

1 The governor shall appoint a board of medical examiners, to be known as
2 the State Medical Board, consisting of five [LICENSED] physicians
3 licensed in the state and [,] residing in as many separate geographical
4 areas of the state [ALASKA JUDICIAL DISTRICTS] as possible, and two
5 persons with no direct financial interest in the health care industry.

6 * Sec. 4. AS 08.64.020 is amended to read:

7 Sec. 08.64.020. [STATE MEDICAL BOARD] TERM OF OFFICE. Members
8 shall be appointed for staggered terms [A TERM] of four years, subject
9 to confirmation by a majority of the members of the legislature in joint
10 session, and shall hold office until their successors are appointed and
11 qualified. The terms of the public members of the board shall be stag-
12 gered so that they do not expire at the same time. A person who has
13 served two successive complete terms may not be reappointed until four
14 years from the expiration of the second term.

15 * Sec. 5. AS 08.64.040 is amended to read:

16 Sec. 08.64.040. REMOVAL OF MEMBERS. The governor may remove a
17 member of the board for cause. The board may by regulation provide that
18 unexcused absences from meetings constitute cause for removal.

19 * Sec. 6. AS 08.64 is amended by adding new sections to read:

20 Sec. 08.64.085. MEETINGS OF THE BOARD. The board shall hold
21 meetings at least four times a year.

22 Sec. 08.64.115. DUTIES. The board shall

23 (1) after a hearing, impose disciplinary sanctions on persons
24 who violate this chapter, or the regulations or orders of the board;

25 (2) adopt regulations insuring that renewal of licenses is
26 contingent upon proof of continued competency on the part of the li-
27 censee.

28 * Sec. 7. AS 08.64.240 is amended to read:

29 Sec. 08.64.240. LICENSE REFUSED. If the applicant fails the exam-

1 ination, or is determined by the board to be [MCRALLY OR] professionally
2 unfit to practice medicine or osteopathy in this state, or fails to
3 comply with any of the other requirements of this chapter, the board
4 shall refuse to grant the license.

5 * Sec. 8. AS 08.64.250 is amended to read:

6 Sec. 08.64.250. LICENSURE BY CREDENTIALS [ENDORSEMENT]. The board
7 may waive the examination requirement and license by credentials [EN-
8 DORSEMENT] if the physician or podiatry applicant meets the requirements
9 of AS 08.64.200 or 08.64.209, submits proof of continued competency
10 as required by regulation, pays the required fee and has

11 (1) an active license from a board of medical examiners
12 established under the laws of a state or territory of the United States
13 or a province of Canada issued after thorough examination; or

14 (2) passed an examination given by the National Board of
15 Medical Examiners or the Federation of State Medical Boards of the
16 United States if the applicant is a physician, or passed an examination
17 given by the National Board of Podiatry Examiners if the applicant is
18 a podiatrist.

19 * Sec. 9. AS 08.64.270(a) is amended to read:

20 (a) The board may issue a temporary permit to an applicant who
21 meets the requirements of AS 08.64.200, [OR] 08.64.205, or 08.64.209 and
22 pays the required fee.

23 * Sec. 10. AS 08.64.311 is amended to read:

24 Sec. 08.64.311. [BIENNIAL] LICENSE RENEWAL. Licenses shall be
25 renewed every four years [BIENNIALY].

26 * Sec. 11. AS 08.64.315 is amended to read:

27 Sec. 08.64.315. FEES. The following fees are imposed under this
28 chapter:

29 (1) application..... \$ 50 [S25]

- 1 (2) license by examination..... \$200 [125]
- 2 (3) license by credentials [ENDORSEMENT] or
- 3 waiver of examination..... ~~\$200~~ [100]
- 4 (4) temporary permit..... \$50 [25]
- 5 (5) locum tenens permit..... \$50 [25]
- 6 (6) license renewal due every four years
- 7 [, BIENNIAL], active..... \$300 [100]
- 8 (7) license renewal due every four years
- 9 [, BIENNIAL], inactive..... \$100 [25]
- 10 (8) license by reexamination..... \$75 [75]

11 * Sec. 12. AS 08.64.325 is repealed and re-enacted to read:

12 Sec. 08.64.325. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANCTIONS.

13 The board may impose a sanction when the board finds after a hearing
14 that a licensee

15 (1) secured a license through deceit, fraud, or intentional
16 misrepresentation;

17 (2) engaged in deceit, fraud, or intentional misrepresenta-
18 tion in the course of providing professional services or engaging in
19 professional activities;

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

22 (4) has been convicted of a felony or other crime which
23 affects his ability to continue to practice competently and safely;

24 (5) intentionally or negligently engaged in or permitted the
25 performance of patient care by persons under his supervision which does
26 not conform to minimum professional standards regardless of whether
27 actual injury to the patient occurred;

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

- 1 (7) continued to practice after becoming unfit due to
2 (A) professional incompetence;
3 (B) failure to keep informed of or use current profes-
4 sional theories or practices;
5 (C) addiction or severe dependency on alcohol or other
6 drugs which impairs his ability to practice safely;
7 (D) physical or mental disability;
8 (8) engaged in unprofessional conduct or in lewd or immoral
9 conduct in connection with the delivery of professional service to
10 patients.

11 * Sec. 13. AS 08.64.330 is repealed and re-enacted to read:

12 Sec. 08.64.330. DISCIPLINARY SANCTIONS. (a) When it finds that a
13 licensee is guilty of an offense under AS 08.64.325, the board may
14 impose the following sanctions singly or in combination:

- 15 (1) permanently revoke a license to practice;
16 (2) suspend a license for a determinate period of time;
17 (3) censure a licensee;
18 (4) issue a letter of reprimand;
19 (5) place a licensee on probationary status and require him
20 to
21 (A) report regularly to the board upon matters involving
22 the basis of probation;
23 (B) limit practice to those areas prescribed;
24 (C) continue professional education until a satisfactory
25 degree of skill has been attained in those areas determined by the
26 board to need improvement;
27 (6) impose limitations or conditions on the practice of a
28 licensee.

29 (b) The board may withdraw probation status if it finds that the

1 deficiencies which required the sanction have been remedied.

2 (c) The board may summarily suspend a license before final hearing
3 or during the appeals process if the board finds that the licensee poses
4 a clear and immediate danger to the public health and safety if he
5 continues to practice. A person whose license is suspended under this
6 section shall be entitled to a hearing by the board no later than seven
7 days after the effective date of the order. He may appeal the
8 suspension after a hearing to a court of competent jurisdiction.

9 (d) The board may reinstate a license which has been suspended or
10 revoked if the board finds after a hearing that the applicant is able to
11 practice with reasonable skill and safety.

12 (e) A license may be suspended until a hearing can be held to
13 determine the licensee's fitness to practice in the state upon receipt
14 of certified evidence that his license to practice medicine in another
15 state, territory or province of the United States or Canada has been
16 suspended or revoked.

17 (f) The board shall seek consistency in the application of dis-
18 disciplinary sanctions, and significant departure from prior decisions
19 involving similar situations shall be explained in findings of fact or
20 orders.

21 * Sec. 14. AS 08.64.360 is amended to read:

22 Sec. 08.64.360. PENALTY FOR PRACTICING WITHOUT A LICENSE OR IN
23 VIOLATION OF CHAPTER. (a) Except for a physician assistant and a
24 physician-trained mobile intensive care paramedic under AS 08.64.170, a
25 person practicing medicine or osteopathy in the state without obtaining
26 and filing an appropriate license is guilty of a class B misdemeanor
27 [AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT LESS THAN \$50 NOR
28 MORE THAN \$100, OR BY IMPRISONMENT FOR NOT LESS THAN 10 DAYS NOR MORE
29 THAN 90 DAYS, OR BY BOTH]. Evidence that the defendant has failed to

1 file a license with the clerk of the court is prima facie evidence that
2 the defendant is not licensed. Each day of illegal practice is a
3 separate offense.

