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STATE OF ALASKA
THE LEGISLATURE

MAR 12 1985

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JUNEAU, ALASKA 99811
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LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

March 12, 1985

SUBJECT: Regulation of the practice of psychology
(Work Order No. 14-0617)

TO: Senator Jalmar Kerttula

FROM: Teresa B. Cramer *ABC*
Legislative Counsel

You have asked for a summary of the enclosed draft.

Section 1 amends AS 08.86.070(1) to require the board to establish objective examination requirements. The section also repeals paragraphs 10 and 11 as redundant because the board has authority to adopt regulation under AS 08.86.080.

Section 2 permits the board to accept applicants with degrees from schools whose program does not meet the requirements of the American Psychological Association Education and Credentialing Committee in Psychology if the program is approved by the board. The section also requires the board to accept applicants with degrees in subjects not now accepted.

Section 3 makes a technical change to the temporary licensing statute because of the amendment in section 2 adding examination requirements to AS 08.86.130.

Section 4 makes technical amendments to continue permitting the board to issue temporary licenses without examination. It clarifies that a licensed or certified psychologist may qualify for a license by credentials either through education and licensing by another licensing jurisdiction or by being a diplomate of the American Board of Professional Psychology.

Section 5 amends the statute on qualifications for psychological associates to reflect the expanded recognition of academic institutions contained in section 1 of the bill.

Barry M. Levit, M. Ed.

Psychological Associate
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APR 2 1985

March 29, 1985

The Honorable Fred F. Zharoff
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

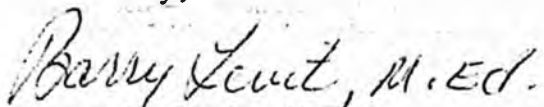
Dear Senator Zharoff,

I would like to express my support for Senate Bill No. 251, introduced by Senators Kertulla and Josephson. The bill addresses the Regulation of Psychology.

I know that my colleagues join me in hoping that the bill is acted upon quickly and positively.

Thank you.

Sincerely,



Barry M. Levit, M.Ed.
Licensed Psychological Associate

BML:cmp

A REVIEW AND CRITIQUE OF THE ALASKA PSYCHOLOGISTS AND
PSYCHOLOGICAL ASSOCIATES STATUTES AS 08.86, AND
THE ALASKA ADMINISTRATIVE CODE 12 AAC 60

With Recommendations and Suggestions for Change

Robert M. Arvidson
Odiak Slough
Cordova, Alaska; March 1984

Abstract

A review of the Alaska Psychology Statutes and Administrative Code reveals rather advanced licensure requirements for two new frontiers (Psychology and Alaska). This review and critique is concerned with the restrictive nature (e.g., sanctions for psychoanalytic practice) of the statutes on the one hand and the somewhat arbitrary exemptions to the act on the other. Criticisms are also directed towards problems of definition and specialty designations, the adoption of the approved program concept and post-graduate experience requirements for psychologists, and to the entry examination. Recommendations are made for both technical and substantive statutory review by legislative committees and for an orientation towards primary prevention. General suggestions are cast towards the future need of mental health enhancement services in a culturally diverse great northland where population growth is expected to accelerate.

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Robert M. Arvidson
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In reviewing the enabling Acts for psychology in Alaska, one is struck by the complex licensing requirements for a young science^{1,2} and profession in a new frontier (Alaska) where the delivery of psychological health services should be developed and oriented towards the needs of the people. One is also struck by the blurring of distinctions between the disciplines of psychology and psychoanalysis. In addition, a review of the Statutes and Code reveals confusion concerning the definition of critical terms, the lack of designations for appropriate psychological specialties, the exemptions of other professions from the statutes, and confusion concerning the required examination. These topics and others relating to the concept of "approved program" and post-graduate experience requirements are discussed. The distinctions between psychology and psychoanalysis are discussed first as a medium for presenting information relating to psychology's role in the mental health field, and for questioning the validity of various licensure requirements. A challenge is directed towards the concept that only licensed professionals are qualified to receive remuneration for the prevention of psychological problems.

(A). Psychology and Psychoanalysis

Psychology licensure has been in a condition of flux in Alaska since the first state law respecting the profession was enacted 17 years ago (1, ch 136, SLA 1967). Various amendments to the statutes have been approved by the legislature, and a recent amendment forestalled the scheduled termination (sunsetting)³ of the Board of Psychologist and Psychological Associate Examiners (hereafter referred to as the board; am 1 ch 29 SLA 1983). In general, the nature of the amendments other than for clarification or continuation of the board has been to increase the restrictive structure of the statutes. However, it must be noted that some recognition and professional parity was gained by clinical social workers through a recent amendment which allows said workers to engage in the practice of psychotherapy (AS 08.86.180(d); am 5 ch 29 SLA 1983). It should be noted, however, that the above amendment is probably related to pending legislation concerning the licensing of social workers under Title 8 (SCS No. 303).

The restrictive nature of amendments to the psychology statutes (meaning AS 08.86 or Chapter 86) can be illustrated by reference to AS 08.86.180 (a), (Practice of Psychology). In 1979, sub-section (a) restricted the use of two terms, namely psychology and psychologist. In 1980, the list of restrictive terms

¹ Young science is not being used in a pejorative sense. See Note 1 in NOTES.

or titles was increased to 13, including "psychoanalysis" and "psychoanalyst" (am 14 ch 58 SLA 1980). While this remarkable proliferation is of interest in itself, the particular concern at this point is with the psychoanalytic terms. It appears that an interpretation should be made to determine if Alaska psychology can restrict the practice of psychoanalysis by reserving the use of the above terms (assuming competence, 12 AAC 60.180; Alaska Administrative Code or Code) to those licensed to practice psychology (physicians licensed under AS 08.64 exempted).

As provided in AS 08.86.180(a) a person may not offer services of psychoanalysis or hold out to the public as a psychoanalyst unless he is licensed as a psychologist. The restricted use of these terms by psychology becomes presumptuous when the historical development of the mental health field is considered, and when attention is focused on the current content of "approved programs" (doctoral or their equivalent) in clinical, counseling and school psychology or professional-scientific which is a combination of the above programs [American Psychological Association (i.e., APA, see Note 2) 1983b, pp. 1379-1382].

Historically, and currently, distinctions have been and are made between the disciplines of psychiatry, psychoanalysis and psychology. The necessary and sufficient conditions of being or becoming a psychoanalyst do not specifically include nor preclude the training of or licensure as a psychologist. Similarly a psychologist is not necessarily or usually a psychoanalyst. A psychoanalyst is not required to be a physician. In addition, most physicians are not psychiatrists and many psychiatrists are not psychoanalysts. However, physicians, psychiatrists and other medical specialists as well as psychologists and other lay persons can and have qualified as psychoanalysts (see Hilgard et al., 1979, p. 490).

Psychiatry by definition must be sanctioned by the medical profession; a psychiatrist must be a licensed physician. Psychoanalysis has also been dominated by the medical profession, but it is possible to become a lay analyst. To obtain membership in either the American Psychoanalytic Association or the rival American Academy of Psychoanalysis, a candidate must usually be a graduate of an approved psychoanalytic institute such as the Freudian New York Psychoanalytic Institute or the neo-Freudian William Alanson White Institute [exceptions have been made as in the case of Helen Ross, who only held a bachelor's degree in education (Gross, 1978, p. 150)]. Personal analysis and the analysis of clients under supervision is also usually required both in the U.S. and elsewhere (Arvidson, 1969). This is not the type of program usually pursued by psychologists interested in the practice of (clinical or school) psychology.

As Gross (1978, p. 150) points out, there were only 39 Ph.D. psychologist members of the American Psychoanalytic Association (presumably in 1978) out of a total membership of about 3,700 analysts. Gross states that none of the analysts have found their way to Alaska. There were 60,691 members of the APA in 1982 (APA 1983(e)). Alaska had less than 78 licensed psychologists in 1979 (Lindback, December 31, 1981) who represented only a fraction of the estimated 32,000 psychologist health service providers (PHSP) in the U.S. in 1979 (Vandenbos et al., 1981). A vast majority (67.8%) of the doctoral level PHSP listed clinical psychology as a specialty (see Vandenbos et al., 1981; Table 8, page 1400, lists 19 subfields of specialization for PHSP other than clinical psychology. Psychoanalysis is not listed as a subfield.)

Since the used term "psychoanalyst" is restricted in AS 08.86.180(a), (b)(3), it could be assumed that some reference might be made in the statutes to the certification or recognition of psychoanalysts. This was certain by the case for another professional group when AS 08.86.180(b)(4) was amended to read "...a person describing himself as a 'social psychologist' if he is verified to be a social psychologist by the American Sociological Association" (am 10 ch 69 SLA 1970; repealed 16 ch 65 SLA 1973). However, the term is not defined in AS 08.86.230 or AS 08.64. It is interesting to note that AS 08.86.230(2) "to practice psychology" includes the term psychotherapy, but not psychoanalysis. Although psychotherapy is not defined in Chapter 86, psychotherapy must be distinguished from psychoanalysis since the terms are listed separately in AS 08.86.180(a), (b)(3). Psychotherapy is defined in the Standards for Providers of Psychological Services which contains guidelines for state licensing acts (APA, 1977, p. 12). However, the Standards does not contain a definition of psychoanalysis, nor does it restrict the use of the term in a suggested definition of psychology for licensing acts (p. 12). The Standards also counsels against the definition "of the work and scope of responsibility" of other disciplines by the psychological profession (APA, 1977, p. 14). It is also interesting that the APA Committee on Professional Standards lists psychotherapy and psychoanalysis as separate forms of intervention (APA, 1981b, p. 642).

To become a psychologist in Alaska other than by credentials (or exemption), an applicant must take an examination, and the only route to the examination includes the possession of a doctoral degree from an accredited school with an "approved program" (AS 08.86.130(2)). The program must be approved by the American Psychological Association, not the American Psychoanalytic Association (AS 08.86.230(1)). A passing glance at the "APA-Accredited Doctoral Programs in Clinical, Counseling, and School Psychology: 1983" reveals no listing of psychoanalytic centers or institutes among the "approved programs" that may lead to licensure in Alaska (APA, 1983b, pp. 1379-82). Some of these programs probably offer course work in Freudian or neo-Freudian theory and techniques, but the point is made by the titles of the programs that these programs produce clinical, counseling or school psychologists, not psychoanalysts.

A brief consideration of the topics covered in the "Examination for Professional Practice in Psychology" (EPPP) can also be used for documenting the distinctions between psychoanalysis and psychology. The EPPP, which is standardized and scored by the Professional Examination Service (PES) nationwide can be used by the Alaska board for evaluating applicants for licensure (American Association of State Psychology Boards, AASPB, (1979)).⁴ It can be assumed that it is used exclusively for the objective portion of the examination since objective examination is listed in 12 AAC 60.110 or 130. The Information for Candidates* sheet does not contain any listed coverage of psychoanalytic theory or techniques among the 21 areas covered in the examination. The examination is, of course, for evaluating psychologists, not psychoanalysts. By way of analogy, it would seem that a test designed for selecting psychologists would be no more valid or reliable for identifying psychoanalysts than would a test designed for osteopaths be valid for certifying podiatrists. Psychoanalysts would not be expected to be conversant with techniques of school or industrial psychology, nor would podiatrists be required to master the field of osteopathic medication or manipulation. Fortunately, Chapter 64 (Title 8) makes a clear distinction between the latter two professions.

* (AASPB, 1979) + (insert: no other)

It is contended here that AS 08.86.180 is defective in not recognizing that psychoanalysis as a discipline is separate and distinct from both psychology on the one hand and medicine on the other, with its own prescribed course of study, training and professional affiliation, commonality notwithstanding. A license to practice psychology in the state should not grant a franchise on the term psychoanalyst or the use of the term psychoanalysis, nor should a license for the practice of non-psychiatric medicine. The most well known lay person to practice psychoanalysis was Anna Freud, the daughter of the founder of Psychoanalysis (she would not be able to practice psychoanalysis in Alaska without a license in psychology if she were still alive today).⁵

Whereas Chapter 64 (Medicine) of Title 8 does not include a section respecting the practice of psychoanalysis, and as Chapter 86 was enacted for psychologists, no psychoanalysts, it is hereby requested that the word psychoanalyst and the source term psychoanalysis be deleted from AS 08.86.180(a) and (b)(3).

It is also recommended that "approved program" be deleted from AS 08.86.130(2) and Chapter 86 in reference to psychologist licensing. The above discussion indicates that the Alaska psychology statutes are not dependent upon APA suggested guidelines or definitions (APA, 1977).

The statutory authority citations for these recommendations are contained in Section I of this paper.

(B). Exemptions

Several exemptions to Chapter 86 are provided to members of other professions through AS 08.86.180. A review of these exemptions suggests a need for clarification and revision. For example, AS 08.86.180(b)(3) can be interpreted to mean that a qualified member of another profession may hold himself out to the public by a title or description of services incorporating the words "psychological counseling", "psychological counselor", "psychotherapy", and "psychotherapeutic". The use of these terms is restricted (for those not specifically exempted from all or portions of AS 08.86.180) in AS 08.86.180(a), but the prohibition against the use of these terms is omitted from restriction in AS 08.86.180(b)(3). This appears to be contradictory since to allow the use of these terms is an indication of presumed endorsement of some qualification in the field of psychology. Yet, the same paragraph does not allow a qualified member of another profession to hold out "...to be trained, experienced, or qualified to render services in the field of psychology" (AS 08.86.180(b)(3)). It would be assumed within the intent of this paragraph that a "psychological counselor" would have some training in psychology.

The contradiction notwithstanding, it appears that certain non-licensed psychologists (other than physicians and clinical social workers) can engage in independent private practice (including psychological counseling and psychotherapy) as long as they do not hold out to be psychologists, psychometrists or psychoanalysts. That is, they can offer psychotherapeutic services and services provided by psychological counselors since these services are not proscribed in AS 08.86.180(b)(3) (precedents are set in AS 08.86.180(b)(5) and (d) for qualified professionals to hold out or represent themselves as psychological specialists).

The confusion concerning the above exemption can also be illustrated by reference to AS 08.86.180(d) which allows clinical social workers (who are not defined in the statutes) to hold "...out to the public by a title or description of services incorporating the words psychotherapy, psychotherapist, or psychotherapeutic. Technically, clinical social workers are already entitled to use the terms psychotherapy and psychotherapeutic since these terms are omitted from the restricted list in AS 08.86.180(b)(3). One is best advised to seek legal help for interpretation of AS 08.86.180 which is certainly an imposition for a person who merely wants to know what is permitted or what is not permitted.⁶

The ambiguity of Section 180 can be further documented by noting that it (the section) does not apply to "a physician engaged in the normal practice of medicine for which he is licensed under AS 08.64. (AS 08.86.180(b)(5). It would seem that ambiguity could be reduced by deleting the word "normal" and adding "or osteopathy" (or osteopathic medicine) after medicine, if the intent is to also exempt osteopathic physicians who are licensed to practice medicine under AS 08.64.

Some attention should be focused on the general exemptions granted to those licensed to practice medicine under AS 08.64. For example, it is unlikely that physicians engaged in the practice of nephrology, endocrinology, or proctology would have any expertise in psychometry. There are 47 listings in the Physicians and Surgeons Medical Specialty Guide section of the February 1983 Anchorage phone book yellow pages [according to Shimberg (1981, p. 1138) there are 23 medical specialty boards for physicians]. Only a very few of these medical specialties such as psychiatry are relevant to specific psychological practice (this is not to suggest, however, that physicians do not provide important psychological intervention services in the general course of their practice). Perhaps physicians (and osteopathic physicians) could be exempted in a manner similar to the exemption extended other licensed professionals by the Medicine Act (AS 08.64.170(a)(4); i.e., exempt them "to engage in a practice that is authorized under that chapter."

