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The WREB is very expensive and inconvenient for dentists that must travel from Alaska and the WREB does not provide patients for the examinees. Patients are available through the dental schools where the exams are given or the candidate must pay for transportation of his/her own patients to better assure appropriateness of the case and reliability of the patient. A patient that doesn't show up can become the dentists failure to complete the exam. An ironic point concerning the WREB is that those dentists who are most likely to want to live in Alaska for life are those who have experienced Alaska by virtue of their federal service here or who were born here. Alaska's entrance into the WREB process may very well hinder entry by those who already love Alaska. To say that 500 or 600 WREB examinees are eligible for licensure in Alaska is misleading when you consider that only 21 have applied for actual licensure as of February, 1989. The majority of dentists that practice in Alaska came here in federal service.

A look at the process by which dental specialists are licensed, supports the case for licensure by through scrutiny of credentials. In Alaska, specialists are required to take the general exam and then a second license to practice the specialty is granted based on the acceptance of the specialists credentials. This is a glaring contradiction to the claim that credential review is not effective or valid. Alaska has an extremely

competent group of about 46 licensed specialists who are rarely, if ever, the subjects of board investigation. It is, however, a wild stretch of imagination to conclude that specialists are qualified to practice their speciality because they demonstrated their ability to do silver fillings, gold fillings, or other basic general dental procedures.

The credentialing process already works for specialists. It is time to relieve the entering specialist of the unreasonable burden of taking the inappropriate general dentist exam. Certainly, the extra years of training and national specialty board eligibility or certification are outstanding credentials.

In addition to the credential licensure of specialists, there were 23 dentists licensed by credentials prior to the regulation 12ACC28.950 cessation of licensing by credentials. Dr. George Hansen, the state chairman of Dentist Peer Review, informed me on February 23rd, that he is not aware of problems or complaints directed toward this group. My experience on the board, where we see the names of dentists under investigation, is the same. It is unfortunate that comments to the contrary were made at the February 8th Senate Committee Meeting dealing with Senate Bill 126. It is equally unfortunate that rumors have circulated that deaths have occurred in Alaska at the hands of a credential licensed dentist. The patient deaths that

occurred in a dental office in the 1960's were under the care of a dentist licensed by examination.

In my experience during federal service in Alaska, I was called upon by federal attorneys to be a dental consultant and witness in various cases involving drug abuse, standards of clinical care and fraud. These cases involved dentists licensed by examination. It is not my intent to say that one group of licensees is more or less honest, non-addictive, or professionally competent than another. The point is that a 3 day limited exam alone, without a thorough credential review does not guarantee the entry of a gold plated dentist. The thorough evaluation of all applicant dentists background and close scrutiny of the experienced practitioner clinical track record can afford protection to the public. Clinical examination is still needed for the novice or others whose credentials are not readily verifiable.

At this time, 23 states have statutory authority to grant licensure by credentials. Nine of these require reciprocal licensure and 4 are not exercising statutory authority. Minnesota has been doing so for 81 years and reports fewer complaints against dentists licensed by credentials. Douglas Sell, executive Director of the Minnesota Board of Dentistry, stated in response to a survey in February, 1988. "We are careful in our requirements and verification of credentials presented... we verify all licensure candidates through clear "National

Clearinghouse on Licensure, Enforcement and Regulation) and the AADE (American Association of Dental Examiners) disciplinary system". Kentucky did experience a rise in the dentist population which it attributed to licensure by credentials. In response, the state eventually discontinued the practice. Ohio stopped credentialing, but in 1985, Mr. Omar P. Whisman, Executive Director of the Ohio Dental board, stated in an article in the July, 1985 Journal of the American dental Association, "We have two dental schools in the state and licensing by credentials is a valid mechanism to attract quality educators to Ohio. I believe the development of a reporting mechanism is important and if an effective mechanism existed, I believe the Board would reconsider licensing by credentials in Ohio".

The clearinghouses have been improved and will continue to improve, therefore, it is appropriate to move forward with this timely process now. The statement that no state west of the Rocky Mountains has licensure by credentials is true, but, has little application since Alaska has unique circumstances of geography, economics and patients' needs. I believe that we should take a positive approach and become creative leaders on the "last frontier."

Some claim that it is not possible to check backgrounds for dentists. This is not true. Two clearinghouses exist now and the National Data Bank will begin this summer. The Clearing House for Disciplinary

Information sponsored by the American Association of Dental Examiners (AADE) is seeking funding to improve reporting. Currently, 38 states and the U.S. Army, Navy, and Air Force report on a regular basis according to Ms. Molly Nadler, Executive Director (personal communication February 23, 1989). AADE is also encouraging members to report to that clearinghouse with hopes of 100% compliance by next year. The AADE also intends to periodically publish complete reports or boards disciplinary activities. Additionally, the Central Disciplinary Data Bank operated by Clear is being upgraded.

Another significant fact related to background checking is the passage of USPL99-660, The Health Care Quality Improvement Act of 1986 Title IV, Part A, Sections 402, 411 and 412 provide relief from liability for damages for professional review groups that provide information concerning damaging or incompetent performance. This has enhanced the reporting process.

I believe that competition, like water, seeks its own level. If there are too many practitioners in a state, the prudent business person/dentist is not going to practice there. It is true that the costs of operating a practice are high, but, this fact affects both the established practitioner and the newcomer. I also believe that competition can improve the quality and accessibility of care. Like the Avis ad, if you're second or new in town, you try harder. This may even relate to the fact that we

have seen an increase in dentist involvement in activities such as free dental care, school screening programs and improved dentist sign-up on dental emergency call schedules.

Recommendations:

1. Pass SB 126 with word shall. This will eliminate the present stagnation and set the stage for a positive can-do approach to the credential licensure statute.

2. Specify an effective date which would allow the Dental Board time to implement procedural changes which will be needed for effective implementation.

3. Refer to ADA guidelines for licensure (attached) and add language that will allow the Board to license individuals who can document successful accredited residency training, continuing education, teaching experience, and skills which the ADA offers as alternatives to satisfactory performance on a clinical examination. If case reviews are to be required, the Board will need more time and resource to develop fair measurable criteria for such reviews.

4. Assure by statute, if necessary, that the applicants pay fees that are sufficient to cover added costs of credential review.

5. Assure by statute, if necessary, that the issuance of licenses by credentials will require several months from date of completed application to allow thorough background

checks and to thwart immediate moves by the incompetent dentist on the move.

DR. ARTHUR S. HANSEN: (Anchorage)

I'm not sure that I'm looking at the right copy of the bill. Is CSSB 126 correct? Right, dated 3/17, that's the committee substitute that I have.

I was on the Board when the original credentialing act went through, and it concerns me that some of the allegations that are being made about credentialing. I can give you a little bit of a background on what happened during that period of time when we had licensure by credentials, but we also had a case review, and it proved to be a disaster. What we found at that time was that the case presentations, the dentistry done during the case presentations, was actually worse than it was during the examination period. That was why the credentialing was stopped at that time. It had nothing to do with anything else other those facts.

I was on the Board from '77 until '84 and I was the one, actually, who evolved the credentialing act that was actually passed and put into use. I did [indisc.] from review of other states and I put the act together for the state, and with the idea that we would have the case review, but it just didn't work at that time. Now circumstances may have changed. I've been off the line here and I haven't heard everything that has gone on, but

listening to the last speaker (Smole) with the idea that some of the review agencies are now on-line, which they were not on-line then, this makes a difference on how you can handle some of these cases, because we didn't have the advantage of having that type of information at that time. It was considered confidential and it was not passed from state to state. As a matter of fact, the State of Alaska was reluctant to hold information back when we had two licenses revoked and I was not able to put them on them books that I could tell other states about those revocations. So I have a problem with the credentials unless it's worded properly and you have the proper review of the candidate. Like I said, I was on the Board when the original went through and I was actually Chairman of the Board when we stopped it.

If you have any questions of me, I would be happy to answer them. I have some questions as to the Western Regional. I understand they joined the Western Regional - that was at my suggestion that they joined the Western Regional. It was also at my suggestion that the Western Regional changed their examination to the present format. You can talk to Dave Lowe from the Western Regional if you would like to, and I reviewed all of the things that we did in the State of Alaska at that time and they tried to incorporate those things in the Western Regional when they formed their new examination. But to back it up to the 1982 date that you're talking about, you would go back to

the old examination which I reviewed with Wayne Puttman and Claude Ricks. We went down to Oregon and reviewed the examination. It was not the same quality that it is now. I don't know what the exam is now because I haven't been involved in the exam, but I would guess from what I'm hearing that the examination is more along the lines of what our examination used to be, at least that is what I recommended to the Western Regional and I was told that this is what they were doing. I think you're backing the... [tape 1, side 1 ends midspeech]

[tape 1, side 2 begins midspeech]..and it would be hard to go back and find out whether the examinations were equal at a particular time when it ends with license. When you go down to, on the first page, "in scope, quality and difficulty" those were difficulties that we had to deal with when we were trying to do the credentialing and that is why we came up with the case review.

Do you have any questions of me? I can only give you information as to what went on during the period of time when I was on the Board, which was a period of seven years. It was also during that period of time I was president of the Western Examiners and Dental School [indisc.] for one year. I don't know what kind of credentials you would like to have from me, but I was there and I did a lot of work with this very thing that you're working with now and I may be of some help to you.

SENATOR COGHILL:

Dr. Hansen, I'm the one that requested that be put in there on the Western Regional Examining Board. And I guess going back to '82, that's when they first came into being and that's when they had their first clinical examinations. I don't know whether they corresponded -- we've got some correspondence today that just got into our packet that goes back to '84 that says that they were -- it seems to me that they required at that time just about everything that you folks required in your exam. What I was trying to do, I was trying to reach back far enough so that there couldn't be any room for favoritism or anything like that as far as getting into the clinical examination, because you folks in the industry have come a long way in identifying the techniques as well as the whole dentistry has advanced very greatly as far as the techniques are concerned. And so I don't know how far we want to go back, but that's why I went to that -- that's when we recognized it. Do you have a comment on that.

DR. HANSEN:

Senator Coghill, that may very well be the case that the Western Regional started, but if that is true, that is the examination that four of us went down and observed and it was not acceptable at that time. Because that was exactly what we wanted to do, and when we went and observed the examination, it was not of the same quality as our

examination. And we just felt, all of us felt that we could not accept the examination at that time.

My suggestion would be that you go back no further than where the State of Alaska joined the Western Regional because that is about the time when they changed their examination. I don't know exactly when they changed it. I went off the Board in '84 and it was over some of these very issues that I went off of the Board because I was just tired of fooling around with all of the back and forth. And it was also at that time that I was called by Dave Lowe, who was president and chairman of Western Regional at that time. He had inquiries from the State of Alaska, and he wanted to know what it was all about and I told him what it was all about. I was assured by him that the examination had been changed and had gone along the lines that I had suggested to him, and he felt that it would not be a problem for Alaska to join the Western Regional at that time. But to go all the way back to '82, I don't think that's fair.

SENATOR COGHILL:

How about '84 when they came into align with your requirements.

DR. HANSEN:

Well, I don't know exactly when they did come into align, when they did change the examination. I've been out

of it since '84 and I don't know when they changed. It was right about that time when they did change, and if you would go back to the time when they did change and they made the clinical examination more equal to what we were doing here in Alaska, I would have no problem with it. I don't know about the rest of the Board. I have no turf to protect. I am a retired dentist, retired by way of disability. I'm not practicing at all, and I want it to be understood that this is the case. I'm only interested in protecting the consumer at this point. I know what went on the Board during the time I was there, and I would like to help you. That's all I'm here for.

I just want to make sure that you're not going back to where the examination was not equal, and what I saw on that examination, you could fail most of the examination and still pass. That was not acceptable to me at that time.

I'd like to make a comment further down on the credentialing where you are changing the "may" to "shall." I think you are locking the Board's hands at that point when you do that, and if they have to do this, and we still have formulated no way to implement what we were going to do. Once they have the framework that they can use, you may want to go back in and change the "may" to "shall." But at this step we don't have anything and I think you are locking the Board's hands and where they don't know exactly what they have to do.

SENATOR ELIASON:

Thank you. I'm sure that the sponsor of the bill would not exactly appreciate taking "shall" out. I understand that's the problem to start with - that's a basic problem.

DR. T.A. TAUCHER: (Anchorage)

Good afternoon. I have previously mailed to you, Senator Eliason and the committee members, a three-page report which I had report. If you will all take the time to read it sometime out of the committee hearing, I would like to address some comments made here today. I think in the interest of time that that might be an advantage.

First off, Senator Eliason, I would like to point out to you and answer your question regarding CPR certification that the credentialing requirement, as now written, would require. I am a current member of the Board of Dental Examiners and the Board feels that possession of a CPR certificate by a practicing dentist is an advantageous thing to have. We have, in fact, around four hours of a continuing education requirement to be allocated to obtaining and maintaining a CPR certificate. I think that is an important point to know.

Dr. Art Hansen in Fairbanks has related some difficulties with checking qualifications for credential candidates through case presentations, and he said that was a very difficult thing to do and I'm inclined to agree with

him. Before each Western Regional Board, the examiners are required to go through a calibration procedure, which is a technique to standardize the examiners so that they will all be [indisc.] in the same fashion. We calibrate through the presentation of study molds, through the presentation of written narratives and through slides. And we find that even though we know what our scores were when that work was actually graded at the clinical examination the year prior, that examining Board members cannot agree based on the slides alone. It is my feeling that if the Board is required to incorporate slide shows, or case presentations of that nature into the credentialing process, that we are, in fact, going to be opening the can of worms that Dr. Hansen related to. It is extremely difficult to see on a slide what you can actually see [indisc.] and I think that is going to impose an undue burden on the Board and on the candidate.

I have to tell you that while I agree with Dr. Hansen in that respect, I disagree with him in that I believe that the case presentation and the slide show by the credential candidates was actually a process used by the Board to subvert and to thwart intent of the legislature in asking the Board to process candidates for licensure through the credentialing process. As prior testimony has demonstrated, only very few licenses were granted, significantly few of them were granted through the examination procedure.

Dr. Hansen also raised the question as to the quality of the examinations in other regions of the country. My experience as a former Alaska board examiner in November of 1984 and the current Western Regional examiner, is that the regional examinations are for the most part similar in scope and quality, and I would say that there is a rather high level of parody between them.