4 (b) A person who practices or attempts to practice or who holds
5 himself out as practicing a system or mode of treating the sick or
6 afflicted in the state or who diagnoses, treats, operates for, or
7 prescribes for an ailment, blemish, deformity, disease, disfigurement,
8 disorder, injury or other mental or physical condition of any person,
9 without having a valid unrevoked and unsuspended license or author-
10 ization as provided in this chapter, or without being authorized to
11 perform the acts under a license, authorization or certificate obtained
12 in accordance with another provision of law, is guilty of a class B
13 misdemeanor.

14 * Sec. 15. AS 08.64.380(3) is amended by adding a new subparagraph to
15 read:

16 (I) refusing to provide emergency care which, in the
17 professional judgment of the licensee, is essential to prevent loss
18 of life, limb or immediate undue pain and suffering, and is within
19 the licensee's area of competence.

20 * Sec. 16. AS 08.64.030, 08.64.110, 08.64.160, 08.64.200(1), and 08.64.-
21 380(3)(C) are repealed.

22 * Sec. 17. This Act takes effect immediately in accordance with AS 01.10.-
23 070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

SB 580

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill 580 - An Act relating to professional licensing and to the
Title regulation of the practice of medicine; and providing for an effective date.
Requested by Health, Education & Social Services Committee Date 4/30/80

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development

Program Category Affected Consumer Protection

BRU, Program, or Subprogram(s) Affected Regulation and Licensing of Professions

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	-0-	37.2	40.0	42.6	45.6	49.0
200 TRAVEL	-0-	6.6	7.1	7.6	8.1	8.7
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	43.8	47.1	50.2	53.7	57.7

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	43.8	47.1	50.2	53.7	57.7
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	0	1	1	1	1	1
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

Personnel Services (7% inflation factor used)

One Investigator located in Anchorage at Range 18A \$37,186.44

Travel (7% inflation factor used)

5 Days Per Diem per month at \$60.00 per day X 12 3,600.00

One Transportation at \$250.00 per month X 12 3,000.00

IV. DATE 4/30/80

PREPARED BY Ann Griggs, Director

AGENCY Occupational Licensing

PHONE 465-2534

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

SB # 580

EQUIPMENT (This is a one time expense in FY'81)

1 Bookcase	\$ 84.76
1 four drawer file	181.90
1 chair	126.83
2 side chairs	121.52
1 desk	389.38
1 typewriter table	60.93
1 mat	35.46
1 typewriter	900.00
	<hr/>
Total	\$ 1,900.78

LAND AND STRUCTURES

(7% inflation factor used)

126 Square feet at \$1.25 per foot per month X 12 = \$1,890.00

WORK DRAFT

IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

SENATE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to professional licensing and to the regulation of the practice of medicine; and providing for an effective date."

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

* Section 1. AS 08.01.050 is amended by adding a new subsection to read:

(c) After consulting with the State Medical Board (AS 08.64.010), the department shall employ an individual to serve as the investigator for that board. The investigator shall

(1) not be a member of the State Medical Board;

(2) conduct investigations into alleged violations of AS 08.64, and into alleged violations of regulations and orders of the State Medical Board;

(3) conduct investigations based on complaints directed at the department or the State Medical Board; and

(4) be directly responsible and accountable to the State Medical Board.

* Sec. 2. AS 08.01.100(a) is amended to read:

(a) Except as otherwise provided in this title, [ALL] licenses shall be renewed biennially on the dates set by the department with the approval of the respective board.

* Sec. 3. AS 08.64.010 is amended to read:

Sec. 08.64.010. CREATION AND MEMBERSHIP OF STATE MEDICAL BOARD.

The governor shall appoint a board of medical examiners, to be known as the State Medical Board, consisting of five [LICENSED] physicians

licensed in the state and [,] residing in as many separate [ALASKA] judicial districts as possible, and two persons with no direct financial interest in the health care industry.

* Sec. 4. AS 08.64.020 is amended to read:

Sec. 08.64.020. [STATE MEDICAL BOARD] TERM OF OFFICE. Members shall be appointed for staggered terms [A TERM] of four years, subject to confirmation by a majority of the members of the legislature in joint session, and shall hold office until their successors are appointed and qualified. The terms of the public members of the board shall be staggered so that they do not expire at the same time. A person who has served two successive complete terms may not be reappointed until four years from the expiration of the second term.

* Sec. 5. AS 08.64.040 is amended to read:

Sec. 08.64.040. REMOVAL OF MEMBERS. The governor may remove a member of the board for cause. The board may by regulation provide that unexcused absences from meetings constitute cause for removal.

* Sec. 6. AS 08.64 is amended by adding new sections to read:

Sec. 08.64.085. MEETINGS OF THE BOARD. The board shall hold meetings at least four times a year.

Sec. 08.64.115. DUTIES. The board shall

(1) after a hearing, impose disciplinary sanctions on persons who violate this chapter, or the regulations or orders of the board;

(2) as needed, establish requirements for licensing by regulation in addition to requirements set out in this chapter;

(3) adopt regulations insuring that renewal of licenses is contingent upon proof of continued competency on the part of the licensee.

* Sec. 7. AS 08.64.240 is amended to read:

Sec. 08.64.240. LICENSE REFUSED. If the applicant fails the exam-

ination, or is determined by the board to be [MORALLY OR] professionally unfit to practice medicine or osteopathy in this state, or fails to comply with any of the other requirements of this chapter, the board shall refuse to grant the license.

* Sec. 8. AS 08.64.250 is amended to read:

Sec. 08 64.250. LICENSURE BY CREDENTIALS [ENDORSEMENT]. The board may waive the examination requirement and license by credentials [ENDORSEMENT] if the physician or podiatry applicant meets the requirements of AS 08.64.200 or 08.64.209, submits proof of continued competency as required by regulation, pays the required fee and has

(1) an active license from a board of medical examiners established under the laws of a state or territory of the United States or a province of Canada issued after thorough examination; or

(2) passed an examination given by the National Board of Medical Examiners or the Federation of State Medical Boards of the United States if the applicant is a physician, or passed an examination given by the National Board of Podiatry Examiners if the applicant is a podiatrist.

* Sec. 9. AS 08.64.270(a) is amended to read:

(a) The board may issue a temporary permit to an applicant who meets the requirements of AS 08.64.200, [OR] 08.64.205, or 08.64.209 and pays the required fee.

* Sec. 10. AS 08.64.311 is amended to read:

Sec. 08.64.311. [BIENNIAL] LICENSE RENEWAL. Licenses shall be renewed every four years [BIENNIALY].

* Sec. 11. AS 08.64.315 is amended to read:

Sec. 08.64.315. FEES. The following fees are imposed under this chapter:

(1) application..... \$ 50 (S25)

- (2) license by examination..... \$200 [125]
- (3) license by credentials [ENDORSEMENT] or
waiver of examination..... ~~\$100~~²⁰⁰ [100]
- (4) temporary permit..... \$50 [25]
- (5) locum tenens permit..... \$50 [25]
- (6) license renewal due every four years
[, BIENNIAL], active..... \$300 [100]
- (7) license renewal due every four years
[, BIENNIAL], inactive..... \$100 [25]
- (8) license by reexamination..... \$75 [75]

* Sec. 12. AS 08.64.325 is repealed and re-enacted to read:

Sec. 08.64.325. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANCTIONS.

The board may impose a sanction when the board finds after a hearing that a licensee

- (1) secured a license through deceit, fraud, or intentional misrepresentation;
- (2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing professional services or engaging in professional activities;
- (3) advertised professional services in a false or misleading manner;
- (4) has been convicted of a felony or other crime which affects his ability to continue to practice competently and safely;
- (5) intentionally or negligently engaged in or permitted the performance of patient care by persons under his supervision which does not conform to minimum professional standards regardless of whether actual injury to the patient occurred;
- (6) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the board;

- (7) continued to practice after becoming unfit due to
- (A) professional incompetence;
 - (B) failure to keep informed of or use current professional theories or practices;
 - (C) addiction or severe dependency on alcohol or other drugs which impairs his ability to practice safely;
 - (D) physical or mental disability;
- (8) engaged in lewd or immoral conduct in connection with the delivery of professional service to patients.