AS Section 08.86.180 is perhaps discriminatory as it currently stands. Physicians are extended carte blanche exemption, but clinical social workers are only given a partial exemption, and qualified members of unnamed professions are given a highly restricted exemption. Ethical reminders are directed toward the latter group only (of course, ethical directives cannot be equated with legal sanction).

The conditions under which both licensed and non-licensed professionals are exempted under AS 08.86.180 should be more clearly identified and specified. One of the most serious defects in AS 08.86.180(b)(3) is that it actually prohibits nationally certified lay analysts (i.e., qualified members of other professions) from holding out to the Alaska public that they are what they were trained to be, namely psychoanalysts, unless they are first licensed as psychologists. It would make sense to exempt qualified psychoanalysts from AS 08.86 rather than restrict the use of the term. As it now reads, AS 08.86.180 could even be in violation of Federal Trade Commission anti-competitive regulations.

It is requested that AS 08.86.180 be revised and clarified. It is also recommended that definitions be provided for psychological terms such as counseling and psychotherapy (AS 08.86.180; AS 08.86.230). See Sections I and J for specific recommendations, authority citation and agency reference.

(C). Professional Designations and Psychological Specialties

This section can be introduced by reference to AS 47.30.915(11) where "clinical psychologist" is included in a list of mental health professionals. "Clinical" should be deleted in reference to "psychologist" since AS 08.86.230(1) statutorily defines only one term, namely "psychologist". AS 09.02 requires designation of specialties with titles, but Chapter 86 and the Code have completely avoided the use of "clinical" or other descriptive titles for psychologist even though applicants must be graduates of approved clinical, counseling, or school psychology programs.⁷ The statutory use of "clinical" in AS 47.30.915(11) could lead to ambiguous descriptive titles for "psychologist." Standards (and presumably specialty designations) authorized by AS 08.86.707(4)* are not reflected in 12 AAC 60.

This is perplexing since the APA Committee on Professional Standards has developed and published specialty guidelines for clinical, counseling, school, and industrial/organizational psychologists (APA, 1981b).⁸ It is interesting to note that a quick glance at current Alaska phone books reveals several listings which include the word "Clinical", such as Clinical Psychology or Licensed Clinical Psychologist. Assuming that these psychologists were trained in clinical psychology, it would be ethical for them to refer to themselves as clinical psychologists as long as it is legal, but if the state only bestows the title "psychologist", then it may be both illegal and slightly unethical to use the word "Clinical" in their titles. This may also apply to other professions licensed under Title 8.

Of course, there may be "grandperson" rights involved here, or policy statements by the board that have not yet been published in 12 AAC 60. However, diplomates of the American Board of Professional Psychology could also be in violation even if their diploma is issued for the specialty of clinical psychology. The lack of specialty designation in 12 AAC 60 is probably just an oversight and there is no suggestion being made here to impugn the character or reputation of any person.

The public does, however, have a right to know which psychological specialties are sanctioned by the board. Any specialties authorized by AS 08.02.010(a) should be articulated and included in 12 AAC 60 via the Administrative Register. Then, AS 44.62.030 (consistency between regulation and statute) could be invoked if necessary.

Reference is also made in AS 47.30.915(11) "to a psychological associate with a clinical or counseling specialty." According to AS 08.86.164, psychological associates can be licensed for specific activities, but only counseling and psychometrics are listed in either AS 08.86.170 or AS 08.86.190. Specialty designations for psychological associates are not prescribed in AS 08.02.010(a). The APA Committee on Professional Standards (APA 1981b, p. 642) cautions that psychological associates should not be referred to as clinical psychologists.

It was noted earlier that the APA certifies (or accredits) doctoral programs in Clinical, Counseling, and School psychology. The approval of clinical or even counseling specialties for psychological associates may violate the "approved

* should read AS 08.86.070(a)(4)

program" concept established in AS 08.86.130(2). The only use of the term "clinical" in Chapter 86 is in describing "social worker" in AS 08.86.180(d). "Clinical" is not defined in AS 08.86.230, nor is social worker or clinical social worker (reference is made to social worker as a "mental health professional" in AS 47.30.915). The term clinical has been used in referring to "...non-medical professionals (clinical psychologists)..." in a Supreme Court Opinion [Allred v. State, 554 P2d 411, 418 (Alaska 1976)].

A clinical psychologist and a psychological associate with a clinical or counseling specialty are referred to as "mental health professional(s)" in AS 47.30.915(11) [Psychologists are defined as "health care provider(s)" in AS 09.55.560; the term "healing arts" is used in AS 08.02.010(a) in reference to psychologists and other professionals].

Some clarification or elaboration might be helpful at this point. The intent is not to criticize the practice of counseling by psychological associates licensed under Chapter 86. It would certainly be to the public good to sanction and to encourage this counseling activity. However, there are problems of definition and delineation concerning the terms clinical and counseling (particularly the distinction between counseling and psychotherapy) that have not been properly addressed in Chapter 86 or the Code. It is contended here that the "approved program" concept is responsible for much of the confusion since the "approved programs" refer specifically to doctoral programs in clinical, counseling and school psychology (AS 08.86.230; APA, 1983a). Yet the use of the terms clinical (in reference to psychologist) or clinical psychology in Chapter 86 or the Code has been avoided as was mentioned earlier and the term counseling is used as its meaning is self explanatory which may not be the case. While it is realized that statutory definition of certain terms has been avoided in other Chapters, it would be in the best interest of the profession of psychology (and the people of Alaska) to identify, define, or describe prime psychological terms, especially if the terms are generally misunderstood and are emotionally laden.

Some of the problems in defining who can do what could be resolved by deleting the "approved program" concept which the statutes sanction (AS 08.86.130(2)). It is unlikely that the board could make a functional and meaningful construction of an "equivalent" program as provided by AS 08.86.230(1) due to the endorsement of APA programs in Paragraph (1) above. However, if the "approved program" concept is abandoned, then entry levels for both psychologist and psychological associate could be formulated in line with consumer need and the availability of psychological service providers.

The statutes may also have to be amended before the board can even "establish educational and training requirements for psychological associates" as provided by AS 08.86.070(4)(10), since these standards may be statutorily restricted by AS 08.86.162.

It must be noted that seven psychological specialties have already been established by the board, but these specialties have not been published in the Administrative Register nor included in 12 AAC 60 for public inspection. These seven specialties, including clinical and counseling psychology are listed on the "Associate Specialty and Supervision Documentation" form sheet that is included in the application packet for psychological associates [State of Alaska, Department

of Commerce and Economic Development (DECD), 1982]. The other specialties are applied experimental, developmental, industrial, psychometrics, and educational and school psychology. It was noted above that only counseling and psychometrics are referred to in Chapter 86 and the use of the term counseling is problematic with reference to the "approved program" concept, as is the clinical specialty. While the APA does accredit approved doctoral programs (and also awards diplomate status) in school psychology, Chapter 86 and the Code are silent with respect to school psychology as they are to the other specialties listed in the associate packet with the exception of psychometrics and counseling.⁹ Clinical, counseling, and school programs were noted above as "approved programs" in psychology to show that the board may be violating the concept of "approved program" adopted in AS 08.86.130(2) by sanctioning approved doctoral program specialties for sub-doctoral psychological service providers.

As noted earlier, industrial/organizational, clinical, counseling, and school psychology are recognized as professional specialties by the APA (APA 1981b, p.640). Diplomas are granted in these four areas by the American Board of Professional Psychology. Diplomas are also issued for hypnosis by the American Board of Psychological Hypnosis. The above diplomas are not issued to psychological associates. It should be noted that even though diplomas are granted in industrial/organizational psychology, there is no "approved program" of industrial/organizational psychology.

Approved program in reference to AS 08.86.130(2) is defined in AS 08.86.230(1~~2~~) but the definition itself is confusing. It states, "approved program means a program which meets the requirements established by the American Psychological Association Education and Credentialing Committee in Psychology for an approved program." To begin with, APA has been accrediting programs since the 1940's, but there is no date when the above requirements were established. Secondly, there is no Education and Credentialing Committee in Psychology, *per se*, listed in a recent tally of APA boards and committees (APA, 1983d, pp. 683-702). Thirdly, the APA Committee on Accreditation (APA 1983b) accredits programs based upon their Accreditation Handbook (APA 1983d). APA does have a Task Force on Education and Credentialing (APA 1983d), p. 685), but this task force is not cited in the APA Accreditation Handbook section on "Criteria for Accreditation" (APA 1983a, Appendix B, pp. 1-27, plus title pages). The APA does have an Education and Training Board (APA 1983d, p. 685) which is cited in the Handbook (Appendix B, p. 1). The latest criteria were evidently adopted in 1979 and amended in 1980. The Handbook was revised in 1983 (APA, 1983a). The criteria are formulated by the Committee on Accreditation, approved by the Education and Training Board, and adopted by the APA Council of Representatives. (APA 1983a, Appendix B, pp. 1-27, plus title page).

In an attempt to understanding the meaning of approved program in AS 08.86.230(1~~2~~), the author requested and received (February 19, 1984) from the Alaska DCED (Division of Occupational Licensing), information concerning the criteria used for evaluating doctoral programs in psychology. The information consisted of a single "guideline" sheet published by the Council For the National Register of Health Service Providers in Psychology (1977). The only documentation for the above "guideline" sheet states, "As developed by the Education and Credentialing in Psychology Meeting in 1977."¹⁰ If this is the guideline for "approved program" in AS 08.86.230(1~~2~~), it appears that it is published by the wrong organization,

for the wrong year, and refers to the wrong committee even if there are basic similarities with the criteria established in the APA Accreditation Handbook [see Northern Lights Motel, Inc. v. Sweaney, 561 P.2d 1176, aff'd on rehearing, 563 P.2d 256, Alaska 1977)].

There is also some question concerning the use of the phrase "approved program" in AS 08.86.162(2) and 12 AAC 60.010(b)(4) in reference to psychological associate. While it is assumed that this must mean a program that has been approved by the institution granting the master's degree or a regional agency, a precedent has been set in defining "approved program" only at the doctoral level in AS 08.86.130 and AS 08.86.230(1). The equivalency provision in AS 08.86.230(1) would not apply to psychological associate. If on the off chance the use of "approved program" in reference to psychological associate means to obtain a master's degree from a school which has an "approved" doctoral program, this should be changed. Stevens et al. (1979) have identified 70 clinical programs at the masters-level in schools that do not have doctoral programs in clinical psychology. The same study also documented the national need for master-level clinicians, particularly for employment in agencies such as community mental health centers. Several recommendations can be made including the formulation of psychologist specialist designations and psychological associate specialties. These recommendations and others for the deletion of "approved program" for psychologist and the clarification of approved programs for psychological associates are contained in Sections I and J.

(D). Examinations

A few comments are also in order concerning the examinations authorized by AS 08.86.070(2). The examination is both objective and essay (12 AAC 60.110(a). The board may use an objective examination provided and scored nationwide by the Professional Examination Service (PES, See AASPB, 1979), or it evidently may construct and administer its own examination for evaluating licensure candidates. If the PES is used, the areas covered in the examination are made known to applicants through an Information for Candidates booklet (AASPB, 1979) and the passing scores for psychologist and psychological associate are specified in 12 AAC 60.140(a)(b). The Code, however, is silent with regard to the conditions or content areas of any locally constructed examination. The questions to be asked here are: Does the board use the PES exclusively for the objective examination? If there is another examination, what are the content areas and cutoff scores?

If the PES is used exclusively, then 12 AAC 60.110(d) which provides for examination questions concerning AS 08.86 should be declared null and void and deleted from the Code. There are two reasons for this, the first being that it is unlikely that a nationwide examination such as the PES would contain questions on Alaska's psychology statutes. The Alaska Statutes are not included in the PES list of 21 areas covered in the examination. Secondly, it is unlikely that questions on AS 08.86 could be included in the essay section of the examination since the essay section must "be based upon material contained in standard text books used in accredited educational institutions" (12 AAC 60.140(e). It is assumed here that the above means "psychology" text books used in "approved programs", at least for the psychologist applicants. Alaska does not have any approved doctoral programs in psychology and it is unlikely that AS 08.86 would be featured in programs outside the state. It is conceded that psychological associates might encounter AS 08.86 in standard text books in Alaskan universities.

The regulations should clarify how the written portion can contain questions on AS 08.86.

The code should specify whether there are both written and oral sections for the examinations. Reference is made to the "written portion" in 12 AAC 60.110(b) and to the "written examination" in 12 AAC 60.110(d). The board is authorized to conduct examinations by AS 08.86.070(2) but the nature of the examinations are not specified. The questions here are: Does the board conduct oral examinations? And what is the interpretation of 12 AAC 60.110(b)?

Recommendations for clarification of the examination in addition to those suggested above are listed in Section J.

(E). Experience

Several comments can be made concerning the nature of experience that is required for permission to sit for the examinations prescribed by AS 08.86. A first comment concerns AS 08.86.130(3) which reads "has at least one year's experience acceptable to the board." The words "at least" could be deleted if what is acceptable to the board is "one year's experience", which appears to be the case. This may also apply to AS 08.86.162(3). The Code refers to one year's experience and three year's experience for psychologist and psychological associate applicants respectively (12 AAC 60.070). As AS 08.86.130(3) and AS 08.86.162(3) now stand (since 1967 for psychologist applicants) the board can establish additional experience by regulation. It would seem to be that if the concept of "experience" requires statutory sanction, then the length of term of this experience requires statutory definition as well. The prospective nature of legislation notwithstanding, if qualification for examination as provided by AS 08.86.130 and AS 08.86.162 require statutory definition, then said definition should be categorical. In addition, it is suggested that AS 08.86.130(3) should specify the post-doctoral (or post graduate) nature of the experience (for psychologists), since this is the only experience acceptable to the board in 12 AAC 60.070(b).

It is not clear exactly how the above discussion applies to psychological associate experience as required in AS 08.86.162(3). AS 08.86.070(a)(10) authorizes the board to "adopt regulations establishing educational and training requirements for psychological associates licensed under this chapter." However, AS 08.86.162 provides for these same requirements by statute. A definition of supervised experience is also provided by statute (AS 08.86.230).

At this point, it can also be mentioned that there is some confusion between AS 08.86.162(3) and (4) and AS 08.86.230(11)*. According to one interpretation of AS 08.86.230(11)* a non-licensed psychologist with a master's degree (or doctorate) could provide the supervision required in AS 08.86.162(3) for a psychological associate applicant in psychometry (12 AAC 60.70(c)). However, the applicant could not offer the recommendation of this same supervisor to the board for satisfaction of the recommendation requirement specified in AS 08.86.162(4).

On the subject of supervision, it can also be asked, what does "appropriate supervision" refer to in 12 AAC 990(2)? Supervised experience is defined in AS 08.86.230(11)* and referred to in 12 AAC 60.010, 12 AAC 60.070 and 12 AAC 60.080, but the word "appropriate" is not used in reference to experience except in 12 AAC 990(2) where it defines itself.

* See AS 08.86.162(3) - Relocated by revisor of statutes.

To return to the subject at hand, the required experience (i.e., post master's) for psychological associate is specified in AS 08.86.162(3). However, AS 08.86.162(3) might read better if it stated, "has at least three years experience within the past ten years after obtaining a master's degree." That is, of course, unless it is the legislative intent of AS 08.86.162 to require that the master's degree must have been obtained within the last ten years as the extant paragraph suggests. This, of course, would not say much for maturation, continuing education, life's experiences or the basic value of a master's degree once it has passed its first decade.