Senator Coghill has raised a question about the effective date, and I think Senator Coghill is probably not aware of a policy the Western Regional Board; it maintains its records for five years. At the end of the fifth year, after a candidate has passed or failed the Board, the records are disposed of. And so I would tell you that an effective date of 1982 is not going to be possible for any member or board of the Western Regional to meet, and the reason for that being that it exceeds the five-year limitation. Currently, the Alaska Board of Dental Examiners accepts favorable results from the Western Regional back to January of 1987. We had rejoined and accepted doing into the process examining with the Western Regional in spring of 1987. That entry date, spring of 1987 was rolled back to January of 1987 for the simple reason that the legislation that allowed us to join the Western Regional was dated January of 1987. So I would ask you to keep that in mind that the roll back date, if you will, should not extend more than five years from the

effective date. The reason simply being that the Western Regional cannot provide us that information.

I have several other comments here related to the parody of the credentialing candidate versus the examination candidate. As the revised bill now stands, our credentialing candidates and examination candidates for licensure both have to be graduates of an accredited dental school. Accreditation that occurs through the American Dental Association effectively limits either credentialed or examination candidates to the graduates of North American dental schools. And the simple reason for that is the accreditation committee is not felt at any one school, even though its [indisc.] meets the standards that are currently set forth for the accreditation.

A credential candidate has to pass a similar exam in another jurisdiction. We have a five-year track record that would be developed on every credentialed candidate before we consider them for license. There can be no adverse licensing action against any credentialing candidate, nor can they anticipate any. And I would ask you as a board member and charged with enforcing these regulations that there should be an adequate time period from application by the credentialed candidate from the application time to the time they can actually expect to receive a license. The reason being is that a dentist who is facing a licensing [indisc. - background conversation] to Alaska before that licensing action for the state is

complete. If we have the ability to spend a little bit of time, I would suggest six months, we can probably find that out.

A continuing dental education requirement that grants the candidates 50 hours of clinical dental education with three years prior significantly exceeds what's required of current Alaskan dentists.

The CPR certification requirement exceeds what is currently required although it is suggested for Alaskan dentists. The endorsement by a local society or a branch of the federal service is something that is not required of an examination candidate.

To put it quite frankly, the examination candidate has to graduate from dental school somewhere in North America and pass the Western Regional exam, and send us a check for \$200 if he is an Alaskan dentist. Perhaps I should say he or she.

The background check that we currently have on candidates for licensure by examination is, in my opinion, inadequate. The Western Regional Board is a testing agency only. It cannot provide us, and in fact will not provide us with background activity as to what the candidate has actually done in other states. The credentialed candidate, as opposed to that, would be required to provide documentation that not only were they clinically competent, that they did, in fact, on a daily basis, provide competent

care in a safe and ethical fashion. And that is a burden that we do not place on the examination candidate.

As a board member, I'm also finding the board in a position of not predicting itself [indisc. - background conversation] specialists are required to pass the general and then by virtue of their training, experience and credentials they're granted a specialty license in their particular speciality. In addition, most who are eligible or are board certified as specialists are ethically prohibited from ever engaging in any general practice, and I find that very difficult to understand as to why we require oral and [indisc.] surgeons demonstrate their skills doing silver fillings and/or gold capping when in fact they are ethically bound from ever doing those procedures again. I think that's an unfair burden on specialists. It makes a workload for the Alaska Board of Examiners that is unnecessary and does not serve the people of Alaska at all.

Earlier today you heard some references to an unfortunate series of deaths that occurred in a dental office. Prior testimony was that those deaths occurred at the hands of a credentialed dentist and that is inaccurate. Randall Burns, I am told, pulled the file on the doctor in question and determined that in fact he had been licensed by an examination. These deaths, incidentally, related not to the performance of clinical dentistry, but rather to the performance of general anesthesia. In response to that

problem in the late 1960's, the Alaska Board of Examiners then created the current system which requires that any dentist who is to use general anesthesia while treating a patient would have to meet requirements of the current system. That current system requires a review of the dentist's training and experience, which is another word for credentialing. Currently the Alaska Board of Dental Examiners has in the Attorney General's Office a series of regulations which relate to the use of [indisc.] sedation. This is a anxiety and pain control modality and, of course, in the same manner that anesthesia is used, is on a daily basis by general dentists and specialists, and it, too, requires a credentialing process before a permit to use a [indisc.] would be granted. And I suggest that the potential for harm that these two modalities pose, the anesthesia or [indisc.] sedation, far outweighs the threat to the public health and welfare that the placement of [indisc.] provides, and if credentialing is adequate for these two modalities, is it not also adequate to test general dentists.

I have some comments about the Western Regional Board. I am not totally unbiased in this fashion. As I explained before, I am an examiner for that Board. I believe that as it now stands, it provides a good double blind objective test of the candidates and they'll need to perform some clinical functions. It is probably an excellent mechanism to test new entrants into the

professional field. As I pointed out, it provides for no background check, and in addition, that test is not given in the State of Alaska. It discriminates by virtue of our own geographic location against any qualified resident Alaska dentist who happens to be here by virtue of his federal service or some other means of working here. It imposes an undue burden on Alaskan dentists who wish to be licensed. The nearest place that you can take that examination is in Portland. The next closest place is San Francisco. The other places are Riverside, California, in the desert, or if you truly like the bush, you can go to Omaha, Nebraska, at Creighton University. This is the only four locations. It's only given four times a year, and it tends to be quite restrictive in the availability of the examinations because the first exam of the year is the 8th of May, the second is given at the end of May, there's one in June, and another is September, and if you don't pass any one of those examinations, you are not eligible until the following May. And there is no way around that requirement.

There was a comment made after the last hearing on SB 126 that this bill sounded like a military relief act. I found that an interesting comment, and I bring it up only to point out that currently all six members of the Dental Board were all brought to Alaska by virtue of their federal service. We have representatives from the Public Health Service, we have [indisc.] from the Army on that Board.

With the exception of those dentists who happen to be fortunate enough to attend schools at the University of the Pacific, the University of Oregon, [indisc.] or Creighton University, who intend to return to Alaska, the present Western Regional Board serves to help them, but it does not help any of those who were brought here and perhaps have established families and residences here in the state, and made commitments to stay in Alaska.

The other points I'd like to bring out is that the amended bill has had some restrictions as to when it was first put into the hopper. The pro-credentialing people are the actually the ones that have [indisc. - background talking] even though they are in favor of credentialing. None of us wants to open the Alaskan profession up to a possibility of having unethical or incompetent operators, and it is our belief that the restrictions that are currently in this will prevent that from happening.

The [indisc.] credentialing people frequently complain about maintaining quality. My experience is we feel that the current licensing arrangement employed by the State of Alaska says a rule to maintain quality once you pass the Newman Competency Test and that in fact the credentialing bill which requires background checks such as considered here will give us a better opportunity to determine whether or not an applicant for a license is qualified.

And I'm afraid we have to get back down to the basic issue, which I really believe current licensing [indisc. -

background talking] and I think the complaint about maintaining quality and the inability to maintain workable programs are really designed to cloud the issue and cover up fundamental objections by current established licensed dentists who say that this would open up the state to more practitioners. I really believe that the people of Alaska are the real losers in that situation.

DR. DONALD J. DENUCCI: (Anchorage)

Thank you for allowing me to read a brief statement today.

I believe that you have before you a bill that offers as near an iron clad assurance that dentists licensed by credentials in Alaska will provide the state with a high level of quality dental care and it is also likely to increase the scope and availability.

Mr. Chairman and members of the committee, I would strongly urge support of this well thought out and superbly crafted bill, SB 126.

RICK SILER: (Anchorage)

I want to repeat a pair of statements from the meeting of the University of Alaska Dental Program Advisory Committee and also from a subcommittee of the selection of the new faculty member.

AS 08 [stat ref. indisc.] requires the presence and supervision of an Alaska licensed dentist when dental

hygiene students are performing dental hygiene procedures in their course of study [indisc.] to dental hygiene programs at the University of Alaska, Anchorage. They are presently conducting a nationwide search to recruit a dentist faculty member. Therefore, the possibility exists that the selected person may not be licensed to practice dentistry in Alaska. A new dentist could be ready to teach classes this fall if accreditation standards can comply with AS 08.32 and all [indisc.] of present licensure requirement AS 08.36 must be accomplished.

SB 126 does provide an effective alternative alternative to meet university needs. Credentialing will not only solve the present teacher hiring problem, but will offer more [indisc. - background noise]. Presently, dentists from the Public Health Service fulfill university requirements by working with and supervising our students in our facilities. Because these dentists do not normally process an Alaska license, we are compelled to have another dentist, who has an Alaska license, present. This is an unnecessary duplication of skills, talent and time that credentialing could eliminate. SB 126 ensures the professional qualifications necessary to provide the supervision at the UAA Dental Hygiene Program, required by AS 08.32. We therefore strongly endorse the passage of SB 126.

Thank you Senator.

LICENSURE BY CREDENTIALS

A REPORT

INTRODUCTION

I AM DR. DOUGLAS SMOLE, A PRACTICING GENERAL DENTIST FOR 25 YEARS. MY FAMILY AND I HAVE RESIDED, AND I HAVE PRACTICED DENTISTRY IN ANCHORAGE FOR 17 YEARS. I AM IN MY 5TH YEAR OF PRIVATE PRACTICE AND AM CURRENTLY A MEMBER OF THE STATE BOARD OF DENTAL EXAMINERS. I AM A MEMBER OF THE AMERICAN DENTAL ASSOCIATION (ADA) AND IT'S STATE AND LOCAL DENTAL SOCIETY COMPONENTS. I AM A FELLOW IN THE AMERICAN ACADEMY OF GENERAL DENTISTRY.

PRIOR TO PRIVATE PRACTICE, I PROVIDED DENTAL SERVICE AS A COMMISSIONED OFFICER IN THE U.S. PUBLIC HEALTH SERVICE IN SEVEN STATES AND COMPLETED MY 20+ YEARS OF SERVICE AS CHIEF OF DENTAL SERVICES FOR THE SOUTHCENTRAL SERVICE UNIT AT THE ALASKA NATIVE MEDICAL CENTER. I HAVE HAD A BROAD RANGE OF RESPONSIBILITIES, TRAINING AND EXPERIENCE AND WILL READILY PROVIDE A CURRICULUM VITAE UPON REQUEST.

I CONCUR WITH THE AMERICAN DENTAL ASSOCIATION POSITION "THAT AN EVALUATION OF A PRACTICING DENTISTS THEORETICAL KNOWLEDGE AND CLINICAL SKILL BASED ON HIS PERFORMANCE RECORD CAN PROVIDE AS MUCH PROTECTION TO THE PUBLIC AS WOULD AN EVALUATION BASED ON EXAMINATION". THIS POSITION IS SUPPORTED BY ADA IMMEDIATE PAST PRESIDENT (1988) JAMES SADDORIS OF TULSA OKLAHOMA WHO STATED THAT "WE THINK LICENSURE BY CREDENTIALS IS THE PROPER TACK TO TAKE". "MANY

PEOPLE WILL TELL YOU THAT THE CHECK AND BALANCE ON THE EDUCATION SYSTEM IS THE LICENSURE SYSTEM. THAT'S NOT TRUE AT ALL. THE CHECK-AND-BALANCE OF THE EDUCATION SYSTEM IS THE ADA'S COMMISSION ON ACCREDITATION. THE MAJORITY OF THE ADA'S HOUSE OF DELEGATES THINKS THAT LICENSURE BY CREDENTIALS IS AN EXCELLENT METHOD AND WE RECOMMEND THAT TO THE STATES" (QUOTE FROM AGD IMPACT 2/88)

FURTHERMORE, SURVEYS OF ADA MEMBERS NATIONWIDE IN 1972 AND 1986 INDICATED THAT 68% AND 76.9% OF THE MEMBERS SUPPORTED LICENSURE BY CREDENTIALS. IT IS SIGNIFICANT TO NOTE THAT IN ALASKA THE OPINION OF ALASKA DENTAL SOCIETY MEMBERSHIP HAS NOT BEEN FORMALLY SURVEYED ON THE CREDENTIALLING QUESTION. IN MY EXPERIENCE, I HAVE HEARD MANY ALASKAN DENTISTS' OPINIONS IN FAVOR OF PROPERLY PROCESSED CREDENTIAL LICENSURE. I BELIEVE THAT STATE DENTAL BOARDS SHOULD BE MUCH MORE THAN GATE KEEPERS AND SHOULD ENGAGE IN A VARIETY OF EFFORTS DIRECTED TOWARD ASSURING THE QUALITY AND ACCESSIBILITY OF CARE. BOARDS MUST ALSO PROMOTE INTEGRITY IN THE PROVISION OF THAT CARE.

THE BOARD/HISTORICAL OBSERVATIONS

DURING MY YEARS IN ALASKA, I HAVE BEEN A CLOSE OBSERVER OF THE STATE DENTAL BOARD AND ITS LICENSING ACTIVITIES. AT ONE TIME, THE EXAM WAS GIVEN AT THE NATIVE MEDICAL CENTER. I HAVE WORKED WITH DOZENS OF DENTISTS WHO WERE EXAMINED BY THE

BOARD. GENERALLY THE PASS RATE WAS 40-50% WITH EXTREMES OF 90% OR MORE THE YEAR THE TEAMSTERS CLINICS CAME TO ALASKA AND 10% IN 1984. IN 1984, 18 CANDIDATES TOOK THE CLINICAL EXAM IN JUNE, AND 2 WERE GRANTED LICENSES. AT THE SAME SESSION, 12 PRESENTED THEIR CREDENTIALS AND 1 WAS GRANTED A LICENSE. DURING THE FIRST FOUR YEARS THAT THE STATUTES ALLOWED LICENSURE BY CREDENTIALS, ONLY 5 LICENSES WERE GRANTED EVEN THOUGH THE BOARD WAS PRESUMING THAT A CREDENTIAL EXAM BASED ON CASE REVIEW WAS LEGAL. IT WAS THIS CRISIS IN 1984 THAT LEAD TO A THREATENED LAWSUIT, THE ATTORNEY GENERALS DECISION, THE REGULATION STAYING LICENSURE BY CREDENTIALS AND MOVEMENT OF THE BOARD TOWARD ACCEPTING THE RESULTS OF THE WESTERN REGION EXAMINING BOARD (WREB). UNFORTUNATELY, THE EPISODE IN 1984 CAUSED CONSIDERABLE DISCOMFORT FOR THE BOARD AND RESULTED IN MUCH TIME BEING SPENT IN FENDING OFF CHALLENGES. THE PAIN RE-OCCURS WHENEVER THE CONCEPT OF CREDENTIALLING RE-APPEARS. I BELIEVE THAT IT IS TIME TO PUT THE PAST ASIDE AND TO TAKE A POSITIVE APPROACH TO ASSURING THAT LICENSURE BY CREDENTIALS IS DONE IN ACCORDANCE WITH THE STATUTES, BUT WITH MODIFICATIONS OF THE PROCESS TO ASSURE PROTECTION FOR THE PUBLIC AND FAIRNESS TO QUALIFIED CANDIDATES.