* Sec. 13. AS 08.64.330 is repealed and re-enacted to read:

Sec. 08.64.330. DISCIPLINARY SANCTIONS. (a) When it finds that a licensee is guilty of an offense under ~~AS 08.64.330~~³²³, the board may impose the following sanctions singly or in combination:

- (1) permanently revoke a license to practice;
- (2) suspend a license for a determinate period of time;
- (3) censure a licensee;
- (4) issue a letter of reprimand;
- (5) place a licensee on probationary status and require him

to

- (A) report regularly to the board upon matters involving the basis of probation;
- (B) limit practice to those areas prescribed;
- (C) continue professional education until a satisfactory degree of skill has been attained in those areas determined by the board to need improvement;

(6) impose limitations or conditions on the practice of a licensee.

(b) The board may withdraw probation status if it finds that the deficiencies which required the sanction have been remedied.

(c) The board may summarily suspend a license before final hearing or during the appeals process if the board finds that the licensee poses a clear and immediate danger to the public health and safety if he continues to practice. A person whose license is suspended under this section shall be entitled to a hearing by the board no later than seven days after the effective date of the order. He may appeal the suspension after a hearing to a court of competent jurisdiction.

(d) The board may reinstate a license which has been suspended or revoked if the board finds after a hearing that the applicant is able to practice with reasonable skill and safety.

(e) A license may be suspended until a hearing can be held to determine the licensee's fitness to practice in the state upon receipt of certified evidence that his license to practice medicine in another state, territory or province of the United States or Canada has been suspended or revoked.

(f) The board shall seek consistency in the application of disciplinary sanctions, and significant departure from prior decisions involving similar situations shall be explained in findings of fact or orders.

* Sec. 14. AS 08.64.360 is amended to read:

Sec. 08.64.360. PENALTY FOR PRACTICING WITHOUT A LICENSE OR IN VIOLATION OF CHAPTER. (a) Except for a physician assistant and a physician-trained mobile intensive care paramedic under AS 08.64.170, a person practicing medicine or osteopathy in the state without obtaining and filing an appropriate license is guilty of a class B misdemeanor [AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT LESS THAN \$50 NOR MORE THAN \$100, OR BY IMPRISONMENT FOR NOT LESS THAN 10 DAYS NOR MORE THAN 90 DAYS, OR BY BOTH]. Evidence that the defendant has failed to file a license with the clerk of the court is prima facie evidence that

the defendant is not licensed. Each day of illegal practice is a separate offense.

(b) A person who practices or attempts to practice or who holds himself out as practicing a system or mode of treating the sick or afflicted in the state or who diagnoses, treats, operates for, or prescribes for an ailment, blemish, deformity, disease, disfigurement, disorder, injury or other mental or physical condition of any person, without having a valid unrevoked and unsuspended license or authorization as provided in this chapter, or without being authorized to perform the acts under a license, authorization or certificate obtained in accordance with another provision of law, is guilty of a class B misdemeanor.

* Sec. 15. AS 08.64.380(3) is amended by adding a new subparagraph to read:

(I) refusing to provide emergency care which, in the professional judgment of a licensee, is essential to prevent loss of life, limb or immediate undue pain and suffering, and is within a licensee's area of competence.

* Sec. 16. AS 08.64.030, 08.64.110, 08.64.160, 08.64.200(1), and 08.64.-380(3)(C) are repealed.

* Sec. 17. This Act takes effect immediately in accordance with AS 01.10.070(c).

MEDICAL BOARD - SECTIONAL

- Sec. 1 -- Establishes investigative position to be assigned to Medical Board
- Sec. 2 -- With the exception of our health boards, DOL is mandated to issue licenses biennially as currently provided for in statute
- Sec. 3 -- Adds language, physicians licensed in the state instead of "licensed" physicians; and deletes reference to "Alaska" judicial district so it reads . . . "in as many separate ~~judicial districts~~ ^{geographical areas of THE STATE} as possible . . ."
- Sec. 4 -- Provides for board members to serve "staggered terms" of four years and limits board membership to two consecutive four year terms
- Sec. 5 -- Allows the board to constitute unexcused absences as grounds for removal of a board member
- Sec. 6 -- Adds a new section allowing the board to have four meetings annually (they currently have three)
-- AND ADDS "CONTINUED COMPETENCY" REQUIREMENT
- Sec. 7 -- Deletes reference to "morally"
- Sec. 8 -- Provides for "licensure by credentials: and includes podiatry as a specialty whereby an individual can be licensed under this section. Also this section adds the "proof of continued competency requirement" provision to the licensure by credentials requirements
- Sec. 9 -- Allows issuance of temporary permit to podiatrist
- Sec. 10 - Provides for license renewal to occur every four years
- Sec. 11 - Fees section
- Sec. 12 - Grounds for disciplinary sanction
- Sec. 13 - Enumerates disciplinary sanctions
- Sec. 14 - Penalty section. Subsection (b) is added
- Sec. 15 - Adds sec (I) to definition of unprofessional or dishonorable conduct
- Sec. 16 - Repeal section
- Sec. 17 - Effective date

WORK DRAFT HILL

WORKSHOP RECOMMENDED CHANGES - MEDICAL BOARD

SB 580

- Page 1, line 21 - Give Department of Commerce "hire/fire" authority but assign investigator to State Medical Board
- Page 2, line 1 - Have physicians on the Board reside in different "geographic regions" of the state
- Page 2, line 23 - Section 6 - Delete AS 08.64.115(2) under "duties" section
- Page 4, line 3 - Licensure by credential fee - \$200
- Page 5, line 12 - Re: to AS 08.64.330 should read AS 08.64.325

Page 1, line 22

Page 2, line 3

Page 4, line 3

Page 5, line 13

SB

583

SB 513
By Ness

"An Act regulating the
profession of life insurance
to the regulation of the practice
of psychology and psychology"

Introduced 5-12-80
Trapped 5-12-80
Referred none
Comm. Hearing - none - in line only in work dept.
" Action 5-13-80 bicycled all members signing 'do pass'



Oxford Pendaflex

STOCK No. 753 1/3

• • •
OXFORD

REPEALERS - PSYCH BOARD

Sec. 08.86.070. Duties of the board. (a) 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;

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 sections 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. 08.86.230. Definitions. In this chapter

- (1) "counselor" means a person who practices counseling;
- (2) "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;
- (3) "psychometrist" means a person who practices psychometrics;
- (4) "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;

BOARD OF PSYCHOLOGISTS - SECTIONAL

- ✓ Sec. 1 -- Provides "exception" to current statute which renews licenses biennially and allows our "health boards" to renew licenses every four years.
- ✓ Sec. 2 -- Changes board's composition: increases number of psychologists from three to four and reduces number of public members from two to one.
- ✓ Sec. 3 -- Changes board members' terms from three to four years and limits board membership to two successive four-year terms.
- Sec. 4 -- Allows for "removal of board members".
- ✓ Sec. 5 -- Increases number of board meetings from one to three annually.
- Sec. 6 -- Under "duties section" this provision allows the board to adopt by regulation continued competency requirements. In addition, the board is to define areas requiring "specialty training" and adopt standards delineating criteria whereby a psychologist can be certified to practice as a specialist.
- Sec. 7 -- Allows board authority to order disciplinary sanctions.
- Sec. 8 -- This section stipulates that an individual qualifying to take the exam for licensure must hold a doctorate degree from an accredited school with "an approved program." The American Psychological Association has adopted standards designed to evaluate psychological programs and schools meeting these standards and are endorsed as having "an approved program". The board wants to use these standards in determining whether the applicant has received adequate training in attaining his degree.
- ✓ Sec. 9 -- FEES
- ✓ sec. 10 -- "Licensure by credentials" section.
- Sec. 11 -- This section modifies the qualifications for the "associate" exam. This provision requires that the applicant have a masters degree from a school with "an approved program" with primary emphasis on psychology and 24 credit semester hours of the applicant's course work relating to the "specialized area" in which licensure is requested.

Sec. 12 -- This section provides that the applicant for associate licensure be required to have three years "supervised" experience AFTER obtaining the masters degree.