The above, of course, are technical matters. Other more germane questions concerning required experience, can be asked here. One such question concerns the validity of the post-doctoral experience requirement for psychologist applicants (for licensure). What criteria has been used for determining that one year of supervised doctoral (or post-graduate) experience will lead to the competency in the practice of psychology? While it is realized that this question is addressed to the statute, per se, (AS 08.86.130(3)), presumably it can be answered by the board. For example, are there published studies to this effect?

In considering the post-graduate experience, it should be borne in mind that graduates of approved programs (just to use an example) have already obtained a year of supervised experience in pre-doctoral internship.

Only two other professions (involved in the healing arts) that are regulated in Alaska under Title 8 (medicine and pharmacists) require any form of post-graduate experience and these experiences are classified as internships. Physicians and osteopaths licensed under Chapter 64 complete their internships after graduation. These internships have traditionally been considered as an integral part of "medical education and training" as opposed to supervised experience, per se. The professional value or functional worth of a medical degree without an internship is considerably reduced. However, the functional utility of a doctorate in psychology should be considerable since internship and other requirements have been met prior to graduation. This, however, is not the case in Alaska due to AS 08.86.130(3). The conditions in the referenced paragraph are defined and restricted by 12 AAC 60.070 and 12 AAC 60.080.

Pharmacists licensed under Chapter 80 are required to complete 1500 hours of supervised experience (internship or clinical clerkship) of which 160 hours (one month) must be completed after graduation, which does not seem to be unreasonable (author's opinion).

On the other hand, the Alaska Statutes (Title 8) have not imposed post-graduate supervised experience requirements on various other professions that are relevant to this discussion. Thus, dentists licensed under Chapter 36 are allowed to operate on the gums or jaw and to extract teeth; optometrists licensed under Chapter 72 are permitted to examine eyes for correcting vision and detection of ocular disease; chiropractors licensed under Chapter 20 are allowed to practice therapeutic dietetics, and to correct interference to nerve energy transmission and expression, all of the above sanctioned without post-graduate supervised experience requirements. In addition, one can be defended or represented by attorneys licensed under Chapter 08, which does not prescribe post-graduate experience for the practice of law. The educational and training programs for these professions (and psychology) require from four to eight years of full time

study in universities and/or professional schools. In addition, post graduate internships are an integral part of medical (including pharmacy) education and training. This apparently gives educators and supervisors ample time and opportunity to assess the character and competence of aspirants in most professions, with the exception of psychology.

Of all the professions listed above, only psychology licensure (Chapter 86) imposes post-graduate supervised experience requirements other than specified internships. This in effect grants discretion to the board that may not be consistent with powers delegated to other boards that have been established in Title 8.

Clarification is requested concerning the appropriateness, validity and reliability of the post-graduate experience requirements in AS 08.86.130(3). Other recommendations and suggestions for this section are contained in Sections I and J of this paper.

(F). Prevention

One of the most puzzling features of the psychology statutes is that a person must be a licensed psychologist (or statutorily exempted) to receive "...a fee...for the...prevention...of psychological problems and emotional and mental disorders of individuals and groups..." (AS 08.86.230(1)(2)). This is like passing a law requiring individuals to be medical specialists to engage in disposal enterprises or to sell vitamins, soaps, and disinfectants to the public for the prevention of physical illness or disease. In a remote way it also seems to suggest that there should be a law against preventing a crime unless licensed to do so.

It is interesting that the statutory definitions for the practice of medicine (psychiatry included) in Alaska do not prescribe any prohibitions, per se, against the prevention of physical and mental conditions (AS 08.64.380(2)(A)).¹¹ It is also noted that the APA Committee on Professional Standards (APA, 1981b, p. 642) does not include "prevention" in their definitions of clinical psychological services. The orientation is toward assessment and intervention.

A similar orientation is found in the Standards for Providers of Psychological Services (APA, 1977, p. 4). However, the same publication does refer (by footnote) to a definition of psychological practice which does restrict prevention by non-psychologists (APA, 1977, p. 12). It is assumed that this is the definition used as a model for AS 08.86, but it is noted that the model does not place restrictions on the terms psychoanalysis and psychoanalyst. (The source for the definition referred to above is cited as APA, 1967, pp. 1098-1099; this article is listed in the reference section as resource material).

Prevention is certainly a vital function of both mental and physical health service providers. All health providers should be involved in prevention, but prevention should not be restricted to or by them.

The Alaska Division of Mental Health and Developmental Disabilities (Department of Health and Social Services) recognizes the value of prevention. Their description of services includes "...a comprehensive program for the prevention of mental illness,

the care of the mentally ill and assistance to developmentally disabled Alaskans" (Eppenbach and Foster, 1983, p. 40). The Division provides grant funds for prevention programs administered by a network of community mental health centers. The Alaska Division of Family and Youth Services also have a positive policy towards prevention as a priority. The State Office of Alcoholism and Drug Abuse also provides prevention programs as well as intervention services.

According to Miller, the prevention of psychological problems and the promotion of human welfare is what is important, not who provides these functions. Miller states, "We are not physicians, the secrets of our trade need not be reserved for highly trained specialists. Psychological facts should be passed out freely to all who need and can use them, (Miller, 1969, p. 1070). He also suggests, "that psychology must be practiced by non psychologists" [Miller's quotes are taken from a secondary source (Schneider, 1981). Miller is listed in the reference section as resource material].

Albee, (1982, p. 1044) suggests we should "...encourage paraprofessionals, workers who want to get out into the community." Albee's main contention is that a society's maximum effort must be orientated towards prevention, not intervention. According to studies cited by Albee (p. 1043) there are an estimated 33 million emotionally disturbed individuals in the United States, but mental health professionals only see about seven million of them in a given year.

Albee (1982, P. 1043) defines emotionally disturbed as "...persons with depression, alcoholic addiction, incapacitating neurotic anxiety, organic brain conditions associated with old age, and the several functional psychoses."

Using the percentage (15%) cited by Albee, this suggests (hypothetically) that there were as many as 65,295 emotionally disturbed individuals in Alaska in 1981 (based upon Alaska Blue Book 1983 population statistics; population of Alaska 435,300, 1981; (Eppenbach and Foster, 1983)].

According to Lindback (December 3, 1981) there were 78 licensed psychologists and 9 licensed psychological associates in the state as of March 6, 1981. This is a ratio of one licensed psychologist (associates included) for every 751 disturbed individuals and a ratio of one licensed psychologist per every 4,253¹² nondisturbed individuals who might have need of psychological services. It is noted that this ratio of psychologists to the disturbed segment is higher than the national ratio of 1/1031, but as Albee (1982, p. 1043) states, "...the mental health community actually sees fewer than one in five of the seriously disturbed people, and only a small proportion of the larger group of people with problems." According to U.S. Congressman Royball (1984, p. 163), "older persons have greater needs for mental health services than the general public." Roybal (p. 163) states, "Seventy to eighty percent of all nursing home patients have either recognizable mental illness or conditions commonly referred to as "senility", and most receive no mental treatment."

It is realized there are other mental health practitioners in the state such as psychiatrists and social workers, but the concentration of professionals in the larger Alaskan cities probably results in an even less favorable mental health provider/client ratio in many rural and remote areas. There may also be a shortage of health service providers for indigents and for persons in correctional facilities. It is generally believed that Alaska's population will increase at an accelerated rate in the future, compounding existing mental health problems.

It is requested here and in Section I that the term "prevention" be deleted from AS 08.86.230(2). It is also requested that the phrase, "...or for conducting research on human behavior...." be clarified or deleted from AS 08.86.230(2). Research is needed to document the variables relating to the presence or absence of mental health. As Section 08.86.230(2) now reads, sociologists, anthropologists or other professionals conducting research on human behavior may be in violation, AS 08.86.180 notwithstanding.

The request for deletion of the term "prevention" does not seem untimely since the inclusion of the term "prevention" in AS 08.86.230 is recent in origin (am 18 ch 58 SLA 1980).

It is respectfully suggested that the inclusion of the term "prevention" in AS 08.86.230 may be at variance with Section 4, Article VII of the Constitution of the State of Alaska (as amended 1983).

(G). Other Provisions

Several areas of Chapter 86 and 12 AAC 60 are discussed in this section. The first concerns the prohibitions against psychologists practicing medicine as stated in AS 08.86.180(c). This paragraph may have to be revised due to various 1983 amendments (am 8, 18 ch 48 SLA 1983) to AS 08.64.380. The word "mental" is now included in AS 08.64.380(2)(A) and exemptions to Chapter 64 are provided in AS 08.64.170(a)(4). Without this exemption, psychologists licensed under Chapter 86 would not be authorized to practice psychology as defined in AS 08.86.230, which prescribes for the treatment of mental disorders, which in turn relates to "the practice of medicine as defined in the laws of the state."

While it might seem a minor point at first, the Statute and Code booklet (State of Alaska, 1983) provided to applicants by the department (Commerce and Economic Development) does not contain "Notes to Decisions" or any explanation of recent amendments contained in the Statutes. Notes such as those referring to liability or privileged information (e.g., see Notes to Decisions, AS 08.86.200) could serve to remind applicants of their responsibilities.

In introducing an article on psychology and the law, Swobo et al. (1978 p. 448) states, "This survey suggests that a significant proportion of mental health professionals are either ignorant of or ignore their legal obligations." Although both Chapter 86 and the Code have sections on confidentiality, neither section contains the detail suggested by the Standards For Providers (APA, 1977, p. 9, p. 13). Nor do the sections contain a statement on reporting threats of danger to others or child abuse [see AS 47.17.020; Swobo et al. (1978), Knapp (1980), APA 1981a, pp. 635-636, and Kazan, 1981]. It is recommended that the Statutes or Code for psychologists and psychological associates contain statements on reporting threats of danger to others and on reporting knowledge of child abuse. It is also recommended that AS 47.17.020 be amended to include required reporting of child abuse by psychologists and psychological associates. Information should also be included in the Code concerning a client's right to informed consent (see Noll, 1981).¹³

There may be a defect in the wording of 12 AAC 60.080(6) concerning evaluation of experience. Reference is made to "...or after the effective date of this section approved by the American Psychological Association...." In effect, this i:

stating that the board (and, therefore, Alaska) will legally accept whatever future sanctions are made in this area by the APA without even reviewing these sanctions. This appears to be a surrender of states rights for events yet to take place, to an organization (albeit a most respectable one) that does not have legal jurisdiction in the state or in the nation. Even with jurisdiction and state rights considerations taken into account, it would seem that regulations should be based upon known factors, the prescriptive nature of much legislation notwithstanding. As suggested earlier, there is already some confusion concerning the criteria used in AS 08.86.230(1). It is noted here that a precedent for dating regulations is reflected in 12 AAC 60.185. It can also be noted here that 12 AAC 60.080(6) does not define "specialty training in applied psychology." This might include industrial/organizational psychology, and it was noted earlier that there is no "approved doctoral program" for this specialty. This could lead to a violation of the approved program concept adopted in AS 08.86.130(2).

Another question concerns the nature of "authority" in AS 08.86.150. Does "authority" refer to legal "authority" such as another state or country or does it refer to diplomas awarded by the American Board of Professional Psychology, which basically "certifies" that an individual is a professional psychologist. It is, of course, assumed here that "authority" refers to another legal jurisdiction such as a state or country but here is some ambiguity in the wording. In addition, there could be some problem in the wording of AS 08.86.150(3). According to Koocher (1979) once diplomate status is achieved, the diplomate could resign from APA and still retain the diploma but not be subject to sanctions from APA. Thus, it would be difficult to determine if the diplomate is in "good standing." It can also be asked here why the term "good standing" is used in AS 08.86.150 in reference to diplomate, but not in 12 AAC 60.070, 12 AAC 60.010, or 12 AAC 60.080.

As the statutes are oriented towards the approved program concept, AS 08.86.130(2) could be revised to read "has graduated from an accredited school with an approved program." A "doctoral degree with primary emphasis on psychology" is a condition of graduation from an approved program. Any equivalent program determined by the board under AS 08.86.230(1) could not deviate substantially from the approved program concept. The above might also apply to AS 08.86.150(1).

Another point that can be considered here is whether both AS 08.86.070(11) and AS 08.86.080 are necessary for authorizing the regulatory power of the board; i.e., what are the distinctions between "duties" and "purposes" concerning Chapter 86? It is noted that AS 08.86.080 is cited as the authority for 12 AAC 60.185 although AS 08.86.070(4) (amended 1983) specifically provides for the regulation of standards. The authority for 12 AAC 60.185(a) (Ethics) is vague. The reference to standards in 08.86.070(a)(4) may also be subject to interpretation.

Finally, the Code does not state what happens to the application of an applicant who has submitted the required forms but is denied permission to sit for the examination. Also, neither AS 08.01.090 or AS 08.86.100 stipulate any provisions for appeal for unsuccessful applicants, AS 08.01.087 and citation of AS 44.62 in AS 08.86.100 notwithstanding (see Swoboda, et al., 1978, p. 455).

The recommendations for this section include a request for clarification of AS 08.86.180(c) (practice of medicine prohibited) and a request for the adoption of an amendment to AS 47.17.020 requiring psychologists and psychological associates

to report knowledge of child abuse. These recommendations and others relating to topics such as dating of criteria, informed choice, and provisions for appeal are listed in Sections I and J [see Northern Lights Motel, Inc. v. Sweaney, 561 P.2d 1176, aff'd on rehearing, 563 P.2d 256 (Alaska 1977)].

(H). Concluding Remarks

Of all the sciences and arts, psychology is probably the most complex,¹⁴ the least understood, and possibly the most vital. It is complex because of the incredible number of variables impinging on human behavior. It is misunderstood by both the public and the profession itself because of these variables and because of its recent development in the history of science. It has the additional disadvantage of being both the subject and object of its own inquiry, and it is difficult to gain perspective, particularly when the emphasis is on isolated individual behavior. Never-the-less, psychology is vital because it offers promise and hope for intra-personal, if not inter-personal, conflict resolution.

All societies have need of the services of identifiable individuals that other members of the society can turn to for counsel or advice with some degree of trust and confidence. In early stages of development some of these vital functions are performed by practitioners known by various names such as prophets and shamans. In transitional or industrial (nuclear) societies, these vital functions are portioned out to those known by various titles such as psychologists, psychiatrists, or clinical social workers who use acknowledged methods of science and empirical validation as a base for their expertise.

However, there is always a group of sub-professionals hovering in the background when the supply of sanctioned professionals is scarce, and even when the supply is purportedly adequate. There is no way to legislate against the questionable practices of these individuals directly. According to a recent edition of Harper's (Lapham, 1984), there are 10,000 astrologers in the United States. It is not known how many of these astrologers have found their way to Alaska, but it is known that it is much easier to become an astrologer in Alaska than it is to become a licensed psychologist. If psychology in Alaska wants to discourage any questionable practice of mental health healing arts (or sciences) then it is incumbent upon psychology (meaning the board and psychology advocates such as the Alaska Psychological Association (ALPA) to provide avenues for the entry of trained specialists into the field that would lessen the public's need or desire to turn elsewhere.