THE WESTERN REGIONAL EXAMINING BOARD/WREB

ALASKA'S ACCEPTANCE OF THE WREB CLINICAL EXAM RESULTS IS A SIGNIFICANT IMPROVEMENT. I BELIEVE THAT THE WREB IS A FAIR

MEASURE OF SOME OF THE BASIC KNOWLEDGE AND SKILLS OF THE GENERAL DENTIST. THE EXAM USES MEASUREABLE CRITERIA AND STANDARDS, ANONYMITY OF EXAMINEES AND IS WELL ORGANIZED. IT IS IMPORTANT TO UNDERSTAND THAT THE WREB IS NOT THE PANACEA THAT SOME WOULD RHETORICALLY WANT YOU TO BELIEVE. THE WREB FUNCTIONS AS A CLINICAL EXAMINING AGENCY. THE WREB DOES NOT DO BACKGROUND CHECKS ON THE CANDIDATES. THE WREB DOES NOT TEST SPECIALTY SKILLS OF DENTAL SPECIALISTS THAT PERFORM ORAL SURGERY, ORTHODONTICS, CHILDRENS DENTISTRY OR OTHER SPECIALTIES.

THE WREB IS VERY EXPENSIVE AND INCONVENIENT FOR DENTISTS THAT MUST TRAVEL FROM ALASKA AND THE WREB DOES NOT PROVIDE PATIENTS FOR THE EXAMINEES. PATIENTS ARE AVAILABLE THROUGH THE DENTAL SCHOOLS WHERE THE EXAMS ARE GIVEN OR THE CANDIDATE MUST PAY FOR TRANSPORTATION OF HIS/HER OWN PATIENTS TO BETTER ASSURE APPROPRIATENESS OF THE CASE AND RELIABILITY OF THE PATIENT. A PATIENT THAT DOESN'T SHOW UP CAN BECOME THE DENTISTS FAILURE TO COMPLETE THE EXAM. AN IRONIC POINT CONCERNING THE WREB IS THAT THOSE DENTISTS WHO ARE MOST LIKELY TO WANT TO LIVE IN ALASKA FOR LIFE ARE THOSE WHO HAVE EXPERIENCED ALASKA BY VIRTUE OF THEIR FEDERAL SERVICE HERE OR WHO WERE BORN HERE. ALASKAS ENTRANCE INTO THE WREB PROCESS MAY VERY WELL HINDER ENTRY BY THOSE WHO ALREADY LOVE ALASKA. TO SAY THAT 500 OR 600 WREB EXAMINEES ARE ELIGIBLE FOR LICENSURE IN ALASKA IS MISLEADING WHEN YOU CONSIDER THAT ONLY 21 HAVE APPLIED FOR ACTUAL LICENSURE AS

OF FEBRUARY, 1989. THE MAJORITY OF DENTISTS THAT PRACTICE IN ALASKA CAME HERE IN FEDERAL SERVICE.

THE PROBLEM OF SPECIALISTS

A LOOK AT THE PROCESS BY WHICH DENTAL SPECIALISTS ARE LICENSED, SUPPORTS THE CASE FOR LICENSURE BY THOROUGH SCRUTINY OF CREDENTIALS. IN ALASKA, SPECIALISTS ARE REQUIRED TO TAKE THE GENERAL EXAM AND THEN A SECOND LICENSE TO PRACTICE THE SPECIALTY IS GRANTED BASED ON THE ACCEPTANCE OF THE SPECIALISTS CREDENTIALS. THIS IS A GLARING CONTRADICTION TO THE CLAIM THAT CREDENTIAL REVIEW IS NOT EFFECTIVE OR VALID. ALASKA HAS AN EXTREMELY COMPETENT GROUP OF ABOUT 46 LICENSED SPECIALISTS WHO ARE RARELY, IF EVER, THE SUBJECTS OF BOARD INVESTIGATION. IT IS, HOWEVER, A WILD STRETCH OF IMAGINATION TO CONCLUDE THAT SPECIALISTS ARE QUALIFIED TO PRACTICE THEIR SPECIALITY BECAUSE THEY DEMONSTRATED THEIR ABILITY TO DO SILVER FILLINGS, GOLD FILLINGS, OR OTHER BASIC GENERAL DENTAL PROCEDURES.

THE CREDENTIALING PROCESS ALREADY WORKS FOR SPECIALISTS. IT IS TIME TO RELIEVE THE ENTERING SPECIALIST OF THE UNREASONABLE BURDEN OF TAKING THE INAPPROPRIATE GENERAL DENTIST EXAM. CERTAINLY, THE EXTRA YEARS OF TRAINING AND NATIONAL SPECIALTY BOARD ELIGIBILITY OR CERTIFICATION ARE OUTSTANDING CREDENTIALS.

CREDENTIALS, NOW AND FUTURE

IN ADDITION TO THE CREDENTIAL LICENSURE OF SPECIALISTS, THERE WERE 23 DENTISTS LICENSED BY CREDENTIALS PRIOR TO THE REGULATION 12ACC28.950 CESSATION OF LICENSING BY CREDENTIALS. DR. GEORGE HANSEN, THE STATE CHAIRMAN OF DENTIST PEER REVIEW, INFORMED ME ON FEBRUARY 23RD, THAT HE IS NOT AWARE OF PROBLEMS OR COMPLAINTS DIRECTED TOWARD THIS GROUP. MY EXPERIENCE ON THE BOARD, WHERE WE SEE THE NAMES OF DENTISTS UNDER INVESTIGATION, IS THE SAME. IT IS UNFORTUNATE THAT COMMENTS TO THE CONTRARY WERE MADE AT THE FEBRUARY 8TH SENATE COMMITTEE MEETING DEALING WITH SENATE BILL 126. IT IS EQUALLY UNFORTUNATE THAT RUMORS HAVE CIRCULATED THAT DEATHS HAVE OCCURED IN ALASKA AT THE HANDS OF A CREDENTIAL LICENSED DENTIST. THE PATIENT DEATHS THAT OCCURED IN A DENTAL OFFICE IN THE 1960'S WERE UNDER THE CARE OF A DENTIST LICENSED BY EXAMINATION.

IN MY EXPERIENCE DURING FEDERAL SERVICE IN ALASKA, I WAS CALLED UPON BY FEDERAL ATTORNEYS TO BE A DENTAL CONSULTANT AND WITNESS IN VARIOUS CASES INVOLVING DRUG ABUSE, STANDARDS OF CLINICAL CARE AND FRAUD. THESE CASES INVOLVED DENTISTS LICENSED BY EXAMINATION. IT IS NOT MY INTENT TO SAY THAT ONE GROUP OF LICENSEES IS MORE OR LESS HONEST, NON-ADDICTIVE, OR PROFESSIONALLY COMPETENT THAN ANOTHER. THE POINT IS THAT A 3 DAY LIMITED EXAM ALONE, WITHOUT A THOROUGH CREDENTIAL REVIEW DOES NOT GUARANTEE THE ENTRY OF A GOLD PLATED DENTIST. THE THOROUGH EVALUATION OF ALL

APPLICANT DENTISTS BACKGROUND AND CLOSE SCRUTINY OF THE EXPERIENCED PRACTITIONER CLINICAL TRACK RECORD CAN AFFORD PROTECTION TO THE PUBLIC. CLINICAL EXAMINATION IS STILL NEEDED FOR THE NOVICE OR OTHERS WHOSE CREDENTIALS ARE NOT READILY VERIFIABLE.

AT THIS TIME, 23 STATES HAVE STATUTORY AUTHORITY TO GRANT LICENSURE BY CREDENTIALS. NINE OF THESE REQUIRE RECIPROCAL LICENSURE AND 4 ARE NOT EXERCISING STATUTORY AUTHORITY. MINNESOTA HAS BEEN DOING SO FOR 81 YEARS AND REPORTS FEWER COMPLAINTS AGAINST DENTISTS LICENSED BY CREDENTIALS.

DUGLAS SELL, EXECUTIVE DIRECTOR OF THE MINNESOTA BOARD OF DENTISTRY, STATED IN RESPONSE TO A SURVEY IN FEBRUARY, 1988. "WE ARE CAREFUL IN OUR REQUIREMENTS AND VERIFICATION OF CREDENTIALS PRESENTED... WE VERIFY ALL LICENSURE CANDIDATES THROUGH CLEAR (NATIONAL CLEARINGHOUSE ON LICENSURE, ENFORCEMENT AND REGULATION) AND THE AADE (AMERICAN ASSOCIATION OF DENTAL EXAMINERS) DISCIPLINARY SYSTEM". KENTUCKY DID EXPERIENCE A RISE IN THE DENTIST POPULATION WHICH IT ATTRIBUTED TO LICENSURE BY CREDENTIALS. IN RESPONSE, THE STATE EVENTUALLY DISCONTINUED THE PRACTICE. OHIO STOPPED CREDENTIALLING BUT IN 1985, MR. OMAR F. WHISMAN, EXECUTIVE DIRECTOR OF THE OHIO DENTAL BOARD, STATED IN AN ARTICLE IN THE JULY, 1985 JOURNAL OF THE AMERICAN DENTAL ASSOCIATION, "WE HAVE TWO DENTAL SCHOOLS IN THE STATE AND LICENSING BY CREDENTIALS IS A VALID MECHANISM TO ATTRACT QUALITY EDUCATORS TO OHIO. I BELIEVE THE DEVELOPMENT OF A

REPORTING MECHANISM IS IMPORTANT AND IF AN EFFECTIVE MECHANISM EXISTED, I BELIEVE THE BOARD WOULD RECONSIDER LICENSING BY CREDENTIALS IN OHIO".

THE CLEARINGHOUSES HAVE BEEN IMPROVED AND WILL CONTINUE TO IMPROVE, THEREFORE, IT IS APPROPRIATE TO MOVE FORWARD WITH THIS TIMELY PROCESS NOW. THE STATEMENT THAT NO STATE WEST OF THE ROCKY MOUNTAINS HAS LICENSURE BY CREDENTIALS IS TRUE, BUT, HAS LITTLE APPLICATION SINCE ALASKA HAS UNIQUE CIRCUMSTANCES OF GEOGRAPHY, ECONOMICS AND PATIENTS NEEDS. I BELIEVE THAT WE SHOULD TAKE A POSITIVE APPROACH AND BECOME CREATIVE LEADERS ON THE 'LAST FRONTIER'.

BACKGROUND CHECKS

SOME CLAIM THAT IT IS NOT POSSIBLE TO CHECK BACKGROUNDS FOR DENTISTS. THIS IS NOT TRUE. TWO CLEARINGHOUSES EXIST NOW AND THE NATIONAL DATA BANK WILL BEGIN THIS SUMMER. THE CLEARING HOUSE FOR DISCIPLINARY INFORMATION SPONSORED BY THE AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE) IS SEEKING FUNDING TO IMPROVE REPORTING. CURRENTLY, 38 STATES AND THE U.S.ARMY, NAVY, AND AIR FORCE REPORT ON A REGULAR BASIS ACCORDING TO MS. MOLLY NADLER, EXECUTIVE DIRECTOR (PERSONAL COMMUNICATION FEBRUARY 23, 1989). AADE IS ALSO ENCOURAGING MEMBERS TO REPORT TO THAT CLEARINGHOUSE WITH HOPES OF 100% COMPLIANCE BY NEXT YEAR. THE AADE ALSO INTENDS TO PERIODICALLY PUBLISH COMPLETE REPORTS OF BOARDS DISCIPLINARY

ACTIVITIES. ADDITIONALLY THE CENTRAL DISCIPLINARY DATA BANK OPERATED BY CLEAR IS BEING UPGRADED.

ANOTHER SIGNIFICANT FACT RELATED TO BACKGROUND CHECKING IS THE PASSAGE OF USPL99-660, THE HEALTH CARE QUALITY IMPROVEMENT ACT OF 1986 TITLE IV, PART A, SECTIONS 402, 411 AND 412 PROVIDE RELIEF FROM LIABILITY FOR DAMAGES FOR PROFESSIONAL REVIEW GROUPS THAT PROVIDE INFORMATION CONCERNING DAMAGING OR INCOMPETENT PERFORMANCE. THIS HAS ENHANCED THE REPORTING PROCESS.

ECONOMICS/ACCESS TO CARE

I BELIEVE THAT COMPETITION, LIKE WATER, SEEKS ITS OWN LEVEL. IF THERE ARE TOO MANY PRACTITIONERS IN A STATE, THE PRUDENT BUSINESS PERSON/DENTIST IS NOT GOING TO PRACTICE THERE. IT IS TRUE THAT THE COSTS OF OPERATING A PRACTICE ARE HIGH, BUT, THIS FACT AFFECTS BOTH THE ESTABLISHED PRACTITIONER AND THE NEWCOMER. I ALSO BELIEVE THAT COMPETITION CAN IMPROVE THE QUALITY AND ACCESSIBILITY OF CARE. LIKE THE AVIS AD, IF YOU'RE SECOND OR NEW IN TOWN, YOU TRY HARDER. THIS MAY EVEN RELATE TO THE FACT THAT WE HAVE SEEN AN INCREASE IN DENTIST INVOLVEMENT IN ACTIVITIES SUCH AS FREE DENTAL SCHOOL SCREENING PROGRAMS AND IMPROVED DENTIST SIGN-UP ON DENTAL EMERGENCY CALL SCHEDULES.

