasks. Many technicians are presently employed in Alaska; however, there is no provision made for them in the present statutes.

Registration is necessary for up-to-date, immediate reference of all veterinary technicians engaged in animal care in the state with reference to qualifications, addresses, license status, etc. This provision allows the Board to adopt appropriate standards for those engaged in animal technology and the issuance of permits to such persons found competent.

Temporary licensing has been changed from the existing uncontrolled situation giving temporary licenses to all applicants who qualify for a license. Under the present law a person who has never passed a national or state examination can obtain a temporary unrestricted license to practice.

The new act proposes that two classes of temporary licenses be issued:

One type would be issued to any technician qualified to take the examination provided he work with a practitioner licensed in the state.

A second type would be issued for a 60-day period to a veterinarian who is licensed in another state. The license would allow the licensee to take over the practice of a veterinarian who is absent.

Examination of licensees has been changed to require a state exam and a national exam for every applicant unless the applicant has either (1) passed a National Board Examination in the last three years, or, (2) has been an active practicing veterinarian in another state. Persons qualifying would be required to take only the state exam.

Presently, veterinarians who have "practiced" for five of the last seven years in another state may receive a license without exam. The problem with this is that the definition of "Veterinary Practice" is so broad that people involved with activities not commonly considered to be the active practice of veterinary medicine would qualify for license. Examples of this could include meat inspectors, animal consultants, and certain types of researchers. The new act would require all applicants to take the state exam.

The new act provides a legal means by which to cope with the problem of animals left in the care of veterinarians and later abandoned. This is a frequent problem that is not dealt with in the present act.

We would appreciate your support on this bill.

Respectfully,

Jon Thomas, DVM

Jon Thomas
President, ASVMA

THE ALASKA STATE VETERINARY MEDICAL ASSOCIATION

BOX 631

• ANCHORAGE, ALASKA 99501

March 22, 1979

The Honorable W. E. "Brad" Bradley
Senate
Pouch 5
Juneau, Alaska 99801

Dear Senator Bradley:

It appears that the House Budget and Audit Review (Sunset) Committee will recommend to "sunset" the veterinary board, along with many other health related boards after six months.

I feel that this action cannot be within the original concept of "Sunset Review" for the following reasons. Alternate systems to take over board functions are bound to be more costly since the boards are presently volunteer. Any new system will probably involve another level of full or parttime personnel which will add to bureaucracy and will make these positions political.

I do not think that the present veterinary board is functioning inefficiently, is "turf guarding" or is otherwise limiting competition in veterinary medicine. The minor problems that do exist could be corrected by statutory changes, policy changes in occupational licensing, improved communications with the department, and correction of funding deficiencies.

Sincerely,

A handwritten signature in cursive script that reads "Jon Thomas, DVM". The signature is written in dark ink and is positioned to the right of the typed name.

Jon Thomas, DVM
President, ASVMA

S T A T E O F A L A S K A

STATUTES AND REGULATIONS
OF
LICENSED VETERINARIANS



PRINTED: JANUARY, 1971

STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

FOR INFORMATION WRITE:

Department of Commerce
Division of Occupational Licensing
Board of Chiropractic Examiners
Pouch D
Juneau, Alaska 99811

(as of 1/1/75)

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CENTRALIZED LICENSING ACT

CHAPTER 01. CENTRALIZED LICENSING

Section

- | | |
|---|---|
| 10. Applicability of chapter | 70. Administrative duties of boards |
| 20. Board organization | 80. Department regulations |
| 30. Quorum | 90. Applicability of the Administrative Procedure Act |
| 40. Transportation and per diem | 100. License renewal, lapse and re-instatement |
| 50. Administrative duties of department | 110. Definitions |
| 60. Application for license | |