The position taken in this paper is that the licensing requirement for psychologist and psychological associate are so complex and demanding that the assumed need for psychological services cannot be adequately met. The position has also been taken that too much weight has been given to the American Psychological Association's suggested guidelines for identifying and licensing psychologists. No attempt has been made to denigrate the APA, but it has been pointed out that APA has no jurisdiction in Alaska. In fact, the APA Committee on Professional Standards (APA 1981b, p. 641) has issued a statement recognizing "...that admission to the practice of psychology is regulated by state statute." However

there is a current proposal to bring membership requirements of state affiliates into line with APA specifications (Abeles, 1983, p. 666). As it now stands, only "about 34% of the state associations follow APA member standards." From this it can be seen that a majority of the state associations have their own interpretation of what it means to be a psychologist and this is presumably reflected in local licensing requirements (some hints of local initiative are reflected in AS 08.86). However, the ALPA wants more APA staff visits to the states (Abeles, 1983, p. 666).

Alaska psychology should avail itself of the considerable services and expertise offered by the APA, but these services should be viewed and accepted as guidelines and suggestions, not mandates (see Ginsburg et al., 1983, concerning APA services).

The Alaska people are certainly part of the core of the human condition, but APA and ALPA should recognize some factors that are, if not unique, manifestly relevant to the Alaska condition. Some of these factors include the vast physical geography of the state, the remoteness of settlements, hostile weather conditions, problems of transportation, factors of social structure and economic fluctuations, minority considerations and a pronounced orientation towards personal liberty and independence.¹⁵

In establishing itself in Alaska, psychology should stop mimicking psychiatry for example, and should concern itself with the considerable services that its practitioners can offer that are not being offered on any large scale by other disciplines or specialties such as medicine or psychiatry. Instead of receiving directives from the American Psychological Association, Alaska Psychology (i.e., the board and ALPA) should conduct a review of the quality and availability of psychological services in the state (as suggested in AS 08.86.070(8) and should identify the special needs of the Alaska people.

The Alaska psychology licensing statutes should be oriented towards the promotion of psychological well being and the maximum efficiency of mental health delivery services based upon the unique physical, cultural, and social milieu of the Alaska experience. A concern with primary prevention certainly seems more important than a preoccupation with approved programs, per se, or with the qualifications of psychoanalysts who may wish to locate in Akiachak, Shatoolik, or for that matter, Cordova.

If it is permitted to say so here, the Alaska Board of Psychologist and Psychological Associate Examiners are commended for the recent publication of Continuing Education provisions in the Administrative Code (12 AAC 60, Article 6). It is also noted that the Alaska Psychological Association is currently involved in obtaining funds for public service announcements (Abeles, 1983, p. 666). Hopefully, funding will also be obtained for a wider distribution of their informative newsletter (ALPA, 1984).

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The following two sections of this paper are concerned with specific recommendations to the Alaska Code Revision Commission and to the Alaska Administrative Regulation Review Committee. The final text section contains general suggestions.

(I). Requests, Recommendations, or Suggestions to the
Alaska Code Revision Commission

Submitted by Robert M. Arvidson

Authority reference:	AS 01.05 <u>Alaska Statutes</u>
(Title 24, Legislature)	AS 24.20 <u>Agencies of the Legislature</u>
(Title 44, State Government)	AS 24.20.075 <u>Code Revision Commission</u>
	AS 44.62 <u>(Administrative Procedures Act)</u>
Agency reference:	AS 08.01 <u>(Centralized licensing)</u>
(Title 8, Business and Profession)	AS 08.02 <u>(Miscellaneous provisions)</u>
(Department of Commerce and Economic Development)	AS 08.03 <u>(Regulatory boards)</u>
(Title 47, Welfare Social Services and Institutions)	AS 08.01.010 <u>(Applicability of chapter)</u>
(Department of Health and Social Services)	AS 08.01.080 <u>(Department regulations)</u>
	AS 08.01.090 <u>(Applicability of the Administrative Procedures Act)</u>
	AS 08.02.010 <u>(Professional designation requirements)</u>
	AS 47.17.020 <u>(Persons required to report)</u>
Board reference	AS 08.86 <u>(Psychologists and Psychological Associates Statutes)</u>
(Title 8)	AS 08.86.010 <u>(Board of Psychologist and Psychological Associate Examiners)</u>
	AS 08.86.070 <u>(Duties of the board)</u>
	AS 08.86.080 <u>(Board regulations)</u>
	AS 08.86.100 <u>(Applicability of the Administrative Procedures Act)</u>

The requests, recommendations, or suggestions are listed below for each section. They are:

A. Psychology and Psychoanalysis.

- (1) Deletion (repeal) of the terms psychoanalyst and psychoanalysis from AS 08.86.180(a), (b)(3).
- (2) Deletion (repeal) of "approved program" from AS 08.86.130(2) and Chapter 86 where it is used in reference to psychologist licensing.*

B. Exemptions.

- (1) Revision of AS 08.86.180 for clarification of exemptions to both licensed (Title 8) and non-licensed professionals; (cf AS 08.64.170(a)(4).
- (2) Definition of psychological terms such as counseling and psychotherapy; (AS 08.86.180; AS 08.86.230); clarification of the role of Standards for Providers of Psychological Services (APA, 1977) for definitions and applicability to AS 08.86 (12 AAC 60.185(b)). Does the Standards have the force of law?

C. Professional Designations and Psychological Specialties.

- (1) Formulation of Psychologist professional designations as provided in AS 08.02.010; publication of same in the Code.
- (2) Clarification of AS 08.86.070(~~4~~)(10) vs. AS 08.86.162; definition of psychological associate specialties and publication of same in the Code.
- (3) Deletion (repeal) of "approved program" from AS 08.86.130(2), AS 08.86.150(1) and AS 08.86.230(11); cross-reference recommendation A(2).
- (4) Clarification of "approved program" in AS 08.86.162(2) and 12 AAC 60.010(b)(4); compare with "approved program" in AS 08.86.130(2).

D. Examinations (see recommendations to Administrative Regulation Review Committee).

E. Experience.

- (1) Clarification of the appropriateness, validity, and reliability of the post-graduate experience requirements in AS 08.86.130(3); (see Definitions, re Professional psychologists (APA 1977, p. 4, p. 11)].
- (2) Delete "at least" and change "years" to "year" in AS 08.86.130(3).
- (3) Specify nature of experience in AS 08.86.130(3), i.e., post-graduate.
- (4) Clarify AS 08.86.070(~~4~~)(10) vs. AS 08.86.162; training and education of psychological associates; cross reference: recommendations C(2) this paper.
- (5) Clarify AS 08.86.162(3) and ~~(4) vs. AS 08.86.230(11)~~; psychological associate supervised experience and required recommendation.
- (6) Clarify AS 08.86.162(3); i.e., whether a master's degree must be obtained within 10 years of application for license.

F. Prevention

- (1) Delete term "prevention" from AS 08.86.230(2).
- (2) Clarification (or deletion) of the phrase, "...or for conducting research on human behavior..." in AS 08.86.230(2).

G. Other Provisions.

- (1) Clarification of AS 08.86.180(c), (practice of medicine prohibited to psychologists) with respect to AS 08.64.380(2)(A) and AS 08.64.170(a)(4).
- (2) Adoption of amendment to AS 47.17.020 requiring psychologists and psychological associates to report knowledge of child abuse; clarification of reporting knowledge of threats to do harm to others; AS 11.41.230(3) may be relevant; also see APA, 1981a, pp. 635-636.

- (3) Dating of Criteria used in Statutes and regulations when appropriate; AS 08.86.230(1~~7~~), 12 AAC 60.080(6), (reference 12 AAC 60.185). *
- (4) Clarification of "authority" in AS 08.86.150 (ref. AS 01.10.060(13)).
- (5) Clarification of AS 08.86.070(~~8~~)(11) and AS 08.86.080; i.e., are both necessary for authorizing regulatory power.
- (6) Recommend inclusion of statutory provisions for appeal by applicants (not authorized to sit for licensure examination) to board decisions (AS 44.62; cf. AS 08.86.100).
- (7) Request profession reference to "naturopath" in AS 08.02.010.

* Reference: Northern Lights Motel, Inc. vs. Sweaney, 651 P.2d 1176, aff'd on rehearing, 563 P.2d 256 (Alaska 1977).

(J). Requests, Recommendations, or Suggestions to the
Alaska Administrative Regulations Review Committee

Submitted by Robert M. Arvidson

Authority reference	AS 01.05 <u>Alaska Statutes</u>
(Title 24, Legislature)	AS 24.20 Agencies of the Legislature
(Title 44, State Government)	AS 24.20.400 (Administrative Regulation Review Committee Establish
	AS 24.20.460 Powers
	AS 44.62 (Administrative Procedures Act)
	* AS 44.62.130 (Codification and Publication)
	AS 44.62.220 (Right to petition)
	AS 44.62.240 (Limitation on retroactive action)
Agency reference	AS 08.01 (Centralized licensing)
(Title 8, Business and Professions)	AS 08.02 (Miscellaneous provisions)
(Department of Commerce and Economic Development)	AS 08.03 (Regulatory boards)
(Title 47, Welfare Social Services and Institutions)	AS 08.01.010 (Applicability of chapter)
(Department of Health and Social Services)	AS 08.01.080 (Department regulations)
	AS 08.01.090 (Applicability of the Administrative Procedures Act)
	AS 08.02.010 (Professional designation requirements)
	AS 47.17.020 (Persons required to report
Board reference	AS 08.86 (Psychologists and Psychological Associates Statutes)
(Title 8)	12 AAC 60 (Administrative Code)
(Title 44)	AS 08.86.010 (Board of Psychologist and Psychological Examiners
	AS 08.86.070 (Duties of the board)
	AS 08.86.080 (Board regulations)
	AS 08.86.100 (Applicability of the Administrative Procedures Act)

The requests, recommendations, or suggestions are listed below by section.
They are:

A. Psychology and Psychoanalysis.

(1) See recommendations to Code Revision Commission.

B. Exemptions.

(1) Clarification of the role of Standards for Providers of Psychological
Services (APA, 1977) for definitions and applicability to 12 AAC 60,
(12 AAC 60.185(b)). Does the Standards have the force of law?

* AS 44.62.030 (Consistency); ** Associate

C. Professional Designations and Psychological Specialties.

- (1) Clarification of "approved program" in 12 AAC 60.010(b)(4) and AS 08.86.162(2); compare with "approved program" in AS 08.86.130(2).
- (2) Publication of psychologist specialty designations in 12 AAC 60 (AS 02.010(a)).
- (3) Publication of psychological associate specialties in 12 AAC 60 (AS 08.86.164; AS 08.86.170(b); AS 08.86.190(b)).

D. Examinations.

- (1) Clarification of the number and types of examinations used by the board (12 AAC 60.110; 12 AAC 60.140).
- (2) Clarification of how questions concerning AS 08.86 can be included in the written examination (12 AAC 60.110(d)).
- (3) Clarification of the nature of the examination, i.e., is it both oral and written (12 AAC 60.110(a)).
- (4) Clarification of the word "written" as used in 12 AAC 60.110(b)(c)(d), and 12 AAC 60.150(b).
- (5) Clarification of 12 AAC 60.150(b); assuming that "written examination" includes the essay examination, how can a score of more than one standard deviation below the mean be determined for an essay examination that is graded on a pass/fail basis? (12 AAC 60.140(c)).
- (6) Clarification of "textbooks" and "accredited educational institutions"; i.e., is the reference in 12 AAC 60.140(e) to psychology text books in approved programs?

E. Experience.

- (1) Clarify the meaning of "appropriate supervision" (12 AAC 990(2) in reference to the Code (12 AAC 60) and Statutes (AS 08.86)).
- (2) Validation of experience requirements in 12 AAC 60.070 and 12 AAC 60.080 with respect to AS 08.86.130(3) as provided by AS 44.62.030; i.e., how is it known that the experience that is acceptable to the board is consistent with the assumed legislative intent that (at least) one year's post-graduate experience should qualify an applicant to sit for an examination for licensure as provided by AS 08.86.130(3).
- (3) Clarification of "supervised professional experience" in 12 AAC 60.010(a)(7) and 12 AAC 60.080(b) v. 12 AAC 60.070. A plea for uniformity of language is being made here; as in No. E(1) above. Also, what standard or year will be used for defining "three years of board approved experience" in 12 AAC 60.080(5).

- (4) Suggest deleting "minimum" which follows "following" and precedes "requirements" in 12 AAC 60.080(a); the requirements are requirements, not minimum requirements.
- (5) Suggest the insertion of "Examiners" in 12 AAC 60.080(a)(4) between "Board of" and "Professional" or preferably deletion of "Examiners" in 12 AAC 60.010(a)(6), 12 AAC 60.070(b), and AS 08.86.150(3); See APA 1983d, p. 698, for current references. It is noted here, however, that "Examiners" may be used on the diploma itself.
- (6) Clarification of adoption of future American Psychological Association approved training programs criteria (12 AAC 60.080(6)*)

F. Prevention.

- (1) See recommendations to Code Revision Committee.

G. Other Provisions.

- (1) Recommend sections on Confidentiality in Code and Statutes (12AAC 60.200; AS 08.86.200) include statements on reporting knowledge of threats to others and child abuse; AS 47.17.020 and AS 11.41.230(3).
- (2) Recommend section in 12 AAC 60 requiring psychologists and psychological associates to advise clients of their right to informed consent; i.e., informing clients of the possible risks to their careers by entering psychotherapy, particularly when records are kept in third party payment plans (see Noll, 1981).
- (3) Adoption and publication in 12 AAC 60 of provisions for appeal (by candidates not qualifying to sit for the examination) to board decisions (AS 44.62; cf. AS 08.86.100).
- (4) Recommend that Statute and Code booklet (State of Alaska, 1983) for applicants contain Notes to Decisions, collateral references, and explanation of amendments on vital topics such as privileged communication (information) (cf. AS 08.86.200, Notes to Decisions) and liability (cf. AS 09.55.520; collateral references to Article 5, Title 9). Also recommended correction of reference to Statutes on title page of July 1983 booklet (State of Alaska, 1983).

* Reference: Northern Lights Motel, Inc. v. Sweaney, 561, P.2d 1176, aff'd on rehearing 563 P.2d 256 (Alaska 1977).

(K). General Suggestions

After reviewing the Statutes and Code and consumer needs relevant to the delivery of mental health services, it appears there are several options available for the future development of professional psychology in Alaska. Some of these may or may not be:

1. To let well enough alone.
2. To terminate the board.¹⁶
3. To revise the psychology Statutes and Code.
4. To ask the American Psychological Association what to do.
5. To redefine the concept of normality.
6. To encourage psychoanalysts to practice in the state.
7. To pass certification laws for title control.
8. To develop a licensing test for Alaska.
9. To license or certify clinical social workers and marital counselors as psychotherapists.
10. To use the National Register of Health Service Providers in Psychology for identifying Psychologists.
11. To establish the validity of supervised experience requirements for Psychologist.
12. To license or certify counselors for the mentally retarded and handicapped (developmental disabilities).
13. To license or certify master-level psychologists as independent psychological counselors.
14. To encourage universities and colleges in Alaska to grant terminal master's degrees in psychology.
15. To encourage the development of a doctoral program in psychology or community mental health for the University of Alaska system.
16. To encourage the practice of psychology in Alaska by diplomates of the American Board of Professional Psychology.
17. To explore, formulate, and disseminate knowledge conducive to mental health.
18. To determine whether licensing is related to competence in the delivery of psychological services in Alaska.