Sec. 13 -- Adds a new section allowing the associate to be licensed to practice in the specific field in which he is trained.

Specifies that associate will function under the "supervision" of a psychologist.

Specifies that the supervising psychologist will consult with the associate and insure that work of the associate is consistent with accepted professional practices.

Specifies that the supervising psychologist and associate submit a statement to the board designating the "specialty area" in which the associate intends to work and the conditions governing supervision.

Sec. 14 -- Adds new language to the definition of "practice of psychology" delineating when a person is "representing himself to be a psychologist".

Sec. 15 -- Adds new language to the exemption provision. Exempts an individual from licensure if he is employed by a governmental unit, educational institution, or private agency, whose activities require some involvement of work of a psychological nature but is supervised and does not render psychological services for remuneration above his salary.

Adds language to the "exemption provision" allowing certain professions to be exempt from licensure (e.g. social worker, pastoral counselor) as long as they do not hold themselves out to be a psychologist.

Sec. 16 -- "Grounds for imposition of disciplinary sanctions" and "disciplinary sanction" section.

Sec. 17 -- Penalty provision

Sec. 18, 19, 20, 21, 22 -- DEFINITIONS

Sec. 23 -- Brings board under "Administrative Adjudication" section of the Administrative Procedures Act.

Sec. 24 -- Repealers

Sec. 25 -- Effective date

EXAMPLES OF "SPECIALTY AREAS" PSYCHOLOGICAL ASSOCIATES COULD
BE LICENSED IN ---

- 1) Psychological Examiner (Psychometrist)
- B) Educational/Vocational Counselors
- C) Drug and Alcohol Abuse Counselors
- D) School Psychologist
- E) Mental Health Associate (Mental Health Clinicians)
- F) Industrial/Organizational consultant
- G) Personnel/Guidance Counselors

SB

584

COMMITTEE REPORT
SENATE

FURTHER: None

5/13/80

Date: 5-13-80

Mr. President: HEALTH, EDUCATION AND SOCIAL SERVICES
The Committee on SOCIAL SERVICES has had SB 584
professional licensing and regulation of veterinarians

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Walter D. ...

...

...

Colletta

Henry ...
CHAIRMAN
DO PASS

S 13584 " on Act and by S. HESS 79-80
By HESS

Introduced 5-13-80
Logged 5-13-80
Referred none
Comm. Hearing none - (work done to you)
" Action - Bicycled 5-13-80 Helen Swartzberg



Oxford Bendaflex

STOCK No. 753 1/3

• • •

MADE IN U.S.A.

SECTIONAL - SB 584

VETERINARIAN BOARD

- Sec. 1 -- Provides "exception" to current statute which renews
08.01.100(a) licenses biennially and allows our "health boards" to
renew licenses every four years.
- Sec. 2 -- Changes board's composition - Increases number of
08.98.010 members from three to five consisting of four
veterinarians and one public member.
- Sec. 3 -- Provides for members to serve "staggered" terms of
08.98.020 four years and limits board membership to two successive
four year terms.
- Sec. 4 -- Allows for "removal of board members".
08.98.025
- Sec. 5 -- Increases number of annual meetings from one to three
08.98.040 and adds language defining a "quorum" as a "majority
of board members" and provides for "a majority vote of
those present" to represent the decision of the board.
- Sec. 6 -- Board's "powers and duties" section is reenacted
deleting reference to grounds for revocation/suspension
of license (so that it will appear in our "grounds for
imposition of disciplinary sanctions" section similar
to our other health board bills) and provides for the
board to:
- adopt regulations to satisfy our "continued
competency" requirement
 - prepare an annual report discussing board's
activities
 - collect data and monitor standards/availability
of veterinary services
 - establish education/training/examination for
veterinary technicians
- Sec. 7 -- Allows those with "temporary permits" to practice
veterinary medicine and provides for veterinary
technicians to perform certain functions as prescribed
in regulation.
- Sec. 8 -- Under "content of examination" the various subject
categories are deleted and provides for the following
to be incorporated into the exam administered by the
board:
1. National Exam;
 2. practical skills exam;
 3. demonstration of practical skills.

- Sec. 9 -- Establishes criteria to be qualified for licensure-- specifically adds language requiring the applicant to have no disciplinary sanctions pending against him and exempting the applicant from taking the National Exam if he passed it within the past five years or has been in active practice within five of the past seven years.
- Sec. 10 -- Provides for a "temporary license" to be issued to applicant until results of examination are published.
- Sec. 11 -- "Licensure by credential" section. Also provides for issuance of temporary permit.
- Sec. 12 -- FEES
- Sec. 13 -- "Grounds for imposition of disciplinary sanction" section
- Sec. 14 -- Definitions: "accredited veterinary school", "animal", "practice of veterinary medicine", "veterinary technician".
- Sec. 15 -- Prings board under "administrative adjudication" section of the Administrative Procedures Act.
- Sec. 16 -- Repealers
- Sec. 17 -- Effective date

REPEALERS - VET BOARD

Sec. 08.98.030. Executive secretary of board. The commissioner of commerce and economic development is the executive secretary of the board. (§ 1 ch 91 SLA 1963; am § 59 ch 218 SLA 1976)

Sec. 08.98.060. Board regulations. (a) The board shall adopt procedural regulations describing how a person applies for and takes 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 § 170(1) of this chapter;

(3) specifying the subject matter to be covered in an examination for veterinarians. (§ 1 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. (§ 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 § 25 ch 245 SLA 1970.

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

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

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

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

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 § 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 § 120 of this chapter. (§ 1 ch 91 SLA 1963)

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 including 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. (§ 1 ch 91 SLA 1963; am § 5 ch 94 SLA 1966; am § 2 ch 245 SLA 1970)

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;

SCR

10

SCR 10 "Recognizing ^{5th Year of the} Little ^{of the} Chief and knowledge of Alaska
By Rodey to participate in local observance

Introduced 2-13-79

Logged 2-14-79

Referrals none

Comm. meeting 3-14-79

action - Presided by Anderson, Stangerwick, Ferguson & Fredrickson

COMMITTEE REPORT
SENATE

FURTHER: NONE

2/13/79 ✓

Date: 3/14/79

Mr. President:

The Committee on HESS has had SCR 10

Recognizing International Year of the Child & encouraging Alaska to participate in local observances

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

CHAIRMAN

DO PASS

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

CORRECTION

SCR

10

SCR 10 "Recognizing ^{St. H. F. S. 19-50} ~~the~~ ^{the} ~~value~~ ^{value} of the
child and encouraging children
to participate in local observances
By Rodley

Introduced 2-13-79

Logged . 2-14-79

Referrals none

Comm. meeting 3-14-79

action - presented by Anderson, Stangoroch, Ferguson & Fiedler

International
Year of the
Child

SENATE CONCURRENT RESOLUTION NO. 10, by Senator Rodey. RESOLVED clause states: "...Alaska State Legislature acknowledges the important role of children in our society and joins with other states and nations throughout the world in recognizing 1979 as 'International Year of the Child;' and...encourages the citizens of Alaska to create and participate in local observances... which will enhance our understanding and appreciation of our children, which will stimulate improvements in our parenting skills and public services, and which will help us create a better world for our children to grow up in."

Introduced February 13 and referred to HESS.

it of underprivileged children, a universal problem. Childs and illiteracy are just a few concerns that affect every com-

mun...

This year, the United Nations is observing the International Year of the Child. It is a time to create an awareness of the needs of children and to serve as a catalyst to implement legislation to solve these problems. The International Year of the Child also marks the 20th anniversary of the UN Declaration of the Rights of the Child. This declaration points out that the child shall enjoy special protection, and shall be given opportunities, by law, to develop physically, mentally, spiritually, and socially in a healthy and normal manner and in conditions of freedom and dignity.

International Year of the Child National Commissions

There will not be a World Conference to set up a plan of action. In lieu of such a world conference, there will be National Commissions established in many countries around the world to recommend needed reforms. Mrs. Jean Young, wife of Ambassador Andrew Young, is the Chairman of the United States National Commission. Addressing a meeting on the issues that affect children world-wide, Chairman Young



International Year of the Child 1979

said, "We want to be able to celebrate childhood, we want to engage in new and rewarding experiences with our children, we simply want to express our love and care for them. We want to highlight their achievements and glory in their accomplishments."

