

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 86/2

1323 HESS () HB 99 - HB 111 0 23

Section .050 Discrimination in Course Offerings. This section addresses an area which is easier than the others to observe and record. Much progress has been made here since the passage of the federal law in 1972, and the benefits are obvious. At Lathrop High School in Fairbanks, for example, the class which used to be called "Home Economics" and had a 100% female enrollment is now called "Beginning Foods" and has an enrollment which is over 50% male. More girls (and boys) take "Beginning Auto Mechanics" than were ever willing to take it when it was called "Powder Puff Mechanics."

But the problem of de facto sex discrimination in courses remains, particularly in vocational education. Despite the lack of formal prohibitions based on sex, 90% of vocational courses continue to be essentially single-sex courses. Courses which are overwhelmingly composed of boys are in those areas which lead to high-paying, highly-skilled trades, and those where we find the vast majority of girls are in the clerical and merchandising areas, where the opportunity for advancement is much more severely restricted. This pattern will be altered only by the kind of affirmative, active efforts in vocational counseling called for by Section .030.

Section .060 Discrimination in Textbooks and Instructional Materials. This is the area, unaddressed by the federal legislation, where the most damaging sex discrimination occurs. The messages in textbooks and teaching materials are far broader than their content material alone; from illustrations, examples, language, etc. students learn what (and who) is valued by our society, and for what. Innumerable studies have demonstrated the almost total absence of women (and minorities) as positive role models in most textbooks, and the effect of this discrimination on self-concepts for both boys and girls is incontrovertably documented.

This section of the bill as originally drafted not only requires school board to review new materials for sex bias before purchase, but more importantly, mandates that they provide classroom teachers with instances of sex bias in current curriculum materials and with the training to help students recognize sex bias by using these identified materials. It is obviously impossible to legislate the elimination of prejudice, but it is equally obviously the obligation of the school system to prepare students to recognize such prejudice in others and in the selves. This section of SB 99 would be a big step toward this goal.

Section .090 Enforcement. This section of the bill is crucial. If past experience is any indicator, the mandated threat of withholding funds from school districts found to be out of compliance with this legislation will virtually guarantee that it will be followed; this may seem to be a drastic measure, but as Senator Charlie Parr wrote in the All-Alaskan Weekly (March 6, 1981), "One should point out that there is no justification for using money belonging to all the people to discriminate against half of them." Without this set of teeth in section .090, the bill really becomes a meaningless platitude.

Why is this bill necessary? Why isn't the federal Title IX sufficient? Most of us in Alaska know that Washington, D.C. is far away; the federal system for seeking redress from violations of the law is cumbersome and over-burdened. The law and the regulations are subject to daily assault in the courts. According to Marshall Lind, Commissioner of Education, in 1979 25% of Alaskan school districts

hadn't complied with even the first basic step of the 1972 Title IX legislation. I'm confident that the situation is not much, if any, better in that regard today.

Those who oppose the bill ask supporters for specific statistics to indicate the need; nothing indicates the need more clearly than the fact that it is impossible to produce those specifics since those responsible for our school systems have not seen the problem as significant enough to record. We must rely on word of mouth and personal experiences.

SB 99, as originally submitted, has been amended in the Judiciary Committee, primarily at the urging of the Alaska Association of School Boards, who, along with the overwhelmingly male Alaska Association of School Administrators, do not appear to consider the lack of sex equity in our schools to be a very serious problem. (In a 1979 survey of superintendents, the only section of the Department of Education which was judged to be "not essential" was the Title IX Compliance office; this, from those charged with its implementation, one quarter of whom had yet to begin the responsibility five years after its passage!)

In most areas, the effect of the AASB amendments was to eliminate the requirement for any specific action to be taken to change things, leaving the bill, for the most part, a four page expression of the state's commitment not to discriminate, which allows everyone to feel comfortably free to continue the status quo. The NEA/Alaska Women's Caucus is not pleased with the bill as amended, but we firmly believe in the desperate need for some legislative action in this area now.

And so, we strongly urge the Senate Rules Committee to pass the bill out to the floor, where the issues can be debated, and we strongly urge our Senators to vote for the bill on that floor.

As Senator Parr wrote, "This is the tail end of the 20th Century. We are no longer in the Dark Ages. We are not even in the 19th Century... the Legislature cannot tolerate sex discrimination in any form." Neither will the people of Alaska, nor will we tolerate those who do.

Please support the passage of S. 99.

Susan Stitham, Chair

cc. Carolyn Doggett, President, NEA/Alaska

Testimony Presented by Alice Bergdoll March 30, 1981

There are those of us who exist in this country today that believe the traditional roles of male and female compliment each other, not compete with each other. We desire to raise our children to recognize these differences in sexes and believe it is wrong to try and say they do not exist. Let me name some of the more obvious differences, this information taken from the book "Our Dance Has Turned to Death" written by Carl W. Wilson.

1. Men and women differ in every cell in their bodies. This difference in the chromosome combination is the basic cause of development into maleness or femaleness.
2. Woman has greater constitutional vitality. Normally, she outlives man by three or four years in the United States.
3. The sexes differ in their basal metabolism - that of woman being normally lower than that of man.
4. They differ in skeletal structure, woman having a shorter head, broader face, chin less protruding, shorter legs and longer trunk. The first finger of a woman's hand is usually longer than the third, with men the reverse is true. Boys' teeth last longer than do those of girls.
5. Woman has a larger stomach, kidneys, liver and appendix, smaller lungs.
6. In functions, woman has several very important ones totally lacking in man - menstruation, pregnancy, lactation. All these influence behavior and feelings. She has more different hormones than does man. - The same gland behaves differently in the two sexes - thus woman's thyroid is larger and more active; it enlarges during pregnancy but also during menstruation; it makes her more prone to goiter, provides resistance to cold, is associated with the smooth skin, relatively hairless body and thin layer of subcutaneous fat which are important elements in the concept of personal beauty. It also contributes to emotional instability - she laughs and cries more easily.
7. Woman's blood contains more water (20% fewer red cells). Since these supply oxygen to the body cells, she tires more easily, is more prone to faint.
8. In brute strength, men are 50% above women.
9. Woman's heart beats more rapidly; blood pressure varies from minute to minute; but she has much less tendency to high blood pressure - at least until after the menopause.
10. Her vital capacity or breathing power is lower in the 7:10 ratio.
11. She stands high temperature better than does man; metabolism slows down less.
12. The male has greater strength in his arms and legs; the female has wider hips and large breasts.
13. The male has a stronger, deeper and more authoritative voice; the female has a quieter, softer, more soothing voice.
14. The female reproductive system has a cycle that causes many changes in her total body monthly, the male reproductive system has no cycle impact on his body.

There can be a change in attitude towards the things boys and girls cloose to do but not through force by legislation. To force the change can only create distrust, selfishness, disharmony and fear, and these will

breed hate in the school, the home and at work. Men and women can do many of the same things but they will never function the same or equally because it is against the basic nature of our physical, biological and emotional structure. I am ashamed of the things women today are doing in the name of discrimination when in fact a few vocal feminists are causing discrimination against women who wish to retain their femininity. This would be a sad world indeed if we were all feminine or all masculine or the girls all masculine and the boys all feminine. Civilizations that have gone this way have fallen and destroyed themselves.

The purpose of my testimony is to request that this law not be passed. I have stated many basic general problems on this issue and now would like to address the bill itself.

1. Sec 14.18.020 DISCRIMINATION IN EMPLOYM. NOT PROHIBITED. We have many Federal laws already addressing discrimination such as the Equal Pay Act of 1963, Civil Rights Act of 1964, Equal Employment Opportunity Act of 1972, our United States Constitution and many other Federal, State and local laws.
2. Sec 14.18.060 DISCRIMINATION IN TEXTBOOKS AND INSTRUCTIONAL MATERIALS PROHIBITED. Who is to decide what is educationally sound? Who is to say what is non-biased texts and who is to say what other instructional materials are to be used? Schools have become a place for every minority group interested in social change which will create attitudes directly opposite to the United States Constitution, tradition of our country, the fact that we are one nation under God and a free enterprise system. These groups have determined that the schools are the best place to change attitudes, to force change and the total structure of our country. Some of the groups with stated goals to force these changes through the schools are National Organization of Women, National Gay Liberation Movement, Fabian Socialists, Communist Party, The Anti-Hunting League, Sierra Club, Coastal Zone Management to name a few. More and more parents who recognize this happening are opting for private schools.
3. The potential cost of truly implementing what is required in this bill is staggering. People are realizing that the public education system is not producing children that have a good basic educational knowledge to function in society today and the faith, belief and support in public education is decreasing. To try to force the public schools to meet the additional burden of this bill will be costly and only reinforce public protest.

God created man and woman distinctly different, I trust and respect His infinite wisdom and purpose in all that He has created. You cannot and should not try to legislate away the differences between the sexes, and laws cannot change the truth of our creation. Or as the popular saying goes, "You can't fool Mother Nature."

cc: Representative Miller
Representative Duncan

CE a WIMMY BELGODLI
5876 Lund Street
Juneau, Alaska 99801

League of Women Voters of Alaska

January 27, 1981

TO: Mr. Chairman and Members of the Committee
From: Margaret E. Holland, League of Women Voters of Alaska
Subject: SB 99 - Title IX

The League of Women voters urges prompt passage of SB 99 which would bring the commitment and enforcement of the Federal Title IX law to a state and local level. The League has a strong national position aimed at action to achieve equal rights for all regardless of race or sex, and to provide equal access to quality education.

Women have most inheritance and savings -

The League of Women Voters believes that access to a sexually unbiased education is a crucial first step toward economic independence for women. Today women earn 59 cents for every one dollar earned by men. Women continue to be channeled into female type fields such as health professions and education. Women are welcome in these fields as long as they remain in the low paying professions i.e. nurses and grade school teachers. We are all aware that male intensive occupations such as truck drivers, auto mechanic and administrators earn twice as much as female intensive occupations such as clerks, secretaries and nurses.

We rely on schools to prepare our children for a place in society and to the extent that public schools continue to treat young women as second class citizens, inferior to their male classmates and less worthy of educational stimulation which will prepare them for non-traditional jobs, we perpetuate the system.

While great strides have been made in the last several years in the area of text book reform in Anchorage and in funding athletic programs for young women in the busu schools, these isolated incidents are not enough and are not uniformly practiced throughout the state. Without the state enabling legislation provided for in SB 99, we can expect schools to turn a cold shoulder to educational equality when it becomes convenient to do so, or when it becomes expensive. SB 99 will provide the Board of Education with authority to withhold state funding to schools which do not implement Title IX, this is a particularly important provision of the bill which we support.

The League urges this committee to support Senate Bill 99, to pass the bill out of committee with a recommended due pass.



NEA - ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

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Mary Ann Elinger
Deputy Executive Secretary
Fairbanks Office

March 30, 1981

TO: Chairman Don Clocksin
Members of the House HESS Committee

FROM: NEA-Alaska

RE: House Bill 99

"An Act prohibiting sex discrimination in education in the State and implementing Article I, Section 3 of the Alaska Constitution."

MEMORANDUM OF SUPPORT

NEA-Alaska strongly supports and urges passage of House Bill Number 99.

We respectfully urge that the committee consider the language listed below as a substitute for Section 14.18.030 DISCRIMINATION IN COUNSELING AND GUIDANCE SERVICES PROHIBITED:

"All guidance and counseling services in public education are available to all students equally and shall stress access to all career and vocational opportunities to students without regard to sex."

The language as it presently appears in the bill may place an undue burden on all certificated personnel. As it is presently written it would apply to classroom teachers even though their primary responsibility may not be counseling. We believe the charge listed above better directs the intent of the bill.

The focus of HB 99 is on five (5) major areas: curriculum offerings, textbooks and materials, extra-curricular activities, counseling, and employment. To diminish the attention and concern for any one of these areas provides for continuation of discriminatory practices which are not currently being reached or addressed sufficiently through the federal Title IX legislation. There is no justification in using money which belongs to all people in programs which discriminate against some of them.



This bill brings the remedy for problems closer to the local level and shifts the focus from enforcement to the more important concept of affirmative action.

It is a clarification of the 1972 Federal Title IX Act, and as such it clarifies the meaning of questionable items, it makes a commitment to resolve them, and it insures a level of accountability for enforcement and implementation.

If we are to more effectively address the totality of the problem of sex stereotyping in Alaska's schools, and in our communities around the state, it is essential that we pass House Bill 99, now.

This year HB 99 has a significantly broadened base of public support, we urge your favorable action on this bill in its present form.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read 'Robert Manners', is written above the typed name.

Robert Manners
Executive Secretary

RM:jw

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Joyce Rivers - Passit

W Enai - coach -

feels that "compete" is OK for majority

"Cheer Leaders" - boys also should be allowed.

"Student Council" most males -

practice time - or girls prime time for games

Officials - few women -

Susan

Jane Foster .

Nina Kim - Anah

Tag Thomas -

St. Chantrel - poor turnout.

H B

102

POSITION PAPER

HOUSE BILL NO. 102

"An Act extending certain benefits to the permanently and totally disabled."

- A. Section 1 of this Bill would amend the Aid to the Disabled (AD) statutes by adding to the Department's duties the new task of certifying whether applicants who are not financially needy by AD standards are permanently and totally disabled. Certifications of disability would be used by these persons 50 to 65 years of age to qualify for various benefits previously available only to certain persons over 65.