19. To "...recognize that there are many skilled and competent mental health professionals who will not have the usual credentials, and we must seek to reduce unnecessarily rigid barriers to preclude members of the public from access to their services" (Koocher, 1979, p. 702).
20. To approve the concept of primary prevention.
21. To concentrate available resources on intervention.
22. To remove the terms psychoanalysis and psychoanalyst from the restricted list of terms referring to the practice of psychology.
23. To leave the mental health field to psychiatrists.
24. To inform the public about the nature and availability of mental health services.
25. To increase the number of public members (no direct financial interest in the health care industry) on the board.
26. To delete or revise experience requirements for psychologist applicants in AS 08.86 (see No. 11).
27. To clarify the specialties for psychological associate and publish them in the Code.
28. To permit qualified members of other professions (or the same profession) to represent themselves in terms of their psychological education, training, or competence; to revise exemptions for both licensed (Title 8) and non-licensed professionals.
29. To publish a list of counselors for women.
30. To formulate and publish (in 12 AAC 60) specialist designations for psychologist.
31. To license or certify psychometrists as independent practitioners.
32. To license or certify drug and alcohol abuse counselors.
33. To define terms such as psychotherapy and behavior modification.
34. To determine the efficacy of intervention services in Alaska.
35. To provide for the licensing or certification of minority and youth counselors.
36. To encourage research on human behavior by social psychologists, anthropologists, sociologists and other social and behavioral science professionals.
37. To encourage the concept of prevention in schools and in school psychology.

38. To provide information in the Code relating to appeal of procedures for applicants.
39. To provide information in the Code relating to privileged communication, informed consent, malpractice (liability) and limits to confidentiality.
40. To ensure for the availability of adequate numbers of mental health service providers for prevention and intervention needs.
41. To "review...the quality and availability of psychological services in the state" as provided by AS 08.070(a)(8)
42. To provide for the counseling of the elderly.
43. To encourage activities directed toward the prevention of psychological problems, not only by licensed and non-licensed professionals, but also by the public.
44. To re-evaluate the "approved program" concept used in licensing psychologists
45. To provide for more advertising for proposed changes to regulations (i.e., changes or additions to the Code via the Administrative Register).
46. To provide for licensing or certification of psychologists other than graduates of "approved programs" (e.g., social psychologist).
47. To provide for counseling of the indigent and persons in correctional facilities (in cooperation with the Department of Health and Social Services)
48. To adopt regulations relating to the reporting of threats of harm to others and child abuse.
49. To identify, define or describe what it means to be normal in the Great State of Alaska.
50. To remember William Blake, "Without Contraries is no progression."

Notes

1. According to Knapp (1980, p. 606; see Note 2 below for the citation system used here) the courts have referred to both psychology and psychiatry as infant sciences. Smith (1978, p. 489) states, "The oldest state board of examiners of psychologists has been in existence only 33 years (Connecticut), and it was not until 1977 that such legislation had been enacted in all 50 states and the District of Columbia."

2. Reference citations used in this paper are similar to those used in psychological journals. However, page numbers are often included, even in cases not involving direct quotes, as an aid for locating information. The dates in

parentheses refer to the date of publication for the studies listed in alphabetical order by author in the Reference Section. Initials (e.g., APA, 1983a) or abbreviated forms (e.g., board) are generally used in this paper once their reference connection has been established. As noted in the title, AS 08.86 refers to ALASKA STATUTES, TITLE 8, CHAPTER 86. Similarly 12 AAC 60 refers to the ALASKA ADMINISTRATIVE CODE, TITLE 12, CHAPTER 60. The notation system is extended in both cases by adding the appropriate section, sub-section, and paragraph by letter or numeral. While 12 AAC 60 (the Psychology Professional and Vocational Regulations) is abbreviated here as Code, it is sometimes referred to in writings as regulations, Alaska Regulations, Vocational Regulations, or as a specific number of the Alaska Administrative Register, which is a periodic supplement to the Code (see AS 44.62.130). Other abbreviations are: SLA - Session Laws of Alaska; am - amendment, and ch - chapter.

3. See Kilburg and Ginsturg (1983) for a discussion of psychology and the sunset crisis (including Alaska).

4. See Carlson (1978) and Shimburg (1981) for discussions concerning the Examination for Professional Practice in Psychology. Also note the alternate reference note citation used by Carlson (1978, p. 495) for PES and AASPB.

5. Alaska Psychology's assumption of authority over psychoanalysis may have both Freudian and Dostoevskian implications. While a consideration of these implications is beyond the scope of this paper, readers are referred to the Grand Inquisitor episode in Fyodor Dostoevsky's The Brothers Karamazov.

6. It is again tempting to invoke Dostoevsky and modify Ivan Karamazov's famous statement to read, "If there is no clarity, then everything is permitted."

7. APA (1981b, p. 640) recommends generic licensing.

8. The APA specialty guidelines are suggested "as a means of self regulation" (APA 1981b, p.640), but this may be at variance with AS 08.02.010(a).

9. Dostoevsky cannot be invoked here since there are regulations and "everything is not permitted."

10. The reference is presumably to: [American Psychological Association. "Education and Credentialing in Psychology II." Report of a meeting June 4-5, 1977. Washington, D.C. American Psychological Association. Washington, D.C., 1977] (see APA, 1981b, p. 649, p. 651). However, one should not have to guess about references concerning criteria for statutory law, i.e., AS 08.86.230(12). also see Wellner, A.M., 1977, in Reference Section in Koocher (1979). There is even some question of how to list this Report in APA publications.

11. AS 08.64.380(2)(A) does include the phrase "prescribe for," but the meaning of this phrase could be subject to interpretation. In any case, the term "prevention" is not included in the definitions; thus no proscription concerning prevention can be established.

12. Compare the psychologist ratio with the U.S. ratio of one attorney for every 430 persons; disturbed and non-disturbed combined. (Source: general information); also see CSB #303 and SB No. 482 concerning proposed legislation allowing the entry of other professionals in the mental health field.

13. This is not meant to discourage persons from entering psychotherapy. It could promote mental health by requiring potential clients to question whether they need or desire psychotherapy.

14. Sociologists might not agree with this assertion (cf. various works by Auguste Comte, Emile Durkheim, and Max Weber).

15. The Cabin Fever Syndrome may have characteristics unique to Alaska.

16. It is not the intent of this paper to request or encourage termination of the board. However, see Section 1 ch 149, SLA 1977. This paper is basically a plea for a psychology licensing, registration, or certification act appropriate to Alaska.

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* To Rose and Mary *

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ROBERT M. ARVIDSON
Box 258
Cordova, Alaska 99574
March 29, 1985

APR 2 1985

Senator Fred F. Zharoff
Ch: Labor and Commerce Committee
Pouch V
Juneau, Alaska 99811

Re: SB 251, Regulation of Psychology

Dear Senator Zharoff,

This is a letter of support for SB 251. The proposed legislation will bring Alaska psychology licensure law in line with existing California licensing requirements and I believe this to be in the best interests of the State. The California licensing law has been developed over a period of time to maximize the delivery of psychological health services to a diverse and populous state(enclosure).

SB 251 is generally consistent with the Aug. 12, 1981 performance audit of the psychology board (Audit Control No. 08-121-1054-R), and I believe that the Bill will encourage qualified applicants to seek licensure in the State, and this should benefit Alaska.

The Bill expands recognition of academic institutions that offer doctoral degrees (also masters) in psychology. A recent survey indicates that there are 350 doctorate granting schools in the U. S. (enclosure). Only about one half of these schools have programs that are approved by the American Psychological Association and because of this entry into professional psychology is unnecessarily restricted (under current law).

I am enclosing a recent paper of mine that gives greater detail concerning the need for SB 251. The paper was originally addressed to the Alaska Code Revision Commission.

With thanks,

Sincerely yours,


Robert M. Arvidson

Enc: As stated.
cc: Senators Kerttula and Josephson

will parallel that of the report of 1979 and 1980 surveys (Stapp & Fulcher, 1982). In addition to the data presented here, further detail on the results of the 1981 and 1982 surveys may be found in Wicherski, Stapp, and Fulcher (1984).¹

Method

The 1981 and 1982 Doctorate Employment Surveys were conducted in an identical manner, using the same procedures as previous surveys. In the fall of 1981, we contacted 350 doctorate-granting departments and professional schools in the United States and Canada, requesting the names and addresses of individuals receiving a doctorate in psychology between July 1, 1980, and June 30, 1981 (i.e., 1981 doctorate recipients).² A total of 3,231 names and addresses were provided by the 323 departments responding to the request. Survey questionnaires were mailed to these individuals in February 1982. For the 1982 survey, we contacted 333 doctorate-granting departments and professional schools in the fall of 1982; 303 responded, providing a total of 3,080 names and addresses of individuals receiving doctorates in psychology between July 1, 1981, and June 30, 1982 (i.e., 1982 doctorate recipients). Survey questionnaires were mailed to these individuals in February 1983.

For each of the surveys, a second mailing of the questionnaire was done four weeks after the initial mailing, and a reminder postcard was sent four weeks after that. For the 1981 Doctorate Employment Survey, 2,316 usable questionnaires were returned—a response rate of 71.7%; for the 1982 survey, 2,164 questionnaires were returned—a response rate of 70.2%. For each year, approximately 8% of the survey questionnaires were returned by the U.S. Postal Service as undeliverable, and neither we nor the department where they received their degree were able to find a current address.

A four-page, optically scanned questionnaire was used for both surveys. The questionnaires were identical and consisted of five sections requesting information on: (a) doctoral training (e.g., subfield, type and date of degree sources of support); (b) employment (e.g., number and type of positions, employment settings, work activities, contract length, salary, income); (c) postdoctoral fellowship (e.g., postdoctoral subfield, source of support, duration of fellowship, reasons for postdoctoral study); (d)

¹ This report, *Detailed Statistical Tables: 1981 and 1982 Doctorate Employment Surveys*, is available from the Human Resources Research Office, American Psychological Association, 1200 Seventeenth Street, N.W., Washington, DC 20036.

² This designation of academic year (July 1 to June 30) corresponds to that used by the National Research Council in its annual surveys of doctorate recipients from U.S. universities (e.g., Syverson, 1982a).

unemployment (e.g., if ever employed since receiving doctorate, whether currently seeking employment, reasons for not seeking employment); and demographic information (e.g., sex, ethnic group, age, citizenship, marital status) and perceptions of the job market. Both questionnaires were similar to those used in the 1979 and 1980 surveys with the following exceptions: For sources of support, separate options replaced the single option "Loans, family, employment"; questions were added for the type of position (e.g., faculty, research, direct human services) in the primary and secondary employment setting; and the question regarding work activities in the secondary employment setting was deleted.

The results reported below are based on the responses of individuals receiving their degrees from U.S. departments and professional schools (i.e., 2,189 doctorate recipients in 1981 and 2,059 in 1982). Excluded here are the responses of 232 individuals who received their degrees from Canadian departments; information on graduates of Canadian departments may be found in Wicherski et al. (1984).

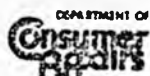
Of the 4,248 respondents who received their degrees from U.S. departments during the 1981 and 1982 academic years, 45.6% were women, 7.8% were ethnic minorities, and 96.0% were U.S. citizens. With the exception of a higher percentage of U.S. citizens, these data are comparable to those reported by the National Research Council (Syverson, 1982a, 1983) for 1981 and 1982 psychology doctorate recipients. With regard to the type of doctoral degree earned, 91.7% of the respondents received a PhD degree, 2.4% an EdD degree, and 5.8% a PsyD.

The presentation of the results will parallel the presentation in our previous article (Stapp & Fulcher, 1982). Because many of the results are similar to those found in the 1979 and 1980 surveys, we will present less detail. Readers interested in additional detail are referred to Wicherski et al. (1984).

Overview of the Employment of 1981 and 1982 Doctorate Recipients

Employment Status

Although there have been variations from one year to the next, the 1975–1980 surveys have shown approximately 80% of the respondents to be employed full time, 7% employed part time, 10% postdoctoral fellows, 2% unemployed and seeking, and 1% unemployed and not seeking. The employment status of 1981 and 1982 doctorate recipients, reported in Tables 1 and 2, shows a consistent pattern of results. Compared with 1981 respondents, there were slightly higher percentages of 1982 respondents who were employed part time (9.7% vs. 8.4% in 1981) or unemployed and seeking employ-



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Laws, Rules and Regulations Relating to the Practice of Psychology



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BOARD OF MEDICAL QUALITY ASSURANCE
PSYCHOLOGY EXAMINING COMMITTEE

1984

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1430 Howe Avenue

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(d) Such persons do not offer their services to the public for a fee, monetary or otherwise.

(e) Such persons do not provide direct health or mental health services. (Amended by Stats. 1979, Ch. 996.)

Student Practice—Exemption

2911. Nothing in this chapter shall be construed as restricting the activities and services of a graduate student or psychological intern in psychology pursuing a course of study leading to a graduate degree in psychology at an accredited or approved college or university and working in a training program, provided that these activities and services constitute a part of his supervised course of study and that such persons are designated by such title as "psychological intern," "psychological trainee" or other such title clearly indicating the training status appropriate to his level of training. The term "psychological intern," however, shall be reserved for persons enrolled in the doctoral program in psychology or social psychology at an accredited or approved college or university.

Out-of-State Psychologist—Exemption

2912. Nothing in this chapter shall be construed to restrict or prevent a person who is licensed or certified as a psychologist in another state or territory of the United States or in a foreign country from offering psychological services in this state for a period not to exceed 30 days in any calendar year.

(Amended by Stats. 1978, Ch. 1161.)

Psychological Assistants

2913. A person other than a licensed psychologist may be employed by a licensed psychologist, by a licensed physician and surgeon who is board certified in psychiatry by the American Board of Psychiatry and Neurology, by a clinic which provides mental health services under contract pursuant to Section 5614 of the Welfare and Institutions Code, by a psychological corporation, by a licensed psychology clinic as defined in Section 1204.1 of the Health and Safety Code, or by a medical corporation to perform limited psychological functions provided that all of the following apply:

(a) The person is termed a "psychological assistant."

(b) The person (1) has completed a master's degree in psychology or education with the field of specialization in psychology or counseling psychology, or (2) has been admitted to candidacy for a doctoral degree in psychology or education with the field of specialization in psychology or counseling psychology, after having satisfactorily completed three or more years of postgraduate education in psychology and having passed preliminary doctoral examinations, or (3) has completed a doctoral degree which qualifies for licensure under Section 2914, in an accredited or approved university, college, or professional school located in the United States or Canada.

(c) The person is at all times under the immediate supervision, as defined in regulations adopted by the committee, of a licensed psycholo-

gist, or board certified psychiatrist, who shall be responsible for insuring that the extent, kind, and quality of the psychological services he or she performs are consistent with his or her training and experience and be responsible for his or her compliance with the provisions of this chapter and regulations duly adopted hereunder, including those provisions set forth in Section 2960.

(d) The licensed psychologist, board certified psychiatrist, contract clinic, psychological corporation, or medical corporation, has registered the psychological assistant with the committee. The registration shall be renewed annually in accordance with regulations adopted by the committee.

No licensed psychologist may register, employ, or supervise more than three psychological assistants at any given time unless specifically authorized to do so by the committee. No board certified psychiatrist may register, employ, or supervise more than one psychological assistant at any given time. No contract clinic, psychological corporation, or medical corporation may employ more than 10 such assistants at any one time. No contract clinic may register, employ, or provide supervision for more than one psychological assistant for each designated full-time staff psychiatrist who is qualified and supervises the psychological assistants. No psychological assistant may provide psychological services to the public for a fee monetary or otherwise, except as an employee of a licensed psychologist licensed physician, contract clinic, psychological corporation, or medical corporation.

(e) The psychological assistant shall comply with regulations that the committee may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education.

(f) No person shall practice as a psychological assistant who is found by the committee to be in violation of the provisions of Section 2960 and the rules and regulations duly adopted thereunder.