The United Nations has designated UNICEF to coordinate the activities for the International Year of the Child

United Nations Up-Date

(IYC). Dr. Aldaba-Lim, Assistant Secretary-General, is the Special Representative for IYC.

UN Decade for Women

We are now entering the fourth year of the United Nations Decade for Women: Equality, Development and Peace. A UN Preparatory Committee is planning for the World Conference in 1980. The conference, scheduled for a two-week period, will evaluate the results of the objectives of the first half of the decade and will then set up a program of action for the second half. Denmark will be the host government for this particular conference which will be held in Copenhagen in 1980.

The secondary theme of the conference is "Employment, Health and Education." Emphasis will be on elaborating action oriented plans for integrating women in the developmental process, particularly by promoting economic activities and employment opportunities on an equal footing with men, through the provision of adequate health and educational facilities.

The Preparatory Committee recommendations were submitted in a report to the UN General Assembly for approval. The Committee has recommended the appointment of a Secretary-General for the Conference from outside the UN system and from a developing country. The Conference Secretary-General will be assisted by the Centre for Social Development and Humanitarian Affairs, headed by Mrs. Helvi Sipila, Assistant Secretary-General. The Centre is moving to Vienna this year, so it has been recommended that the Conference Secretariat remain in New York for full access to the UN organizations.

Work is progressing on a Draft Convention on the Elimination of Discrimination Against Women to be completed at the 34th General Assembly.

In BPW, we have a ten-year commitment to advance the goals of the World Plan of Action that are in accord with BPW objectives. We were in Mexico City for IWY, in Houston for the

National Women's Conference, and now we can look ahead to the World Conference in Denmark in 1980 to accelerate these goals.

UN Day

October 24th, UN Day, commemorates, each year, the day the United Nations Charter came into being in 1945. At that time there were 51 member nations. There are now 151 member nations with the admittance of the Solomon Islands and Dominica at the beginning of the 33rd UN General Assembly Session.

During that session, the General Assembly observed the 30th anniversary of the Universal Declaration of Human Rights on December 10th—Human Rights Day. Mrs. Eleanor Roosevelt, one of the principal authors of the Declaration, was a distinguished member of BPW.

A Conference on Science and Technology for Development will be held in Vienna next August. The objective is to strengthen the technological capacity of developing countries to enable them to apply science and technology to their own development.

A future date to remember: in 1981, the United Nations will observe the International Year for Disabled Persons. The theme will be "Full Participation."

International Week Kit Available

International Week, celebrated the third full week in February, is a time for BPW members throughout the world to identify the achievements they share and examine the problems they have in common.

During International Week members should become more fully aware of our affiliation with the International Federation and should renew their commitment to advancing The World Plan of Action during this Decade for Women.

The International Week Kit contains information that will make your club's observance of International Week an exciting BPW event. This kit is available at no cost from the Program Department.

The Candlelighting Ceremony which traces the history of the International Federation is available from the Sales/Order Department for \$35.

*See copy
do not remove from file*

Introduced: 2/13/79
Referred: Health, Educa-
tion & Social Services

1 IN THE SENATE

BY RODEY

2 SENATE CONCURRENT RESOLUTION NO. 10

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Recognizing International Year of the
6 Child and encouraging Alaskans to
7 participate in local observances.

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

9 WHEREAS children with all their joy, curiosity, creativity, insight, and
10 trust are a perpetual source of delight and inspiration; and

11 WHEREAS children are our most valuable resource and our hope for the
12 future; it is up to them to carry our work and dreams forward and to deter-
13 mine whether our diverse Alaskan cultures and lifestyles flourish or die; and

14 WHEREAS the third of our population in Alaska who are children are
15 substantially dependent on adults for their care and well being, and how well
16 we as adults fulfill our responsibilities to our children is one measure of
17 the greatness of this or any society; and

18 WHEREAS the United States as a whole is one of the richest and most
19 technologically advanced nations of the world, yet the high rates of infant
20 mortality, the prevalence of child abuse and neglect, and the insufficiency
21 of medical care and pre-school and after school care, indicate that the
22 quality of care for our children is sometimes wanting; and

23 WHEREAS even in Alaska, despite the levels of assistance and service
24 provided by both the public and private sector, children at times still face
25 serious obstacles to their healthy physical, emotional, and intellectual
26 development, such as poor nutrition, untreated disease, inadequate shelter,
27 and education not suited to their culture or special needs; and

28 WHEREAS as soaring rates of teenage alcoholism and drug abuse, vandalism
29 and crime, the falling educational achievement scores, and the prevalence of

1 teenage pregnancy appear to indicate our failure to provide a world for our
2 children where social responsibility, achievement, and self-respect are
3 valued and attainable goals for them; and

4 WHEREAS times are rapidly changing, and the lives of our children are
5 substantially different than our own childhoods; we must therefore learn more
6 about our children and their lives before we can provide them with meaningful
7 guidance; and

8 WHEREAS each child is unique, with his or her own personality, abili-
9 ties, and special needs, and it is up to us to see that each child receives
10 the love, personal attention and education suited to both that child's
11 special abilities and disabilities, to enable that child to become a useful
12 and productive member of society;

13 BE IT RESOLVED that the Alaska State Legislature acknowledges the impor-
14 tant role of children in our society and joins with other states and nations
15 throughout the world in recognizing 1979 as "International Year of the
16 Child;" and be it

17 FURTHER RESOLVED that the Alaska State Legislature encourages the citi-
18 zens of Alaska to create and participate in local observances of Interna-
19 tional Year of the Child which will enhance our understanding and apprecia-
20 tion of our children, which will stimulate improvements in our parenting
21 skills and public services, and which will help us create a better world for
22 our children to grow up in.

SCOR

26

COMMITTEE REPORT
SENATE

FURTHER: None

3/27/79

Date: 3/28/79

Mr. President:

HEALTH, EDUCATION AND

The Committee on SOCIAL SERVICES

has had SCR 26

creation of a school of travel management in the University of Alaska

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

George Labrecque

Tom Backus

CHAIRMAN

SCR 26

By Herbrey

Relating to the creation of a ^{SECRET} ~~private~~ ^{travel} management in the U of HK.

Introduced 3-27-79

Logged 3-27-79

Referrals none

Comm. meeting 3-28-79

Comm. Action - Passed to the private Secy.

SCR

28

Introduced 4-11-79
Logged 4-11-79
Referred none
Comm. Hearing
" active

SCR 28 ^{SHES 79-80} Urging Arch. School Board to
By Roddy reconsider its decision to
close the Woodland Park School.

1-21-80
let's to Sen. Secy.

Notify: Sen. Roddy

SCR

34

SCR 34 "Requesting removal of the
"Bradley" sculpture "Kinkus"
S. HESS 79-80

1-21-80 - Pitt & Am. Secy.

Introduced 4-20-79
Logged - 4-20-79
Lipinski v. me
Comm. Hearing
" Actind

SCR

35

COMMITTEE REPORT

SENATE

4/23/79

FURTHER: None

Date: _____

Mr. President:

The Committee on HEALTH, EDUCATION and SOCIAL SERVICES has had SCR 35
Directing the Legislative Council to conduct a feasibility study relating
to educational television

under consideration and (a majority of the committee) (the committee)
reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Colletta

Johnson

Sturges

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Glenn Haden
CHAIRMAN
DO PASS

Introduced 4-23-79

Logged 4-23-79

Referred None

Comm. Hearing 4-26-79

" Action Passed - bicycled.

SCR 35

By: ~~Wagman, Fehring,~~
~~Bennett, Kistler, Beckett,~~
~~Stinson & Hingorani~~

" Directing the ~~SPHS~~ 1980
Council to conduct a
feasibility study relating
to educational television

SCR

45

COMMITTEE REPORT
SENATE

2/18/80

FURTHER: None

Date: 3-17-80

Mr. President:

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SCR 45

research and support activities by the Arctic Research Laboratory at Barrow

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

CHAIRMAN

Do Pass

Introduced 2-18-80

Logged 2-19-80

Referred NONE

Comm. meeting 3-17-80

" returned passed and rec. taken Senate Secy 3-18-80 9:30 AM.