There is a lack of specificity in the definition of "permanently and totally disabled" within existing Alaska AD statutes. AS 47.25.960 only defines a "permanently and totally disabled person" as one who is a "needy resident of the State who is not eligible for assistance from another public agency or department providing similar services in the State". Lacking clearer statutory guidance, the Department employs the definition of disability used by the Social Security Administration from Titles II and XVI of the Social Security Act.

Currently, approximately 85% of all Aid to the Disabled disability determinations are being done by a special unit within the Department of Education, Division of Vocational Rehabilitation. This unit operates under exclusive contract with the federal Social Security Administration; it determines disability for both Social Security disability insurance applicants and disabled applicants for federal welfare payments under the Supplemental Security Income (SSI) program. The Department follows this unit's determination in qualifying its clients for the AD Program. To reach even a minimally reasonable degree of accuracy is a time-consuming process, involving a determination by highly trained staff applying very complex measurements to laboriously gathered medical, social and psychological data. The determination process is quite expensive.

This Social Security definition of disability may not be satisfactory to meet the intent of the new program proposed by HB No. 102. We recommend consideration be given to changing HB No. 102 to provide a more complete definition of "permanently and toally disabled". We further recommend that this consideration be done with a view toward making disability determinations for this new class of persons simpler and less expensive. However the attached fiscal note assumes that Vocational Rehabilitation will conduct the disability determinations under contract with the Department, using the Social Security definitions and measurements.

- B. Sections 2 through 7 of HB No. 102 would provide certain tax and other benefits to the disabled between 50 and 65. The Department does not oppose the concept behind this expansion of benefits previously provided only to qualified elderly persons. However, it wishes to note that measures which decrease the amounts paid for housing may have a negative effect on some Aid to the Disabled recipients, whose maximum payment levels are based in part on their rent.
- C. Section 8 of HB No. 102 would add Pioneer's Home eligibility for this group. We view this as extremely desirable for those older disabled persons whose living situation and degree of disability make independent living difficult, but who cannot qualify for or afford regular nursing home care.

Recommended by:

Rod Betit
Rod Betit, Director
Division of Public
Assistance

Date:

March 20, 1981

Approved by:

Helen D. Beirne
Helen D. Beirne
Commissioner

Date:

3/26/81

HOUSE BILL NO. 102

BUDGET FOR VOCATIONAL REHABILITATION

	<u>New Monthly Salary</u>	<u>Annual</u>	<u>23 1/2% Benefits</u>
<u>100</u> Staff			
1 Adjudicator R/18	2640	31680	7445
1 Adjudicator R/16	2291	27492	6461
2 Clerical R/ 8	1393	33432	7857
		<u>92604</u>	<u>21763</u>
	TOTAL COST (FY81 SALARY)	114,367	
<u>200</u> Training Travel		3,000	
Employee Hire Expenses		5,000	
	TOTAL TRAVEL	8,000	
<u>300</u> Phone/Postage		2,000	
Form/Printing		1,000	
Copier		1,500	
Rent/Util. 500 sq. ft. @ \$2/sq. ft.		12,000	
Medical Consultant 4 hrs./wk. @ \$70/hr.		15,000	
	TOTAL CONTRACTUAL	31,500	
<u>400</u> Commodities		1,500	
<u>500</u> Equipment		4,000	
<u>700</u> Grants			
Medical, transportation, housing at \$400/determination		320,000	
	TOTAL	479,367	

By: Michael C. [Signature]
 Date: 3/23/81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 102
 Title "An Act extending certain benefits to the permanently and totally disabled."
 Requested by Buchholdt Date March 20, 1981

II. FISCAL DETAIL

Agency Affected Departments of Health & Social Services and Education
 Program Category Affected Social Services
 BRU, Program, or Subprogram(s) Affected Eligibility Determination BRU
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		479.4	527.3	580.1	638.1	701.9
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND		479.4	527.3	580.1	638.1	701.9
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

No data exists indicating how many Alaskans may be eligible, or how many of those may choose to apply. Projected costs assume well over 800 applications per year, with approximately 800 disability determinations. This assumption is based on an informal 1980 estimate from Division of Vocational Rehabilitation. No costs are involved in DPA certifying any current assistance recipients as disabled.

The responsibility for determining disability would be contracted to Division of Vocational Rehabilitation. Vocational Rehabilitation's budget breakdown is attached for the RSA amount of 479.4. The new positions would be established in Vocational Rehabilitation rather than DHSS.

IV. DATE 3/23/81 PREPARED BY *[Signature]*
 AGENCY DHSS, DM
 Original: Legislative Finance PHONE 3247
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) *U. Hubbard 3/24/81*

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 102
 Title "An Act extending certain benefits to the permanently and totally disabled"
 Requested by Buchholdt Date March 20, 1981

II. FISCAL DETAIL

Agency Affected Department of Education
 Program Category Affected Education

BRU, Program, or Subprogram(s) Affected Vocational Rehabilitation

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		114.4				
200 TRAVEL		8.0				
300 CONTRACTUAL		31.5				
400 COMMODITIES		1.5				
500 EQUIPMENT		4.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		320.0				
TOTAL		479.4	(ADD 10% each year.)			

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)		479.4				

POSITIONS

FULL TIME		4.0				
PART TIME						
TEMPORARY						

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

SEE ATTACHED.

IV. DATE 3/23/81 PREPARED BY Michael C. [Signature]
 AGENCY Vocational Rehabilitation
 PHONE 586-6500
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Introduced: 2/4/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY BJCHHOLDT

2 HOUSE BILL NO. 102

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

need "financially needy"

6 For an Act entitled: "An Act extending certain benefits to the permanently
7 and totally disabled."

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

9 * Section 1. AS 47.25 is amended by adding a new section to read:

10 ARTICLE 6A. CERTIFICATION OF THE PERMANENTLY ^{*define*} AND TOTALLY DISABLED.

11 Sec. 47.25.971. CERTIFICATION OF THE PERMANENTLY AND TOTALLY
12 DISABLED. A person 50 years of age or over who, under regulations
13 adopted by the department under AS 47.25.790, either (1) is eligible
14 for financial assistance under AS 47.25.790 - 47.25.970, or (2) except
15 for the income and resources requirements, would be eligible for
16 financial assistance under AS 47.25.790 - 47.25.970, may obtain written
17 certification from the department of his permanent and total disabili-
18 ty.

19 (b) The department shall adopt regulations prescribing procedures
20 under which a person may apply for and obtain certification of his
21 permanent and total disability under (a) of this section.

22 (c) In this section "department" means the Department of Health
23 and Social Services.

24 * Sec. 2. AS 28.10.411(c) is amended to read:

25 *delete* (c) A resident 65 years of age or older, or a resident 50 years
26 of age or older who is certified as permanently and totally disabled
27 under AS 47.25.971, is entitled to an exemption from tax under this
28 section for *delete* one motor vehicle subject to registration. No exemption
29 may be granted except upon written application for the exemption on a

1 form prescribed by the department.

2 * Sec. 3. AS 29.53.020(e) is amended to read:

3 (e) The real property owned and occupied as a permanent place of
4 abode by a resident 65 years of age or over, or by a resident 50 years
5 of age or over who is certified as permanently and totally disabled
6 under AS 47.25.971, is exempt from taxation of the assessed value of
7 the real property. Only one exemption may be granted with respect to
8 the same property and, if two or more persons are eligible for an
9 exemption with respect to the same property, the parties shall decide
10 between or among themselves which shall receive the benefit of the
11 exemption. No real property may be exempted under this subsection
12 which the assessor determines, after notice and hearing to the parties
13 concerned, has been conveyed to the applicant primarily for the purpose
14 of obtaining the exemption. The determination of the assessor is
15 appealable under AS 44.62.560 - 44.62.570.

16 * Sec. 4. AS 29.63.065(a) is amended to read:

17 (a) The real property owned and occupied by a resident 65 years
18 of age or over, or by a resident 50 years of age or over who is certi-
19 fied as permanently and totally disabled under AS 47.25.971, or by the
20 spouse, widow, widower, or minor heir of the original applicant, on
21 which is located only his permanent abode which is a single-family
22 residence, is exempt from (1) special sewer assessments levied by a
23 home rule or general law municipality after September 2, 1975 and (2)
24 special water assessments levied by a home rule or general law munici-
25 pality after September 2, 1975. Only one exemption may be granted with
26 respect to the same property, and, if two or more persons are eligible
27 for an exemption with respect to the same property, the parties shall
28 decide between or among themselves which shall receive the benefit of
29 the exemption. No real property may be exempted under this subsection

1 which the municipality determines, after notice and hearing to the
2 parties concerned, has been conveyed to the applicant primarily for the
3 purpose of obtaining the exemption. The determination of the munici-
4 pality is appealable under AS 44.62.560 - 44.62.570.

5 * Sec. 5. AS 29.73.060(a) is amended to read:

6 (a) A resident of the state 65 years of age or older, or a resi-
7 dent 50 years of age or older who is certified as permanently and
8 totally disabled under AS 47.25.971, who rents a permanent place of
9 abode is eligible for tax equivalency payments from the state through
10 the Department of Community and Regional Affairs.

11 * Sec. 6. AS 29.73.060(d) is amended to read:

12 (d) If two or more persons occupy a residence as tenants, not all
13 of whom are eligible for tax equivalency payments under this section,
14 the assessor shall determine equitable partial payments to be made to
15 the eligible tenants. However, tax equivalency payments to an eligible
16 applicant may not be reduced because the spouse is less than 65 years
17 of age or because the spouse is not certified as being permanently and
18 totally disabled under AS 47.25.971. If all occupants in a residence
19 are eligible for tax equivalency payments under this section, the occu-
20 pants shall decide between and among themselves which shall receive
21 payment.

22 * Sec. 7. AS 38.05.098(a) is amended to read:

23 (a) The real property occupied as a permanent place of abode by a
24 resident 65 years of age or over, or by a resident 50 years of age or
25 over who is certified as permanently and totally disabled under AS 47.25.
26 971, and leased by that resident from the state in accordance with
27 AS 38.05.070 - 38.05.105 is exempt from the payment of annual lease
28 rent. Only one exemption may be granted for the same property, and, if
29 two or more persons are eligible for an exemption for the same property

1 the parties shall decide between or among themselves which shall re-
2 ceive the benefit of the exemption. An exemption may not be granted
3 for a portion of the lease which is used by the leaseholder for a
4 purpose other than his permanent place of abode.

5 * Sec. 8. AS 47.25.030 is amended to read:

6 Sec. 47.25.030. ADMISSION ON PAYMENT. A citizen of the United
7 States over 65 years of age or a citizen over 50 years of age who is
8 certified as permanently and totally disabled under AS 47.25.971, and
9 who is a resident of the state and has been a resident for not less
10 than 15 years continuously immediately preceding his application, but
11 who is not destitute, may on application be admitted to the home upon
12 his agreement to pay to the state a sum for each day as the Department
13 of Administration considers sufficient to compensate the state for the
14 cost of care and support of the person at the home. When this agree-
15 ment is entered into the Department of Administration may receive the
16 security for the payments, which it considers expedient.

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18 *These people would be eligible*
19 *for pioneer homes*
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II. FISCAL DETAIL

Agency Affected Community and Regional Affairs
 Program Category Affected Social-Economic Assistance to the Aged
 BRU, Program, or Subprogram(s) Affected Senior Citizen Tax Relief

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		22.1	24.3	26.7	29.4	32.3
200 TRAVEL		1.5	.8	.9	1.0	1.1
300 CONTRACTUAL		4.6	3.1	3.4	3.7	4.1
400 COMMODITIES		.3	.3	.4	.4	.5
500 EQUIPMENT		1.3	.3	-0-	.3	-0-
600 LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.		482.5	590.8	728.0	896.2	1,100.6
TOTAL		512.3	619.6	759.4	931.0	1,138.6

FUNDING (Thousands of Dollars)

GENERAL FUND		512.3	619.6	759.4	931.0	1,138.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

Sec. 1, 7 and 8 do not affect this agency, therefore fiscal data is provided only for Secs. 2 - 6. Assume operation to begin with FY 82.

Information from the Department of Health and Social Services, Division of Public Assistance indicate that while no actual data exists, it may be reasonable to assume 2,800 permanently and totally disabled and that about 33% of these people are age 50 and over. Therefore, a figure of 924 will be used for total eligible population in FY 81. See attached for analysis of fiscal impact for each program affected.

IV. DATE February 10, 1981

PREPARED BY LaDonna Brown
 AGENCY Community and Regional Affairs
 PHONE 465-4739

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

SEC. 2. MOTOR VEHICLE REGISTRATION TAX EXEMPTION

Assume 80% of the eligible population own a motor vehicle, or 740. Average payment for FY 79 and FY 80 for the senior citizen portion of the program was just under \$19 per affidavit.

Since the fee schedule is set by statute, no inflationary increase is predicted. It is assumed the eligible population may increase 10% each year.

FY 82 - 814 X \$19 = \$15,466	FY 85 - 1,083 X \$19 = \$20,577
FY 83 - 895 X \$19 = \$17,005	FY 85 - 1,191 X \$19 = \$22,629
FY 84 - 984 X \$19 = \$18,696	

SEC. 3. HOMEOWNER PROPERTY TAX EXEMPTION

The FY 80 Senior Citizen Program shows 82% of the eligible applicants were homeowners and 18% were renters. It is assumed that about 30% of the otherwise eligible applicants are in institutions, other housing not subject to property tax or do not apply for various reasons.

The Senior Citizen Program indicates a 12% increase in number of applicants and 10% increase in average tax per application each year. FY 80 average tax was \$560.