Sec. 08.01.010. Applicability of chapter. This chapter applies to the

- (1) Board of Public Accountancy;
- (2) Board of Barber Examiners;
- (3) Board of Examiners in Basic Science, Repealed by Sec 6 ch 32 SLA 1971;
- (4) Board of Chiropractic Examiners;
- (5) Board of Hairdressing and Beauty Culture Examiners;
- (6) Board of Dental Examiners;
- (7) Board of Electrical Examiners;
- (8) State Board of Registration for Architects, Engineers and Land Surveyors;
- (9) State Medical Board;
- (10) Board of Nursing;
- (11) Board of Examiners in Optometry;
- (12) Board of Pharmacy;
- (13) Real Estate Commission;
- (14) Board of Veterinary Examiners;
- (15) Board of Psychologist Examiners;
- (16) Collection Agency Board;
- (17) Board of Welding Examiners;
- (18) Board of Marine Pilots. (sec 1 ch 59 SLA 1966; am sec 2 ch 136 SLA 1967; am sec 2 ch 101 SLA 1968; am sec 2 ch 143 SLA 1968; am sec 2 ch 151 SLA 1968; am sec 1 ch 106 SLA 1970; am sec 6 ch 32 SLA 1971; am sec 3 ch 179 SLA 1972)

Effect of amendments.-The 1967 amendment added paragraph (15).

The first 1968 amendment, effective May 1, 1968, added paragraph (16).

The second 1968 amendment substituted "Veterinary" for "Veterinarian" in paragraph (14).

The third 1968 amendment added paragraph (17).

The 1970 amendment added paragraph (18).

The 1971 amendment repealed paragraph (3).

Editor's note.-Section 2, ch. 59, SLA 1966, provides: "The Department of Commerce shall provide for the orderly transfer

of the service functions which are to be performed by the department under this chapter."

Section 4, ch. 59, SLA 1966, provides: "A provision in existing law which conflicts with this Act is superseded by this Act."

Legislative committee report.- For legislative committee report on ch. 143, SLA 1968 (HB 707), see House Journal (1968), p. 836.

For report on ch. 32, SLA 1971 (HB 111 am), see 1971 House Journal, p. 138.

Sec. 08.01.020. Board organization. Unless otherwise provided, all board members are appointed by the governor and serve at his pleasure. Unless otherwise provided, the governor shall designate the chairman of the board, and all other officers shall be elected by the board members. (sec 1 ch 59 SLA 1966)

Sec. 08.01.030. Quorum. A majority of the membership of a board constitutes a quorum unless otherwise provided. (sec 1 ch 59 SLA 1966)

Sec. 08.01.040. Transportation and per diem. A board member is entitled to transportation expenses and per diem as set out in AS 39.20.180. (sec 1 ch 59 SLA 1966)

Sec. 08.01.050. Administrative duties of department. The Department of Commerce shall provide the following administrative and budgetary services for the boards:

- (1) collect fees and issue receipts;
- (2) maintain records and files;
- (3) issue and receive application forms;
- (4) notify applicants of acceptance or rejection of applicants as determined by the board;
- (5) designate dates examinations are to be held and notify applicants;
- (6) publish notice of examination;
- (7) arrange space for holding examinations;
- (8) notify applicants of results of examinations;
- (9) issue licenses and certificates or temporary licenses or certificates as authorized by the board;
- (10) issue duplicate licenses or certificate upon proof of loss of the original and payment of a fee of \$2;
- (11) notify licensees of renewal dates at least 30 days before the expiration date of their licenses;
- (12) compile and maintain current a register of licenses;
- (13) answer routine inquiries;
- (14) maintain files relating to individual licensees;
- (15) arrange for printing and advertising;
- (16) purchase supplies;
- (17) employ secretarial help when needed;
- (18) perform other services which may be requested by the board. (sec 1 ch 59 SLA 1966)

Sec. 08.01.060. Application for license. All applications for examination or licensing to engage in the business or profession covered by this chapter shall be made in writing to the department. (sec 1 ch 59 SLA 1966)

Sec. 08.01.070. Administrative duties of boards. Each board shall perform the following duties in addition to those provided in its respective law:

- (1) keep minutes and records of all proceedings;
- (2) hold a minimum of one meeting each year;
- (3) hold at least one examination each year;
- (4) request, through the department, investigation of violations of its laws and regulations;
- (5) prepare and grade examinations;

(6) pass on qualifications of applicants for examination and license;

(7) forward minutes of meeting to the department within 20 days;

(8) forward results of examinations to the department;

(9) notify the department of meetings dates at least 15 days before meeting. (sec 1 ch 59 SLA 1966)

Sec. 08.01.080. Department regulations. The department shall adopt regulations to carry out the purposes of this chapter including but not limited to describing

(1) how an examination is to be conducted;

(2) what is contained in application forms;

(3) how a person applies for an examination or license. (sec 1 ch 59 SLA 1966)

Sec. 08.01.090. Applicability of the Administrative Procedure Act. The Administrative Procedure Act (AS 44.62) applies to regulations and proceedings under this chapter. (sec 1 ch 59 SLA 1966)

Sec. 08.01.100. License renewal, lapse and reinstatement.