(Amended by Stats. 1983, Ch. 207.)

Licensure Requirements

2914. Each applicant for licensure shall comply with all of the following requirements:

(a) Is not subject to denial of licensure under Division 1.5.

(b) Possess an earned doctorate degree (1) in psychology, (2) in education psychology, (3) in education with the field of specialization in counseling psychology or educational psychology, or (4) possess an earned doctorate degree deemed equivalent by the committee in regulation duly adopted under this chapter. Such degree or training shall be obtained from an accredited or approved university, college, professional school, or any other educational institution approved by the committee as offering a comparable program in regulations duly adopted under this chapter.

No educational institution shall be denied recognition as an accredited or approved academic institution solely because its program is not accredited by any professional organization of psychologists, and nothing in this act or in the administration of this act shall require the registration with the committee by educational institutions of their departments of psy-

chology or their doctoral programs in psychology.

(c) Have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist, the specific requirements of which shall be defined by the committee in its regulations, or such suitable alternative supervision as determined by the committee in regulations duly adopted under this chapter, at least one year of which shall be after being awarded the doctorate in psychology.

(d) Take and pass the examination required by Section 2941 unless otherwise exempted by the committee under the provisions of this chapter.

(Amended by Stats. 1978, Ch. 1208.)

Severability Provision

2916. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any of the provisions or applications of this chapter which can be given effect without such invalid provisions or application, and to this end the provisions of this chapter are declared to be severable.

Confidentiality

2918. The confidential relations and communications between psychologist and client shall be privileged as provided by Article 7 (commencing with Section 1010) of Chapter 4 of Division 8 of the Evidence Code.

Article 2. Administration

<i>Section</i>	
2920	Psychology Examining Committee [<i>Amended</i>]
2921	Terms
2922	Appointment [<i>Amended</i>]
2923	Qualifications
2924	Removal
2925	Officers
2926	Meetings
2927.5	Notices
2928	Administration and Enforcement
2929	Seal
2930	Rules and Regulations
2931	Committee Functions
2932	Quorum
2933	Personnel
2934	Directory of Licensed Psychologists [<i>New</i>]
2935	Compensation
2936	Rules of Ethical Conduct; Posting of Notice

Psychology Examining Committee

2920. The Psychology Examining Committee of the Board of Medical Quality Assurance of the Department of Consumer Affairs shall administer the provisions of this chapter. The committee shall consist of eight members, three of whom shall be public members.

(Amended by Stats. 1952, Ch. 676.)

Terms

2921. Each member of the committee shall hold office for a term of four years, and shall serve until the appointment and qualification of his successor or until one year shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs. No member shall serve for more than two consecutive terms.

Appointment

2922. In appointing the members of the committee, except the public members, the Governor shall use his judgment to select psychologists to represent, as widely as possible, the varied professional interests of psychologists in California.

The Governor shall appoint one of the public members and the licensed members of the board qualified as provided in Section 2923. The Senate Rules Committee and the Speaker of the Assembly shall each appoint a public member, and their initial appointment shall be made on or after January 1, 1983, respectively, the first and second public member vacancies which occur on or after January 1, 1983.

(Amended by Stats. 1982, Ch. 676.)

Qualifications

2923. Each member of the committee shall have all of the following qualifications:

- He shall be a resident of this state.
- Each member appointed, except the public members shall be a licensed psychologist.

The public members shall not be licentiates of the committee or of any board under this division or of any board referred to in the Chiropractic Act or the Osteopathic Act.

Removal

2924. The Governor has power to remove from office any member of the committee for neglect of any duty required by this chapter, for incompetency, or for unprofessional conduct.

Officers

2925. The committee shall elect annually a chairperson and vice chairperson from among its members.

(Amended by Stats. 1978, Ch. 1208.)

Meetings

2926. The committee shall hold at least one regular meeting each year. Additional meetings may be held upon call of the chairman or at the written request of any two members of the committee.

Executive Sessions

2927. (Repealed by Stats. 1978, Ch. 1161.)

1394.6. Revised Criteria for Evaluation of Education.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

HISTORY:

1. Amendment of subsection (c) filed 9-29-78; effective thirtieth day thereafter (Register 78, No. 39). For prior history, see Registers 77, No. 8, 77, No. 31, 77, No. 43 and 77, No. 48.
2. Amendment filed 4-26-79; effective thirtieth day thereafter (Register 79, No. 17).
3. Repealer and new subsection (c) filed 2-28-80; effective thirtieth day thereafter (Register 80, No. 9).
4. Renumbering of Section 1394.6 to Section 1386 filed 6-15-83; effective thirtieth day thereafter (Register 83, No. 25).

1394.7. Original Research Dissertation Requirement Defined.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

HISTORY:

1. New section filed 2-15-78 as an emergency; effective upon filing (Register 78, No. 7).
2. Certificate of Compliance transmitted to OAH 6-9-78 and filed 6-15-78 (Register 78, No. 24).
3. Amendment filed 6-22-78; effective thirtieth day thereafter (Register 78, No. 24).
4. Repealer filed 9-28-78; effective thirtieth day thereafter (Register 78, No. 39).

1395. Foreign Graduates.

Applicants for licensure whose applications are based on graduation from foreign universities, colleges or professional schools shall provide the committee with such documents and evidence demonstrating that their formal education meets the requirements of Section 2914 of the code.

The applicant shall provide the committee with the following:

- (a) An original diploma or other certificate of graduation, which will be returned, and a photostatic copy of such document, which will be retained.
- (b) A transcript or comparable document of all coursework completed.
- (c) A certified translation of all documents submitted in a language other than English.
- (d) Satisfactory evidence of supervised professional experience comparable to that designated in Section 1387.
- (e) Evidence that the doctoral dissertation was primarily psychological in nature. In its discretion, the committee may require an applicant to file a copy of the dissertation.
- (f) A statement prepared by the applicant based on the above documents, indicating the chronological sequence of studies and research. The format of this statement shall be as comparable as possible to a transcript issued by American universities.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2914 and 2940, Business and Professions Code.

HISTORY:

1. Amendment filed 4-26-79; effective thirtieth day thereafter (Register 79, No. 17).
2. Amendment filed 6-15-83; effective thirtieth day thereafter (Register 83, No. 25).

1386. Revised Criteria for Evaluation of Education.

(a) Only those doctorate degrees which are designated as being earned in a department or school of psychology, educational psychology or education with the field of specialization in counseling psychology or educational psychology shall be accepted as an earned doctorate degree as specified in Section 2914, subsections (b) (1) through (3), of the code. Any other degree shall be subject to evaluation as an equivalent degree pursuant to the requirements of this section even though the designation "psychology" may be included in the title. If it is not evident on the official transcript, the committee may require that any doctorate degree earned in education with the field of specialization in counseling psychology or educational psychology be certified by the registrar as such a degree.

(b) Any doctorate degree earned in a program while approved by the American Psychological Association shall be deemed an equivalent degree pursuant to the provisions of this section.

(c) In order to be acceptable for psychology licensure as an equivalent degree, an applicant's doctorate degree shall meet the following requirements:

(1) The doctorate degree shall be equivalent or similar to a doctorate degree in psychology although not completed within a school or department of psychology, such as, a degree in child development, human development or behavioral medicine.

(2) Although the emphasis for evaluation of an equivalent degree is placed on the nature of the degree and the contents of the graduate program, the applicant's graduate program leading to the doctorate degree shall have contained at least 48 semester or 72 quarter units in those subject areas listed in subsection (c) (4) which have been successfully completed since receipt of a baccalaureate degree.

(3) The degree program shall be a recognizable and organizational unit within an educational institution which is under the authority of an official who has responsibility for the core and specialty areas of the program's curriculum.

(4) The degree program shall have an integrated, organized curriculum and sequence of study which includes instruction in the areas of biological bases of behavior, cognitive-affective bases of behavior, social bases of behavior and individual differences, instruction in psychometrics and research methodology, and professional ethics, and supervised practicum, internship and field or laboratory training, all of which is appropriate to the practice of psychology.

(5) All the coursework submitted as part of the equivalent degree program shall have been completed prior to receipt of the doctorate degree; however, the committee in its discretion may consider coursework which is directly relevant and appropriate to the course of study of the degree program which is completed after the doctorate degree is received.

(d) Applicants submitting evaluation for licensure shall submit official course descriptions of all post-baccalaureate courses completed and an abstract of the doctoral dissertation.

(e) Graduates of foreign universities, colleges or professional schools are exempt from the provisions of this section and shall be evaluated pursuant to Section 1395.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code

HISTORY:

1. Renumbering and amendment of former Section 1386 to Section 1387.5, and renumbering of former Section 1394.6 to Section 1386 filed 6-15-83; effective thirtieth day thereafter (Register 83, No. 25). For prior history, see Registers 79, No. 17 and 79, No. 20.

Robert M. Arvidson, Ph.D.
Box 258
Cordova, Alaska 99574

February 23, 1985

Senator Jalmar Kerttula
Pouch V
Juneau, Alaska 99811

Re: Proposed Bill, " An Act relating to regulation of the practice of psychology and providing for an effective date."

Dear Senator Kerttula,

Thanks very much for your letter of Feb. 18, 1985. I am very pleased with the WORK DRAFT and the summary of the Bill, and I think that the addition of Sec. 5 concerning psychological associates improves the Bill. The following comments are of a minor or technical nature.

Section 1. It may be possible to delete Sec. 08.86.070(11) since it appears that broad authority to adopt regulations is already granted by AS 08.86.080. Sec. 08.86.070(10) may also be inappropriate since education and experience requirements are specified by statute in AS 08.86.162 & 164 (Article 3A). I am only calling this to your attention since they are included in the WORK DRAFT on page 2, lines 4-7, and it would be an opportune time to repeal the paragraphs if it is appropriate to do so. I have noted the deletions on the enclosed WORK DRAFT for your consideration.

Section 4. The words " Examiners in " can be deleted on page 3, line 17. I am enclosing page 616 from the May 1983 American Psychologist which reflects the current title of the board , which is the American Board of Professional Psychology. It is my lay opinion that the word "or" should be inserted between paragraphs (2) & (3) since the paragraphs identify two separate and appropriate categories for qualifying by credentials. The section might read better by combining paragraphs (1) & (2); then adding "or" after combined paragraph (1); changing (3) to (2); adding the proposed "and" and changing paragraph (4) to (3). An alternate way would be to add subsections and rewrite paragraph (4) so that it would stand by itself. The main point that I am concerned with is that there are two avenues for obtaining reciprocity. The original 1967 section contained the conjunctions "or" & "and". Please disregard my corrections if I have interpreted this section incorrectly.

Section 5. The first part of Sec. 08.86.162(3) could be rewritten to read :

(3) has AT LEAST THREE, two years' supervised experience after obtaining a master's degree [WITHIN THE PAST TEN YEARS] ;

The rest of paragraph (3) would remain unchanged. The amendment would change three years of experience to two years and would be a compromise to the one year of post graduate supervised experience recommended by the Div. of Legislative Audit on page 16 in their Aug. 12, 1981 performance review of the psychology board (Audit Control Number 08-121-1054-R). The time stipulation for experience or degree should not be necessary since psychological associates must function under the supervision of a licensed psychologist (AS 08.86.164 (b) who is responsible for determining the

Senator Kerttula

Page 2

Feb. 23, 1985

~~the~~ appropriateness of the psychological associate's education and experience for services performed (AS08.86.164 (c)). The time stipulation is somewhat ambiguous anyway since it suggests that the master's degree itself must have been obtained within the past ⁰ years (of application for licensure). Again, I am only calling this to your attention since Ms. Cramer included Sec. 5 on the WORK DRAFT and I think that my suggested changes might encourage some individuals to pursue licensure as psychological associates. It may be the case that one year of post graduate supervised experience would be an appropriate requirement for psychological associates since they must practice under supervision after licensure.

I have had some feedback concerning the objective examination proposed in Sec. 08.86. 130 (a) (3), and it is my opinion that the paragraph should stand as written. The paragraph does not specify whether the examination shall be written or oral, but it is assumed that the examination will be written. However, the paragraph gives the board the discretion to administer an oral examination if deemed necessary, and, if and only if the board can develop a valid and reliable objective oral examination. The problems the board has had with oral examinations are discussed on pages 13 & 37 of the Legislative Audit Report (No. 08-121-1054-R) and it appears that the oral examination has been eliminated.

I appreciate your interest in this proposed legislation. I am personally acquainted with an individual who has a BA, three MA degrees, a Ph. D. degree, several years of experience as a practicing psychologist, and is licensed as a psychologist in California, but was recently denied licensure as a psychologist in Alaska because he had not graduated from a school approved by the board (based on existing statutes). I believe that the proposed amendments to AS 08.86 will correct this problem and work to the benefit of the state.

Thank you for your consideration.

Sincerely yours,

Bob Arvidson
Robert M. Arvidson

Enc: As stated.

+ Reciprocity statutes
Oregon
California
Washington

Copy for your information.

Robert M. Arvidson, Ph.D.
Box 258
Cordova, Alaska 99574

MAR 4 1985

February 27, 1984

Board of Psychologist and Psychological
Associate Examiners
Division of Occupational Licensing
Pouch D
Juneau, Alaska 99811

RE: May 7 & 8, 1984 Board Minutes

Dear Board Members,

I have reviewed the above minutes and I have several comments. On page 13 the board discussed the problematic nature of AS 08.86.200 (Confidentiality of Communication), but did not take any action to change the section. I suggest some action should be taken since the section is in conflict with 12AAC 60.135 as the Code now reads (see Principle 5 of the "Ethical Principles of Psychologists"). More important, the section (AS 08.86.200) is in conflict with AS 47.17.010, \oplus Persons required to report; and AS 47.24.010, Reports of harm.

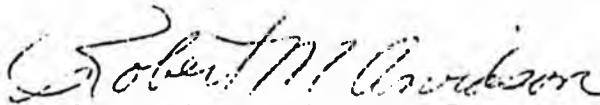
An effort should be made to clarify Sec. 08.86.200 with respect to the above and reference to the California Supreme Court decision concerning "Duty to Warn" (see Tarasoff v. Regents of the University of California, 17 C. 3d 425, 131 Cal Rptr. 14, 551 P2d 334 (1976)).

Another point concerns my paper, A Review and Critique of Alaska Psychologists And Psychological Associates Statutes AS 08.86 and the Alaska Administrative Code 12 AAC 60; with Recommendations and Suggestions for Change, (1984), which I forwarded to the board with a cover letter dated March 15, 1984. This submission is not noted under Correspondence Review on page three of the May 7 & 8, 1984 board minutes. This is puzzling since I received a letter concerning the paper from the board under the signature of Paul E. Turner, Ph.D. I request receipt of my paper be acknowledged in the March 25, & 26, 1985 board minutes for the public record. I am enclosing a copy of Dr. Turner's letter of May 10, 1984. I also request that * this letter be noted under Correspondence Review. Please send me a copy of the board minutes when they are approved.

I feel that it is important to have my 1984 paper noted in the minutes for the public record since I discussed the problems of confidentiality and the reporting of danger to others on page 14 of the paper.

Thank you for the copies of the March and May 1984 minutes. I am looking forward to receiving the September 1984 minutes as soon as they are approved.

Sincerely yours,


Robert M. Arvidson, Ph.D.

* "this" refers to my present letter.