924 minus 30% = 647 X 82% = 531

FY 82 - 595 X \$626 = \$372,470	FY 85 - 836 X \$934 = \$597,224
FY 83 - 666 X \$689 = \$458,874	FY 86 - 936 X \$917 = \$858,312
FY 84 - 746 X \$758 = \$565,468	

SEC. 4. SEWER AND WATER ASSESSMENT DEFERMENT

Assume no more than 2% of homeowners apply for deferment each year. Average deferment in FY 80 was \$3,055, assume 10% increase each year.

FY 82 - 12 X \$3,697 = \$44,364	FY 85 - 17 X \$4,920 = \$83,640
FY 83 - 13 X \$4,066 = \$52,858	FY 86 - 19 X \$5,412 = \$102,828
FY 84 - 15 X \$4,473 = \$67,095	

SEC. 5 and 6. RENTER PROPERTY TAX EQUIVALENCY PAYMENT

See Sec. 3 assumptions; 647 X 18% = 116 at 12% annual increase. Under the new formula, average payment per applicant for FY 80 would be about \$334 plus 5% for removal of payment limit = \$351 at 10% annual increase.

FY 82 - 130 X \$386 = \$50,180	FY 85 - 184 X \$515 = \$94,760
FY 83 - 146 X \$425 = \$62,050	FY 86 - 206 X \$567 = \$116,802
FY 84 - 164 X \$468 = \$76,752	

Four separate programs show increased activity. A clerk typist II will be required to handle increased typing, filing and audit procedures.

100 Personal Services	Clerk Typist II	Range 07
Salary	1,319/mo.	= 15,828
Benefits	@ 15.37%	= 2,433
FICA		= 2,004
Health Insurance		= 1,848
		<u>22.1</u>

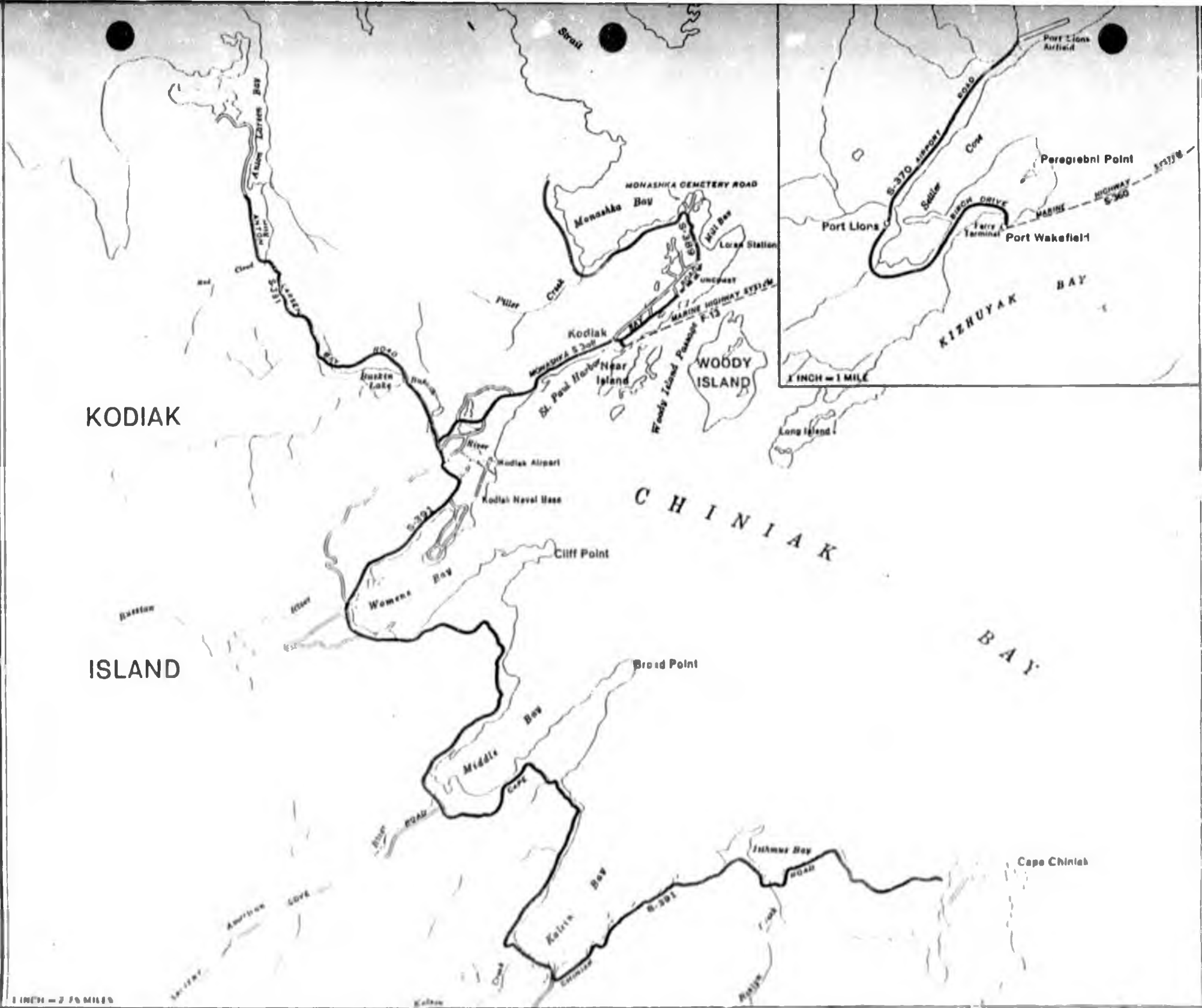
Travel to the major population centers will be required for the first year of operation to assure that eligible applicants are aware of the new benefits and to prepare appropriate agencies to assist applicants. Reduced travel will be required annually to maintain awareness.

Anchorage/Mat-Su - 3 days & Fairbanks - 1 day	\$300
Kenai Peninsula - 1 day & Kodiak - 1 day	\$500
Southeast - 2 days	\$150
200 Travel	= 950
Per Diem	= 525
	<u>1.5</u>

There is no space available for the new position at the present site of program operation in Juneau.

300 Contractual	
Office Space - 47 sq. ft. @ \$1.50 sq.ft./mo.	.9
Telephone	1.0
Postage	.3
Printing and Advertising - first year	1.8
Printing and Advertising - annual	.4
Copier	.2
	<u>4.6</u>
400 Commodities	.3
500 Equipment	
Desk	524
5-Drawer File Cabinet	296
Chair	155
Calculator	274
	<u>1.3</u>
Total Administrative Cost - First Year	\$29.5
Annual	\$25.6

HFB
104



KODIAK

ISLAND

CHINIAK

BAY

Cape Chiniak

1 INCH = 2 1/2 MILES

1 INCH = 1 MILE

KODIAK ISLAND BOROUGH SCHOOL DISTRICT

P.O. BOX 886
KODIAK, ALASKA 99615
TELEPHONE: (907) 486-3131

MEMO

TO: Fred Zharoff, Bob Mulcahy and Eric Sutcliff

FROM: Bob Thomas, Facilities Coordinator
Kodiak Island Borough Schools

RE: Karluk - Chiniak Funding Request

DATE: February 20, 1981

The following information is provided to outline the history of our funding requests for providing educational facilities at Karluk and Chiniak on Kodiak Island. Thom Wischer, Kodiak High School Principal, met with Fred Zharoff in Juneau during the week of February 6th and several questions surfaced which Thom could not answer. Understandably, there is some confusion as to varying amounts of funding requested for school facilities in these two communities.

1. During the 1978-79 school year, Kodiak Island Borough School Districts assessed the capital improvements needs for educational facilities in the Kodiak Island Borough. Attachment #1 enclosed identifies those facility improvement needs and estimates of funding required to meet those needs. Karluk and Chiniak surfaced as priority items on our list in the amount of \$2.7M dollars for a K-12 school at Karluk, and \$2.5M dollars for a K-12 facility in Chiniak.

The KIBSD Board and the KIB Assembly decided shortly after that time that the total amount of bonded indebtedness that KIB could obligate its self for, was \$29,000,000. Karluk and Chiniak were below the \$29M cutoff line on our priority list and therefore were not included on our local bond issue.

2. During the 1979-80 school year, Kodiak Island Borough School District requested a legislative appropriation in the amount of \$3.6M for Karluk and \$3.3M for Chiniak. Those proposals were addressing maximum student populations and K-12 facilities for each community. Shortly after these legislative requests were submitted, it became apparent that the Job Corps Center in Chiniak

was not going to be a reality. Therefore, a re-definition of the educational needs for the Chiniak community, based on smaller population projections, was necessary.

Approximately March of 1980, KIB included within its capital improvements budget \$320,000 for funding assistance to meet emergency needs in the communities of Karluk and Chiniak. About that same time, Dr. Anttonen, Superintendent of Schools, and Arnie Hansen, KIB Manager, discussed with you the possibility of including some of the Kodiak Island Borough School Districts needs in a bill for a state bond, to be voted on in the fall of 1980. Attachment #2 outlines the projects recommended by Kodiak Island Borough Schools to the Borough for discussions between Arnie Hansen and you, in Juneau. It is my understanding that the initial request for Senate Bill #561 of the 1980 Legislative Session included \$1.2M for Karluk and \$1.2M for Chiniak. However, after negotiations, the final amounts included in the bill were \$960,000 designated for Karluk and \$500,000 undesignated for capital improvements in Kodiak Island Borough School District.

3. 1980-81 School Year: The above state bond issue was approved by the voters in the fall of 1980 providing funding in the amount of \$960,000 for Karluk and \$500,000 to be used by the Borough for Chiniak, if Chiniak remained a high priority in the capital improvements plan. In addition to this, the KIBSD and KIB offices had requested consideration for additional funding assistance for the school in Karluk. Two requests were submitted to the Department of Education; one for \$59,500 of Chapter 195 Funds, and one for \$180,000 from the 1972 State Operated Schools Construction Fund (attachment #3). It is our understanding that these requests will be granted, however, KIB has not received either funds or official notification of award.

Therefore, at this time, KIB has "solid" funding designated for school construction in the community of Karluk in the amount of \$960,000 from the SB #561; and "probable" funding in the amount of \$59,500, Chapter 195 Funds; and \$180,000, 1972 S)S Construction Funds; for a total of \$1,199,500. The Borough also has monies available for consideration for construction in Chiniak in the amount of \$500,000 from SB #561; and \$320,000 in the KIB FY 81 budget; for a total of \$820,000.

In December of 1980, KIBSD Board submitted a Legis-

lative Request for funding assistance for Karluk and Chiniak in the amount of \$3.7M; \$1.7M for a K-10 facility at Karluk and \$2.0M for construction of a K-8 facility in the community of Chiniak (attachment #4). Reduced grade spans and student populations are the reasons for construction estimates smaller than the previous requests.

Our best estimate, at this time, to provide a K-10 school for Karluk is approximately \$2.6M. The \$1.7M in our latest request, plus the funds from SB #561 (\$960,000) will provide funding to complete the K-10 school for Karluk. The \$59,500 (Chapter 195) and \$180,000 (SOS Construction Funds) have not been included as "on-hand" monies because official notification for approval of our requests has not been received. The \$2.0M request for Chiniak is less than originally estimated. The reason for reducing that project is that the community of Chiniak does not appear to be growing at the rate originally anticipated with the prospect of the Job Corps Center. The reason for requesting the total amount needed for Chiniak is to provide KIB the option to utilize those undesignated funds, approximately \$820,000, for other high priority educational facility needs that have surfaced over the past year and a half. Specifically those needs include extensive renovations of the High School swimming pool and locker room areas and possible elimination of asbestos in that facility. We have some funds in our local bond issue to address this concern, however, it is felt that to meet the structural and mechanical needs, and provide adequate spaces for educational and community use of the swimming pool, considerably more than the amount included on our \$29M bond issue will be necessary. It is the desire of the School District to discuss with Kodiak Island Borough utilization of the undesignated \$820,000 for the High School swimming pool and locker room renovation, and possible elimination of asbestos insulation currently at the Kodiak High School.

Adding to the complicated scheme of determining needs, estimating costs and pursuing funding from multiple sources described above, have been discussions and planning efforts to accomplish "band-aid" measures to meet critical needs in both Karluk and Chiniak. Several different ideas have been explored to attempt solutions at both sites. Some of these included additional temporary units, adding on to current temporary structures, building small units on skids, building around old temporary units, etc. All of those "band-aid"

approaches would have the same result; a temporary solution for a continuing need and "throwing good money after bad". Some of the figures you recall from past discussions were tied to these temporary solutions.

Our request before you now, is what we consider the best estimate for providing permanent facilities in Karluk and Chiniak. The figures are consistant with our original estimates in 1978-79, when considering decreased scope of each project and inflation escalation factors.