(a) All licenses shall be renewed biennially on the dates set by the department with the approval of the respective board.

(b) A registration, license, permit or certificate requiring renewal to continue effective must be renewed on or before the date set by the department or it will lapse. A penalty of \$10 shall be charged in addition to all delinquent renewal fees for reinstatement of a registration, license, permit or certificate which remains lapsed for more than 60 days. (sec 1 ch 59 SLA 1966; am sec 2 ch 94 SLA 1968)

Effect of amendment.--The 1968 amendment designed the former section as subsection (a) and added subsection (b).

Sec. 08.01.110. Definitions. In this chapter

(1) "board" includes the boards and commissions listed in sec 10 of this chapter;

(2) "department" means the Department of Commerce. (sec 1 ch 59 SLA 1966)

CHAPTER 98. VETERINARIANS

CHAPTER 90. VETERINARIANS

Article

1. Board of Veterinary Examiners (Secs 08.98.010 - 08.98.100)
2. Licensing (Secs 08.98.120 - 08.98.210)
3. Enforcement (Sec. 08.98.230)
4. General Provisions (Sec 08.98.250)

ARTICLE 1. BOARD OF VETERINARY EXAMINERS

Section	Section
10. Creation and membership of board	60. Board regulations
20. Appointment and term of office	70. Duties of the department
30. Executive secretary of board	80. Department regulations
40. Board meetings	90. Applicability of the Administrative Procedure Act
50. Duties of the board	100. Compensation

Sec. 08.98.010. CREATION AND MEMBERSHIP OF BOARD. There is a Board of Veterinary Examiners. It consists of three licensed veterinarians. (Sec 1 ch 91 SLA 1963; am sec 1 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment substituted "Veterinary" for "Veterinarian" in the first sentence.

Editor's note. - Section 2, ch 91, SLA 1963, states: "A person is entitled to a license under AS 08.98 without examination who has been graduated from an approved school of veterinary medicine, surgery, or dentistry, who applies and pays a fee of \$10, and who has continuously engaged in the prac-

tice of veterinary medicine in the state for at least 12 months immediately preceding the effective date of this Act."

Editor's note. - Section 3, ch. 91, SLA 1963, states: "The governor may appoint to board unlicensed veterinarians who have practiced veterinary medicine, surgery, or dentistry in this state for at least the two years preceding July 1, 1963, until at least three veterinarians are licensed."

Sec. 08.98.020. APPOINTMENT AND TERM OF OFFICE. The governor shall appoint the members of the board, with the confirmation of the legislature, for terms of four years, or until their successors are appointed. A member serves at the pleasure of the governor. The first members shall be initially appointed for two, three and four-year terms. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.030. EXECUTIVE SECRETARY OF BOARD. The commissioner of commerce is the executive secretary of the board. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.040. BOARD MEETINGS. The board shall hold a regular annual meeting. The board may hold special meetings at the call of the chairman with prior approval of the governor. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.050. DUTIES OF THE BOARD. The board shall

(1) pass on qualifications of applicants for licenses and issue licenses to those who qualify;

(2) prepare and grade examinations, provided that the board may use examinations prepared by the National Board of Veterinary Examiners;

(3) after hearing, have the authority to suspend or revoke the license of a licensed veterinarian who

- (A) obtained his license by fraud, misrepresentation, or deception;
- (B) is chronically drunk or is a drug addict;
- (C) make truthful statements about his professional ability, to solicit business;
- (D) distributes alcohol or drugs except as required by the practice of veterinary medicine, surgery, or dentistry;
- (E) in his professional capacity, conducts himself in a way that indicates he is not a competent veterinarian;
- (F) is convicted of a felony or any crime involving moral turpitude;
- (G) falsifies an official state or federal certificate relating to veterinary medicine. (Sec 1 ch 91 SLA 1963; am sec 2 ch 94 SLA 1966; am sec ch 54 SLA 1967)

Effect of amendments. - The 1966 amendment added the proviso at the end of paragraph (2). The 1967 amendment added paragraph (3) (G).