RECOMMENDATIONS

1. PASS SENATE BILL 126 WITH THE WORD SHALL. THIS WILL .
ELIMINATE THE PRESENT STAGNATION AND SET THE STAGE
FOR A POSITIVE CAN-DO APPROACH TO THE CREDENTIAL
LICENSURE STATUTE.
2. SPECIFY AN EFFECTIVE DATE WHICH WOULD ALLOW THE
DENTAL BOARD TIME TO IMPLEMENT PROCEDURAL CHANGES
WHICH WILL BE NEEDED FOR EFFECTIVE IMPLEMENTATION.
3. REFER TO ADA GUIDELINES FOR LICENSURE (ATTACHED)
AND ADD LANGUAGE THAT WILL ALLOW THE BOARD TO
LICENSE INDIVIDUALS WHO CAN DOCUMENT SUCCESSFUL
ACCREDITED RESIDENCY TRAINING, CONTINUING EDUCATION,
TEACHING EXPERIENCE, AND SKILLS WHICH THE ADA OFFERS
AS ALTERNATIVES TO SATISFACTORY PERFORMANCE ON A
CLINICAL EXAMINATION. IF CASE REVIEWS ARE TO BE
REQUIRED THE BOARD WILL NEED MORE TIME AND RESOURCES
TO DEVELOP FAIR MEASURABLE CRITERIA FOR SUCH REVIEWS.
4. ASSURE BY STATUTE, IF NECESSARY, THAT THE APPLICANTS
PAY FEES THAT ARE SUFFICIENT TO COVER ADDED COSTS OF
CREDENTIAL REVIEW.
5. ASSURE BY STATUTE, IF NECESSARY, THAT THE ISSUANCE OF
LICENSES BY CREDENTIALS WILL REQUIRE ? MONTHS FROM
DATE OF COMPLETED APPLICATION TO ALLOW THOROUGH
BACKGROUND CHECKS AND TO THWART IMMEDIATE MOVES BY
THE INCOMPETENT DENTIST ON THE MOVE.

← several
6, 9, 12

R. Douglas Lunde DDS
3/13/89

American Dental Association Guidelines for Licensure*

Dental Licensure is intended to insure that only qualified individuals provide dental treatment to the public. Among qualifications deemed essential are satisfactory theoretical knowledge of basic biomedical and dental sciences and satisfactory clinical skill. It is essential that each candidate for an initial license be required to demonstrate these attributes on examination, a written examination for theoretical knowledge and a clinical examination for clinical skill. These guidelines suggest alternate mechanisms for evaluating the theoretical knowledge and clinical skills of an applicant for licensure who holds a dental license in another jurisdiction. Requiring a candidate who is seeking licensure in several jurisdictions to demonstrate this theoretical knowledge and clinical skill on separate examinations for each jurisdiction seems unnecessary duplication.

Licensure by Examination: Written examination programs conducted by the Council of National Board of Dental Examiners have achieved broad recognition by state boards of dentistry. National Board dental examinations are conducted in two parts. Part I covers basic biomedical sciences; Part II covers dental sciences. It is recommended that satisfactory performance on Part II of National Board dental examinations within five years prior to applying for a state dental license be considered adequate testing of theoretical knowledge. National Board regulations require a candidate to pass Part I before participating in Part II. Consequently, this recommendation excludes Part I only from the time limit.

No clinical examination has achieved as broad recognition as have National Board written examinations. Clinical examinations used for dental licensure are conducted by individual state boards of dentistry and by regional clinical testing services. It is recommended that satisfactory performance within the last five years on any state or regional clinical examination at least equivalent in quality and difficulty to the state's own clinical examination be considered adequate testing for clinical skill provided that the candidate for licensure:

- ✓/a. Is currently licensed in another jurisdiction.
- ✓/b. Has been in practice since being examined.
- ✓/c. Is endorsed by the state board of dentistry in the state of his current practice.
- ✓/d. Has not been the subject of final or pending disciplinary action in any state in which he is or has been licensed.
- ✓/e. Has not failed the clinical examination of the state to which he is applying within the last three years.

Licensure by Credentials: The American Dental Association believes that an evaluation of a practicing dentist's theoretical knowledge and clinical skill based on his performance record can provide as much protection to the public as would an evaluation based on examination. Issuing a license using a performance record in place of examinations is termed licensure by credentials.

All candidates for licensure by credentials might be required to fulfill basic education and practice requirements. It is recommended that graduation from a dental school accredited by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs be considered minimum satisfactory education for licensure by credentials. Further, it is recommended that licensure by credentials be available only to a candidate who:

- ✓/a. Is currently licensed in another jurisdiction.
- ✓/b. Has been in practice or full-time dental education for a minimum of five years immediately prior to applying.
- ✓/c. Is endorsed by the state board of dentistry in the state of current practice.
- ✓/d. Has not been the subject of final or pending disciplinary action in any state in which he is or has been licensed.
- ✓/e. Has not failed the clinical examination of the state to which he is applying within the last three years.

Alternate ways that current theoretical knowledge might be documented follow. It is recommended that for a candidate who meets eligibility requirements for licensure by credentials, these methods be considered as possible alternatives to the written examination requirement.

1. Successful completion of an accredited advanced dental education program in the last ten years.
2. A total of at least 180 hours of acceptable, formal, scientific continuing education in the last ten years, with a maximum credit of 60 hours for each two-year period.
3. Successful completion of a recognized specialty board examination in the last ten years.
4. Teaching experience of at least one day per week or its equivalent in an accredited dental education program for at least six of the last ten years.

Possible documentation for current clinical skill appears in the following list. Provided that eligibility requirements for licensure by credentials are met, it is recommended that these methods be considered as possible alternatives to satisfactory performance on a clinical examination.

- ① Successful completion of an accredited general practice residency or dental internship within the last ten years.
- ② Successful completion of an accredited dental specialty education program in a clinical discipline within the last ten years.
- ③ A total of at least 180 hours of acceptable clinically oriented continuing education in the last ten years, with a maximum credit of 60 hours for each two-year period.
- ④ Clinical teaching of at least one day per week or its equivalent in an accredited dental education program, including a hospital-based advanced dental education program, for at least six of the last ten years.
- ⑤ Presenting case histories of patients treated by the candidate in the last five years, with preoperative and postoperative radiographs, covering procedures required on the state clinical examination, for discussion with the state board.

*The above guidelines were adopted by the ADA House of Delegates and are published in 1976 *Transactions of the American Dental Association*, page 919 and 1977 *Transactions*, page 923.

LICENSURE BY CREDENTIALS

Summary

| <u>Statutory authority to grant to:</u> | <u>#</u> | <u>Jurisdiction</u> |
|---|----------|--|
| Dentist | 23 | Alaska, Connecticut, D.C., Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Wisconsin |
| Dental hygienist | 29 | Alaska, Arkansas, Colorado, Connecticut, Delaware, D.C., Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New York, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Washington, West Virginia, Wisconsin |
| <u>Requires "reciprocity" from applicant's state for:</u> | | |
| Dentist | 9 | Connecticut, D.C., Iowa, Kentucky, New Hampshire, Oklahoma, Pennsylvania, Rhode Island, Wisconsin |
| Dental hygienist | 10 | Colorado, D.C., Iowa, Kentucky, New Hampshire, Oklahoma, Pennsylvania, Rhode Island, Washington, Wisconsin |
| <u>Known not to exercise statutory authority to credential:</u> | | |
| Dentist | 4 | Alaska, Kentucky, Ohio, Texas |
| Dental hygienist | 1 | Kentucky |

Public Law 99-660

S. 1744-42

SEC. 323. EFFECTIVE DATE.

(a) **GENERAL RULE.**—Subtitle 1 of title XXI of the Public Health Service Act shall take effect on the date of the enactment of this Act and Subtitle 2 of such title and this title shall take effect on the effective date of a tax enacted after the date of the enactment of this Act to provide funds for compensation paid under such subtitle 2.

(b) **INSUFFICIENCY OF FUNDS.**—If at any time there are insufficient funds to pay all of the claims payable under subtitle 2 of title XXI of the Public Health Service Act for 180 days, such subtitle shall cease to be in effect until sufficient funds to pay all of the claims under such subtitle become available.

TITLE IV—ENCOURAGING GOOD FAITH PROFESSIONAL REVIEW ACTIVITIES

SEC. 401. SHORT TITLE.

This title may be cited as the "Health Care Quality Improvement Act of 1986".

SEC. 402. FINDINGS.

The Congress finds the following:

(1) The increasing occurrence of medical malpractice and the need to improve the quality of medical care have become nationwide problems that warrant greater efforts than those that can be undertaken by any individual State.

(2) There is a national need to restrict the ability of incompetent physicians to move from State to State without disclosure or discovery of the physician's previous damaging or incompetent performance.

(3) This nationwide problem can be remedied through effective professional peer review.

(4) The threat of private money damage liability under Federal laws, including treble damage liability under Federal antitrust law, unreasonably discourages physicians from participating in effective professional peer review.

(5) There is an overriding national need to provide incentive and protection for physicians engaging in effective professional peer review.

PART A—PROMOTION OF PROFESSIONAL REVIEW ACTIVITIES

SEC. 411. PROFESSIONAL REVIEW.

(a) **IN GENERAL**—

~~(1) LIMITATION ON DAMAGES FOR PROFESSIONAL REVIEW ACTIONS~~—If a professional review action (as defined in section 431(9)) of a professional review body meets all the standards specified in section 412(a), except as provided in subsection (b)—

(A) the professional review body,

(B) any person acting as a member or staff to the body,

(C) any person under a contract or other formal agreement with the body, and

(D) any person who participates with or assists the body with respect to the action,

CLEAR announces major upgrade of discipline reporting system

The central disciplinary action data bank operated by the National Clearinghouse on Licensure, Enforcement and Regulation (CLEAR) has been substantially revised to provide easier-to-read reports, CLEAR recently announced. The system, known as NDIS or the National Disciplinary Information System, has been reconfigured to operate on an IBM Model 80 PS/2 computer. It contains data on disciplinary actions submitted by participating states for nearly 200 professions.

NDIS subscribers will now receive bimonthly reports of disciplinary actions and may choose from hard copy, disk, or tape formats, said Al Glover, executive director of the Lexington-based organization. In addition to listing disciplinary data on most health occupations, CLEAR recently contracted with the National Association of State Boards of Accountancy to receive reports from its members. In recent months, "the snowball just hit the ground and is starting to roll," said Glover of the expanding database. "The more states participate the more it will pick up."

Another feature of the upgraded system is an alphabetical listing by last name of all individuals in the database for comparison among states and across professions. In browsing through that list, Glover said, one can find a person whose license was revoked in California one year and the same name listed under revocations in New York two years later. "If New York had known about the California action," then perhaps that person wouldn't have been licensed, he pointed out. With the new system, CLEAR is hoping to bridge the gap between "data" and information that is meaningful to regulators.

\$240 per hour for rule review? It's the going rate at California agency

When the California Board of Osteopathic Examiners submitted new regulations to the state Office of Administrative Law, the bill for the mandatory review was more than \$24,000 for 101 hours -- a \$240-per-hour rate. Since the Attorney General's office only charged \$75 per hour, the board demanded an explanation. Apparently, with minor differences, the two rates are calculated by a formula that divides agency expenditures by "workload" hours. Contingency-funded agencies like the board are charged at the hourly rate for the services they use.

Michael Schaufele, OAL's manager of administrative services, explained that the AG's office is

much larger and spreads its costs of operation among many more agencies.

"We expected to be billed for a large number of hours," said Linda Bergmann, board executive director. "But the bill was for one-sixth of our budget. Surprisingly, we were the only board to inquire about the rate."

Correction The Illinois Department of Professional Regulation (formerly the Department of Registration and Education) does not permit licensed accountants to collect commissions for selling securities to clients.

IN THE COURTS

Supreme Court to hear lawyer testimonial case

"If I had any legal problem, car accident or anything, I would go back to Grey and Oring," concluded Sharon S. in a 1981 radio advertisement for a California law firm. When car dealers or cereal makers use such testimonials, nobody blinks. But for California lawyers, using client testimonials is a violation of the state bar's Rules of Professional Conduct. The rule's constitutionality may be tested next January when the U.S. Supreme Court is expected to hear oral arguments in the case. (*Oring v. State Bar of California*)

Since both parties agree that the testimonial was true, the case will pit first amendment rights of free speech against the state's right to restrict certain types of truthful advertisements. In addition to the constitutional issues, Oring will contend that word-of-mouth testimonials from satisfied clients are the traditional method by which lawyers obtain business. It should not matter that the lawyer uses a medium -- like radio -- that reaches more people, said Ted Choen, Oring's attorney.

Peer review on Oregon board "under a cloud" after Patrick case

Peer review panels, endorsed by state legislatures, hospitals, and the U.S. Congress as a means of furthering quality health care, have hit some snags. In a recent case, the U.S. Supreme Court held that private hospital panels are not invariably immune from federal antitrust law. (*Patrick v. Burget*, 86-1145)



WESTERN REGIONAL EXAMINING BOARD

10040 NORTH 25th AVENUE, SUITE 116, PHOENIX, ARIZONA 85021
(602) 944-3315

Clinical Examinations in Dentistry

Member States

ALASKA
ARIZONA
IDAHO
MONTANA
NEW MEXICO
UTAH

March 15, 1989

RECEIVED
MAR 20 1989
OFFICE OF
SENATOR RICK HALFORD

Teresa Maser
Senator Rick Halford's office
P.O. Box V
Juneau, Alaska 99811

Dear Ms. Maser:

I am sending the exam requirements from the dental application for 1984 to 1988. 1984 is the latest date for which the information is readily available. This information will let the committee know what procedures were required on the exam. I would like to reiterate, however, that there are numerous other factors involved in "comparability" of exams that are not included in this information, such as exact patient requirements, examiner criteria, examiners involved, content on written exams, etc. All of these variables have changed over the years and are obviously more difficult to assess than exam procedures.

Sincerely,

Linda Paul
Executive Administrator

1988

ATTENTION APPLICANTS

The application for our dental examination is enclosed pursuant to your request.

The address on the top of the application should be the address where you wish all exam materials sent before the exam (will be sent out around 30 days before the exam).