SCR 45 "Research & Support Activities
By Roddy at the Arctic Research Laboratory
Et Barrow". SHEST 79-80

Notify J. Chris. Noah - 465-3510
Executive Dir.
Ch. Council on Science notified 3-13-80.
Notified Gov's Office 3-13-80
" Spear Roddy - 3-13-80



J. CHRISTOPHER NOAH

EXECUTIVE DIRECTOR
ALASKA COUNCIL ON SCIENCE & TECHNOLOGY

OFFICE OF THE GOVERNOR
POUCH AV
JUNEAU, ALASKA 99811

OFFICE (907) 465-3510
Res. (907) 789-2035

Caretaker status by 1982. This would
give state time to react to closure.

Testimony of J. Christopher Noah

on SCR 45

"Relating to Research and Support Activities by the
Naval Arctic Research Laboratory at Barrow"

Senate Concurrent Resolution 45 does a good job briefly outlining the situation with regard to the Naval Arctic Research Laboratory (NARL). SCR 45 parallels the thinking of most people involved in arctic research in that it acknowledges the need for such a unique research facility. However, most also agreed that NARL has had difficulties of such magnitude that it cannot continue to function without addressing these problems.

Although there has been concern over the closing of the NARL and there are many examples as to what NARL has accomplished in the past and how present programs would be affected, with its closure insufficient study has gone into how NARL relates to the ever changing research needs of the state and nation.

Experts have recommended that money and personnel are needed to keep NARL afloat but have not devised a plan which would clearly explain what the scientific research function of the installation should be. Neither has a study been proposed as to what the economic effects of closure on Barrow and Fairbanks would be.

The federal government and the University of Alaska have a good start on this question, especially in the document entitled "THE NAVAL ARCTIC RESEARCH LABORATORY IN CHANGING TIMES - Report and Recommendations", January 1980. However, more needs to be done, not on what activities should be undertaken at NARL - but the basic purposes and functions of a far north research laboratory.

The impetus behind SCR 45 is that:

- 1) with NARL on the verge of being dismantled, to look into the effects this would have on research and arctic policy in Alaska and the economic ramifications associated with closure; and
- 2) if indeed, NARL should be kept open, what changes need to be instituted to insure that it continues as a viable research facility; well attuned to the needs of the state and nation.

Building on the good work of the past, additional questions need to be addressed concerning:

- 1) Who will manage the facility?
- 2) What is its value to Alaska?
- 3) What is the role of the facility in state research?
- 4) How does the facility fit into the overall national arctic policy? and finally
- 5) If there is no well defined arctic policy, then how can one be developed?

SCR 45 would not only give Alaska a chance to determine the function and "being" of NARL, but to begin to determine what Alaskans think should be the United States' research priorities in the arctic; policies which have been heretofore nonexistent.

It is also a chance to show that the United States through Alaska can be a leader in research in the circumpolar region.

March 17, 1980

Testimony of J. Christopher Noah

on SCR 45

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SCR

46

Introduced 2-18-80

Logged 2-19-80

Referred: Finance

Comm. meeting 4-11-80

" action passed out & do pass.

SCR 46
By: Rodey, Ireland
& Hachery

" Requesting SAHES for 7-9-80
proposal for fine service
projects and submit
recommended budgets which
include receipt of funds
under title xx of the S. Stat.

INTRODUCTION OF RESOLUTIONS (Senate)(cont'd)

Social Service Programs
(exclusion of Title XX funding)

SENATE CONCURRENT RESOLUTION NO. 46, by Senators Rodey, Meland and Hackney. Requests that the Governor prepare and submit a budget for social services of the Department of Health and Social Services for FY 82 that excludes federal support under Title XX of the Social Security Act due to complexity of planning, needs assessment, monitoring, and specific service reporting requirements on social services programs administered by the state, and the regulations of Title XX have the effect of limiting those who may be served by state programs because of income, eligibility, and service restrictions based on national needs and income standards.

Introduced February 18 and referred to HESS, then to Finance.

Sen Rodey's office
del'd.
att'd.

Title XX of the Social Security Act
Implications in Alaska

Title XX, as originally intended and as misleadingly titled, "Grants to States for Social Services," was designed to be a revenue sharing grant to states for services to low-income individuals. The Act, 93-647, after a thorough going over by various lobbying interests contrary to original intention did not result in a grant with options for services chosen by each individual state as to its local need. On the contrary, it is highly regulated federal matching monies best suited for the delivery of services to urban poor.

Administratively, Title XX requires states to fulfill a series of idealistic planning and needs assessment activities. It requires two plan documents. One, the Administrative Plan, must be updated depending on changes in Federal and State law. The other, the Annual Comprehensive Social Services Plan, must be published twice annually, one in Proposed form and one in Final. Both documents must include a long list of requirements pertaining to the design of the State agency responsible for Title XX services, such as cost allocation and budgeting, federal funding parameters, eligibility requirements, location of services, specifics as to the type of services which can be federally funded, public comment and planning requirements, reporting of technical information, monitoring and auditing requirements and annual needs assessment. It specifies the income level of those eligible for services and requires the state to offer certain social services to certain individuals.

Title XX for Alaska

Although Alaska receives the smallest federal grant under Title XX, \$4,520 million for 1981, it has the highest delivery costs and the largest land mass to cover. Although it does not have county governments with which to share administrative and delivery costs as other states do, it must meet the same federal requirements - there are no exceptions. The following is a very brief list of the requirements of Title XX and the resulting program effects and estimated costs in Alaska. They are listed in general order of appearance in 45 CFR 228 - Title XX of the Social Security Act.

1. (228.5-6) Designation by the Governor of a single state agency responsible for Title XX operation including:
 - a. development and maintenance of the State Administrative Plan
 - b. the Annual Proposed and Final Social Services Plan
 - c. projection of estimated expenditures
 - d. accountability of Federal funds
 - e. establishing and maintaining standards for determining eligibility for the services
 - f. administration and supervision of the provision of services
 - g. operating the program on a statewide basis - to all geographic areas
 - h. complying with Federal program reporting requirements.

Effects to Alaska: The cost impact of this regulation on Alaska by comparison to other states is enormous since Alaska does not have county governments nor a consistent local tax formula. Alaska must assure statewide delivery of services by administering the entire program centrally. Although a state may purchase services from local providers, it must continue to provide the administrative and social services worker assessment oversight and must assure that federal dollars are buying statewide services. Without the requirements of Title XX, the state could contract for services from local private providers in entirety without costly state oversight. For Example, Homemaker Services could be contracted in entirety without "Adult Protective Services" social worker supervision and assessment. This results in double the administrative costs; administrative costs for the state and administrative costs for each local service providers both necessarily having data/reporting systems, accounting systems, payment systems, supervisors, managers, etc. As we progress further through the regulations in Title XX, one can see why administrative costs are high especially for Alaska.

2. (228.7) State financial participation. "A State Plan under Title XX shall provide that state funds will be included in meeting the cost of the program" - while the federal funds available for Title XX programs totaled \$4,728,000 in FY 1980, the state share totaled nearly \$12,000,000. Certainly the state is participating; the federal 4.7 million could not produce a viable program. Paramount to this regulation is the question - how much of the federal dollar is spent meeting requirements to receive the federal funds? Estimates depend on the variables included. This writer believes that while the majority of the 4.7 million in Alaska is used to meet federally imposed administrative and service requirements not suited to Alaska's social service needs and clientele and could be used to buy more efficient and appropriate services, much of the 4.7 million can be viewed as offsetting costs which the state would incur with or without federal regulations. The question then really boils down to whether Alaskans would prefer a service program designed for and in behalf of the Alaskan people or spending the service dollar to both meet federal requirements and provide a marginally suitable service program. The state already provides the lion's share of the funds. On the other hand, the federal government provides less than one third of the funding and nearly 100% of the service requirements.
3. (228.8) Statewide operation - the argument continues from item #2 in that the federal government requires statewide operation (something all Alaskans want but usually ask for different services in different locations depending on the residents priority needs), but only foots less than one third of the bill.