Sec. 08.98.060. BOARD REGULATIONS. (a) The board shall adopt procedural regulations describing how a person applies for and take an examination under this chapter.

(b) The board shall adopt substantive regulations

- (1) defining conduct which, if engaged in by a veterinarian, is evidence of incompetence;
- (2) specifying approved schools under sec 170(1) of this chapter;
- (3) specifying the subject matter to be covered in an examination for veterinarians. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.070. DUTIES OF THE DEPARTMENT. The department shall furnish the board with administrative services, including renting space for holding examinations, printing and mailing licenses, sending notices, before December 1 of each year, that licenses must be renewed, collecting fees and issuing receipts, keeping a current register of licensees, employing secretarial assistants, replying to routine requests for information, printing forms and informational bulletins, typing all matter to be reproduced, maintaining records and completed examinations, and keeping records of receipts and disbursements. (Sec 1 ch 91 SLA 1963; am sec 3 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment deleted "proctoring examinations," following "printing examinations" following "holding examinations."

Sec. 08.98.080. DEPARTMENT REGULATIONS. The department shall adopt procedural regulations necessary to carry out the duties imposed on it by sec 70 of this chapter. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.090. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT. The Administrative Procedure Act (AS 44.62) applies to regulations and proceedings under this chapter. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.100. COMPENSATION. Members of the board are entitled to per diem allowances and transportation expenses all wed by law and paid members of other state examining boards. (Sec 1 ch 91 SLA 1963)

ARTICLE 2. LICENSING

Section	Section
120. License required	170. Qualification for examination
130. Examination	180. Temporary license
140. Content of examination	190. Fees
150. Administration of examination	200. Reinstatement of lapsed license
160. Re-examination	210. Out-of-state veterinarian

Sec. 08.98.120. LICENSE REQUIRED. No person may practice veterinary medicine, surgery, or dentistry unless he is licensed under this chapter. (Sec ch 91 SLA 1963)

Sec. 08.98.130. EXAMINATION. A person who passes the examination given by the board is entitled to be licensed as a veterinarian. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.140. CONTENT OF EXAMINATION. The examination shall be in veterinary anatomy, surgery, medicine, obstetrics, pathology, chemistry, diagnosis, materia medica, therapeutics, physiology, sanitary medicine, dentistry, and other scientific subjects related to the practice of veterinary medicine, surgery, and dentistry. (Sec 1 ch 91 SLA 1963)

Sec 08.98.150. ADMINISTRATION OF EXAMINATION. The board shall offer examinations at least once a year. Examinations shall be so administered that, whenever possible, one who grades a written examination does not know whose paper he is grading. (Sec 1 ch 91 SLA 1963; am sec 4 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment inserted "whenever possible" in the second sentence and deleted the former last sentence, which pertained to the filing and inspection of examination papers.

Sec. 08.98.160. RE-EXAMINATION. A person who fails an examination may apply for a subsequent examination, but shall pay the examination fee each time he applies. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.170. QUALIFICATION FOR EXAMINATION. A person is entitled to take the examination who

(1) was graduated from a school of veterinary medicine approved by the board;

(2) Repealed by sec 25 ch 245 SLA 1970.

(3) has completed application forms and returned them to the board;

(4) has paid the fee specified in sec 190 of this chapter;

(5) has not had a veterinarian license revoked for cause in another jurisdiction;

(6) is of good moral character. (Sec 1 ch 91 SLA 1963; am secs 5, 6 ch 94 SLA 1966; am sec 25 ch 245 SLA 1970)

Effect of amendment. - The 1966 amendment deleted "examination" preceding "fee" in paragraph (4) and added paragraph (6).

Legislative committee report. - Chapter 245, SLA 1970 (HCSSE 399 am H), was identical to CSHB 406 (Jud.) For report on CSHB 406 (Jud.), see 1970 House Journal Supplement No. 6.

Effect of amendment. - The 1970 amendment repealed paragraph (2).