The exact criteria for the examination will be sent to you prior to the exam. Procedures will include a Class II amalgam, and a cast gold restoration, which may be a two surface inlay (proximal), MOD onlay, 3/4 crown or 7/8 crown. There will be a perio diagnosis and treatment section. For the amalgam, cast gold and perio exams, you will provide your own patient(s). The endodontic portion will consist of performing endodontic therapy on one canal, on a mounted tooth. You will only be required to treat one canal of a multicaled tooth. For the endodontic treatment you will supply an extracted tooth, mounted in plastic as per instructions to be received with your examination materials. The prosthetics portion of the exam will be an evaluation exam. You will examine various cases of full upper and lower dentures and partials set in clear acrylic on Hanau semi-adjustable articulators using anatomical teeth and answer questions concerning them. There will be an oral pathology exam which consists of slides and 50 multiple choice questions. There will be an Oral Diagnosis and Treatment Planning test. You will be given a case history, mouth photographs, and study models. From these records you will be required to answer questions pertaining to the proper diagnosis and treatment planning. This will be a multiple choice type response.

The Board requires that you provide proof of malpractice insurance. You may send the application without the proof, but we must receive proof 14 days prior to the exam. You may consult Poe & Associates at 813/228-7361. This can take 6-8 weeks so apply early to avoid problems.

The Board has ruled that a graduating senior may take the exam with certification from the Dean. Exam results will be held until the candidate graduates and provides the WREB office with proof of graduation. If for some reason, the candidate does not graduate within the current academic year the exam will be invalid.

The various member states have a time limit on how long after taking the exam the certificate will be accepted for licensure. Please check with the state where you wish licensure for their requirements.

THE MEMBER STATES OF THE W.R.E.B. ARE: Alaska, Arizona, Idaho, Montana, New Mexico and Utah.

1987

ATTENTION APPLICANTS

The application for our dental examination is enclosed pursuant to your request.

If within the last year you have taken the exam or applied to take the exam, it is not necessary to send a copy of your diploma (if your diploma is on file in our office). Please indicate where and when you last took the exam, or when you applied.

The address on the top of the application should be the address where you wish all exam materials sent before the exam (will be sent out around 30 days before the exam).

The exact criteria for the examination will be sent to you approximately 30 days before the exam. Procedures will include a Class II amalgam, and a cast gold restoration, which may be an onlay, 3/4 crown or 7/8 crown. An inlay will not be acceptable. There will be a perio diagnosis and treatment section. For the amalgam, cast gold and perio exams, you will provide your own patient(s). The endodontic portion will consist of performing endodontic therapy on one canal, on a mounted tooth. You will only be required to treat one canal of a multicanaled tooth. For the endodontic treatment you will supply an extracted tooth, mounted in plastic as per instructions to be received with your examination materials. The prosthetics portion of the exam will be an evaluation exam. You will examine various cases of full upper and lower dentures and partials set in clear acrylic on Hanau semi-adjustable articulators using anatomical teeth and answer questions concerning them. There will be an oral pathology exam which consists of slides and 50 multiple choice questions. There will be an Oral Diagnosis and Treatment Planning test. You will be given a case history, mouth photographs, study models and x-rays. From these records you will be required to answer questions pertaining to the proper diagnosis and treatment planning. This will be a multiple choice type response.

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The various member states have a time limit on how long after taking the exam the certificate will be accepted for licensure. Please check with the state where you wish licensure for their requirements. The minimum length is three (3) years.

THE MEMBER STATES OF THE W.R.E.B. ARE: Arizona, Utah, Montana, and Idaho.

1986

ATTENTION APPLICANTS

The application for our dental examination is enclosed pursuant to your request.

If within the last year you have taken the exam or applied to take the exam, it is not necessary to send a copy of your diploma (if your diploma is on file in our office). Please indicate where and when you last took the exam, or when you applied.

The address on the top of the application should be the address where you wish all exam materials sent before the exam (will be sent out around 30 days before the exam).

The exact criteria for the examination will be sent to you approximately 30 days before the exam. Procedures will include a Class II amalgam, and a cast gold restoration, which may be an onlay, 3/4 crown or 7/8 crown. An inlay will not be acceptable. There will be a perio diagnosis and treatment section. For the amalgam, cast gold and perio exams, you will provide your own patient(s). The endodontic portion will consist of performing endodontic therapy on one canal, on a mounted tooth. Any tooth is acceptable, but you will only be required to treat one canal of a multicanaled tooth. For the endodontic treatment you will supply an extracted tooth, mounted in plastic as per instructions to be received with your examination materials. The prosthetics portion of the exam will be an evaluation exam. You will examine various cases of full upper and lower dentures set in clear acrylic on Hanau semi-adjustable articulators using anatomical teeth and answer questions concerning them. You will be given an oral pathology exam which consists of slides and 50 multiple choice questions. There will be an Oral Diagnosis and Treatment Planning test. You will be given a case history, mouth photographs, study models and x-rays. From these records you will be required to answer questions pertaining to the proper diagnosis and treatment planning. This will be a multiple choice type response.

The Board requires that you provide proof of malpractice insurance. You may send the application without the proof, but we must receive proof 14 days prior to the exam. You may consult Poe & Associates at 813/228-7361. This can take 6-8 weeks so apply early to avoid problems.

The Board has ruled that a graduating senior may take the exam with certification from the Dean. Exam results will be held until the candidate graduates and provides the WREB office with proof. If for some reason, you do not graduate within the current academic year the exam will be invalid.

The various member states have a time limit on how long after taking the exam your certificate will be accepted for licensure. Please check with the state where you wish licensure for their requirements. The minimum length is three (3) years.

THE MEMBER STATES OF THE W.R.E.B. ARE: Arizona, Utah, Montana, and Idaho.

WESTERN REGIONAL EXAMINING BOARD

10040 NORTH 25th AVENUE, SUITE 116, PHOENIX, ARIZONA 85021
(602) 944-3315*Clinical Examinations in Dentistry*ATTENTION APPLICANTS

The application for our dental examination is enclosed pursuant to your request.

If within the last year you have taken the exam or applied to take the exam, it is not necessary to send a copy of your diploma (if your diploma is on file in our office). Please indicate where and when you last took the exam, or when you applied.

The address on the top of the application should be the address where you wish all exam materials sent before the exam (will be sent out around 30 days before the exam).

The exact criteria for the examination will be sent to you approximately 30 days before the exam. Procedures will include a Class II amalgam, and a cast gold restoration, which may be an onlay, 3/4 crown, or a 7/8 crown.

An inlay will not be acceptable. There will be a perio section on the exam which will involve diagnosis and treatment. The endodontic portion will consist of performing endodontic therapy on one canal, on a mounted tooth. Any tooth is acceptable, but you will only be required to treat one canal of a multicanaled tooth. The prosthetics portion of the exam will be an evaluation exam. You will examine various cases of full upper and lower dentures set in clear acrylic on Hanau semi-adjustable articulators using anatomical teeth and answer questions concerning them. You will be given an oral pathology exam which consists of slides and 50 multiple choice questions. For the amalgam, cast gold and perio exams, you will provide your own patient(s). For the endodontic treatment you will supply an extracted tooth, mounted in plastic as per instructions to be received with your examination materials.

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You will note in Section II on the application that you are required to have completed all requirements for graduation before you will be allowed to take the exam. The Board has ruled that a graduating senior may take the exam with certification from the Dean. Exam results will be held until the candidate graduates and provides us with proof. If for some reason, you do not graduate when anticipated, the exam will be invalid.

If you are unable to attend the examination, you may receive one-half of your fee in refund, if you notify this office in writing, within two weeks after the date of the examination. To reapply, you must submit a new application and pay the full fee. NO EXCEPTIONS.

The various member states have a time limit on how long after taking the exam your certificate will be accepted for licensure. Please check with the state where you wish licensure for their requirements.

THE MEMBER STATES OF THE W.R.E.B. ARE: Arizona, Utah, Montana and Idaho.



WESTERN REGIONAL EXAMINING BOARD

10040 NORTH 25th AVENUE, SUITE 116, PHOENIX, ARIZONA 85021
(602) 944-3315

UTAH
ARIZONA
MONTANA
IDAHO

Clinical Examinations in Dentistry

1984

ATTENTION APPLICANTS

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The various member states have a time limit on how long after taking the exam your certificate will be accepted for licensure. Please check with the state where you wish licensure for their requirements.

THE MEMBER STATES OF THE WREB ARE: Arizona, Utah, Montana and Idaho.



UNIVERSITY OF ALASKA ANCHORAGE

3211 Providence Drive
Anchorage, Alaska 99508

COLLEGE OF CAREER AND VOCATIONAL EDUCATION
OFFICE OF THE DEAN

MEMORANDUM

March 13, 1989

To: Senator Rick Halford
Alaska Legislature

Fm: Dr. Vern Oremus, Dean
College of Career and Vocational Education

Subj: SB 126

According to AS 08.32.095 the Dental Hygiene Program at the University of Alaska Anchorage requires an Alaska licensed dentist to directly supervise dental hygiene students providing clinical treatment [see attachment 1]. Because a nationwide search currently is underway to recruit a dentist-faculty member, there exists the possibility of the selected person not being licensed to practice dentistry in Alaska. In order to meet student needs, accreditation standards, and Alaska Statute 08.32, an alternative to the present statute must be considered.

Senate Bill 126 provides an effective alternative for the University's needs. By providing for credentialing in the statute, an option would exist to open the applicant pool for the UAA dentist-faculty position [see attachment 2]. In addition, credentialing would allow for more effective utilization of the dentist-faculty members working with the Dental Hygiene Program through the Memorandum of Agreement currently in effect with the Alaska Native Medical Center (ANMC) [see attachment 3].

page 2
Rick Halford

Senate Bill 126 ensures the qualifications of a dentist to provide supervision of the Dental Hygiene Program at the University of Alaska Anchorage because the Bill requires the person to:

- (1) graduate from a dental program accredited by the American Dental Association,
- (2) successfully complete the National Dental Board Examination,
- (3) be licensed in another jurisdiction recognized by the American Dental Association and appropriate state, territory, or regional licensing agencies,
- (4) be in the continuous active practice of dentistry,
- (5) prove sound moral, ethical, and professional behavior, and
- (6) personally interview with the Board of Dental Examiners.

Therefore the administration, faculty, and students of the Dental Hygiene Program and the College of Career and Vocational Education strongly endorse the passage of Senate Bill 126. Please contact me if you have questions or comments.

Thank you for your consideration.

(c) The clinical examination shall test the applicant's skill in clinical procedures considered essential by the board for the practice of dental hygiene including the removal of calcareous deposits, accretions, and stains from the exposed surfaces of the teeth beginning at the epithelial attachment by scaling and polishing techniques.

(d) The board may require an applicant to pass a laboratory examination as a prerequisite to admission to the clinical examination if the board has reason to believe the applicant cannot practice safely on a clinical patient. († 1 ch 78 SLA 1953; am § 6 ch 59 SLA 1978; am § 7 ch 49 SLA 1980; am § 6 ch 100 SLA 1984)

Sec. 08.32.070. Registration and licensing of dental hygienists. The board shall register each successful applicant and issue the applicant a license upon payment of all required fees. († 1 ch 78 SLA 1953; am § 3 ch 36 SLA 1969; am § 7 ch 59 SLA 1978; am § 8 ch 49 SLA 1980; am § 7 ch 100 SLA 1984)

Sec. 08.32.071. Renewal of Registration. At least 60 days before expiration of a licensee's registration certificate, the division of occupational licensing shall mail a form for renewal of registration to each licensed dental hygienist. Each licensee who wishes to renew a registration certificate shall complete the form and return it with the appropriate fee and evidence of continued professional competence as required by the board. The division of occupational licensing shall, as soon as practicable, issue a registration certificate valid for a stated number of years. Each licensee shall keep the registration certificate beside or attached to the licensee's license. Failure to receive the registration form does not exempt a licensee from renewing registration. († 8 ch 100 SLA 1984; am § 16 ch 94 SLA 1987)

Sec. 08.32.080. Lapse and reinstatement of license. Repealed by § 7 ch 94 SLA 1988.

Sec. 08.32.081. Lapse and reinstatement of license. A licensed dental hygienist who does not pay the renewal registration fee forfeits the hygienist's license. The board may reinstate the license without examination within two years of the date on which payment was due upon written application, proof of continued professional competence, and payment of all unpaid renewal fees and any penalty fee established under AS 08.01.100(b). († 4 ch 36 SLA 1959; am § 8 ch 59 SLA 1978; am § 9 ch 49 SLA 1980; am § 9 ch 100 SLA 1984)

Sec. 08.32.090. Temporary License. Repealed by § 15 ch 59 SLA 1978.

Sec. 08.32.095. Exemption from license requirement. (a) A person enrolled as a full-time student in an accredited school of dental hygiene may perform dental hygiene procedures as part of a course of study without a license if

(1) the procedures are performed under the direct supervision of a member of the faculty who is licensed under AS 08.38, or under the direct supervision of a team of licensed faculty dentists, at least one of whom is licensed under AS 08.38; and

(2) the clinical program has received written approval from the board.

(b) A person practicing dental hygiene under (a) of this section is subject to all other provisions of this chapter and laws and regulations which apply to the practice of dental hygiene by a licensed dental hygienist. († 10 ch 49 SLA 1980)

Sec. 08.32.097. Fees. The Department of Commerce and Economic Development shall, by regulations adopted under AS 08.01.065, establish fees for dental hygienists for the following:

(1) filing an examination and licensing application;

(2) examination fee;

(3) credential fee;

(4) initial license;

(5) registration fee;

(6) filing a reexamination application;

(7) duplicate license;

(8) delinquent registration. († 10 ch 100 SLA 1984; am § 22 ch 37 SLA 1985)

ARTICLE 2 REGULATION OF DENTAL HYGIENISTS

Section

- 100. Employment of dental hygienists
- 110. Scope of work of dental hygienists
- 120. Place of employment
- 130. Information required
- 140. Supervision required
- 150. (Repealed)
- 160. Grounds for discipline, suspension or revocation of license
- 165. Limits or conditions on license; discipline
- 170. (Repealed)
- 171. Disciplinary sanctions
- 180. Violation

Sec. 08.32.100. Employment of dental hygienists. A licensed dentist, incorporated eleemosynary dental dispensary or infirmary, private school or welfare center, the United States of America or the state may employ a licensed dental hygienist. († 3 ch 78 SLA 1953)

Sec. 08.32.110. Scope of work of dental hygienists. (a) The role of the dental hygienist is to assist members of the dental profession in providing oral health care to the public. A person licensed to practice the profession of dental hygiene in the state may:

(1) remove calcareous deposits, accretions, and stains from the exposed surfaces of the teeth beginning at the epithelial attachment by scaling and polishing techniques;

(2) apply topical preventive or prophylactic agents;

(3) apply pit and fissure sealants;

(4) perform root planning and periodontal soft tissue curettage;

(5) perform other dental operations and services delegated by a licensed dentist if the dental operations and services are not prohibited by (c) of this section; and

(6) if certified by the board and under the direct or indirect supervision of a licensed dentist, administer local anesthetic agents.