BT/kmk
attachments

cc: Noreen E. Thompson, Superintendent Kodiak Island
Borough School Distirct

Arnie Hansen, Manager Kodiak Island Borough

Bob Green, Executive Secretary Association of
Alaska School Boards

SUMMARY

	1978-79	1979-80		1980-81		
	KIBSD Estimates	KIBSD Requests	KIB Funds	KIBSD Requests	State Bonds	TOTAL
KARLUK	\$2,700,000 (No Action Taken)	\$3,600,000 (Dir. Appr. Unsuccessful)		\$ 59,500 (Chapter 195 Pending) \$ 160,000 (SOS Const. Pending) \$1,700,000 (Dir. Appr. Pending)	\$ 960,000 (SB #561 Approved)	\$ 960,000 → \$1,700,000 <u> </u> \$2,660,000
CHINIAK	\$2,500,000 (No Action Taken)	\$3,300,000 (Dir. Appr. Unsuccessful)		\$2,000,000 (Dir. Appr. Pending)		→ \$2,000,000
UNDESIG.			\$ 320,000 (In Budget)			→ \$ 320,000 \$ 500,000 (SB #561 Approved) → \$ 500,000 <u> </u> \$ 820,000

P.O. BOX 886
 KODIAK, ALASKA 99615
 TELEPHONE (907) 486-2131

ATTACHMENT #1

MEMO TO: SCHOOL BOARD
 FROM: JOHN E. ANTONEN, SUPERINTENDENT
 DATE: JUNE 18, 1979
 RE: BONDING PROPOSAL

Attached are project descriptions for a bonding proposal to the Kodiak Island Borough. The amounts recommended are as follows:

- Main Elementary	\$ 7,275,000
- Junior High	6,637,500
- Demolition of the old Main and Junior High	570,470
- Performing and Visual Arts Center	6,327,000
- Maintenance Storage Space	1,793,375
- P.E. Space at East Elementary	1,425,000
- P.E. Space for Main, Junior and Senior High	3,750,000
- New school at Akhiok	2,875,000
- Chiniak	2,500,000
<hr/>	
- Karluk	2,700,000
<hr/>	
- Port Lions and Old Harbor - additional classroom space	750,000
- Village Outside P.E. and playground facilities	1,250,000
- Major Maintenance repair projects (i.e. pool, H.S. roof)	<u>641,500</u>
<hr/>	
TOTAL	\$38,700,845

If the Board wishes to go with the total package represented above, it should be submitted to the Borough Assembly.

Memo to Board
6/18/79

If you are going to cut, I would recommend eliminating the P.E. space at Main, Junior and Senior High schools. I believe that the amount that we have for Main Elementary (\$7,276,000) and the Junior High (\$6,637,500) will accommodate a physical education program.

Further, the Board might consider some limitations to the Performing and Visual Arts Center, elimination of the new school at Chiniak (\$2,500,000), removal of additional classroom space at Port Licens and Old Harbor, and the village outside P.E. space. This would bring the bond issue to a total of approximately \$30,450,845.

I believe we should act at the next Board meeting to pass along our final recommendations to the Borough Assembly.

/dm

attachment

FOCUS *on Kodiak Schools*

Volume II, Number 9

May, June, 1979

a pat on the back...

... to Mrs. Jen Winner, Mrs. Jean Thompson, Mrs. Doreen Freeborn, Mrs. Fran Flick, Mrs. Judith Pendergraft, and Dr. and Mrs. Leonard Kilmer, who volunteered and served on the Peterson School Parent Advisory Committee.

... to Clay Rounsaville, Max Floyd and Jim Poulous for qualifying for the State Wrestling Tournament held in Sitka on April 6th and 7th.

... to Dr. Dan Farrar for giving a speech and demonstration to students at Main Elementary on proper care of their teeth.

... to Wendy Powell, Valery Brisbane, Stephanie Bennett, Lisa LaFe, and Tricia Ourada for being awarded certificates for their essay manuscripts for the semi-annual anthology, "Young America Speaks."

... to Elementary Curriculum Committee members Ann Stone, Lew Santoro, June McGill, Gail Cook, Jane Nuttall, Duane Freeman, Marcia Oswald, Madelyn Poland and Charlotte Mickelson for the hours spent in meeting and writing a usable K - 6 curriculum.

... to winners of the VICA skill olympics and leadership awards, Gene Lonsen, 2nd place in machine drafting, Lori Stevens, 3rd place in machine drafting and job interview, Scott Clark, 2nd

(Continued on Page 2)



Energy conservation concerns are not only being discussed by adults in these days of declining resources, but have been the topic of interest in many classrooms of KIBSD. Betty Moore, Energy Conservation Advocate from the Division of Energy and Power Development, presented classroom discussions in many Kodiak town and village elementary schools, focusing student attention on needs for conservation of our worldwide energy pool. Pictures above, students from 5th grade classes at Main Elementary role-play the parts of Fossil Fuel, Solar Energy, Hydroelectric and other energy supplies in the process of discovery, utilization, and depletion of energy reserves, Betty also trained two staff members on the use of a computer designed for classroom activities demonstrating energy development, use and conservation.



Kodiak Island Borough
School District
Box 886
Kodiak, Alaska 99615

Non-Profit Organization
U.S. POSTAGE
PAID
Kodiak, Alaska
Permit No. 1

BOXHOLDER
Kodiak, Alaska, 99615

Correspondence regarding FOCUS should be addressed to Bob Thomas,
FOCUS Editor, or Jeanne Evans, Box 886, Kodiak, Alaska 99615

Update: KIBSD

The School District and the Borough are in the process of listing and describing the needs for new school buildings and facilities for the Kodiak Island Borough. A bond issue, to be voted on in October by the Kodiak electorate, will be proposed to finance these facility needs. Funding for these improvements will be reimbursed by the State up to 80%, with the balance being local support through taxes. The list includes the following:

1. Main Elementary - New
2. Junior High - New
3. Performing Arts Center
4. Maintenance Shop and Storage
5. Physical Education Space at East
6. Physical Education Space at Main/Junior High-Senior High
7. Akhiok - New School
8. Chiniak - New School
9. Port Lions/Old Harbor Classrooms
10. Karluk - New School
11. Village Outdoor Physical Education/Playground Improvements
12. Replace and Renovate High School Pool and Locker Room
13. 25 Small Projects

Cost estimating is taking place now, with consideration by the School Board scheduled for June, and by the Assembly in July. The final selection and the total cost will be presented to the voters for consideration in August and September, anticipating the October general election. The School District is meeting with interested individuals and groups to define the educational needs. They are also exploring possible multi-use of spaces to accommodate the varied needs of the Kodiak Community. For instance, the individuals and groups interested in performing arts space have met and discussed the space needed for instruction and performance of art, dance, drama, music, speech, theater and television. Everyone agrees that Kodiak is in desperate need for a suitable space for school and community arts activities.

A definite effort is being made - and will continue to be made - to accommodate the varied interests and activities that a town of our size needs and wants. A similar process is under way regarding identification of the physical education space for teaching our students, and community recreation needs for children and adults. Care is being exercised not to build duplicate or competing facilities with anything in the public or private sectors of our town. We are concerned with serving the community and still respecting the needs of teachers and children, teaching and learning. Our intent is to extend the range of options for leisure and physical recreation activities. Special kinds of physical space will be built to support our developmental physical education program. Those same spaces can be used for smaller groups of people, supervised or casual, outside the school jurisdiction. The public is encouraged to become involved in this critical planning and development for your schools and public facilities. For information about how to get involved, contact Carl Pohjola at KIBSD Central Office.

Much thought has been given to the replacement or renovation of Main/Junior High complex. The teachers, parents and groups such as the PTA, etc., have been asked what they feel would be the most desirable new arrangement for the education of the children who attend Main Elementary and the Junior High School. No firm decisions have been made at this time; the School Board and the Assembly will consider their decision in June or July.

The needs for village schools at Akhiok, Chiniak and Karluk range from "absolute and immediate," to "at some time within the next five years." In addition, village outdoor physical education and playground improvements have been scheduled. Better playground and outdoor physical education space is needed in all our villages. Every effort will be made to take advantage of the natural resources available. However, some covered, protected space is essential con-



Bonnie Jarvella is retiring as Secretary to the Junior High School after 9 1/2 years of service. During this time, she has performed a wide variety of duties including bookkeeping, record keeping, taking care of students' needs, and control of lunch finances. Jerry Byler, Jr. High Principal, said that "she will be a tremendous loss to the school and the School District." In August, Bonnie will be leaving for Oregon, but plans on spending the summers in Kodiak.

sidering the climatic conditions of our island. Indoor space in most of the village schools is very limited. Use by the communities, when school is not in session or when school supervision cannot be provided, will be a high priority. Multiple use will be a prime consideration in any of the improvements to school space.

Twenty-five smaller projects have been included in the list for the bond issue. They are items which have been included in the Capital Improvements Plan submitted to the Borough as part of its comprehensive plan. These items range from stand by power generation at some of the town schools, modifications of buildings to meet federal handicapped requirements, fire sprinkler systems, additions or modifications to village utility systems, to the repair of the pool and High School roof.

These needs do not seem to go away but only to become more extreme, and as time passes, the cost of making these critical investments and improvements become greater.

SQUARE FEET	CAPITAL IMPROVEMENT	CIP PROJECT NO.	1980 COST PER SQUARE FOOT	CONSTRUCTION COST 75%	OTHER COSTS* 25%
37,000	Main Elementary - New	79MAD1	\$ 145.50	\$ 5,383,500	\$1,345,875
36,000	Junior High - New	79MAD1	147.50	5,310,000	1,327,500
32,300	Performing Arts	80DWD2	154.80	5,000,000	1,250,000
18,750	Ancillary Services Space	80DWD1	143.95	2,700,000	675,000
8,000	P.E. Space at East	79FAC2	142.50	1,140,000	285,000
21,050	P.E. Space at Main-Jr. High - Senior High	80DWD2	142.50	3,000,000	750,000
12,778	Akhlok - New School	79VSD2	180.00	2,300,000	575,000
12,500	Chinlak - New School		160.00	2,000,000	500,000
4,000	Port Lions/Old Harbor Classroom		180.00	600,000	150,000
12,000	Karluk - New School	82VSD1	180.00	2,160,000	540,000
	Village Outside P.E./Playground Improvements	79-82DWB2 (50,000)		1,000,000	250,000
	Replace & Renovate High School Pool and Locker Room			274,000	68,500
<div style="border: 1px solid black; padding: 5px;"> Liner-79HSC4-\$170,000; Lighting-79HSB2-\$10,000; Accountancy-81HSC1a-\$5,000; Tiling-79HSC1a-\$57,000; Locker Room-79HSB2-\$32,000; = \$274,000 </div>					
	High School Roof Replacement	80HSC4		300,000	75,000
	Demolition of:			555,470	15,000
	Main: \$230,000				
	Junior High: 306,670				
	Shop: 19,500			531,723,370	57,806,875
Page Total					\$39,530,745
Other projects: \$1,389,500					
161,000					1,551,420
\$1,551,420					
				GRAND TOTAL:	\$41,081,465

*percentages depend upon size of project, ranging from 20-30%

Other costs include: architectural/engineering fees, equipment, administration, art (1%)

Recommended Breakdown for
State Bond Issues
for

Kodiak School Facilities

<u>Project Description</u>	<u>Project Cost</u>	<u>Construction</u>	<u>Overhead</u>
1. Karluk Elementary School Classrooms, support multi-purpose. 4800 sf.	\$1,200,000	\$960,000	\$240,000
2. Old Harbor Secondary addition (improvement) classroom addition 2,000 sqf. Well Electrification		\$320,000 \$ 40,000 \$ 40,000	\$ 80,000 \$ 10,000 \$ 10,000
3. Chiniak Elementary Secondary; classrooms support, multi-purpose. 6000 sf.	\$1,200,000	\$960,000	\$240,000
4. Ouzinkie Electrification. 3-phase extension, stdy generation, fuel systems upgrade, gen. bldg.	\$ 100,000	\$ 80,000	\$ 20,000
5. Akhiok Elementary and Secondary School - design, site imp., utilities for new school.	\$ 900,000	\$600,000	\$300,000
6. Larsen Bay Electrification; prime power gen. and dist. gen. bldg.	\$ 100,000	\$ 80,000	\$ 20,000
7. Kodiak High School roof repair. Pool repair and improvements.	\$ 500,000	\$250,000 \$160,000	\$ 50,000 \$ 40,000

KODIAK ISLAND BOROUGH

Telephones 486-5736 - 486-5737 — Box 1246

KODIAK, ALASKA 99615

June 12, 1980

Lee Hayes
Facilities Coordinator
Alaska State Department of Education
Pouch F
Juneau, Alaska 99811

Dear Mr. Hayes:

The Kodiak Island Borough School District would like to be given consideration for receipt of the \$59,488 Chapter 195 funds available for educational facilities construction as discussed in our telephone conversation on June 11, 1980. As communicated to you previously, our facility needs in Karluk are critical.

I have enclosed the proposal for funding of a combined elementary/secondary school facility in Karluk, Alaska which was submitted to the 1980 State Legislature for their consideration. Unfortunately, that proposal was not funded and the need still exists. At this time, the Kodiak Island Borough is planning on the use of \$180,000 as specified in the documents enclosed and some local Borough monies to begin design and construction of a phase I of an effort which will result in a permanent K-12 educational facility for the community of Karluk.

The \$59,488 will contribute substantially toward our effort for phase I of the Karluk project. Our goal is to secure financing to provide for design of a facility which will meet the long-range needs projected for Karluk and to construct that portion of this design which we can afford to alleviate the current space shortages.

Sincerely,



Arnold Hansen
Acting Borough Manager

AH/cb
Encs.



JUNEAU, ALASKA

Alaska State Legislature

Senate

KODIAK BOROUGH
KODIAK, ALASKA
RECEIVED

JUN 6 1980

PH
1, 3, 9, 10, 11, 12, 13, 14, 15, 16

June 4, 1980

A

Marshall Lind
Commissioner
Department of Education
Pouch EE
Juneau, Alaska 99811

Dear Commissioner Lind:

On May 25, 1980 I wrote a letter to you regarding the appropriation of \$442,000 to schools in Northwest Alaska to be funded from the "1972 State Operated School Construction Fund."