Sec. 08.98.180. TEMPORARY LICENSE. A person who meets the requirements of sec 170 of this chapter is entitled to be licensed. A license issued under this section is valid until the results of the examination following the issuance of the license are published. No person may receive more than one license under this section. (Sec 1 ch 91 SLA 1963; am sec 7 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment substituted "sec 170" for "sec 170(1) and (2)" in the first sentence, deleted "who has completed application forms and returned them to the board, and who has paid the

temporary license fee" following "chapter" in such sentence, and deleted the former second sentence, which pertained to waiver by the board of the requirements of secs 170(3) and (4) of this chapter.

Sec. 08.98.190. FEES. The following fees shall be imposed under this chapter when applicable:

- (1) examination fee \$25
 - (2) reciprocity fee 25
 - (3) initial license fee 25
 - (4) biennial renewal 50
 - (5) temporary license 10
- (Sec 1 ch 91 SLA 1963; am sec 1 ch 53 SLA 1968)

Effect of amendment. - The 1968 amendment rewrote this section.

Sec. 08.98.200. REINSTATEMENT OF LAPSED LICENSE. A person whose license has lapsed is entitled to have his license reinstated without taking an examination unless his license has remained lapsed more than five years. (Sec 1 ch 91 SLA 1963; am sec 2 ch 53 SLA 1968)

Effect of amendment. - The 1968 amendment rewrote this section.

Sec. 08.98.210. OUT-OF-STATE VETERINARIAN. A veterinarian in good standing in a veterinary association of another state or territory or the District of Columbia which licenses veterinarians to practice veterinary medicine may be licensed without examination and otherwise upon substantially the same terms and conditions as are fixed in the jurisdiction from which he has come for the licensure of a veterinarian from this state. As a prerequisite to licensure the board shall require a veterinarian to take and pass an examination, unless the applicant has

- (1) passed a state veterinarian examination;
- (2) engaged in the active practice of veterinary medicine for at least five out of the previous seven years before filing the application excluding

time spent in the military service of the United States;

(3) graduated from an accredited school of veterinary medicine;

(4) met the character requirements established by the board. (Sec 1 ch 91 SLA 1963; am sec 8 ch 94 SLA 1966; am sec 2 ch 54 SLA 1967)

Effect of amendments. - The 1966 amendment rewrote this section. The 1967 amendment also rewrote this section.

ARTICLE 3. ENFORCEMENT

Section

230. Injunction

Sec. 08.98.230. INJUNCTION. When it appears that a person has engaged in or is about to engage in an act constituting a violation of sec 120 of this chapter, the board, through its executive secretary, shall bring an action in the superior court to enjoin the act and to enforce compliance with sec 120 of this chapter. (Sec 1 ch 91 SLA 1963)

ARTICLE 4. GENERAL PROVISIONS.

Section

250. Definitions

Sec. 08.98.250. DEFINITIONS. In this chapter

(1) a person who practices veterinary medicine, surgery, or dentistry is one who does any of the following:

(A) appends to his name a title or abbreviation indicating to the public that he is a veterinarian;

(B) for compensation, diagnoses or treats diseases, injuries, or deformities of domesticated animals;

(C) holds himself out to the public as one who diagnoses or treats diseases, injuries, or deformities of domesticated animals;

(D) maintains premises for receiving, examining, and treating a domesticated animal for compensation;

(2) "board" means the Board of Veterinary Examiners;

(3) "department" means the Department of Commerce. (Sec 1 ch 91 SLA 1963)

Editor's note. - In light of the 1966 amendment of AS 08.98.010, it appears that "Board of Veterinarian Examiners" in paragraph (2) of this section should read "Board of Veterinary Examiners."

Editor's note. - "Veterinarian" has been changed to "veterinary" in paragraph (2) of this section as set out above. Editor's note in original should be disregarded.

CHAPTER 68. BOARD OF VETERINARY EXAMINERS

TITLE 12. PROFESSIONAL AND VOCATIONAL REGULATIONS

CHAPTER 68. BOARD OF VETERINARY EXAMINERS

Article

1. Examinations (12 AAC 68.010 - 12 AAC 68.040)
2. Evidence of Incompetence (12 AAC 68.050 - 12 AAC 68.120)

Section

10. Applications
20. Time and Place of Examinations
30. Notifications of Applicants
40. Applications for License

12 AAC 68.010. APPLICATIONS. (a) An application for examination to practice veterinary medicine, surgery, or dentistry shall be made in writing to the Department of Commerce on a form prescribed and furnished by the Department. The fee required by AS 08.98.190 shall accompany the application form.