(b) The board shall specify by regulation those additional functions that may be performed by a licensed dental hygienist only upon successful completion of a formal course of instruction approved by the



UNIVERSITY OF ALASKA ANCHORAGE

3890 University Lake Drive
Anchorage, Alaska 99508

02/08/89

PERSONNEL SERVICES

ANTICIPATED POSITION ANNOUNCEMENT

POSITION: Assistant/Associate Professor PCN 702122
Full-time, Permanent, Tenure Track, 9 Months

LOCATION: Dental Hygiene Department
College of Career and Vocational Education
University of Alaska Anchorage

SALARY: Assistant - \$27,955 to \$32,619 Annually
Associate - \$33,073 to \$38,578 Annually

QUALIFICATIONS: Dental degree. Alaskan licensure or eligibility for Alaskan licensure through Western Regional Exam Board. Three years ranked faculty member in dental/dental auxiliary teaching position.

RESPONSIBILITIES: Teach dental hygiene courses, including pathology, periodontology, local anesthesia, pharmacology and possibly community dental health. Preclinical: local anesthesia and team teaching in first year dental hygiene preclinic. Clinical: supervision of clinical dental hygiene students; team teaching and coordination of dental hygiene clinic.

CLOSING DATE: April 25, 1989, 5:00 P.M.

APPLICATION PROCEDURE: Submit letter of application, curriculum vitae, and three letters of reference to:

Personnel Services Office
University of Alaska Anchorage
3890 University Lake Drive
Anchorage, AK 99508 (907) 786-1418

UAA is an AA/EO Employer and Educational Institution.
Must be eligible for employment under the Immigration Reform and Control Act of 1986.

ATTACHMENT THREE

AFFILIATION AGREEMENT

ALASKA NATIVE MEDICAL CENTER (hereinafter the Affiliate) agrees to permit the University of Alaska Anchorage (hereinafter UAA) to place students properly enrolled in UAA's Dental Hygiene Instructional program in its facility for a supervised clinical experience subject to the following provisions:

A. UAA's Responsibilities

1. UAA will conduct its program in conformity with all applicable state and federal laws and regulations.
2. UAA will select and place students for clinical experience and will provide student work schedules and clinical assignments to the Affiliate at least three weeks prior to each clinical placement.
3. UAA will inform the Affiliate of the general curriculum pattern of each entering class (including clinical practice desired), the purposes of the program, and the educational level of and types of performance expected from the students, and will, wherever possible, adapt the program to the procedures used by the Affiliate.
4. UAA will provide a qualified instructor to review each student's progress toward accomplishing course objectives and will solicit the assistance of the Affiliate in evaluating each student's progress.
5. UAA will require participating students to abide by the rules of dress and conduct and other reasonable regulations of the Affiliate, to maintain medical and hospital insurance, and to exercise the highest degree of care when using the Affiliate's supplies and equipment.

B. Affiliate's Responsibilities

1. Affiliate will accept approximately 10 students for placement each semester, recognizing that there may be some semesters in which no students will be assigned.
2. Affiliate will allow the UAA instructor a period of orientation in its dental facility prior to the placement of students, and will include the instructor in those meetings of the Affiliate's staff which pertain to the student's educational experience.
3. Affiliate will permit participating students and instructors reasonable use of the dressing areas, restrooms and dining or cafeteria areas of its facility, and when necessary and possible will provide an adequate classroom within the facility.
4. Affiliate will maintain adequate staff so that students are not expected, except in emergency situations, to meet Affiliate's service demands.
5. Upon reasonable and proper notice, Affiliate will allow legitimate educational accrediting bodies to examine the facility in conjunction with their review of UAA's program
6. The affiliate will require participating students to have the following screenings: R.P.R., Rubella, Hepatitis B., and P.P.D.
7. Due to the high risk nature of the working environment, the affiliate requires participants to show proof of Hepatitis B. vaccination.

C. General Provisions

1. There will be no monetary reimbursement from either party to the other for the mutual benefits received under this agreement, nor will any student be reimbursed for services performed incidental to this agreement.

2. Each party agrees to indemnify and hold harmless the other party for any claims or judgments arising from the alleged negligence or wrongful acts of the party or any of its agents or employees, and to defend such claims at its own expense.
3. This agreement shall become effective on the date it is signed and shall remain in effect for a period of two years. A least 30 days prior to its expiration date it shall be reviewed by both parties and may be renewed or modified by mutual consent, in writing, for additional two (2) year periods unless terminated sooner as provided by paragraph 4.
4. This agreement may be terminated by either party by providing written notice to the other party at least 30 days prior to the date of proposed termination.

The parties, by and through their duly authorized representative, indicate their willingness to be bound by the foregoing provisions by affixing their respective signatures below:

William D. Wick Director Research Services
 (Name) (Title)
 University of Alaska Anchorage

 Date

P. M. Angler DDS C-ANC-DEN
 (Name) (Title)
 Alaska Native Medical Center
 P. O. Box 7-741
 Anchorage, Alaska 99510

1/26/89
 Date

S B

130

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2/3/89
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER FIN

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

1/20/89

DATE TURNED INTO OFFICE 2/23/89

Mr. President:

L&C

Committee considered SB 130

special appropriation to the Alaska Power Authority for Bradley Lake Intertie; efd

and recommended:

- replace with CS SB 130 (L+C) same title
- attached amendment(s) and new title
- _____ letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

FISCAL NOTE(S) attached zero fiscal impact
 appropriation no FN attached Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Handwritten signatures]

[Handwritten signature] no rec.
 Chairman signature and recommendation

Committee backup attached

International Brotherhood of Electrical Workers
Local 1547

2702 DENALI STREET
ANCHORAGE, ALASKA 99503-2779

TELEPHONE
(907) 272-6571

DISPATCH
(907) 276-1547

GARY BROOKS
BUSINESS MANAGER • FINANCIAL SECRETARY

JOSEPH HODGE
PRESIDENT



February 8, 1989

Mr. Dick Eliason
Pouch V
Juneau, Alaska 99811

Dear Mr. Eliason:

As the next legislative session begins, I would like to wish you success in achieving the goals you have set for yourself and your constituents. I would also like to enlist your support on three issues about which the International Brotherhood of Electrical Workers, Local Union 1547 ("IBEW") is particularly concerned.

It is our hope to see this session end with an appropriation from the Railbelt Energy Fund sufficient to upgrade the Anchorage to Kenai Peninsula intertie. Not only is such an appropriation fundamental to the maintenance of reliable electrical service to the residents of the Railbelt but appropriating those funds now will also generate a much needed source of employment.

The same kind of goal can be achieved through the successful appropriation of funds for construction of a court house in Anchorage. I believe that such an expansion is essential if Alaska is to continue to provide the quality of judicial services that we have enjoyed in the past but also if we are to keep up with the ever-increasing demands made upon those services in the future. A second benefit will result from this appropriation. An appropriation of funds for construction of the court house will also provide another much needed source of employment.

I would hope you would at least consider that we may well have come to a point where our "rainy day" funds should be appropriated even if in small part, to support general government. I am convinced that, as long as the permanent fund corpus remains intact and is sufficiently inflation-proof, there is no reason not to spend some portion of the undistributed earnings.

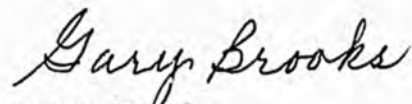
February 8, 1989

I am sensitive, however, to the complexity of these issues and to the enormous amount of work that will be involved to fully explore their consequences prior to any actual appropriation. Knowing that IBEW would like to help in any way we can, I would ask that you contact IBEW's Business Representative and lifelong Juneau resident, Mr. Tom Cashen, if you need any assistance or further information with respect to the issues I have identified above.

My best wishes for a very productive 1989 session.

Very truly yours,

IBEW LOCAL UNION 1547



Gary Brooks
Business Manager

GB:cd

Senator Rick Uehling

Downtown, Elmendorf, Northeast Anchorage

MEMORANDUM



Co-Chairman, Senate Finance Committee
International Trade & Tourism Committee
State Affairs Committee

To: Senator Dick Elason
Chairman, Senate Labor and Commerce

From: Senator Rick Uehling
Co-Chairman, Senate Finance

A handwritten signature in black ink, appearing to read "Rick Uehling", written over the printed name in the "From:" field.

Subject: Backup Material for SB 130

Date: February 8, 1989

Please include the attached backup materials in your committee files.

Thank you.

Attachments:

- 1) Preliminary Cost Estimate for the Southern Intertie
-APA Description

- 2) Alaska Rural Electric Cooperative Association Position
-Hutchens Article
-Position Paper

- 3) Matanuska Electric Association Position
-Letter to Sen. Uehling

- 4) Chugach Electric Association Position
-Letter to Sen. Uehling
-Manager's Message from David Highers

Section 2

OVERVIEW OF STUDY ELEMENTS¹

(Inputs and Assumptions Developed by APA and Contractors
Other than Decision Focus Incorporated)

2.1 PRELIMINARY DESIGN AND COST ESTIMATE OF NEW LINE BETWEEN ANCHORAGE AND THE KENAI PENINSULA (Contractor: Power Engineers, Inc.) Status: Complete

Two routes have been identified:

1. "Enstar" route, which follows an existing natural gas pipeline through the Kenai National Wildlife Refuge followed by a submarine crossing of Turnagain Arm into Anchorage. The capital cost is estimated at \$79.0 million (in 1987 dollars). Annual operations and maintenance cost is estimated at 1.5 percent of capital cost, or \$1.2 million per year.
2. "Tesoro" route, which follows an existing oil products pipeline along the west coast of the Kenai Peninsula followed by a submarine crossing of Turnagain Arm into Anchorage. The capital cost is estimated at \$99.4 million (in 1987 dollars). Annual operations and maintenance cost is again estimated at 1.5 percent of capital cost, or \$1.5 million per year.

Either line would be constructed at 230 KV and have a transfer capacity of 250 MW. Because the Enstar route crosses land within the Wildlife Refuge that had been proposed (though not yet designated) as "wilderness," it was anticipated that both Congressional and Presidential approval would be required to obtain the necessary right of way. Though cost considerations clearly favor the Enstar route, the Tesoro route was developed in case the proposed wilderness designation forced abandonment of the less expensive alternative. However, the Department of Interior has now acted favorably on a request by the State to exclude from wilderness designation a corridor adjacent to the Enstar pipeline for possible future construction of the proposed intertie. If Congress agrees to exclude the intertie corridor from wilderness designation, the two proposed routes would then be roughly equivalent in terms of permitting difficulty.

Preliminary schedules for permitting and construction suggest that completion of the intertie should not be expected prior to 1994, regardless of the route, assuming the project were approved by the 1989 Legislature.

¹This section was prepared by the Alaska Power Authority.

The Alaska Scene *Alaska REC Association*



by Dave Hutchens,
executive director,
Alaska Rural Electric
Cooperative Association

Use Railbelt Energy Fund to improve railbelt electrical transmission system

The Railbelt Energy Council was correct in its 1987 report to the legislature: The highest and best use of the Railbelt Energy Fund (REF) is construction of electrical interties to more solidly interconnect railbelt sources of power with the communities in which the power is consumed.

Much of the generating capacity for the whole railbelt region is located on the Kenai Peninsula. Existing plants include Chugach Electric Association's Bernice Lake gas-fired plant and the Cooper Lake hydroelectric plant, and the Soldatna #1 plant, owned by Alaska Electric Generating and Transmission Cooperative. When the Alaska Power Authority's Bradley Lake plant comes on line in 1991, there will be 221 megawatts of generating capacity on the Kenai, with only one weak transmission line connecting it to most of the people it should serve in Anchorage and beyond.

This existing transmission line can only carry about 55 megawatts of power from the Kenai Peninsula to Anchorage, and it is susceptible to outages caused by avalanches and windstorms. The peak demand on the Kenai Peninsula is about 80 megawatts. When you take the generating capacity and subtract the power used locally, that leaves 141 megawatts of capacity available to meet the needs of people in Anchorage, the Mat-Su valleys, and the Fairbanks area.

But the transmission line can only carry about 55 megawatts.

Faults will occur naturally on any electrical system. A tree falls across the line, or the wind tosses the wires around until they come in contact with each other. The lights go out. The goal of the utility is to have as few of these outages as possible, and when they occur, to have them affect as few people for as short a time as possible.

A recent study of the operating characteristics of the electrical transmission system in southcentral Alaska shows that we are facing enormous problems if we try to use the generating resources even to the limits of existing transmission capacity. Without substantial changes in the transmission system outages will be unacceptably widespread and long-lasting.

The number one priority for using the Railbelt Energy Fund should be construction of a new Anchorage-Kenai Peninsula intertie. The cost of the new line is estimated at \$80 million to \$100 million, depending on the route selected.

Sales of economy energy from Anchorage to Fairbanks were made possible by the Willow-to-Healy intertie, built a few years ago. Those sales are now limited by the transfer capacity on the old lines south of Willow and north of Healy.

Upgrading the transmission capacity

between Anchorage and Fairbanks, Alaska's largest cities, should be the other priority use of REF money. The upgrade can be accomplished by either eliminating the bottlenecks at both ends of the existing intertie, or by constructing a new line along a different route, from Palmer through Glennallen to Delta Junction.

The benefits of the proposed new transmission line between Anchorage and Fairbanks via Glennallen are substantial. Constructing a new 230-kv line—a northeast intertie—would tie Valdez, Glennallen, and the Copper River basin into the grid system, giving those communities access to low-cost, gas-fired electrical power from the Anchorage area. New opportunities for mining or other development would be enhanced with this line, and military facilities such as the Backscatter radar installation could be served economically. This new line would provide railbelt utilities access to approximately 14 million kilowatt-hours of electricity annually from the Solomon Gulch Hydroelectric Project, one of the "four-dam pool" projects. This energy is now spilled as water over the dam because there is no market for it within the area which can be reached by the existing Copper Valley Electric Association transmission system. Sale of this power to railbelt utilities could earn the state an additional \$400,000 or more in revenues each year.