4. (228.12 & 13) Federal regulations in this section set forth standards for residential facilities and day care centers and homes. Alaska has already been forced to discontinue federal funding for day care, foster care and institutions, since Alaskan facilities typify Alaskan conditions and don't fall within lower 48 urban architectural conditions and staffing standards. However, we must still meet these requirements for eligibility for general Title XX funding. This is an example of inappropriate requirements for Alaska causing additional administrative costs.
5. (228.17) Reports and maintenance of reports. This requirement, a paperwork requirement, requires the state to supervise and maintain records and provide regular federal reports on the services, service costs, determination of individual eligibility, etc. Most of these records and reports are of absolutely no interest or worth to state program and financial operations. This requires the state to maintain an expensive computerized management and individual client record system which is designated primarily to meet federal regulation. Information requests from our own Alaska legislature, state auditors and administrators, also necessitates operation of such a system; however, it is often frustrating to not be able to provide appropriate and accurate information for one's own use since the system must provide the necessary federal reports required for federal funding and is primarily designed to do so. Eliminating federal reports and requirements from the system design would free up the system for appropriate and meaningful state use.

Probably the most frustrating effect of the federal requirements for reports and records comes from the social worker's point of view. An estimated 15% of all direct service staff time is spent complying with various federal reporting and paperwork requirements. Inherent in the field of professional social work practice is the necessity to maintain case summaries and reports, court testimony and reports, etc. These items are necessary. However, federal requirements are often unnecessary and impractical bureaucratic paperwork, creating tasks of little meaning to their casework, their supervision, or their clients. This is 15% of social worker's time wasted translating in dollar amounts to \$700,000 in FY 1980 Social Services BRU which could be better spent in providing services to individuals or providing information or reports on Alaska's own service needs and problems.

6. (Subpart C beginning with 228.20) "Comprehensive Annual Social Services Program Plan" - this section requires the publication of the Proposed and Final Annual Social Services Plan and specifies what must be in the plan, including specifications concerning:
 - a. a time-line for the planning process (does not synchronize with the State's own budget planning process)

- b. methods of receiving public comments - this is designed for an urban ear in mind and is not workable in Alaska's rural vastness. We have to comply regardless, thus preventing the expenditure of funds for more appropriate public input in the services program.
 - c. Federal goals and objectives each service must be directed towards accomplishing.
7. (Subpart C, D, E, and F beginning with 228.24) The individuals which federal regulations allow to be served. This includes requirements of maximum income for eligibility, services to people on public assistance programs, requirements for fee schedules for services to individuals with incomes over 80% of the national median income, etc.

The services eligibility and financial limitation sections of Title XX regulation are the primary restrictions in Title XX with reference to Alaska's social service program. Title XX which started out being revenue sharing grants to states for any social service program desired and needed by a state, became a program restricted for delivery to the "urban-type" poor. As an example, the "Fifty Percent Rule" (228.56) requires that one-half of the federal funds must be used for services to individuals receiving AFDC, SSI or Medicaid. In an urban low income area of the lower 48 states, there are high concentrations of people receiving federal assistance. Social service programs may be directed to these populations with relative ease. In Alaska, public assistance recipients are scattered widely in bush locations. Furthermore, the average income in Alaska is nearly double the national standard, making individuals with low incomes in regard to Alaskan standards ineligible for federal assistance programs. Finally, Alaskans generally believe that individuals and families having problems should receive services no matter what their income; this is the reasoning behind our current program design - services are provided without regard to income only. Federal regulation provides that services to victims of abuse, neglect, or exploitation can be without regard to income eligibility. However, the 50% Rule for public assistance recipients still applies, meaning that although victims of abuse, neglect, or exploitation are eligible for services without regard to their income, one-half of the service expenditures must be in behalf of federal financial or medical assistance recipients.

As an example of the constraints caused by federal services and eligibility requirements on Alaska's services program, homemaker services is probably the most critical. Homemaker support as it is now incorporated into the services offered to Alaskans (mostly to the elderly and handicapped) provides over 1.0 million in Alaska's federal match. Since Alaska chooses to offer this service without

regard to income and with regard to an individual's circumstances and needs, it must be a "protective service." After service is initiated, data clerks in Central Office must search public assistance records to verify federal financial assistance eligibility for meeting the "50% Rule." Sixty-seven percent (67%) of all homemaker recipients are receiving federal public assistance, meeting a large percentage of Alaska's requirements under the "50% Rule." Many advocates for de-institutionalization, the aging and handicapped would like to disassociate homemaker service from both Adult Protective Services as well as restrictive federal income eligibility requirements. Social service administrators, direct service personnel and professional homemaker service providers agree with this effort. However, such a move would jeopardize the state's claim for federal funds in the amount of over 1.0 million.

The State's child protective services program is another example: Alaskans generally believe that a child in danger of abuse or neglect deserves services whether their family is financially stable or not. This is in keeping with national efforts and beliefs as well. However, the 50% Rule applies. As in homemaker service, data clerks in Central Office must verify a child's eligibility for federal categorical assistance programs. In the case of Child Protective Services, only 30 percent of all children receiving services qualify for meeting the 50% Rule. The largest portion of these children are eligible due to their being placed out of their home by the state in foster care. Foster care placement makes them eligible for medicaid. If children are served while in their own home, they are not eligible. In other words, services to children in their own homes jeopardizes federal funds. This is contrary to all goals for children services in Alaska.

3. Title XX Training (45 CFR 228.80 Subpart H) Under Title XX there is a separate federal funding allotment for states to be used for training of staff providing Title XX social services. In Alaska, these funds are used to train social workers in delivery of adult and child protective services. Since it must be used only for Title XX services, state funded social services are restricted from utilizing this resource. Foster parents, local private contractors, municipalities, other state agencies - all providing valued Alaskan social services may not use the states only social services training program since it is partially funded with federal Title XX money.

To Summarize:

1. Federal regulation under Title XX has the effect of restricting the service clientele in Alaska from those who need services due to income, eligibility and service limitations based on national needs and income standards.

2. Federal regulations indirectly result in social service administrators not being able to design an appropriate program for Alaskan's with reference to local Alaska's social service needs.
3. The social services dollar in Alaska could be utilized for more effective direct services if federal regulations causing unnecessary administrative overhead were eliminated.
4. Federal Title XX training funds may not be utilized to train staff who are providing services funded through other resources such as Indian Child Welfare monies, state-only funded services, such as the State's aging and youth programs, etc.



F. Bruce Steadman
Title XX Planner

FISCAL IMPACT

DSS programs for FY 81 will exceed \$20,000,000. The Title XX ceiling is \$4,649,000 (plus \$280,000 for training), less than one quarter of the total expenditures, yet because of federal regulatory requirements, the federal government, in effect, "drives" the Division's overall program. Sensible, forthright innovations, as seen by Alaskans, are difficult to put in place. It's a bargain for the Federal government: for 4.6 million they get to control, in a significant way, 20 million and social services delivery in Alaska.

Title XX, in itself, is not an innately bad law. Not in intent. The intent was to assist low income families in avoiding dependency, or becoming victims of abuse and neglect, or becoming institutionalized. The problem is, those things can happen to any of us, no matter what our economic status may be. Yet, to be eligible for Title XX monies, state programs making Title XX claims must spend at least one half of the claim on services provided to low income families. Or face withdrawal of funds.