(b) An applicant may be required to furnish other information to demonstrate that he meets the minimum qualifications of AS 08.98.170.

(c) An application for examination must be postmarked no later than 60 days before the examination date. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060(a)
AS 08.98.070

12 AAC 68.020. TIME AND PLACE OF EXAMINATION. (a) The time and place of the examination will be published by all major newspapers, in the State of Alaska, at least six months before the examination date.

(b) The Department of Commerce will arrange for space in which the examination is given. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060(a)
AS 08.98.070

12 AAC 68.030. NOTIFICATION OF APPLICANTS. (a) All applicants will be notified in writing of the time and place of the examination by the Department of Commerce at least 10 days before the examination.

(b) An applicant will be advised by the Department of his grade in writing no later than 60 days following the grading of the examination by the Board. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060(a)

12 AAC 68.040. APPLICATION FOR LICENSE. An application for a license is included on the same form used for the application

BOARD OF VETERINARY EXAMINERS

for examination. Space is provided on the form to indicate whether licensing will be by examination or by waiver of examination. (Eff. 3/27/71, Register 37)

Authority: AS 08.93.060
AS 08.98.210

ARTICLE 2. EVIDENCE OF INCOMPETENCE

Section

- 50. Evidence of Incompetence
- 60. Approved Schools
- 70. Conflict of Interest
- 80. Treatment of Patients
- 90. Certificate of Health
- 100. Confidential Relationship
- 110. Testimonials
- 120. Soliciting

12 AAC 68.050. EVIDENCE OF INCOMPETENCE. The following conduct is considered evidence of incompetence of an applicant:

- (1) a judgement of insanity by a competent court;
- (2) a conviction of a violation of a federal or state law relating to narcotic drugs;
- (3) A conviction of malpractice in veterinary medicine surgery or dentistry. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060

12 AAC 68.060. APPROVED SCHOOLS. A school of veterinary medicine that is recognized and approved by the American Veterinary Medical Association is approved by the Board.* (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060 b) (2)

12 AAC 68.070. CONFLICT OF INTEREST. It is unprofessional to represent conflicting interest, except by express consent of all concerned, given after a full disclosure of the facts. A conflict of interest results when a veterinarian is employed by a buyer to inspect an animal for soundness or other reason, and he accepts a fee from the seller. Acceptance of a fee from both the buyer and the seller is evidence of unprofessional conduct for the purposes of AS 08.98.050. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050(3)(E)
AS 08.98.060(b)(1)

*A list of approved schools may be obtained from the American Veterinary Medical Association.

BOARD OF VETERINARY EXAMINERS

12 AAC 68.080. TREATMENT OF PATIENTS. A licensed Veterinarian shall exercise the degree of care, skill and diligence in treating patients that is ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in the community in which he practices. Failure to comply with this section constitutes incompetence for the purpose of AS 08.98.050 (3) (E). (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.090. CERTIFICATE OF HEALTH. No licensed veterinarian may issue a certificate of health for an animal unless he performs the inspection and the appropriate tests it required. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.100. CONFIDENTIAL RELATIONSHIP. A licensed veterinarian shall maintain a confidential personal relationship between himself and his client, or his client's authorized agent. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.110. TESTIMONIALS. No licensed veterinarian may write testimonials endorsing proprietary remedies, instruments, equipment or food except that reports of the results of properly controlled experiments or clinical studies are permitted if given publicity through scientific journals or meetings. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.120. SOLICITING. (a) No member of the veterinary profession may utilize the services of solicitors. No licensed veterinarian may participate in arrangements which share the proceeds from professional services with individuals who may have been instrumental in his having been selected to perform the particular service.

(b) A licensed veterinarian shall avoid the impropriety of employing questionable methods to attract public attention or claim to possess superior knowledge or skill in the treatment or prevention of a disease. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

STATE OF ALASKA
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
POUCH D
Juneau, Alaska 99811

PROCEDURE FOR OBTAINING A LICENSE TO PRACTICE VETERINARY MEDICINE IN ALASKA.