The most important benefit associated with the new northeast intertie proposal is increased reliability. The intertie would provide a second line between Anchorage and Fairbanks, significantly improving the transmission system security between the two largest load centers of the railbelt.

The cost of the northeast intertie is estimated at \$150 million.

Two key benefits of upgrading the existing Parks Highway transmission circuit between Anchorage and Fairbanks are lower cost and increased transfer capacity. At present, Fairbanks electric utilities must run oil-fired generation to meet peak loads when temperatures are lower than minus 10°F. This condition will only worsen as electric loads grow. Improving the existing system to allow for operation at 230 kv would increase transfer capacity by three to four times the present capacity. This would allow Fairbanks electric utilities to purchase more low-cost, gas-fired electric power from Anchorage, reducing the cost of power to consumers in both cities. The reliable, high-capacity electrical link would also allow Fairbanks to assist Anchorage during periods when avalanches separate the city from Kenai generation, or other natural disasters, such as volcanoes or earthquakes, threaten Anchorage generation sources.

The cost of upgrading the existing Parks Highway transmission system is estimated to be \$118 million.

Benefits of having the grid

The benefits of improving the transmission grid between the Kenai Peninsula and Anchorage and between Anchorage and Fairbanks justify the cost.

There are several types of benefits associated with the proposed improvements in the railbelt transmission system:

•**Economy interchange:** An improved transmission system would allow for higher capacity transfer, allowing lower-cost generation produced in one area to displace higher-cost generation produced in another area. Economy interchange between Anchorage and Fairbanks is limited by the capacity of the fully loaded existing transmission line.

•**System reliability:** Improvements to the transmission system can reduce the number and extent of power outages especially between Anchorage and the Kenai Peninsula, where lines are plagued by natural occurrences such as avalanches and windstorms.

•**System efficiency:** Power transfers between Anchorage and Fairbanks presently suffer losses exceeding 10%. If the voltage of the transmission system were increased from 138 kv to 230 kv, those losses would be reduced dramatically.

•**Reserve sharing:** With an improved, reliable transmission system in place, electric utilities could reduce the amount of costly reserve capacity they maintain. They could rely instead on reserves available elsewhere in the interconnected system.

•**Flexibility for new generation:** An improved transmission system in the railbelt would allow greater flexibility in choosing a site for future generation facilities. New plants could be sited wherever the cost of operation and fuel are least expensive, while still maintaining access to any load center in the railbelt. To highlight the current limitations on power plant siting, it should be pointed out that a mine-mouth power plant of optimum size cannot be located at the site of Alaska's only operating coal mine (Usibelli)

because of severe transmission constraints.

•**Access to Bradley Lake power:** An improved transmission system would ensure that all railbelt electric utilities have freer and more direct access to the full peaking output of Bradley power, resulting in equal distribution of benefits from the project for all railbelt communities.

•**Utility coordination:** Strengthening the transmission system in the railbelt would afford electric utilities increased opportunity to better coordinate their planning and operations.

•**Fuel supply competition:** Improvements to the railbelt transmission system would provide electric utilities with full access to a variety of energy sources, enhancing competition among fuels and fuel suppliers.

The Railbelt Energy Fund has been held in trust pending two conditions that must be met in order for it to be spent: 1) it must be spent only to benefit railbelt consumers; and 2) it must reduce railbelt energy costs.

If the legislature appropriates the REF for construction of the interties, the state will own a money-saving project which we can point to with pride for the next 50 to 100 years.

On the other hand, if the fund is raided to balance the state operating budget, we challenge the governor and the legislature to show us how we have benefited from their stewardship five years from now.

Two final points: 1) The interties are being subjected to tough cost-benefit scrutiny. Those who would raid the fund propose no such tests for their spending plans. 2) If we build the interties, the state will not suffer one penny of operations and maintenance costs. The 300,000 railbelt consumers will gladly pay the tab out of the long-term savings they will realize from these worthwhile projects.

The Railbelt Energy Fund

Prepared By: The Alaska Rural Electric
Cooperative Association

ities to rural Alaska. Almost half of the money appropriated went to proposed hydro projects that would serve the Petersburg-Wrangell area, Kodiak, Sitka, Ketchikan, Glennallen and Valdez, and the Kenai Peninsula. Another \$300 million was appropriated for hydropower projects during the 1982 legislative session. \$122.5 million of the appropriations for power projects was used to construct the Parks Highway Intertie between Willow and Healy.

The Susitna project received \$124.7 million of the total appropriations to hydro projects in the period 1979-1984, all of which was used for work related to feasibility studies, APA administration, and Federal Energy Regulatory Commission (FERC) licensing.

During the 1984 session, the legislature also set aside \$100 million in the Power Development Fund for the construction of Susitna. It was the first appropriation earmarked strictly for construction of the project. An additional \$200 million was set aside for Susitna in the PDF during the 1985 session. Appropriations for the construction of Susitna then totaled \$300 million.

In mid 1985, after the legislature had adjourned, the APA Board of Directors determined that the Susitna project, as proposed, could not be financed on terms that were acceptable to the State. The price of oil had begun its downward spiral and the

developed. It was the REC's job to develop that alternative plan, and its directive from the legislature was to "recommend the best options for planning, financing, constructing, and managing electric power facilities in the Railbelt area." The REC was comprised of representatives of the seven Railbelt electric utilities, four legislators - two from each body and two public members appointed by the Governor. The group worked through the summer and fall of 1986 and presented its report to the legislature early in the 1987 legislative session.

The best alternative use of the EP, the Council's report stated, is to construct an intertie between the Kenai Peninsula and Anchorage and upgrade the transmission system between Anchorage and Fairbanks. The estimated cost to complete the proposed transmission projects was \$200 million.

The Council concluded that "the prudent strategy to follow at this time is to increase utilization and operational efficiency of the existing Railbelt generation and transmission facilities under construction." The REC specifically cited the Bradley Lake Hydroelectric Project and the interties as projects that should be completed in a timely manner.

A strong coalition of business, labor, and utility groups lobbied hard during the 1987 session for the legislature to pursue the recommendations of the REC by appropriating \$200

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

The Railbelt Energy Fund

Prepared By: The Alaska Rural Electric
Cooperative Association

Background

The Railbelt Energy Fund (REF) was established by the legislature as a separate fund within the State's General Fund during the 1986 legislative session (HB 699). The purpose in establishing the REF was to build a fence around money that remained from appropriations made to the Susitna Hydroelectric Project.

In the mid 1970s, the State began to develop an energy agenda which included the development of the vast hydroelectric potential which exists in Alaska. The Susitna project was the centerpiece of the State's proposed electrical power project construction plan for the Railbelt. The Alaska Power Authority (APA) was created in large part to handle the State's hydro development, and to organize and administer energy programs for rural Alaska where hydropower was not available. The legislature made modest appropriations to the APA in the late 1970s to carry out its mission.

The price of oil skyrocketed in 1979-80, and so did the revenues of the State. Billions of dollars were flowing into State coffers annually from royalty sales of North Slope crude oil. During the 1980 and 1981 legislative sessions, the legislature appropriated nearly \$1 billion to ten different hydroelectric projects and newly created programs which provided loans, rate stabilization, and power generation and distribution facil-

ities to rural Alaska. Almost half of the money appropriated went to proposed hydro projects that would serve the Petersburg-Wrangell area, Kodiak, Sitka, Ketchikan, Glennallen and Valdez, and the Kenai Peninsula. Another \$300 million was appropriated for hydropower projects during the 1982 legislative session. \$122.5 million of the appropriations for power projects was used to construct the Parks Highway Intertie between Willow and Healy.

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In mid 1985, after the legislature had adjourned, the APA Board of Directors determined that the Susitna project, as proposed, could not be financed on terms that were acceptable to the State. The price of oil had begun its downward spiral and the

State's financial position worsened. The money to pursue Susitna was not available, and falling oil prices had weakened the project's attractiveness as an alternative source of power for the Railbelt. The APA withdrew the State's application with FERC for licensing of the project.

With the demise of Susitna, funds set aside for its construction were considered an inviting target for legislators hungry for funds to pursue a variety of capital projects. Railbelt legislators were determined to protect the funds from such raids and see to it that Susitna monies were used for future energy development in their region. They succeeded in creating a "safe" place to deposit the funds by establishing the Railbelt Energy Fund during the 1986 session. The legislature appropriated the balance of all Susitna funds to the REF, roughly \$285 million (\$15 million of the \$300 million was used to cover the cost of terminating the project). Legislators reserved the right to appropriate funds in the REF to "assist in meeting Railbelt energy needs."

Accompanying legislation (HCS CSSB 468) was passed which set up the Railbelt Energy Council (REC) and appropriated \$2.5 million to review and evaluate Railbelt electric power alternatives (CSSB 477). The legislature determined that, since Susitna would not be built to supply the Railbelt's demand for electrical energy, some alternative plan for meeting those needs should be

developed. It was the REC's job to develop that alternative plan, and its directive from the legislature was to "recommend the best options for planning, financing, constructing, and managing electric power facilities in the Railbelt area." The REC was comprised of representatives of the seven Railbelt electric utilities, four legislators - two from each body and two public members appointed by the Governor. The group worked through the summer and fall of 1986 and presented its report to the legislature early in the 1987 legislative session.

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A strong coalition of business, labor, and utility groups lobbied hard during the 1987 session for the legislature to pursue the recommendations of the REC by appropriating \$200

million for Railbelt intertie construction. The interties were the subject of extensive debate, and legislation (SCS CSHB 284) was amended to include the appropriations - \$100 million for the Anchorage-Fairbanks intertie and \$100 million for the Anchorage-Kenai Peninsula intertie.

The strongest legislative advocates for the interties were in the Senate. Under their leadership, the senior body approved the appropriations and sent the measure to the House for consideration. In the House Resources Committee, the legislation met its demise. House members argued that a comprehensive feasibility level study of the interties needed to be completed before a responsible decision could be made on the proposed appropriations.

In July of 1986, Gov. Sheffield restricted spending most of the \$2.5 million appropriated for the Railbelt power alternatives study during his efforts to trim the FY 87 budget. The House stood firm by its refusal to appropriate any money for construction of the interties until that study was completed. The legislature amended the appropriation to allow the money to be spent and to evaluate the interties more closely. The APA is scheduled to release a preliminary report in January, and the final report by the first of April.

Gov. Sheffield also froze an appropriation of \$50 million to the Bradley Lake project in July of 1986. During the 1987 session the legislature changed the source of funding from the State's General Fund to the REF. That reduced the balance of the REF to approximately \$235 million.

Several bills were introduced in the legislature in 1987 that called for spending part or all of the Railbelt energy fund. One of those bills was SB 206. This measure, put forth by Sen. Jack Coghill (R-Nenana), proposed to establish a new power project loan fund from which loans and grants could be made for various projects. The measure would have combined many of the State's existing energy loan programs and would have been funded initially by the balance of the REF after the interties and Bradley Lake had been funded to the extent necessary. The bill, as originally written, received marginal legislative support and eventually died in the House Judiciary Committee.

Sen. Bettye Fahrenkamp (D-Fairbanks) introduced legislation midway through the session to authorize construction of a natural gas pipeline between Wasilla and Fairbanks. The two measures (SB 417 and SB 418) proposed the REF be used to fund the gas line's construction. The bills were not given a committee hearing until the 1988 session, and did not move from their first committee of referral. The lobby supporting the gas line, headed by Enstar Natural Gas Company, was successful in getting the

project included as part of the study being conducted by the APA. An economic evaluation of the gas line will be included in the study's final report. Gas line supporters will undoubtedly mount another attempt to fund the project with the REF.

Other measures introduced during the 1987 legislative session that proposed using some funds from the Railbelt Energy Fund were: 1) HB 239, by Rep. Kay Brown (D-Anchorage), which would have appropriated roughly \$600,000 from the REF to pay a portion of the cost of "least-cost planning" reports required from utilities by the APUC; 2) SB 493, by Sen. Coghill, which would have appropriated \$4.6 million from the interest earned on the REF to construct transmission lines near McKinley Park; and 3) SB 409, by Sen. Tim Kelly (R-Anchorage), which would have loaned roughly \$15 million from the REF to the Alaska Stabilization Assistance Program to help stabilize the Alaska housing market. Companion legislation was introduced in the House by Rep. Fritz Pettyjohn (R-Anchorage). According to Sen. Kelly, the housing assistance alternative is no longer viable. None of the bills listed in this paragraph passed the legislature.

The opinion of most observers regarding the REF during the 1988 session was "use it or lose it." Electric utilities encouraged legislators to resist efforts to use any money from the REF until the APA's review of the interties was complete.

The exception was a \$7 million appropriation needed to complete the Bradley Lake financing plan, which the legislature did approve.

Gov. Cowper advocated using the REF in 1988 as a means of covering projected budget deficits. Other proposals for using the REF were also being advocated, and it appeared the fund might be swept up in general spending and not be used for energy purposes at all.

The only new proposal during the 1988 legislative session for using the REF for its intended purpose was put forth by Rep. Sam Cotten (D-Eagle River). HB 482 and HB 483 would have loaned approximately \$165 million at a below-market interest rate to the APA for the construction of Bradley Lake. This would have prevented the necessity for the APA to issue revenue bonds - which would have a higher interest rate - to complete construction of the project.

Electric utilities reluctantly embraced HB 482 and 483 on the grounds that the lower interest rate would save Railbelt rate payers roughly \$100 million during the first 30 years of the project's operation, and because it appeared that might be the only way to retain the REF for energy purposes. The bills were brought to the House floor for a vote, but amendments calling for additional expenditures from the REF got out of hand and the

appropriations bill became "Christmas tree" legislation. Both bills failed to pass the House.

Just when it appeared the REF would be safe for another year, the Fund suffered a crushing blow from Gov. Cowper after the legislature had adjourned. The legislature had approved a loan of \$50 million from the REF to the General Fund to help cover any unforeseen budget shortfalls after \$150 million had been taken for the same purpose from the Alaska Housing Finance Corporation (AHFC). The REF money, to be taken only when the General Fund is out of cash, was to be repaid from oil and gas settlements received by the State. Gov. Cowper, using his line-item veto powers, vetoed the \$150 million from AHFC and then reduced the amount of the loan repayment to the REF from \$50 million to \$1. The money has not officially been moved out of the REF, but given the revenue outlook for the State, the transfer may be only a matter of time. This would reduce the balance of the REF to just under \$180 million.