\oplus see also, state v. R.H. and Wothorham. 182 Dal. 111

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

FOUCH D
JUNEAU, ALASKA 99811
PHONE: (907) 465-2534

DIVISION OF OCCUPATIONAL LICENSING

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS

May 10, 1984

Mr. Robert M. Arvidson
Box 258
Cordova, Alaska 99574

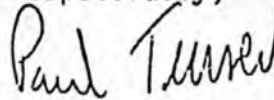
Dear Mr. Arvidson:

The board reviewed your March 15, 1984 letter and enclosure of "A Review and Critique of the Alaska Psychologist and Psychological Associate Statutes AS 08.86, and the Alaska Administrative Code 12 AAC 60." The board wishes to extend its appreciation for your very thorough and erudite perspective regarding statutes applicable to psychology licensure. The board has many of the same concerns that you do relative to psychology licensure and has proposed changes both in regulation and statute relative to the practice act. Unfortunately, many of our efforts have not been productive for a number of reasons.

However, the board will endeavor to continue to review statute and make recommended changes in our practice act. It is our hope that these efforts as well as the perspectives of others, such as yours, can be incorporated into a clear description of the practice of psychology.

Thank you again for your comments.

Respectfully,



Paul E. Turner, Ph.D.
Secretary

PET/va1B-15/3

SB 251: "An Act relating to regulation of the practice of psychology; and providing for an effective date."

The Department of Commerce and Economic Development remains neutral on this legislation.

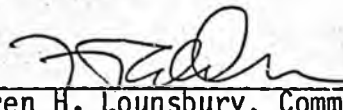
The changes proposed were similar to those offered by this agency during the last sunset review hearings. There is one concern in that the bill prohibits the board from recognizing professional (which in most cases are national) accrediting institutions as an alternative to approving academic institutions.

The bill is also directed toward benefiting the psychological associate level of licensure.



Harry D. Treager, Director
Division of Occupational Licensing

April 8, 1985
Date



Loren H. Lounsbury, Commissioner

4/10/85
Date

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 251
 Title: Relating to regulation of the practice of psychology
 Sponsor: Sen. Kertulla & Josephs
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 Program Category Affected: _____
Consumer Protection
 BRU, Program or Subprogram(s) Affected: _____
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Jennifer Strickler Mgnt Analyst Phone: 465-2144
 Division: Occupational Licensing Date: 4-8-85

Approved by Commissioner: Loren H. Lounsbury Date: 4/10/85
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

*
* DELIVER TO: JPOM *
* *
* ORIGINAL *
* SENT: 04/09/85 TIME: 11:09 *
* FROM: LANA TRUJILLO *
* SUBJECT: POM *
* PRINT DATE: 04/09/85 TIME: 11:09 *
* *

APR 10 1985

TO: ALL LEGISLATORS

FROM: JAMES T. PAYNE, PHD., 1941 BEAVER PL., ANCHORAGE, 99504, 333-6000(HM)

RE: SB 251, PRACTICE OF PSYCHOLOGY

I WOULD URGE ALL MEMBERS OF THE ALASKA STATE LEGISLATURE TO LOOK FAVORABLY UPON PASSAGE OF SB 251 SPONSORED BY SENATORS KERTTULA AND JOSEPHSON. THIS BILL WILL BETTER SERVE THE PSYCHOLOGICAL NEEDS OF ALASKANS THAN THE CURRENT LEGISLATION. IT IMPROVES LICENSING PROCEDURES WHILE MAINTAINING RIGOROUS STANDARDS.





RECORDS CERTIFICATION

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

James O. Smith
Signature of Camera Operator

11/24/89
Date

S B

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CHAIRMAN'S INFORMATION: SB 253

1) BILL TITLE: "An act relating to physical agents"

a) Introduced: Josephson, Fahrenkamp, V.Fischer, Rodey,
and Sturgulewski;

b) Co-sponsors:

2) INTENT: This measure expands the "worker right to know law" by including "physical agents" among the list of those hazards which employers must inform employees of. The department of Labor will be required to provide posters and information fact sheets to employers for the education of their employees. Additionally, safety training will be required before new employees become exposed to physical agents in the work place.

Department of Labor would propose an amendment to Sen Joes version of this bill concerning the definition of "being exposed to" as contained within House version.

FISCAL NOTE: 0

N.B. NO EFFECTIVE DATE CLAUSE

3) ADDITIONAL REFERRALS: Finance, Rules

4) PUBLIC HEARINGS:

a) Sponsor:

b) Public Witnesses:

5) BILL ACTION:

a) Hold in committee?

b) Assign to sub committee for further review?

c) Move from committee?

d) Close public hearings?

6) COMMITTEE ACTION?

- a) amendments?
- b) CS adoption?

SB 253/HB 319 Harmful Physical Agents

In 1983, the Alaska Legislature passed a Worker Right to Know Law, which required employers to train workers who are exposed to toxic substances and to post signs and provide upon request materials to inform workers of health hazards.

SB 253/HB 319, an act relating to physical agents, extends the original legislation to include posting and training requirements for harmful physical hazards in the workplace. Many workers in Alaska are exposed to harmful physical agents such as ionizing and non-ionizing radiation, extreme cold and heat, noise, lasers, and hand and arm vibration. These hazards have the capacity to cause acute as well as chronic, irreversible health effects.

* NOISE. Hearing loss due to noise is America's number one non-fatal health problem. Hearing loss can be prevented by training workers to wear protective gear and by keeping exposure to a minimum.

* HEAT. Exposure to excess heat in the work environment can cause heat exhaustion, dehydration, heat cramps and heat strokes. Employee education informs employees of proper clothing and work practices, and water and salt replacement.

* VIBRATION. Use of vibrating tools over extended periods of time can cause circulatory symptoms, numbness and blanching of fingertips. Engineering controls, medical surveillance, and personal protective equipment could help reduce hazards due to vibrating hand tools.

* NON IONIZING RADIATION. Exposure to non-ionizing radiation such as ultraviolet, microwave, radiofrequency, infrared, and laser radiation can cause adverse effects on skin, eyes, and in some cases the central nervous system.

- Infrared radiation can cause damage to the retina, iris and lens of the eye

- Lasers can also cause damage to the eye and excessive exposure can cause severe burns and damage to skin and underlying organs

- Radiofrequency and microwave radiation can cause tissue heating, immunologic changes, cataract, and central nervous system effects

Workers should be made aware of potential non-ionizing radiation hazards through warning notices and protective gear should be worn at all times.

* COLD. Exposure to extremely cold weather can cause frost bite and hypothermia. Proper clothing and training can help prevent over-exposure to the cold.

* IONIZING RADIATION. Exposure to ionizing radiation such as x-rays and gamma rays can cause cancer and also may cause mutations in reproductive cells. Exposure can be prevented through shielding some types of radiation, wearing protective clothing, using properly filtered eye protection and utilizing detection devices.

As is true with toxic chemicals, proper training and protection for workers can prevent exposure and also illness due to harmful physical agents. The Alaska Environmental Lobby supports SB 253 and HB 319 as a necessary addition to Alaska's Worker Right to Know Law.

Issue Paper #4 prepared by Marilyn Heiman for the AEL 4/9/85

WORKER RIGHT TO KNOW AMENDMENTS (SB 253)

The attached bill, introduced Monday, March 25, amends the "worker right to know" statute to include physical agents with other toxic and hazardous substances about which employers must inform their employees.

The existing statute (AS 18.60) directs the Department of Labor to prepare for employers, information data sheets on hazardous and toxic materials to which employees may be exposed in the workplace. Information which is compiled by the Department is transmitted to the workers through the employers, includes: description of the substantiated effects of the substance, known threshold levels where effects occur, activities and situations where the substances are encountered and practices, technology and preventative measures which are available to the workers which will reduce or eliminate the negative impacts of the substance.

These notification and educational efforts, organized by the Department were instituted with the enactment of the right to know legislation (SB 79) in 1983 which was supported by industry, labor, environmental and health groups and interests.

Physical agents, which would be subject to these informational requirements with passage of these amendments, are those identified by the American Conference of Governmental Industrial Hygienists (ACGIH) and include:

- Ionizing radiation (X-ray)
- Heat and Cold Stress
- Impulsive and Impact Noise
- Radiofrequency, microwave, ultraviolet, and infrared radiation
- Lasers
- Hand-arm (segmented) vibration

Physical agents often are not recognized as dangerous substances. With enactment of this bill's amendments industrial accidents will be reduced in number and severity. For example, accidents such as the microwave exposure at Clear Air Force Station may be avoided if workers are better informed of the substances to which they may be exposed and are aware of preventative and safety precautions. Many occupations are not readily associated with exposure to dangerous levels of physical agents. Welders and pipefitters for example are often exposed to hazardous exposures of ionizing radiation (x-rays) when examining welds and joints.

It is anticipated there will be little or no fiscal impact as a function of these amendments to the right to know statute. The Department of Labor will essentially be editing information from national organizations relating to health and safety in the workplace, including the ACGIH, the Center for Disease Control, and Occupational Safety and Health Administration (OSHA).

**THRESHOLD LIMIT VALUES
HEAT STRESS**

These Threshold Limit Values refer to heat stress conditions under which it is believed that nearly all workers may be repeatedly exposed without adverse health effects. The TLVs shown in Table 1 are based on the assumption that nearly all acclimatized, fully clothed workers with adequate water and salt intake should be able to function effectively under the given working conditions without exceeding a deep body temperature of 38°C.^(1, 2)

Since measurement of deep body temperature is impractical for monitoring the workers' heat load, the measurement of environmental factors is required which most nearly correlate with deep body temperature and other physiological responses to heat. At the present time Wet Bulb Globe Temperature Index (WBGT) is the simplest and most suitable technique to measure the environmental factors. WBGT values are calculated by the following equations:

1. Outdoors with solar load:
 $WBGT = 0.7 NWB + 0.2 GT + 0.1 DB$

2. Indoors or Outdoors with no solar load:
 $WBGT = 0.7 NWB + 0.3 GT$
 where:

WBGT = Wet Bulb Globe Temperature Index
 NWB = Natural Wet-Bulb Temperature
 DB = Dry-Bulb Temperature
 GT = Globe Temperature

The determination of WBGT requires the use of a black globe thermometer, a natural (static) wet-bulb thermometer, and a dry-bulb thermometer.

Higher heat exposures than shown in Table 1 are permissible if the workers have been undergoing medical surveillance and it has been established that they are more tolerant to work in heat than the average worker. Workers should not be permitted to continue their work when their deep body temperature exceeds 38.0°C.

EVALUATION AND CONTROL

1. Measurement of the Environment

The instruments required are a dry-bulb, a natural wet-bulb, a globe thermometer, and a stand. The

**TABLE 1
Permissible Heat Exposure Threshold Limit Values
(Values are given in °C, WBGT)**

Work — Rest Regimen	Work Load		
	Light	Moderate	Heavy
Continuous work	30.0	26.7	25.0
75% Work — 25% Rest, Each hour	30.6	28.0	25.9
50% Work — 50% Rest, Each hour	31.4	29.4	27.9
25% Work — 75% Rest, Each hour	32.2	31.1	30.0

measurement of the environmental factors shall be performed as follows:

A. The range of the dry and the natural wet bulb thermometer shall be -5°C to 50°C with an accuracy of ±0.5°C. The dry bulb thermometer must be shielded from the sun and the other radiant surfaces of the environment without restricting the airflow around the bulb. The wick of the natural wet-bulb thermometer shall be kept wet with distilled water for at least 1/2 hour before the temperature reading is made. It is not enough to immerse the other end of the wick into a reservoir of distilled water and wait until the whole wick becomes wet by capillarity. The wick shall be wetted by direct application of water from a syringe 1/2 hour before each reading. The wick shall extend over the bulb of the thermometer, covering the stem about one additional bulb length. The wick should always be clean and new wicks should be washed before using.

B. A globe thermometer, consisting of a 15 cm. (6-inch) diameter hollow copper sphere painted on the outside with a matte black finish or equivalent, shall be used. The bulb or sensor of a thermometer (range -5°C to 100 C with an accuracy of ±0.5°C) must be fixed in the center of the sphere. The globe thermometer shall be exposed at least 25 minutes before it is read.

2. *Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure*. National Bureau of Standards Handbook 69, (June 5, 1959), with Addendum 1 (August 1963). Available as NCRP Report No. 22.

The above documents, as well as information on numerous other NCRP Reports addressing specific subjects in ionizing radiation protection are available from: NCRP Publications, PO Box 30175, Washington, DC 20014.

LASERS

The threshold limit values are for exposure to laser radiation under conditions to which nearly all workers may be exposed without adverse effects. The values should be used as guides in the control of exposures and should not be regarded as fine lines between safe and dangerous levels. They are based on the best available information from experimental studies.

Limiting Apertures

The TLVs expressed as radiant exposure or irradiance in this section may be averaged over an aperture of 1 mm except for TLVs for the eye in the spectral range of 400-1400 nm, which should be averaged over a 7 mm limiting aperture (pupil); and except for all TLVs for wavelengths between 0.1-1 mm where the limiting aperture is 10 mm. No modification of the TLVs is permitted for pupil sizes less than 7 mm.

The TLVs for "extended sources" apply to sources which subtend an angle greater than α (Table 7) which varies with exposure time. This angle is *not* the beam divergence of the source.

Correction Factors A and B (C_A and C_B)

The TLVs for ocular exposure in Tables 4 and 5 are to be used as given for all wavelength ranges. The TLVs for wavelengths between 700 nm and 1049 nm are to be increased by a uniformly extrapolated factor (C_1) as shown in Figure 2. Between 1049 nm and 1400 nm, the TLV has been increased by a factor (C_1) of five. For certain exposure times at wavelengths between 550 nm and 700 nm, correction factor (C_n) must be applied.

The TLVs for skin exposure are given in Table 6. The TLVs are to be increased by a factor (C_1) as shown in Figure 2 for wavelengths between 700 nm and 1400 nm. To aid in the determination of TLVs for exposure durations requiring calculations of fractional powers Figures 3, 4, 5 and 6 may be used.

Repetitively Pulsed Lasers

Since there are few experimental data for multiple pulses, caution must be used in the evaluation of such exposures. The protection standards for irradiance or radiant exposure in multiple pulse trains have the following limitations:

(1) The exposure from any single pulse in the train is limited to the protection standard for a single comparable pulse.

(2) The average irradiance for a group of pulses is limited to the protection standard as given in Tables 4, 5, or 7 of a single pulse of the same duration as the entire pulse group.

(3) When the Instantaneous Pulse Repetition Frequency (PRF) of any pulses within a train exceeds one, the protection standard applicable to each pulse is reduced as shown in Figure 6 for pulse durations less than 10^{-3} second. For pulses of greater duration, the following formula should be followed:

$$\text{Standard (single pulse in train)} = \frac{\text{Standard (pulse } n\tau)}{n}$$

where:

n = number of pulses in train

τ = duration of a single pulse in the train

Standard ($n\tau$) = protection standard of one pulse having a duration equal to $n\tau$ seconds.