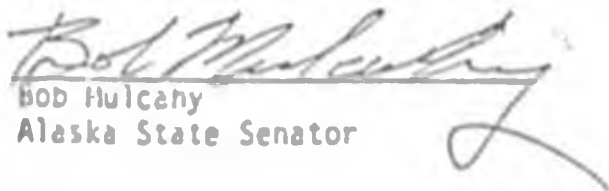
Subsequently, it has come to my attention that Karluk needs \$180,000 to begin preliminary construction work. Your Department has informed the Kodiak Borough School District that the \$180,000 can only be funded from the \$442,000 balance in the 1972 bond issue.

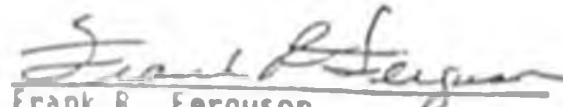
Consequently, Senator Mulcahy raises a strong objection because his district couldn't use the bond fund. So as not to jeopardize the requested projects a compromise has been reached.

The \$180,000 can come out of the \$200,000 to Teller.

Thank you for your assistance in this matter.

Sincerely,


Bob Mulcahy
Alaska State Senator


Frank R. Ferguson
Alaska State Senator

KODIAK ISLAND BOROUGH

Telephones 486-5736 - 486-5737 — Box 1246

KODIAK, ALASKA 99615

June 4, 1980

The Honorable Jay Hammond, Governor
State of Alaska
Pouch CR
Juneau, Alaska 99811

Dear Governor Hammond:

We understand that there is a remaining balance of approximately \$180,000 of Chapter 195 bond monies appropriated in 1972.

We request that these funds be allocated to Kodiak to help us build a permanent school facility at Karluk. This past year we met what we thought were the immediate needs for school space after the village was relocated. We put in a temporary ATCO unit with 900 sq. ft. of useable space. The student population increased far beyond our expectation and now we need three teaching stations to accommodate our 31 students. The space for the 26 students this year was 34.6 sq. ft. per student and will be 29 sq. ft. per student next year. The situation is critical and we judge it an emergency.

Our plans are to build as much as possible on Phase I of a new permanent facility this summer and fall. Each dollar will help. We would add these State dollars to Borough funds to accomplish as much as possible. Your prompt consideration will be appreciated.

We are pursuing this item through the Department of Education. Also, we have asked Senator Mulcahy to help explain the situation.

Sincerely,



Arnold Hansen
Acting Borough Manager

ABSTRACT

LEGISLATIVE APPROPRIATION REQUEST FOR FUNDING OF AN ELEMENTARY AND PARTIAL
SECONDARY SCHOOL FOR THE COMMUNITY OF KARLUK AND, AN ELEMENTARY SCHOOL
FOR THE COMMUNITY OF CHINIAC

- RATIONALE:
- 1) The Kodiak Island Borough School District (KIBSD), wishes to provide quality education for all of the children residing in Kodiak Island Borough.
 - 2) The Alaska State Department of Education recommends space guidelines for educational facilities for small rural schools which the KIBSD would like to adhere to.
 - 3) An entity of Kodiak Island Borough and the State of Alaska, KIBSD wishes to comply with the Molly Hootch case consent decree and subsequent State of Alaska Board of Education regulations for provision of educational facilities in rural communities.

- NEED:
- 1) The Molly Hootch case consent decree and subsequent regulations adopted by the Alaska State Board of Education have imposed financial burdens on Kodiak Island Borough (KIB) to provide education facilities in the rural communities within the KIB. The KIB does not have resources to comply with these regulations at this time.
 - 2) The growing communities of Chiniak and Karluk, on Kodiak Island, are utilizing temporary structures provided by the KIB, for housing their educational program which are inadequate and do not meet space guidelines or code requirements with regard to educational facilities.
 - 3) The Kodiak Island Borough has within its resources funding to provide a partial educational facility in the community of Karluk. This will not meet space requirements to house the K-10 program requested by the community of Karluk.
 - 4) At this time the Kodiak Island Borough School District regards the situation at Karluk as an emergency, and at Chiniak as critical.

- GOALS:
- 1) To augment resources currently available to the Kodiak Island Borough to complete construction of permanent 7,000 to 8,000 square foot educational facility at Karluk for a projected 30 to 40 student population in Grades K-10.
 - 2) To construct permanent 6,500 - 7,500 square foot educational facility at Chiniak for a projected 25 to 30 student population, in Grades K-8.

REQUEST: Kodiak Island Borough requests special Legislative appropriation from the general fund, for rural educational facility construction at Karluk and Chiniak in the Kodiak Island Borough School District, in the amount of 3.7 million dollars.

LEGISLATIVE APPROPRIATION REQUEST FOR FUNDING OF AN ELEMENTARY AND PARTIAL SECONDARY SCHOOL FOR THE COMMUNITY OF KARLUK AND, AN ELEMENTARY SCHOOL FOR THE COMMUNITY OF CHINIAC

NARRATIVE: The Kodiak Island Borough School District (KIBSD) has developed and implemented a unique instructional delivery system for its elementary and secondary schools on Kodiak Island. This delivery system is dependent on individualized and small group instruction which necessitates a large array of instructional materials utilized in a resource lab format. This has proven to be a most effective delivery system for small rural elementary and secondary schools, as evidenced by improved student achievement scores on standardized tests, but it does demand a substantial degree of space for materials display and storage. New and improved educational facilities in five (5) KIBSD's rural schools have been designed and constructed within the last four years to house this program. Legislative appropriations as well as Kodiak Island Borough bonds have provided funding for those projects. At this time, two small rural schools within KIBSD have not been provided adequate facilities to carry on the educational program that has been designed. The temporary educational facilities at the two remaining sites of Chiniak and Karluk do not meet space guidelines as recommended by the State of Alaska Department of Education for small rural schools or locally determined space needs for our programs. In our effort to provide quality education for all students on Kodiak Island, new educational facilities for these two remaining communities is a necessity.

Additionally, the State's commitment to the Molly Hootch case consent decree and subsequent State Board of Education regulations, which now require local school districts to provide educational program in small rural communities, mandate a challenge to the Kodiak Island Borough which the KIBSD is anxious to comply with.

Karluk emerges as a priority facility with the KIBSD, because of the inadequate space of the current temporary ATCO facility which measures approximately 24' x 58' (additional space in a local home is currently being rented for instructional purposes and teacher housing augments classroom space) and its total lack of space to accommodate a secondary program. The community of Karluk has indicated a desire for an elementary and a partial secondary program, Grades K-10. Kodiak Island Borough has minimal resources (\$960,000) available for construction of educational facilities in Karluk. At current projected construction costs in the community of Karluk, this funding is inadequate for provision of the spaces required for a quality K-10 educational program. The estimated need for provision of the anticipated Karluk facility is 2.6 million dollars. This will provide permanent school of between 7 and 8,000 square feet for a projected 30 to 40 student in Grades K-10 for newly relocated Karluk community. The facility will include two (2) classroom areas, a library resource center, multipurpose room, kitchen and food service area, and secondary specialty instruction spaces for pre-vocational programs. (See attached Educational Specifications for Karluk K-10.) The KIBSD is seeking consideration for Karluk in a direct legislative appropriation of 1.7 million dollars to complete a combined elementary-secondary facility.

The Chiniak community has requested a local K-8 educational program for their children, with secondary students (9-12) to gain their education through one of several options, including traveling to the city of Kodiak on a daily basis for instruction. Twenty (20) Chiniak students (k-8) are attending school in temporary facilities which are inadequate to house the rural educational plan KIBSD has implemented.

In 1980 the Kodiak Island Borough renovated the temporary spaces at Chiniak to increase the available space as a stop-gap measure. The original temporary teacher housing has been converted to classroom space to augment the original 750 square feet of classroom space. Although the total amount of square footage at this time does not provide as critical a situation as what exists in Karluk, the nature of the facility is inadequate for provision of a total education program for those students. Food service, physical education, library resource and storage facilities are totally inadequate at the Chiniak school.

As with Karluk, the Chiniak community appears to be growing at a slow steady rate. There exists a high probability of accelerated growth, depending on availability of property for private development, in the Chiniak area. (see attached Educational Specifications for Chiniak Elementary K-8 for details.)

KIBSD requests that 2 million dollars be provided for construction of a 6,500 - 7,500 square foot permanent educational facility at Chiniak to house a projected 25 to 30 student population in Grades K-8. This facility would be designed for expansion to house additional students should the population warrant expansion at a future date. A plan for secondary students to acquire their instruction through some other method than daily attendance at a Chiniak facility will be adhered to.

HB

106

POSITION PAPER

SUBSTITUTE FOR HOUSE BILL NO. 106

"An Act providing for the licensing of athletic therapists."

SHB 106 requires that all persons practicing physical therapy for the prevention or physical rehabilitation of injuries incurred by participating in athletics at an educational institution, professional athletic association or other athletic organization be licensed as an "Athletic Therapist."

The bill amends the Physical Therapists Practice Act to include licensing Athletic Therapists with Physical Therapists and Physical Therapy Assistants, enlarging the Physical Therapy State Board to include Athletic Therapists, and defining the licensing requirements and practicing criteria.

The State Physical Therapists Practice Act in its definition of the practice of physical therapy includes modalities frequently employed by the Athletic Trainers (Athletic Therapists) in the preventive or physical rehabilitation of athletic injuries. Presently there are no licensing requirements for Athletic Trainers in Alaska. The purpose of this bill is to establish clarity and allow Athletic Trainers to use physical therapy modalities legally. The Department is concerned about the following issues:

1. The name Athletic Therapist rather than Athletic Trainer.

The purpose of this legislation is to provide licensure for Athletic Trainers. Physical Therapists and Athletic Trainers are two distinct professions. The name Athletic Therapist used in the pending legislation suggests that a licensed Athletic Therapist is also a Physical Therapist with all their rights of practice. This is a false assumption unless the Athletic Trainer is licensed to practice physical therapy in Alaska.

2. The right of an Athletic Trainer to practice physical therapy in Alaska.

This is defined in Section 12, AS 08.84.190 (5) and inferred in Section 12 AS 08.84.120 (11) and Section 11 AS 8.6.155.

At present State licensure for Physical Therapists requires specific approved educational training and examination. The training and examination required for Athletic Trainers is not the same. It is not appropriate that Athletic Trainers be permitted to engage in physical therapy practice without the same licensure requirements.

POSITION PAPER / Department of Health and Social Services

The following is a recommended definition of an Athletic Trainer including the modalities the Trainer is authorized to use.

"Athletic Trainer" means a person who, upon the direction of his team physician and/or consulting physician, practices physical reconditioning of injuries incurred by only those athletes participating in an athletic program conducted by the educational institution, professional athletic organization, or sanctioned amateur athletic organization that employed the trainer.

To carry out these functions the Athletic Trainer is authorized to utilize modalities such as heat, light, sound cold, electricity, exercise or mechanical devices related to care and reconditioning.

The Department of Health and Social Services appreciates the Athletic Trainers concern for desiring legal clarity in the use of the modalities needed to carryout their practice and recommends that if adequate need is demonstrated, a separate bill be created called the "Alaska Athletic Trainers Act". This Bill would license them with their specific qualifications to engage in the practice for which they are trained and licensed.

The Department cannot support the enactment of this bill in its present form.

Recommended by: E. S. Rabenu, M.D.
E. S. Rabenu, M.D., Director
Division of Public Health

Date: Jan 29, 1982

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner
Department of Health and
Social Services

Date: 2/1/82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Substitute for House Bill No. 106
 Title "An Act providing for the licensing of athletic therapists."
 Requested by Commissioner's Office Date 1/29/82

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected Health/Public Health
 BRU, Program, Or Subprogram(s) Affected _____
 (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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
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	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Source)	0	0	0	0	0	0

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

IV. DATE 1/29/82 PREPARED BY Sue Glocke
 AGENCY Dept. of Health & Social Services
 PHONE 465-3141 JCC
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE - Update

I. REQUEST

Bill/Resolution No. SSHB 106
Title An Act providing for the licensing of athletic therapists.
Requested by Representative Martin Date 3-23-81

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development
Program Category Affected Public Protection
BRU, Program, Or Subprogram(s) Affected Regulation & licensing of professions;
(Note: If more than one budget component is affected, separate line-item admin and
amounts and funding for each component in the analysis section.) boards

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL	3.5	3.8	4.1	4.5	4.9	5.4
300 CONTRACTUAL	.5	.5	.6	.6	.7	.7
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	4.0	4.3	4.7	5.1	5.6	6.1

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	4.0	4.3	4.7	5.1	5.6	6.1
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

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

TRAVEL - 10% inflation factor projected.

Travel and per diem costs for 2 additional board members; 3 meetings per year (2 in Anchorage, 1 in Juneau); 2 days ea. @ \$80 per diem/day.

1 Juneau member \$ 1,500.00
1 Anchorage member 750.00

One additional meeting for remaining 5 members of the present board, not budgeted for in FY'82 or FY'83, in order to formulate necessary athletic therapy regulations and hold a regulation hearing; 2 day meeting in Anchorage (Travel costs and per diem @ \$80/day)

1,370.00

Total \$ 3,450.00

CONTRACTUAL - 9% inflation factor projected. Duplicating and mailing costs of new applications; administration of examination \$ 500.00 for athletic therapists.

IV. DATE 1-29-82 PREPARED BY Mariorie Odland, Regulations Specialist

AGENCY Occupational Licensing

Original: Legislative Finance PHONE 465-2535
cc: Budget and Management
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 106

Title An Act providing for the licensing of physical therapy athletic trainers.