The Alaska Statutes state that no person may practice veterinary medicine, surgery or dentistry in the State without first obtaining an Alaska license. (Reference: Alaska Statutes 08.98.120)

EXAMINATION: The following documents must be on file before your application for examination will be considered;

1. Completed, notarized application, which must be accompanied by:
 - (a) Certified copy of veterinary college diploma, or certified letter from college attesting to successful graduation.
 - (b) The four attached reference letters must be completed and notarized by the references listed on your application and they must be submitted with your application.
 - (c) Fees:
 1. \$25.00 examination
 2. \$25.00 initial license fee, which must be submitted before your license will be issued and may be submitted with your application.
 - (d) A letter of recommendation, if applicable, from a state association, a local association and three veterinarians attesting to your skills. (New graduates are exempt)
 - (e) Resume and reason for seeking licensure in Alaska.
2. The attached "verification of license" form must be completed by each state in which you have been licensed and then forwarded directly to this office. (Two are attached)

TEMPORARY LICENSE: If you wish to practice in the State while waiting for the next examination held by the Board of Veterinary Examiners, you may apply for a temporary license by submitting ALL THE ABOVE ITEMS AND THE \$10.00 TEMPORARY LICENSE FEE.

LICENSURE BY WAIVER OF EXAMINATION. The following documents must be on file before your application for licensure by waiver of examination will be considered:

1. Completed, notarized application, which must be accompanied by:
 - (a) Certified copy of veterinary college diploma, or certified letter from the college attesting to successful graduation.

- (b) The four attached reference letters must be completed and notarized by the references listed on your application, and they must be submitted with your application.
 - (c) Certified evidence of having been engaged in the active practice of veterinary medicine for five out of the previous seven years, excluding military service, before date of application. Notarized statements may be provided by previous employers or by character reference. Evidence must be submitted with your application (Statements of licensure only for the period of time are not sufficient evidence of active practice).
 - (d) A report of the scores you obtained in the P.E.S. examination. THESE SCORES MUST BE REPORTED FROM THE INTERSTATE REPORTING SERVICE OF THE PROFESSIONAL EXAMINATION SERVICE, 475 RIVERSIDE DRIVE, NEW YORK, NEW YORK 10027.
 - (e) A letter of recommendation from three veterinarians attesting to your skills, and, if applicable, a letter from a State association and a local association.
 - (f) Fees:
 - (1) \$25.00 waiver of examination fee
 - (2) \$25.00 initial license fee, which must be submitted before your license will be issued and may be submitted with your application.
2. The attached "verification of license" forms must be completed by each state in which you have been licensed and then forwarded directly to this office (Two are attached).
3. Certified evidence of the successful completion of a State veterinary examination must be submitted directly to this office.

FOREIGN GRADUATES: A foreign graduate of veterinary medicine must have taken and passed the Education Commission for Foreign Veterinary Graduates (E.C.F.V.G.) examination. A certified copy of the E.C.F.V.G. certificate must be submitted with the application.

PLEASE NOTE: YOUR APPLICATION AND CREDENTIALS WILL BE RETURNED TO YOU IF THEY ARE INCOMPLETE.

YOUR APPLICATION AND REFERENCE LETTERS MUST BE NOTARIZED AND ALL COPIES OF DOCUMENTS MUST BE CERTIFIED TO BE TRUE COPIES OF THE ORIGINAL DOCUMENTS.

STATE OF ALASKA
DEPARTMENT OF COMMERCE
DIVISION OF OCCUPATIONAL LICENSING
POUCH "D"
JUNEAU, ALASKA 99811

APPLICATION FOR VETERINARY LICENSURE

I hereby apply for a license to practice veterinary medicine, surgery, and dentistry in the State of Alaska by EXAMINATION (), by WAIVER OF EXAMINATION (). THIS APPLICATION MUST BE COMPLETED IN FULL. If any section does not apply, the applicant will so indicate in the space provided.

Name _____
(Name in full, including middle name)

Mailing Address _____ Zip Code _____

Place and Date of Birth _____ Age _____

Educational Status:	
High School _____	_____
Name and location	date graduated
College or University _____	_____
Name and location	degree received, if any
School of Veterinary Medicine _____	_____
Name and location	dates attended
_____	_____
Diploma received	date of diploma

Professional Status: I am a member in good standing in the following Veterinary Medical Associations:

1. _____
Name Location
2. _____
Name Location
3. _____
Name Location

Occupational Status: List positions you have held for the past seven years only.

1. _____
Name of employer Address Position held

Dates of employment