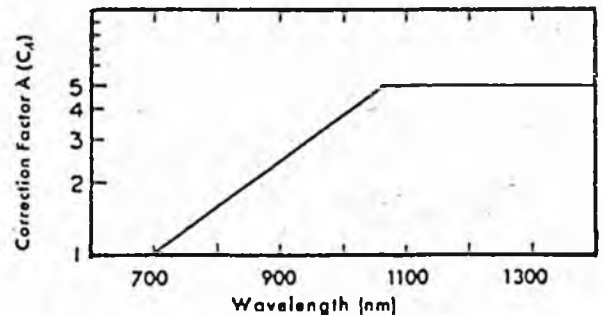


Figure 2 — TLV correction factor for $\lambda = 700 - 1400 \text{ nm}^*$

*For $\lambda = 700 - 1049 \text{ nm}$, $C_1 = 10^{(1/10)(\lambda - 700)}$
 For $\lambda = 1050 - 1400 \text{ nm}$, $C_1 = 5$

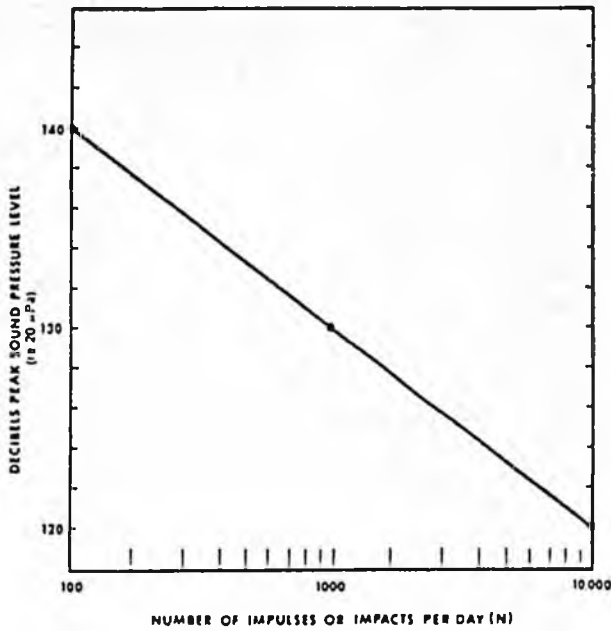


Figure 7 — Threshold Limit Values for Impulse/Impact Noise.

RADIOFREQUENCY/MICROWAVE RADIATION

These Threshold Limit Values (TLVs) refer to radiofrequency (RF) and microwave radiation in the frequency range from 10 kHz to 300 GHz, and represent conditions under which it is believed workers may be repeatedly exposed without adverse health effects. The TLVs shown in Table 10 are selected to limit the average whole body specific absorption rate (SAR) to 0.4 W/kg in any six minutes (0.1 hr) period for 3 MHz to 300 GHz, see Figure 8. Between 10 kHz and 3 MHz the average whole body SAR is still limited to 0.4 W/kg, but the plateau at 100 mW/cm² was set to protect against shock and burn hazards.

Since it is usually impractical to measure the SAR, the TLVs are expressed in units that are measurable, viz, squares of the electric and magnetic field strengths, averaged over any 0.1 hour period. This

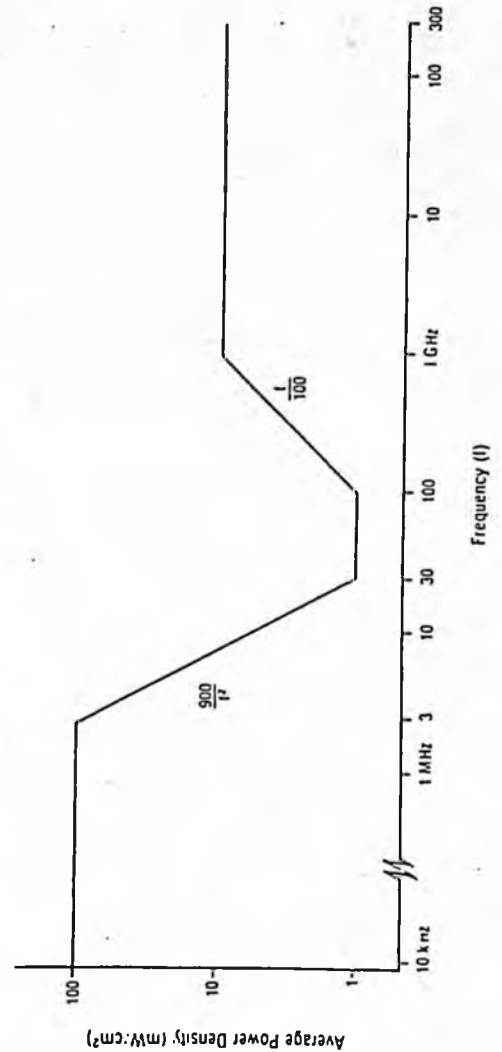


Figure 8 — Threshold Limit Values (TLV) for Radiofrequency/Microwave Radiation in Workplace (Whole Body SAR Less Than 0.4 W/kg).

TABLE 11
Relative Spectral Effectiveness
by Wavelength*

Wavelength (nm)	TLV (mJ/cm ²)	Relative Spectral Effectiveness S _λ
200	100	0.03
210	40	0.075
220	25	0.12
230	16	0.19
240	10	0.30
250	7.0	0.43
254	6.0	0.5
260	4.6	0.65
270	3.0	1.0
280	3.4	0.88
290	4.7	0.64
300	10	0.30
305	50	0.06
310	200	0.015
315	1000	0.003

*See Laser TLVs.

TABLE 12
Permissible Ultraviolet Exposures

Duration of Exposure Per Day	Effective Irradiance, E _{eff} (μW/cm ²)
8 hrs.	0.1
4 hrs.	0.2
2 hrs.	0.4
1 hr.	0.8
30 min.	1.7
15 min.	3.3
10 min.	5
5 min.	10
1 min.	50
30 sec.	100
10 sec.	300
1 sec.	3,000
0.5 sec.	6,000
0.1 sec.	30,000

4. Permissible exposure time in seconds for exposure to actinic ultraviolet radiation incident upon the unprotected skin or eye may be computed by dividing 0.003 J/cm² by E_{eff} in W/cm². The exposure time may also be determined using Table 12 which provides exposure times corresponding to effective irradiances in μW/cm².
5. All the preceding TLVs for ultraviolet energy apply to sources which subtend an angle less than 80°. Sources which subtend a greater angle need to be measured only over an angle of 80°.

Conditioned (tanned) individuals can tolerate skin exposure in excess of the TLV without erythral effects. However, such conditioning may not protect persons against skin cancer.

Reference:

1. *Sunlight and Man*. Fitzpatrick et al, Eds. Univ. of Tokyo Press, Tokyo, Japan (1974).

NOTICE OF INTENDED CHANGES
(for 1984-85)

These physical agents, with their corresponding values, comprise those for which either a limit has been proposed for the first time, or for which a change in the "Adopted" listing has been proposed. In both cases, the proposed limits should be considered trial limits that will remain in the listing for a period of at least one year. If after one year no evidence comes to light that questions the appropriateness of the values herein the values will be reconsidered for the "Adopted" list.

NOTICE OF INTENT TO ESTABLISH
THRESHOLD LIMIT VALUES
LASERS

It is proposed that the following footnote be added to Table 6 (Threshold Limit Value for Skin Exposure from a Laser Beam).

The IR-B and IR-C exposures to skin surface areas A(cm²) exceeding 1000 cm², the TLV is

$$(100,000/A) \cdot (mW/cm^2);$$

for areas greater than 10,000 cm², the TLV is 10 mW/cm².

LIGHT AND NEAR-INFRARED RADIATION

These Threshold Limit Values refer to visible and near-infrared radiation in the wavelength range of 400

TABLE 18
Wind Chill Cooling Rate Effects *

Wind Chill Rates (Watts/m ² /hr)	Comments/Effects
700	Conditions considered comfortable when dressed for skiing.
1200	Conditions no longer pleasant for outdoor activities on overcast days.
1400	Conditions no longer pleasant for outdoor activities on sunny days.
1600	Freezing of exposed skin begins for most people depending on the degree of activity and the amount of sunshine.
2300	Conditions for outdoor travel such as walking become dangerous. Exposed areas of the face freeze in less than 1 minute for the average person.
2700	Exposed flesh will freeze within half a minute for the average person.

*From Canadian Department of the Environment, Atmospheric Environment Service.

Work-Warming Regimen

If work is performed continuously in the cold at an equivalent chill temperature (ECT) or below -7°C (20°F) heated warming shelters (tents, cabins, rest rooms, etc.) shall be made available nearby and the workers should be encouraged to use these shelters at regular intervals, the frequency depending on the severity of the environmental exposure. The onset of heavy shivering, frostnip, the feeling of excessive fatigue, drowsiness, irritability, or euphoria, are indications for immediate return to the shelter. When entering the heated shelter the outerlayer of clothing shall be removed and the remainder of the clothing loosened to permit sweat evaporation or a change of dry work clothing provided. A change of dry work clothing shall be provided as necessary to prevent workers from returning to their work with wet clothing. Dehydration, or the loss of body fluids occurs insidiously in the cold environment and may increase the susceptibility of the worker to cold injury due to a significant change in blood flow to the extremities. Warm sweet drinks and soups should be provided at

the work site to provide caloric intake and fluid volume. The intake of coffee should be limited because of a diuretic and circulatory effect.

For work practices at or below -12°C (10°F) ECT the following shall apply:

1. The worker shall be under constant protective observation (buddy system or supervision).
2. The work rate should not be so high as to cause heavy sweating that will result in wet clothing; if heavy work must be done, rest periods must be taken in heated shelters and opportunity for changing into dry clothing shall be provided.
3. New employees shall not be required to work full-time in cold in the first days until they become accustomed to the working conditions and required protective clothing.
4. The weight and bulkiness of clothing shall be included in estimating the required work performance and weights to be lifted by the worker.
5. The work shall be arranged in such a way that sitting still or standing still for long periods is minimized. Unprotected metal chair seats shall not be used. The worker should be protected from drafts to the greatest extent possible.
6. The workers shall be instructed in safety and health procedures. The training program shall include as a minimum instruction in:
 - a. Proper rewarming procedures and appropriate first aid treatment.
 - b. Proper clothing practices.
 - c. Proper eating and drinking habits.
 - d. Recognition of impending frostbite.
 - e. Recognition signs and symptoms of impending hypothermia or excessive cooling of the body even when shivering does not occur.
 - f. Safe work practices.

Special Workplace Recommendations

Special design requirements for refrigerator rooms include the following:

1. In refrigerator rooms, the air velocity should be minimized as much as possible and should not exceed 1 meter/sec (200 fpm) at the job site. This can be achieved by properly designed air distribution systems.

8. International Organization for Standardization: *Guide for the Measurement and the Assessment of Human Exposure to Vibration Transmitted to the Hand*. Second DIS 5349. International Organization for Standardization, Geneva (in press, 1983).
9. International Organization for Standardization: *Human-Response Vibration Measuring Instrumentation*. Second Draft Proposal DP 8041. ISO/TC 108/SC 3 n 99. International Organization for Standardization, Geneva (unpublished, 1982).

PHYSICAL AGENTS UNDER STUDY

The Physical Agents Committee of ACGIH has examined the current literature and has not found sufficient information to propose a TLV. However, these agents will remain under study during the coming year to examine new evidence indicating the need and feasibility for establishing a proposed TLV. Comments and suggestions, accompanied by substantive documentation are solicited and should be forwarded to the Executive Secretary, ACGIH. Documentation summarizing the current status of the biological effects literature is available on those agents preceded by an asterisk (*).

1. **Extremely Low Frequency (ELF) Radiation*. Specifically, that portion of the spectrum from 0 to 300 Hz.
2. *Magnetic Fields*. Both pulsed and *continuous.
3. *Laser Radiation*. Specifically laser exposures of less than one (1) nanosecond.
4. *Vibration*. Whole-body.
5. *Pressure Variations*.

Bill No. Senate Bill No. 253

Date April 4, 1985

Title "An Act relating to physical agents."

Contact: Richard Arab
465-4856
Eileen Plate
465-2700

Under existing law, employers are required to provide information and training to employees on certain toxic and hazardous substances. Senate Bill No. 253 seeks to expand the "Right-to-Know" law to include physical agents.

Physical agents are defined as those listed in the "Threshold Limit Values for Chemical Substances and Physical Agents in the Work Environment" as published by the American Conference of Governmental Industrial Hygienists. The latest edition of this publication lists the following physical agents:

- Heat Stress
- Ionizing Radiation
- Lasers
- Noise
- Impulse or Impact Noise
- RF/Microwave Radiation
- Ultraviolet Radiation
- Airborne Upper Sonic and Ultrasonic Acoustic Radiation
- Cold Stress
- Hand-Arm (Segmental) Vibration

Exposure to physical agents can result in permanent disabilities, such as deafness. Often employers and employees are not aware of the harmful effects of a particular physical hazard present in the workplace, and the training and information requirements provided in this bill would assist in filling this void. This would, in turn, effect implementation of protective measures by the employer to safeguard employees, as well as provide employees with an understanding of the importance of following safe and healthful work practices.

As part of its Occupational Safety and Health program, the Department of Labor enforces regulations to protect employees from certain physical hazards (ionizing radiation, lasers, noise, RF/microwave radiation, and ultraviolet radiation). The information and training requirements of this bill would, therefore, enhance the Department's efforts to protect Alaska's workers.

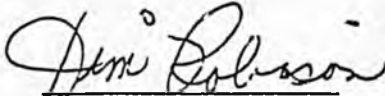
The Department would offer one additional amendment to AS 18.60 to incorporate physical agents into the definition of "be exposed" currently set out in AS 18.60.105(a)(1), as follows:

AS 18.60.105(a)(1) is amended to read:

(1) "be exposed" means to ingest, inhale, or absorb through the skin or eyes a substance, or fumes or other potentially harmful aspect of a substance or physical agent;

The Department of Labor supports Senate Bill No. 253. It will not have a fiscal impact on the Department.

APPROVED:

A handwritten signature in cursive script, appearing to read "Tim Robison".

Tim Robison
Commissioner



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

SB 253: Sectional Analysis

Section 1) Expands the duties of the Department of Labor concerning occupational health and safety regulation and expands the "worker's right to know" law by including physical agents. The department would be required to publish an annual list of physical agents, maintain a current set of OSHA form 20's or equivalent information for each physical agent, and other information relevant to physical agents.

Department would also be required, upon request, to develop employee safety education programs, and obtain information on physical agents.

Section 2) Employer would be required to conduct a safety education program before an employee performs a new work task and is exposed to physical agents for which he has not already been trained. Also defines the employee safety instruction program.

Section 3) Employer is required to make available on the request of an employee, information on the physical agents to which the employee may be exposed. If the employer does not have a copy of the information requested, he shall request a copy within 3 state government working days after the request has been made.

Section 4) Concerns requirements for the posting of information on physical agents by employers.

Department shall print posters and provide information on each physical agent which the employee may be exposed to.

Section 5) Defines physical agents

Section 6) Despite the provisions in this bill, the department may continue to use existing posters until the next printing of posters.

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 253
 Title: "An Act relating to physical agents"
 Sponsor: Josephson, et. al.
 Requestor: Senate Labor & Commerce
 Date of Request: 2/28/86

FISCAL DETAIL

Agency Affected: Labor
 BRU: Occupational Safety & Health
 Components: Occupational Safety & Health

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND*						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by: Robert J. Bacolas, Sr.
 Division: Labor Standards & Safety

Phone: 465-4870
 Date: 3/3/86

Approved by Commissioner: Jim Robison
 Agency: Labor

Date: 3/3/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 253
 Title: "An Act relating to physical agents"
 Sponsor: Josephson, et. al.
 Requestor: Senate Labor & Commerce
 Date of Request: 3/27/85

FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Public Protection
 BRU, Program or Subprogram(s) Affected: Occupational Safety & Health

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						


FUNDING: (Thousands of Dollars)


GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Robert J. Bacolas, Sr.  Phone: 465-4870
 Division: Labor Standards & Safety Date: 3/28/85

Approved by Commissioner: Jim Robison  Date: 3/28/85
 Agency: Labor

Distribution (by Agency preparing fiscal note):

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7/1/84