Requested by Martin

Date 2-11-81

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development

Program Category Affected Public Protection

BRU, Program, or Subprogram(s) Affected Regulation & licensing of professions - Boards

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL	1.0	.5	.5	.5	.5	.5
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	1.0	.5	.5	.5	.5	.5

FUNDING (Thousands of Dollars)

	1.0	.5	.5	.5	.5	.5
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	0	0	0	0	0	0
FULL TIME						
PART TIME						
TEMPORARY						

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

CONTRACTUAL

FY'82 costs reflect necessary funding to establish the administration of licensing of physical therapy athletic trainers including forms, licenses, distribution costs, printing costs and regulatory procedure costs.

Additional year costs reflect maintenance of licensing and renewals.

PERSONAL SERVICES

No additional personnel needed, as the necessary services would be absorbed by the present licensing examiner responsible for the licensing of physical therapists and physical therapy assistants.

IV. DATE 2-11-81 -

PREPARED BY Harry D. Treager, Director

AGENCY Occupational Licensing

PHONE 465-2534

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

February 1, 1982

AGENDA

HB 111- An Act relating to the practice of optometry and authorizing the use of ophthalmic drugs by optometrists

Dr. Page

Dr. Phil Bach - *Sitka*

Dr. Katania - *Philadelphia - post grad of optometry -*

HB 106- An Act providing for the licensing of athletic therapists

HB 114- An Act relating to the office of alcoholism and drug abuse in the Department of Health and Social Services, and combining the Review Board on Alcoholism with the Advisory Board on Drug Abuse

Introduced: 3/11/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY MARTIN AND ROGERS

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 106

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

Separate bill

6 For an Act entitled: "An Act providing for the licensing of athletic
7 therapists."

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

9 * Section 1. AS 08.84.010 is amended to read:

10 Sec. 08.84.010. STATE PHYSICAL THERAPY BOARD. (a) There is
11 created the State Physical Therapy Board, which consists of seven *four with*
12 [FIVE] members appointed by the governor. The membership consists of *and*
13 one physician licensed to practice medicine in the state, three physical
14 therapists licensed in the state or two physical therapists and a
15 physical therapy assistant licensed in the state, two athletic *thera-*
16 piats *trainers* licensed in the state, and one lay person with no direct financial
17 interest in the health care industry. Members of the board shall be
18 U.S. citizens domiciled in the state and shall be appointed for a term
19 of four years, and until their successors are appointed. No member may
20 serve more than two terms in succession. The governor may remove a
21 member from the board for neglect of duty, incompetence, dishonorable
22 conduct, or suspension or revocation of license.

23 (b) The Physical Therapy Board shall control all matters pertain-
24 ing to the licensing of physical therapists, [AND] physical therapy
25 assistants, and athletic *trainers* ~~therapists~~ and the practice of physical
26 therapy. The board shall

- 27 (1) pass upon the qualifications of applicants;
28 (2) conduct examinations;
29 (3) issue temporary permits and licenses to physical ther-

1 apists, [AND] physical therapy assistants, and athletic therapists
2 qualified under this chapter;

3 (4) suspend, revoke or refuse to issue or renew a license in
4 accordance with AS 08.84.120;

5 (5) keep a current register listing the name, business
6 address, date and number of the license of each physical therapist,
7 [AND] physical therapy assistant, and athletic therapist who is licensed
8 to practice in this state;

9 (6) keep a record and minutes of its meetings, proceedings
10 and hearings and submit an annual report of its activities to the
11 governor and other interested parties;

12 (7) limit or condition the authority to practice physical
13 therapy, or discipline a practitioner, in accordance with AS 08.84.-
14 185(a); and

15 (8) adopt regulations under AS 44.62.180 - 44.62.290 neces-
16 sary to carry out the purposes of this chapter including regulations
17 establishing qualifications for licensure and renewal of licensure as a
18 physical therapist, a [OR] physical therapy assistant or an athletic
19 therapist.

20 • Sec. 2. AS 08.84.030 is amended by adding a new subsection to read:

21 (b) To be eligible for licensure by the board as an athletic
22 therapist, an applicant shall

23 (1) possess one of the following qualifications:

24 (A) have met the athletic training curriculum require-
25 ments of a college or university approved by the board, and
26 approved by the National Athletic Trainers Association or the
27 American Physical Therapy Association, and give proof of gradua-
28 tion;

29 (B) hold a certificate or a degree in physical therapy

1 and have completed:

2 (i) an approved basic athletic training course;

3 (ii) an approved first aid and cardiopulmonary
4 resuscitation course;

5 (iii) an approved nutrition course; and

6 (iv) have spent a minimum of 600 hours working
7 under the direct supervision of a licensed athletic therapist,
8 however, the board may waive or lessen the hour requirements
9 if the applicant demonstrates equivalent experience; or

10 (C) have completed at least four years beyond the
11 secondary school level, while a student, as an apprentice athletic
12 therapist at a college or university under the direct supervision
13 of a licensed athletic therapist; ^{1,600 hrs -} the four years must be consecu-
14 tive years of supervision, military duty excepted; an applicant
15 for licensure under this paragraph must show proof of graduation
16 from an accredited college or university and successful completion
17 of courses in athletic training, first aid, cardiopulmonary resus-
18 citation, nutrition, anatomy, physiology and kinesiology.

19 (2) pass to the satisfaction of the board an examination
20 prepared by the Professional Examination Service Association or by a
21 national testing service approved by the board to determine his fitness
22 for practice as an athletic therapist;

23 (3) meet qualifications for licensure established in regula-
24 tions adopted by the board under AS 08.84.010(b)(8).

25 * Sec. 3. AS 08.84.040 is amended to read:

26 Sec. 08.84.040. APPLICATION FOR LICENSE. To be licensed as a
27 physical therapist, a [OR] physical therapy assistant, or an athletic
28 therapist an applicant shall apply to the board on a form prescribed by
29 the board. An applicant shall include in his application, evidence

1 under oath that he possesses the qualifications required by AS 08.84.-
2 030 or 08.84.032.

3 * Sec. 4. AS 08.84.060 is amended to read:

4 Sec. 08.84.060. LICENSURE BY ACCEPTANCE OF CREDENTIALS. The
5 board may license without examination an applicant who is a physical
6 therapist, a [OR] physical therapy assistant, or an athletic therapist
7 licensed under the laws of another state or territory or the District
8 of Columbia, if the requirements for licensure in that state or terri-
9 tory or the District of Columbia, were, at the date of his licensure,
10 substantially equal to the requirements in this state.

11 * Sec. 5. AS 08.84.080 is amended to read:

12 Sec. 08.84.080. EXAMINATIONS. The board shall examine applicants
13 for licensure as physical therapists, [OR] physical therapy assistants,
14 or athletic therapists at the times and places it determines.

15 * Sec. 6. AS 08.84.090 is amended to read:

16 Sec. 08.84.090. LICENSURE. The board shall license an applicant
17 who meets the qualifications for licensure under this chapter. It
18 shall issue a license certificate to each person licensed. A license
19 certificate is prima facie evidence of the right of the person to
20 represent himself as a licensed physical therapist, a [OR] licensed
21 physical therapy assistant, or an athletic therapist.

22 * Sec. 7. AS 08.84.100(a) is amended to read:

23 (a) A licensed physical therapist, [OR] physical therapy assis-
24 tant, or athletic therapist shall renew his license every four years
25 with the Department of Commerce and Economic Development on or before
26 the date set by the department under AS 08.01.100(a). If the license
27 is not renewed on or before that date, it lapses.

28 * Sec. 8. AS 08.84.100(c) is amended to read:

29 (c) A license may not be renewed unless the applicant demonstrates

1 his competence as a physical therapist, a [OR] physical therapy assis-
2 tant, or an athletic ^{trainer} therapist in a manner established by the board in
3 regulations adopted under AS 08.84.010(b)(8).

4 * Sec. 9. AS 08.84.120 is amended by adding a new paragraph to read:

5 (11) as an athletic ^{trainer} therapist has attempted to practice
6 physical therapy which has not been initiated, supervised, and termin-
7 ated by a team physician licensed to practice medicine, osteopathy,
8 dentistry, or podiatry.

9 * Sec. 10. AS 08.84.130 is amended by adding a new subsection to read:

10 (c) A person not licensed as an athletic ^{trainer} therapist or whose
11 license is suspended, revoked, or lapsed, who in any way, orally or in
12 writing or directly or by implication, represents himself as a licensed
13 physical therapy athletic trainer is guilty of a misdemeanor.

14 * Sec. 11. AS 08.84 is amended by adding a new section to read:

15 Sec. 08.84.155. LICENSURE OF ATHLETIC ^{trainer} THERAPISTS It is unlawful
16 for anyone to practice physical therapy as an athletic therapist without
17 being licensed in accordance with this chapter unless as an athletic
18 therapist apprentice fulfilling the requirements of AS 08.84.030(b),
19 and then only unless under the continuous direction and immediate
20 supervision of a physical therapist.

21 * Sec. 12. AS 08.84.190 is amended by adding a new paragraph to read:

22 (5) "athletic ^{trainer} therapist" means a person who practices
23 physical therapy for the prevention or physical rehabilitation of
24 injuries incurred by participating athletes at an educational institu-
25 tion, professional athletic organization, or other athletic organiza-
26 tion.
27
28
29

SECTIONAL ANALYSIS SS HB 106

"Ac Act providing for the Licensing of Athletic Therapists"

SECTION 1

AS 08.84.010 amended. Two licensed athletic therapists are added to the State Physical Therapy Board. This increases total Board membership from five to seven. The Board is granted jurisdiction to control all matters pertaining to the licenses of athletic therapists.

SECTION 2

AS. 08.84.030 Adds a new subsection regarding licensure of athletic therapists and qualifications. Applicant must have either:

1. Athletic training curriculum requirement at a approved college or university OR

2. hold a certificate or degree in physical therapy and have completed certain stated courses and have spent 600 hours working under direct supervision of licensed physical therapist athletic trainer--subject to waiver by equivalent experience. OR

3. have spent at least 4 years past high school as an apprentice athletic therapist. College or University graduation required. Required courses are specified.

In addition to one of the foregoing criteria, the applicant must pass a Board selected exam and meet any Board approved regulations.

SECTION 3

AS 08.84.040 amended. Athletic therapists shall apply to the Board for licensing.

SECTION 4

AS. 08.84.060 amended. Board may license athletic therapists from another state or D.C. or territory if requirements are substantially equal to Alaska's.

SECTION 5, AS 08.84.080 Examinations; SEC. 6. AS.08.84.090 Licensure; SEC.7 AS. 08.84.100(a) and SEC. 8, AS. 08.84.100(c) are appropriately amended to add athletic therapists.

SECTION 9

AS 08.84.120 New subsection added: The Board may refuse to license or suspend an applicant who has attempted to practice without a physician's supervision.

SECTION 10

AS 08.84.130: New subsection added: An unlicensed individual who represents himself as a licensed athletic therapist is guilty of a misdemeanor.

SECTION 11

New section added to AS 08.84 "Licensure of Athletic Therapists"
Must be licensed under this chapter to practice unless apprentice
working under a physical therapist.

SECTION 12

AS 08.84.190 amended. New subsection. Define athletic therapist to mean
" a person who practices physical therapy for the prevention of physical
rehabilitation of injuries incurred by participating athletes at an educational
institution, professional athletic organization, or other athletic organization.

Monday Feb 1st - Hour HESS com.

Present Lato, Smith, + Mackes

HB 114

1) Bob Lolo - 1977 was composed of two separate staff.
prev. reduction 50%
Most members favorable.

? Decrease staff - on all levels.

Over lapping terms

Strike language c. p. 1.

Dr. Phil Bach -

* Slopen from Florida

Lectured in Sitka 1981-

Dr. Katania - diagnostics drugs. continuing ed.
Education - low for back license optometrist -
of det. sect.

Malpractice - decrease in rates for optometrist.
large geographic areas -

primary diagnosis -

? on referrals low in Penn - diagnostic

Oregon journal cases ↔ of no treatment.
has confirmation
of specialist.
Optometrist

Board

opt guild line - is there a written req.

quality medical system

Tool of professions

Why should Alaskan be deprived of the
best a professional sys. has to offer.

many new risks - public unaware ???

Always a new medical procedures.

margins

latency

H B

110

COMMITTEE REPORT

HOUSE

81

FURTHER:

Date: 2-17-81

Mr. Speaker: HEALTH, EDUCATION & SOCIAL SERVICES
The Committee on SOCIAL SERVICES has had HB 110

"An Act relating to the WICHE student exchange program."

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 HB 110 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:

Larry Minter
Bob Williams
Bob Cochran

Bob Cochran
CHAIRMAN

APPENDIX B

WICHE GOALS STATEMENT

The following description of WICHE's goals, objectives, and functions is excerpted from its current bylaws.

Description

The Western Interstate Commission for Higher Education (WICHE) is a public, interstate agency which operates under the Western Regional Education Compact. This compact has been adopted by the legislatures of the thirteen western states and has been signed into law by their governors.

Goals

WICHE's goals are, through regional cooperation, to increase and improve opportunities in higher education for men and women in the thirteen western states; to increase the pool of specialized manpower in these states; and thereby to advance the educational, social, cultural, and economic development of the region.