But whereas the Title XX law is not innately bad (helping the poor, after all, is not an ignorable objective) the regulations that followed the law, are. All regulations are restrictive. Some are positively so. Some are mindlessly so. And some, like Title XX regulations, are destructively restrictive. Two short examples:

1. If a child is taken into custody, because of abuse or neglect, and placed in an institution, he is considered to be without income and, therefore, on the "good" (poor) side of the 50% rule. This applies regardless of the family income. But if a treatment plan is developed, whereby the child remains in his home, and the family's income is above the national poverty line, he falls on the "bad" side of the rule. Too many children treated at home jeopardizes Title XX funding. Better to institutionalize them.
2. The Division wants to train staff and providers of Title XX services. The regulations state that any training session must last at least five days. Four days - Title XX funds withdraws. This might fall more into the mindless (and wasteful) category, except that it does jeopardize valuable training possibilities. For example, DSS plans training for specialized foster parents. The initial session lasts five days, but it would be more appropriate to have follow-up two day sessions after foster parents begin providing care for children. Five days are unnecessary; to extend these sessions would be padding, both in training content and in money spent. Furthermore, many foster parents could not take that much time away from their homes - and the children they are trying to help! It may, therefore, be necessary to cancel the follow-up sessions.

All of the above may not have much relevance to "fiscal impact." To lose Title XX means a loss of 4.9 million dollars in Federal funding. To free the state from strings which attach to these dollars probably cannot result in concomitant offsetting reductions in the state budget. That is, it is estimated that 15% of staff time is taken up with Title XX compliance; in dollars this runs to about \$7,000,000; therefore, a 15% reduction in staff could take place and offset \$7,000,000 of the \$4,900,000 federal loss. This would be difficult to implement. Smaller offices would be reduced (e.g., 15% of one or two social workers?). Reduction would have to be made only in the larger offices, such as Anchorage, Fairbanks, Juneau and Ketchikan. To make such reductions could save about \$400,000.

The real fiscal impact would not be seen in this coming budget year. But the implications for the future would be significant. Alaska would not run its social services program in isolation from the other states and the Federal government. It would accept all the valuable information and consultation it could obtain. BUT ALASKA WOULD MAKE ITS OWN DECISIONS. And we, as Alaskans, ultimately being the only legitimate experts on Alaska, could not help but make more responsible fiscal plans, decisions, and implementations. Not to mention a drastically improved quality of social services delivery.

With the demise of Title XX and with the retention of staff as provided for in the FY 81 legislative budget, DSS could make this promise: no further requests in future years for Division staff unless warranted by an increase in state population. This is, in fact, a very large promise, for social service needs in Alaska are awesome. But with the freedom to act independently (independently of HEW, responsible to Alaska) DSS is confident it could provide a first rate program for our state, one that could match any other state. Well that's almost a cop out. Matching any other state's record in the delivery of social services wouldn't be all that difficult. We would have the best.

TITLE XX TRAINING
Implications for Alaska

Under Title XX of the Social Security Act, states are granted funds for personnel training. Training includes in-service training, and short and long term training for personnel directly related to providing services under the State's approved Annual Title XX Plan. Regulations and restrictions to allowable costs for federal financial participation in training are found in 45 CFR 228, subpart H.

Federal funds are available, then, to Alaska for training staff individuals who are directly, or through contract, providing services which are claimed for federal financial participation in the State's Annual Title XX Plan. In Alaska this means that we may only claim for training Division of Social Services' personnel, foster parents directly serving child protective service clients and homemaker support service providers. As with all federal funding, there are many restrictions and program consequences associated with receipts.

Many of these restrictions are generated from regulations and requirements of the general Title XX services program. Other problems result from the fluctuation of federal funding available after state budgets are prepared. For the most part, however, Alaska's unique geography, service needs and political subdivisions were not taken into account when Washington bureaucrats and big-city lobbying interests developed the training regulations. The following is a list of funding limitations and program restrictions and their consequent implications for Alaska's social services training program.

Training Funds Amount

Until October of 1979, federal training funds were not limited as they are in the general Title XX services allotments to states. Training programs were, therefore, only limited in Alaska by the amount of the 25 percent match appropriated by the legislature (federal training funding is based on a 75/25 federal matching formula).

On October 1, 1979, following the beginning of Alaska's 1980 fiscal year on July 1st, the Division was notified that the federal money available to Alaska for Title XX training was being reduced from \$270,300 to \$154,000. This is currently a tentative reduction pending action by Congress which will reportedly change the appropriation again. Obviously, it is virtually impossible for the Division to plan and manage a training program for Alaskans when funding is not stable nor the amount of funding is not known before administrative and legislative budget planning.

Providing that Congress acts on pending training legislation, Alaska will be allotted training funds based on population. Once again, Alaska's relatively small population will prevent adequate delivery of a service to a state service network where cost is higher due to expensive travel and per diem costs. To be more specific: the proposed funding formula will allow each state 3 or 4% of its general Title XX allotment (4.620 million for Alaska FY 81) for training. This allotment is based on Alaska's percent of the total United States population. In an urban state where training centers and programs are available with little or no travel costs, and where population is densely distributed, this allocation formula is not unreasonable. As an example - at the 4% formula for training, Alaska will receive \$184,000 compared to the state of Washington's \$1,730,676. Washington has virtually no travel costs in providing training. The majority of training expenses in Alaska is travel to and from training locations.

Who May be Trained (228.81)

Due to the inadequate federal funding received to operate Alaska's Title XX services program, Alaska limits its Title XX plan to claiming federal funds on three services - Information and Referral, Child Protection, and Adult Protection. Other states' federal Title XX funds are claimed for vocational rehabilitation services, alcohol and drug abuse services, aging services, correctional services, mental health services, local preventative services, and so on.

Federal regulation only allows states to train individuals (state, local, private providers, and volunteers who are directly involved with Title XX program services. Consequently, in Alaska, our training program is limited to DSS staff whose salaries are claimed for federal Title XX financial participation, foster parents who provide a resource to Child Protective Service children and Homemaker Service providers who provide an Adult Protective service. This compares to other states who may provide training to nearly everyone in their state who provide some sort of human service.

One of the stated objectives of the Department of Health and Social Services and the Division of Social Services is to shift the emphasis on provision of services from state agency services to local private provider services. Native corporations and municipalities would, therefore, be funded by contract to provide early intervention and prevention services. However, much to the disappointment of both the local providers and state administrators, Title XX regulation prevents the state from assisting in the training of these non-Title XX providers. Effective delivery of services and effective use of state funds often relies on the abilities and preparedness of the staff. Specialized training has a significant impact on the ability of human services staff to provide meaningful and practical services to Alaskans. Since Title XX funds the only human services training center in the State, and most private provider agencies are small with meager administrative resources,

it seems appropriate that they could receive training from the State's training center, sharing the resource with other state and locally funded agencies. Unless the state funds, other than the required 25 percent match, are provided for training, or the state expand its limited Title XX program, other providers of Alaskan human services may not utilize this training resource.

Training Activities Federally Matchable

Federal regulations are very specific as to the type, conditions and length of training which will be paid by federal funds. The following is a list of Title XX training activities which are seventy-five percent (75%) federally funded.

1. State agency employees and Title XX service contractual providers in full-time training of eight consecutive weeks or longer...feds will match salaries, fringe benefits, travel and education costs for state employees and travel and education costs for providers.
2. For state employees and private providers in full-time training for five full consecutive days or longer - travel, per diem, and education costs.
3. For state employees and private providers in part-time training less than five consecutive days - only education costs.

Comment: Item 2 and 3 above have been particularly troublesome for Alaska. In plain language, we may not pay for travel to and from training unless the training itself lasts five full days or more. Many times, the particular training need does not require five days. However, in order to get federal matching we must ask foster parents, homemakers, and social workers to be gone from their jobs or home for an entire week resulting in loss of time and costly administrative arrangements. In other states where travel is usually by personal care and is an insignificant cost factor, the five day training requirement is not a problem. In Alaska, where travel from one small town to the next is by expensive air travel, the costs are significant and as a result of the five day minimum administrative and service delivery time loss is also significant.

Alaska has fought this regulation on the basis that a training activity should include the time spent traveling to and from training, since in Alaska training participants must often travel a great distance (i.e., Barrow to Anchorage) to receive training. Therefore, a day of travel before and after three days of training would equal five days. This concept has been rejected, causing providers and state personnel to frequently be gone seven days instead of five and requiring additional time away from the job and additional per diem expenses. Once again, it seems that federal regulation has been written for urban areas without flexibility for Alaskans operating in different geographic and unique population distribution circumstances.