Objectives

In order to achieve these goals, WICHE has established the following objectives:

- a. To improve the quality of education beyond the high school
- b. To expand educational opportunities, including those in continuing education
- c. To coordinate and expand interstate and interinstitutional cooperative programs
- d. To help institutions of higher education improve both their academic administration and institutional management
- e. To assist the educational community to appraise and respond to the changing needs of the West
- f. To raise the public's level of understanding of the role of higher education

Functions

In developing its program, WICHE functions in accordance with the following statements:

- a. It serves the states and institutions as an administrative and fiscal agent for carrying out interstate arrangements for educational services.
- b. It has no authority or control over member states or individual educational institutions; rather it works by building consensus based on joint deliberation and the recognition of relevant facts and arguments.
- c. It serves as a fact-finding agency and a clearinghouse of information about higher education, and makes basic studies of needs and resources in the West.
- d. It acts as a catalyst in helping member states work out programs of mutual advantage by gathering information, analyzing problems, and suggesting solutions.
- e. It serves as a neutral convener on interstate problems and aims to build bridges of understanding among all the various constituencies that have a stake in education beyond the high school.
- f. It cooperates with recognized state, regional, and national agencies, organizations, and institutions with similar concerns and avoids duplication of effort where feasible.

Program Criteria

The name of the agency implies certain criteria:

- a. Western. The program has significant implications for the West, but may have implications for other states as well. Often, there are national implications.
- b. Interstate. The program has significant implications for more than one state--usually a group of states--sometimes all thirteen. Interstate and interinstitutional cooperation are implied.
- c. Commission. The program is sponsored or co-sponsored by the Commission and has its approval.
- d. Higher Education. The program has a significant component related to some aspect of higher education--that is, education beyond the high school, including continuing education and adult education.

H B

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The
ALASKA OPTOMETRIC ASSOCIATION

AFFILIATED WITH
AMERICAN OPTOMETRIC ASSOCIATION

PROFESSIONAL PERSPECTIVES

No. 3

PRESIDENT
George Hall O.D.

SEC-TREAS
Dennis Swamer O.D.

LEGISLATIVE COMM.
Maynard Falconer O.D.
Phillip Bach O.D., Ph.D.

A PREVENTABLE INCIDENT

A dramatic example of the requirement for drugs in optometric practice was a recent court case. The action, a malpractice suit against an Anchorage optometrist, was settled in December 1980 for \$240,000. It redressed the loss of an eye whose vision was reduced to light perception as the result of a detached retina. Had the optometrist been able to dilate the pupil, he would have seen the beginnings of detachment in the periphery of the retina and thus instituted emergency procedures leading to early surgery that might have saved the eye.

When the professional has legal responsibilities but lacks the full set of working tools in his field, he is in an untenable position.

JAMES H. PATTERSON, M.D.

Diseases and Surgery of the Eye
Subspecialty Pediatric Ophthalmology
3500 LATOUCHE
ANCHORAGE, ALASKA 99504

Telephone 907: 274-2252

February 23, 1981

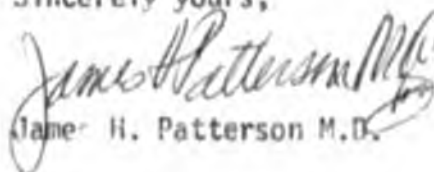
Mr. Terry Martin
Representative
Pouch V
Juneau, Alaska 99811

Dear Terry:

During this legislative session you will be asked to vote on HB 111 or SB 136 giving the optometrists the right to use "ophthalmic drugs". It is very easily documented that the present training and level of expertise of the optometrists in the state of Alaska in no way qualifies them to use medications. The wording in these Bills, giving privileges for "ophthalmic drugs" approved by the Board of Examiners of Optometry opens the door for the optometrists to use both diagnostic and therapeutic drugs. For the past two sessions the optometrists have limited their request to diagnostic drugs. They now want to become physicians with the privileges of prescribing all ophthalmic medications by fiat rather than through the established mechanisms of a medical education. The use of ophthalmic drugs by optometrists would in no way increase the quality of optometric services provided to the people of the state of Alaska and would possibly give those patients on whom optometrists use of medications a false sense of security if indeed they were reassured after their examination that all things are copacetic.

I would appreciate your serious thoughts and considerations as to the full implications and ramifications of permitting optometrists the use of "ophthalmic drugs". This legislation in its present form should be defeated. As a physician I would appreciate any and all of your efforts in helping defeat this legislation in its present form.

Sincerely yours,


James H. Patterson M.D.

JHP:plz



March 10, 1981

Don Clocksin
Chairman House HESS Committee
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Clocksin:

I had the opportunity to sit in on some of the testimony during the teleconference in regards to ~~House Bill 1111~~. There are a few points that might not have been brought forth, that I would like to address.

First, many people go to Optometrists for vision care solely because of their expertise in evaluating and solving problems of the visual system. Optometry and Ophthalmology have vastly different approaches to interpreting the visual system. This would follow in line of our educational background; Ophthalmology stresses the medical aspect of the eye (infection and disease) with much less depth in visual problems, whereas, Optometry is just the opposite. There was reference by some Ophthalmologists at the teleconference who wanted Optometrists to categorically state to their patients that they are not eye physicians. This is as absurd as mandating Ophthalmologists to state that they are not Optometrists and implying that their approach to vision care is not up to a certain standard.

The second point I wish to make is that Ophthalmology is not the only medical discipline that Optometry refers to. I have personally referred to Internists, Neurologists, Dermatologists, General Practitioners and of course Ophthalmologists. This is an illustration that Optometry is a primary entry point into the health care system. Many people, especially in the 40-70 age bracket, have their eyes checked more frequently than a general medical check, therefore, it is essential to evaluate the eye system and the surrounding structures as thoroughly as possible not only to help detect an eye health problem but a general health problem and to refer to the proper medical discipline. This is best accomplished, in some instances, by the use of Ophthalmic drugs.

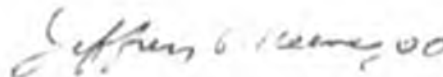
Thirdly, it doesn't make sense that an Optometrist would not refer a patient who has need of further health care. The patients that we see are often, figuratively and literally our neighbors. Talk of mandatory

page 2
March 10, 1981

referral with specialized forms and check lists is strictly a device by Ophthalmology to enhance their own position at the expense of Optometry as a disciplined profession. Referral is a professional judgement based on educational and clinical experience. Nowhere in the health care system is referral mandated based on criteria set by one discipline over another. This destroys the independent professional judgement and since, referral is 'mandated' by our code of ethics and our professionalism this idea by Ophthalmology is completely unnecessary.

Finally, in regards to our educational background for the use of Ophthalmic drugs, it has to be emphasized that there are several groups of people in the state of Alaska i.e., Community Health Aides, Nurse Practitioners, Physicians Assistants, that use these drugs with far less training than Optometrists. Are they having a detrimental affect on the people they service? I think not or there would be a demand for discontinuing their use. The real issue come down not to whether Optometry or Ophthalmology will gain or lose because of this legislation but what will be the best for the people of Alaska. If this is truly kept in mind I believe this legislation will be passed. Thank You.

Sincerely,



Jeffrey G. Keene, O.D.

JGK/zmt

cc: House HESS Committee

DR. M. C. FALCONER
DR. J. C. FALCONER
DR. G. L. HALL
DR. T. F. HARBOUR
DR. B. L. WALKER
DR. W. D. FAULKNER
OPTOMETRISTS

ANCHORAGE EYE AND CONTACT LENS CENTER

1345 W. NINTH AVE. PHONE: 272-2557

ANCHORAGE, ALASKA 99501

December 13, 1979

Representative Terry Martin:

This 20/40 (or required referral) has been introduced into 15 to 20 states in the last 15 years. No state has past it and very few have even considered it in depth because it is self-serving - legislation.

No other medical specialty has such a statute for compulsory referral.

To list symptoms to take the place of professional judgement is ridiculous. The only result of such legislation would be to increase referrals to the ophthalmologist and increase medical cost to the patient.

Included are a few statements made by various professionals when such legislation was proposed.



M.C. Falconer, O.D.

A Brief Rebuttal
of the
ACT
TO REQUIRE OPTOMETRISTS TO REFER PERSONS WITH CERTAIN
EYE SIGNS AND SYMPTOMS TO OPHTHALMOLOGISTS (H 4950)

H 4980 would make it mandatory for optometrists to refer patients to an ophthalmologist based on the presence of a limited series of eye signs and symptoms which are outlined in the bill. The optometrists in Massachusetts strongly feel that this bill is unnecessary and inappropriate for the reasons outlined in this brief rebuttal. A more detailed response to H 4980 will be presented at a later date.

Optometrists who note the presence of signs and symptoms which may, in their professional judgment, be indicative of a disease do presently refer such patients to an appropriate health professional. This health professional may not always be an ophthalmologist, for patients with certain signs and symptoms are often more appropriately referred to a medical specialist other than an ophthalmologist.

The judgment as to when a referral is necessary for the patient's welfare and to whom the referral should be made is an integral part of an optometrist's training, and indeed, pervades all areas of the four year optometry school curriculum.

An official statement made by Former HEW Secretary Elliot Richardson fully acknowledges optometry's competency in detecting abnormalities of the eye. In a 1971 report filed with the President and the Congress of the United States as official policy of the Department of Health, Education, and Welfare, Secretary Richardson stated:

"Optometrists are trained to detect any departure from the optimally healthy eye. The scope of optometric services has expanded beyond basic clinical refractions..."

Thus, by training and legal opinion, optometrists are obviously health practitioners trained in the detection of disease and as health professionals their training and professional judgment renders them capable of determining when referrals would be appropriate.

Moreover, the optometrists in Massachusetts are presently supporting a bill (H 911) which will, in part, require the referral of health conditions beyond the scope of their professional licensure. The bill reads as follows:

"Any optometrist who in the course of his examination of a patient discovers a health condition requiring treatment beyond the scope of his professional licensure shall refer said patient to an appropriate health care practitioner."

To make referrals by optometrists mandatory based on the limited series of signs and symptoms outlined in the proposed act is an infringement of the professional responsibility of the optometrist, and will result in much unnecessary expenditure of time and money on the part of the patients in the Commonwealth.

We feel that the proposed act would not serve the best interests of the citizens of the Commonwealth of Massachusetts. We therefore urge that the bill be defeated.

Gerald S. Davis, O.D., Chairman
Dept. of Legal & Legislative Affairs

GSD/gr

NEW JERSEY OPTOMETRIC ASSOCIATION

**Statement
on**

A-1681

The New Jersey Departments of Labor, Health and Higher Education define an optometrist, doctor of optometry (O.D.), as "a person specifically educated, trained and state licensed to examine the eyes and related structures to determine the presence of vision problems, eye disease or other abnormalities by any means including diagnostic drugs. He prescribes and adapts lenses or other optical aids including contact lenses and may use visual training when indicated to preserve or restore maximum efficiency of vision."

Optometry is the profession specifically licensed to care for human vision. Based on scientific knowledge concerning human vision, the sciences of optics, chemistry, pathology, biology, microbiology, neurology, pharmacology, physics, physiology, anatomy and psychology form an integral part of optometry's background.

The professional degree program in optometry requires four years which must be preceded by at least two years at an accredited college or university, in the same manner as anyone may be admitted to a medical or dental school. (Many students, however, exceed the minimum requirement of two years pre-professional study). In 1973-'74 academic year, 58.7% of all first year optometric students held bachelor degrees, master degrees or higher. Following a minimum of six years of education and clinical internship, the optometrist is granted the degree of doctor of optometry (O.D.).

Students are educated in one of twelve U.S. schools of optometry, seven of which are university affiliated and all of which are accredited by appropriate regional accrediting bodies in addition to the American Optometric Association's Council on Optometric Education which is recognized by the National Commission of Accrediting and the U.S. Office of Education. (See exhibit #A)

Since the thrust of Assembly Bill 1681 challenges the educational credentials of an optometrist which would permit him the knowledge necessary to recognize and diagnose certain problems relating to eye diseases, it becomes essential to review the typical optometric curriculum as required in this instance, by the Pennsylvania College of Optometry. Founded in 1919, PCO has graduated 3,294 students. Over 59% of all optometrists practicing in New Jersey are PCO graduates. For the past ten years, an average of 12.5% of the entering class were New Jersey residents.

The Division of Biological Sciences at Pennsylvania College of Optometry provides the optometric student with an integrated knowledge of the detailed anatomy, biochemistry and physiology of the visual apparatus and a comprehensive biological understanding of the phenomenon of vision. Moreover, the curriculum in the Biological Sciences Division provides a foundation of courses concerning the prevention, diagnosis and treatment of ocular disorders. Fundamentally the biological curriculum establishes a background for the practice of optometry:

OCULAR BIOLOGY: Includes a detailed, gross anatomical study of the eye and its adnexa with the correlation of specific relationships of the ocular structures to the systems. The students use optometric instruments which particularly emphasize and reinforce certain aspects of the living eye. Along with gross anatomy a comprehensive study of the developmental anatomy of the eye and its adnexa is offered. The differentiation of ocular tissue is traced from the early eye primordium to maturity. Normal postnatal changes as well as developmental abnormalities that have optometric significance are included. The environmental and genetic influences upon the size, shape, organization and refractive status in normal and anomalous development are considered. The chemical composition, metabolic activities and physiological functions of the various segments of the eye are discussed in detail with special emphasis on clinical aspects of the subject.

OCULAR PHARMACOLOGY: The ocular pharmacology course follows from the general pharmacology taught in Systemic Biology and deals with the experimental and clinical rationale for drug treatment of ocular disorders. The lecture material discusses such subjects as the use of local anesthetics, antihistamines, anti-inflammatory agents, myoptics, mydriatics, cycloplegics, carbonic anhydrase inhibitors, anti-infectives and miscellaneous agents of ocular importance. In addition, the ocular side effects of systemic medications are discussed. The laboratory stresses the use of a variety of drugs in "animal model systems" which simulate ocular disease states in man.

VEGETATIVE PHYSIOLOGY OF THE EYE: Vegetative Physiology of the Eye is a continuation of the Ocular Biochemistry and Physiology course of the first and second professional years. It particularly emphasizes aspects of the subject which are of direct clinical value and gives the student information on current research activities in this field. Topics covered include normal and modified tear chemistry, effects of contact lens wear on corneal metabolism, measurement of intraocular pressure and ocular rigidity, tonography, the biochemical basis of cataract formation, advanced vitreous body chemistry, electrophysiology of the retina, electro-oculography, metabolism of the retina, photo chemistry of vision, ocular circulation and inborn errors of metabolism which affect the eye.

Another division of the curriculum is the Division of Professional Studies whose purpose is to provide the student with the necessary theory and clinical techniques used in present day optometric practices. Starting with an exposure to the philosophy of the profession, the student progresses through the instrumentation and theoretical concepts underlying clinical practice. Concurrently, the student is learning to understand disease processes. This requires the application of the principles of anatomy, biochemistry, physiology, microbiology and pharmacology. The clinical manifestation of disease (especially ocular) is taught so that the student can recognize and diagnose ocular disease:

PATHOLOGY I (General): The course will be an intensive coverage of pathological processes as they affect the human body. Process will be stressed so that the underlying phenomenon will be known to the student of the system involved. Heavy emphasis will be placed on the microbiological implications, and the histopathological picture especially in the laboratory sessions. However, this will be integrated with symptomatology, clinical picture and therapeutic techniques. Ocular tissues may be used as examples, however no effort will be made to emphasize these at this point.

PATHOLOGY II (Ocular): The student will be taught how various tissues of the eye. His background in pathological processes in general combined with his detailed knowledge of the anatomy and physiology of the eye and its adnexa will be drawn together so that the symptoms and clinical picture of the various structural pathologies will be readily explainable. Tissue changes will be covered superficially with stress being placed on recognition of pathology and differential diagnosis from the clinical picture and symptoms.

Ocular therapeutics will also be covered in detail. Laboratory sessions will emphasize pathology detection in human patients. Slide presentations will be used where human patients are not available. Animal experimentation, although used, will be minimal. The final lecture period will be in the form of a clinical conference where case records from the clinical files will be discussed to train the student in the use of inductive reasoning in arriving at a diagnosis.

A typical four year optometric curriculum (see exhibit #B) emphasizing only the physiological and pathology subjects would result in the following cumulative hours:

COURSE	TOTAL HOURS
Physiological Optics (I)	75
Physiological Optics (II)	160
Physiological Optics (III)	18
Ocular Pharmacology	64
Pathology I (general)	64
Pathology II (ocular)	64
Pathology II	16
Vegetative Physiology of the Eye	64
Clinical Optometry	1560

	2085

It is important to recognize in contrast to the requirements for licensure of an optometrist in this State, any physician licensed by the State Board of Medical Examiners can call himself an "eye specialist", "oculist" or "ophthalmologist" without having any additional training whatsoever, other than the 35 hours of study of the eyes he receives in medical school. There is no legal requirement for special education or state board examinations. As a result only 50% of the ophthalmologists are board certified or board eligible, meaning so recognized as having met the requirements established by the National Board of Ophthalmology which is the recognized accrediting board for the specialty.

It is essential at this point to review some of the statutory requirements placed upon individuals licensed to practice the profession of optometry by the State of New Jersey. Optometry is regulated by Title 45, Chapter 12 of the New Jersey Statutes revised.

45:12-1. Practice of Optometry defined. Optometry is hereby declared to be a profession, and the practice of optometry is defined to be the employment of objective or subjective means, or both, for the examination of the human eye for the purpose of ascertaining any departure from the normal, measuring its powers of vision and adapting lenses or prisms for the aid thereof. A person shall be deemed to be practicing optometry within the meaning of this Chapter who in any way advertises himself as an optometrist, or who shall employ any means for the measurement of the powers of vision or the adaptation of lenses or prisms for the aid thereof, practice, offer or attempt to practice of optometry as herein defined, either on his own behalf or as an employee or student of another, whether under the personal supervision of his employer or preceptor or not, or to use testing appliances for the purpose of the measurement of the powers of vision or diagnosis of any ocular deficiency or deformity, visual or muscular anomaly of the human eye or prescribes lenses, prisms or ocular exercises for the correction or the release thereof or who holds himself out as qualified to practice optometry. (as amended by P.L. 1948, c.350,s.1)

This definition of the practice of the profession of optometry as has been clearly interpreted by both the legislative and judicial branches of government to clearly define that optometry is a profession adequately trained and state licensed to diagnose ocular pathology. Along with the responsibilities for diagnosis lies the inherent responsibility for referral to another specialized practitioner when conditions indicate that that is necessary for the patient's visual welfare.

With regard to the previously discussed academic requirements, to be licensed as an optometrist in the State of New Jersey, one also should be aware of the following: After you receive your O.D. degree, you are then required to pass a comprehensive state board examination before you are licensed to practice optometry. Over twenty years ago, the New Jersey State Board of Optometrists promulgated a rule that requires a minimum examination to be performed on every patient to be examined by an optometrist. Several years ago the rule was amended making it mandatory that tonometry (a test to determine the presence of glaucoma) be performed on each patient forty years of age or older. (see exhibit #C)

The Board's authority to make the minimum examination rule was contested by two optometrists. In the case of Weston verses the New Jersey State Board of Optometrists, after four days of testimony, Judge Frank J. Kingfield, in his opinion, stated:

"The practice of optometry involves, not alone the measurement of the powers of vision, but also diagnosis and prescription for the revealed ocular deficiency or deformity of visual or muscular anomaly of the eye. I think it should be likewise clear that R.S. 45:12-11 (v) and rule eight were enacted for the health, welfare and safety of the public. All the experts, and I think everybody involved in this litigation concede that a patient who visits the office of an optometrist has the right to expect a thorough and complete eye examination as a result of such a visit. The purpose, I think and the intent of the statute and the rule, and the nature of the profession indicates that the discovery of pathology is

Included within the scope of the responsibility and the minimum examination to be administered by an optometrist. I think it has been established that graduates of colleges teaching optometry receive training in ocular anatomy and pathology, and also the means of making such diagnosis."

Judge Kingfield's opinion was later sustained by the
New Jersey Supreme Court:

"Section 1 defines optometry, as the practice of ascertaining departures from the normal in the human eye and Section 4 grants the Board wide powers in promulgating rules, regulating optometry for the public's safety and welfare. Appellants' experts agree that the test under attack might lead to the discovery of certain states of pathological conditions. This fact was even more emphatically confirmed by experts for the Board. Clearly the discovery of such departures from the normal would be in the interest of the public welfare. It is not enough to say that other procedures would be more appropriate that end...when the legislature undertook to regulate the practice of optometry it undoubtedly did so in recognition of the specific public interest involved in the treatment of the human eye."

Other judicial decisions further uphold optometry's
clear responsibility and authority to diagnose ocular pathology:

State versus Standard Optical Company, 182 Oregon 452,
182 Pac 2d 309, 313 (1947), Supreme Court:

"While it is true that an optometrist is not permitted by law to treat diseases of the eyes, nevertheless, his training enables him to diagnose pathological conditions, and his duties require him to render the patient to a practitioner who is qualified to treat such conditions. The fact that he is trained to diagnose pathological conditions in itself indicates that the optometrist is not a mere skilled craftsman or mechanic."

United States Supreme Court - in Williamson verses Lee Optical Company, 348, U.S. 483 - (1955):

"An ophthalmologist is a duly licensed physician who specializes in the care of eyes. An optometrist examines eyes for refractive error, recognizes (but does not treat) diseases of the eye and fills prescriptions for eye glasses."

Formal opinion 1961 - Number 8, Attorney General -
State of New Jersey:

..."Optometrists have training in the diagnosis of pathology of the eye and unquestionably have a duty to refer cases involving ocular pathology to medical doctors." ...

Since 1903, the New Jersey Optometric Association has fostered the highest principles of optometric practice reflecting quality patient care. An integral part of proper patient care in all health care professions is the sacred application of inter-professional referral, when symptoms indicate that adequate treatment is beyond the scope of the attending practitioner. This principle applies to all branches of the healing arts; medicine, dentistry, optometry, podiatry, etc. NJOA recognized the principle over 20 years ago when our Association adopted its code of ethics which (in part) clearly specifies our position on such matters:

"Each member shall refer cases that indicate the need of other than optometric care to a qualified practitioner; the optometrist and the practitioner co-operating for the best interests of the patient."

In December 1972, NJOA, in a continual effort to update and re-evaluate available data on trends in optometric practices, conducted a membership wide survey specifically relating to referral to other health care practitioners. (See exhibit 10). This continuing survey reveals an effective referral procedure being utilized by optometrists throughout the State. (Since the inception of this survey, we have accumulated records on over 3,000 patient referrals.)

Virtually every pathological condition, both ocular and systemic have been reported. The survey clearly indicates that every optometrist had established in his own office a referral mechanism to insure that his patients received the best quality care available. This referral mechanism is, contrary to the intent of A-1681, a professional judgement on the part of a qualified independent practitioner, rather than a superfluous set of meaningless guidelines established by legislative mandate which attempts to legislatively define symptoms of ocular pathology that should be referred to an ophthalmologist for further consultation. It is absolutely impossible to legislatively mandate referral: since this is a matter of professional judgement and must be the sole responsibility of the individual practitioner. With the complexity of health care and the corresponding necessity for specialization, referral has become a form of treatment. Treatment is determined by professional judgement. If in fact the legislature feels qualified to set up guidelines for inter-professional referral for optometry to ophthalmology, then it is logical to assume that similar guidelines should be established from podiatry to orthopedic surgeons; dentistry to general medicine; general medicine to all specialty disciplines and so on. It is not too long before one realizes that this concept would be counter to every principle of good patient care.

The opening paragraph of A-1681 indicates that the legislature defines and declares that optometrists, as defined in R.S. 45:12.1 are not sufficiently qualified to diagnose certain problems relating to eye diseases. This statement is a total contradiction to the Statute, as specified, regulating the profession of optometry. The regulating statute itself, in addition to many judicial interpretations of that statute, have clearly supported the fact that optometrists are qualified to diagnose ocular pathology.

If the legislature were capable of drafting appropriate guidelines for inter-professional referral, then there appears to be little reason to educate a professional eight or more years in the healing arts.

A-1681 is a classic example of how simple it is to introduce a piece of legislation without ascertaining the relating facts to support the contention of the bill. We sincerely hope that this relatively short synopsis of our position has given the reader a better insight into the profession of optometry.

We would respectfully request that the sponsors of A-1681, after having an opportunity to review the facts, withdraw this bill from further legislative consideration.

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EXHIBIT A
OPTOMETRIC COLLEGES

1. Illinois College of Optometry
2. Indiana University (Division of Optometry)
3. Southern California College of Optometry
4. Massachusetts College of Optometry
5. Pacific University (College of Optometry)
6. Pennsylvania College of Optometry
7. Southern College of Optometry
8. State College of Optometry (State University of N.Y.)
9. The Ohio State University (College of Optometry)
10. University of Alabama in Birmingham
(School of Optometry/The Medical Center)
11. University of California (School of Optometry)
12. University of Houston (College of Optometry)

The New Jersey State Board of Optometrists requires that each optometrist must perform a 16 point eye examination covering the following procedures:

1. History (Eye, general health)
2. Unaided visual acuity (ability to see without glasses)
3. External examination of the eye (lids, pupils, eye movements and response to light)
4. Ophthalmoscopic examination (examination of the inside of the eye to discover eye diseases)
5. Corneal Curvature measurements (to examine the eyes for astigmatism and/or contact lens prescription)
6. Static Retinoscopy (determine amount of lens power needed to correct nearsightedness, farsightedness and astigmatism)
7. Convergence and accommodation (ability of both eyes to focus clearly at all distances)
8. Phoria and Duction (eye alignment and muscle power)
9. Subjective findings (patients' responses which aid in determining the prescription for your best vision)
10. Fusion (ability to focus both eyes at the same time)
11. Stereopsis (ability to judge depth and distance and relationship)
12. Color Vision (tests for color deficiency)
13. Visual fields (peripheral) (measures side vision)
14. Prescription and visual acuity (final diagnosis & prescription)

When necessary, two additional procedures:

15. Visual Fields (central) (aids in determining disease in and behind the eyes)
16. Tonometry (measurement to determine internal pressure of the eye for the detection of glaucoma)

REQUIRED OPTOMETRIC EQUIPMENT

1. Ophthalmoscope
2. Retinoscope
3. Ophthalmometer
4. Refractor or a trial frame or phorometer with trial case, auxiliary prisms and lenses
5. Test objects for stereopsis and fusion
6. Charts for distance and near visual acuity
7. Pseudoisochromatic charts for color vision
8. Tangent screen or perimeter
9. Accurate corneal or scleral tonometer to determine intraocular pressure.

****PLEASE NOTE****

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

NEWSPAPERS

"THE PEN"

Vol. 4 No. 12 12/1/1980

Vol. 4 No. 2 2/1/1980

Optometrists - Jan Konstantian

Dr. Roy Boy + Gilbert Kemp

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