The REF is the only remaining reserve of money set aside by the State for development of energy projects in Alaska's most populated region, the Railbelt. Its declining balance continues to be seen as a potential source of funding for a number of projects and budget expenditures. Few of the proposals for using the

REF relate to the Fund's intended purpose. It is seen by many as a pot of money to be used to help reduce the State's projected budget deficit, or as a source of capital funding for projects that are totally unrelated to energy.

The Intertie Proposal

It is the position of the Alaska Rural Electric Cooperative Association that the Railbelt Energy Council was correct; the highest and best use of the REF is construction of electric transmission interties to more solidly interconnect the sources of power with the communities in which the power is consumed.

A critically needed transmission improvement in the Railbelt is between Anchorage and the Kenai Peninsula. With the Bradley Lake project coming on line in 1991, Railbelt electric utilities believe it is imperative a new transmission line be constructed to ensure Bradley power can be delivered reliably to communities throughout the Railbelt. Problems have been identified in the present transmission system that will require limiting the output of power at Bradley Lake to roughly half its capacity or risk outages in the Railbelt, especially on the Kenai Peninsula.

The problems arise when there is a fault on the transmission system, such as might be caused by an avalanche or windstorm. When that happens, the intertied system experiences severe voltage and frequency fluctuations resulting in an automatic shut-down. If the power system did not shut down, significant damage could result to generation and transmission facilities and to consumer equipment in businesses and homes that are connected to the system.

A new 230-kV transmission line would eliminate these stability problems and greatly increase the overall reliability and the transfer capacity of the transmission system between the Kenai Peninsula and Anchorage. In addition to Bradley Lake, other generation facilities on the peninsula totaling 131 megawatts include the Cooper Lake and Bernice Lake plants and Soldotna Unit #1. Reliability of the link between these generating plants and Anchorage is crucial to the many thousands of people who live in the area.

The utilities believe an upgrade in the Anchorage-Kenai Peninsula transmission system must be the number one priority for use of the REF. The cost of this new line is estimated at \$80 million to \$100 million, depending on the route selected.

Upgrading the transmission capacity between Anchorage and Fairbanks, Alaska's largest cities, should also be a priority use of REF money. The upgrade can be accomplished by either eliminating the existing bottlenecks at both ends of the State's Parks Highway intertie that exist between Willow and Healy, or by constructing a new line along a different route from Palmer through Glennallen to Delta Junction.

The benefits of the proposed new transmission line between Anchorage and Fairbanks via Glennallen are substantial. Constructing a new 230 kV line - a northeast intertie - would tie

Valdez, Glenallen, and the Copper River Basin into the grid system, giving those communities access to low-cost, gas-fired electrical power from the Anchorage area. New opportunities for mining or other development would be enhanced with this line, and military facilities such as the Backscatter radar installation could be served economically. This new line would provide Railbelt utilities access to approximately 14 million kilowatt hours of electricity annually from the Solomon Gulch Hydroelectric Project, one of the "four-dam pool" projects. This energy is now spilled as water over the dam because there is no market for it within the area which can be reached by the existing Copper Valley Electric Association transmission system. Sale of this electrical power to Railbelt utilities could earn the State an additional \$400,000, or more, in revenues each year.

The most important benefit associated with the new northeast intertie proposal is increased reliability. The intertie would provide a second line between Anchorage and Fairbanks, significantly improving the transmission system security between the two largest load centers of the Railbelt.

The cost of the northeast intertie is estimated at \$150 million.

Two key benefits of upgrading the existing Parks Highway transmission circuit between Anchorage and Fairbanks are lower

cost and increased transfer capacity. At present, Fairbanks electric utilities must run oil-fired generation to meet peak loads when temperatures are lower than minus 10 degrees Fahrenheit. This condition will only worsen as electric loads grow. Improving the existing system to allow for operation at 230 kV would increase transfer capacity by three to four times the present capacity. This would allow Fairbanks electric utilities to purchase more low-cost, gas-fired electric power from Anchorage, reducing the cost of power to consumers in both cities. The reliable, high-capacity electrical link would also allow Fairbanks to assist Anchorage during periods when avalanches separate the city from Kenai generation or other natural disasters, such as when volcanoes erupt or earthquakes threaten Anchorage generation sources.

The cost of upgrading the existing Parks Highway transmission system is estimated to be \$118 million.

Benefits of Having the Grid

The Railbelt electric utilities believe the benefits of improving the transmission grid between the Kenai Peninsula and Anchorage and between Anchorage and Fairbanks justify the cost.

There are several types of benefits associated with the proposed improvements in the Railbelt transmission system:

* Economy Interchange: An improved transmission system would allow for higher capacity transfer, allowing lower cost generation produced in one area to displace higher cost generation produced in another area. Economy interchange between Anchorage and Fairbanks is limited by the capacity of the fully loaded existing transmission line.

* System Reliability: Improvements to the transmission system can reduce the number and extent of power outages, especially between Anchorage and the Kenai Peninsula where lines are plagued by natural occurrences such as avalanches and windstorms.

* System Efficiency: Power transfers between Anchorage and Fairbanks presently suffer losses exceeding ten percent. If the voltage of the transmission system were increased from 138 kV to 230 kV, those losses would be reduced dramatically.

* Reserve Sharing: With an improved, reliable transmission system in place, electric utilities could reduce the amount of costly reserve capacity they maintain. They could rely instead on reserves available elsewhere in the interconnected system.

* Flexibility for New Generation: An improved transmission system in the Railbelt would allow greater flexibility in choosing a site for future generation facilities. New plants could be sited wherever the cost of operation and fuel are least expensive while still maintaining access to any load center in the Railbelt. To highlight the current limitations on power plant siting it should be pointed out that a minemouth powerplant of optimum size cannot be located at the site of Alaska's only operating coal mine (Usibelli) because of severe transmission constraints.

* Access to Bradley Lake Power: An improved transmission system would ensure that all Railbelt electric utilities have freer and more direct access to the full peaking output of Bradley power, resulting in equal distribution of benefits from the project for all Railbelt communities.

* Utility Coordination: Strengthening the transmission system in the Railbelt would afford electric utilities increased opportunity to better coordinate their planning and operations.

* Fuel Supply Competition: Improvements to the Railbelt transmission system would provide electric utilities with full access to a variety of energy sources, enhancing competition among fuels and fuel suppliers.

Summary

It is the strong feeling of all Railbelt electric utilities which collectively serve over 300,000 Alaskans that the REF is being held in trust pending two conditions that must be met in order for it to be spent: 1) it must be spent only to benefit Railbelt consumers; and 2) it must reduce Railbelt energy costs.

Alaska's utilities believe that if the legislature appropriates the REF for the construction of the interties, the State will own a money-saving project which we can point to with pride for the next 50 - 100 years.

On the other hand, if the fund is raided to balance the State operating budget, we challenge the governor and the legislature to show us how we have benefited from their stewardship five years from now.

Two final points: 1) The interties are being subjected to tough cost-benefit scrutiny. Those who would raid the fund propose no such tests for their spending plans. 2) If we build the interties, the State will not suffer one penny of operations and maintenance costs. The 300,000 Railbelt consumers will gladly pay the tab out of the long-term savings they will realize from such worthwhile projects.



JAN 19 1989

MATANUSKA ELECTRIC ASSOCIATION, INC.

P.O. BOX 2929

PALMER, ALASKA 99645-2929

TELEPHONE
(907) 745-3231

January 16, 1989

The Honorable Rick Uehling
Alaska State Senate
Post Office Box V (MS 3100)
Juneau, Alaska 99811

Dear Senator Uehling:

We would like to bring your attention to the Alaska Rural Electric Cooperative Association's position on the utilization of the Railbelt Energy Funds. ARECA's position paper is attached; but for your convenience, I have included an executive summary, below.

We would appreciate your support of this position, which Matanuska Electric Association, Inc., believes to be in the best interests of our member-consumers.

Background

As you are aware, the Railbelt Energy Fund is the Railbelt's share of a spate of appropriations for energy-related projects that resulted in the construction of hydro projects known as the "four-dam pool," an electrical intertie between Willow and Healy which completed the Anchorage-to-Fairbanks transmission intertie, a program of energy rate stabilization/subsidies in the Bush, and feasibility studies for the proposed Susitna Hydro Project.

- * \$300 million was set aside for construction of Susitna.
- * \$15 million was spent to close out Susitna.
- * In 1986, \$285 million was placed in the newly created Railbelt Energy Fund, with legislators reserving the right to appropriate those funds to "assist in meeting Railbelt energy needs."
- * The Railbelt Energy Council was established.
- * The council recommended the Railbelt Energy Fund be used to construct an intertie between the Kenai Peninsula and Anchorage and upgrade the transmission system between Anchorage and Fairbanks.
- * In 1987, The Senate appropriated \$100 million for each project, but the legislation died in the House Resources Committee.
- * The legislature appropriated \$50 million from the Railbelt Energy Fund to the Bradley Lake hydro project.

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January 16, 1989
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- * In 1988, an additional \$7 million was appropriated from the fund to complete the Bradley Lake financing plan, leaving a fund balance of less than \$230 million.
- * The legislature voted to "loan" \$50 million from the Railbelt Energy Fund to the General Fund if the General Fund ran out of cash, with the money to be repaid. Gov. Cowper later reduced the amount to be repaid to \$1, meaning the fund could soon be reduced to under \$180 million.

The Intertie Proposal

The Alaska Rural Electric Cooperative Association agrees with the Railbelt Energy Council: The highest and best use of the Railbelt Energy Fund is the construction of electric transmission interties to more solidly interconnect the sources of power with the communities in which the power is consumed.

Railbelt electric utilities believe it is imperative to construct a new transmission line to ensure the Railbelt electrical system's stability, dependability, and that the Bradley Lake hydro project will be able to run at full capacity.

The present electrical transmission line between Anchorage and Kenai is capable of carrying the 90 megawatts of power that Bradley is scheduled to produce when it begins generating electricity in late 1991. However, without a southern intertie, the heavier loads would increase the likelihood of transmission system problems which could lead to widespread power outages throughout the Railbelt.

Upgrading the Anchorage-Kenai Peninsula transmission system must be the number one priority use for the Railbelt Energy Fund. Depending on the route selected, the cost is estimated at from \$80 million to \$100 million.

Upgrading the transmission capacity between Anchorage and Fairbanks, Alaska's largest cities, should also be a priority use of the Railbelt Energy Fund. This can be accomplished either by eliminating the existing bottlenecks at both ends of the State's Parks Highway intertie, between Anchorage and Fairbanks, or by constructing a new line along a different route from Palmer through Glennallen to Delta Junction. This latter proposal, estimated to cost \$150 million, would tie Valdez, Glennallen and the Copper River Basin into the grid system, providing those communities with low-cost, gas-fired electrical power from the Anchorage area. The cost of upgrading the existing Parks Highway generation line is estimated at \$118 million.

The Railbelt Energy Fund
January 16, 1989
Page Three

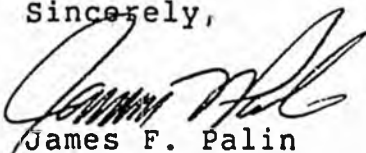
Benefits of Having the Grid

The benefits of improving the transmission grid between the Kenai Peninsula and Anchorage, and between Anchorage and Fairbanks justify the cost. These benefits include:

1. Economy Interchange: An improved transmission system would allow for higher generation capacity, allowing lower cost generation produced in one area to displace higher cost generation produced in another area.
2. System Reliability: The improvements would reduce the number and extent of power outages.
3. System Efficiency: Power transfers between Anchorage and Fairbanks presently suffer line losses exceeding 10 percent. If the voltage of the transmission system were increased from 138 kV to 230 kV, those losses would be dramatically reduced.
4. Reserve Sharing: Electric utilities could reduce the amount of costly reserve capacity they maintain, relying instead on reserves available elsewhere on the grid.
5. Flexibility for New Generation: New plants could be sited wherever the cost of operation and fuel are least expensive, while still maintaining access to any load center in the Railbelt.
6. Access to Bradley Lake Power: The improvements would provide all Railbelt electric utilities with freer and more direct access to the full peaking output of the Bradley Lake project.
7. Utility Coordination: Strengthening the transmission system would afford electric utilities increased opportunity, and motive, to better coordinate their planning and operations.
8. Fuel Supply Competition: Transmission system improvements would provide electric utilities full access to a variety of fuel sources, enhancing competition among fuels and fuel suppliers.

In conclusion, we request your support of ARECA's, and Matanuska Electric Association's, position on the Railbelt Energy Fund.

Sincerely,


James F. Palin
General Manager

(bds)
Enclosure
102A.0116.251

Chugach

ELECTRIC ASSOCIATION, INC.

FEB 6 1989

5601 MINNESOTA DRIVE • PO BOX 196300 • ANCHORAGE, ALASKA 99519 6300 • PHONE 907-563-7494

FACSIMILE:
907-562-0027

February 2, 1989

The Honorable Rick Uehling
Alaska State Senate
P.O. Box V
Juneau, AK 99811

Dear Senator Uehling:

Chugach Electric Association, Inc. (Chugach) again requests your active support to use the Railbelt Energy Fund to improve the transmission intertie system throughout the Railbelt.

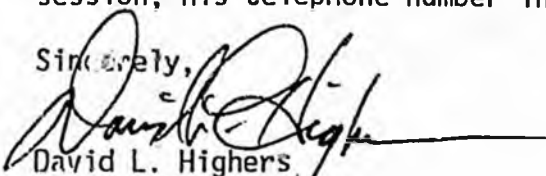
Chugach is joined by every other electric utility in the region, labor, the Anchorage and Alaska State Chambers of Commerce and other interests in urging you to resist demands to spend the Railbelt Fund for other than its explicitly intended purpose: energy development, including conservation, within the Railbelt.

In its 1987 report, the legislatively created Railbelt Energy Council itself said the best use of the fund was improvement of the existing transmission system that connects Anchorage with Fairbanks on the north and the lower Kenai Peninsula on the south. The rationale that prevailed in 1987 holds true today: upgrading the present interties will allow better regional utilization of existing generation capacity, will substantially improve electric system reliability (especially critical when the weather is cold), will facilitate long term economic development in our region and will provide much needed job opportunities.

Chugach and many others feel very strong about this. We hope you will do everything you can to ensure that the Railbelt Energy Fund is used to upgrade the Railbelt interties. If we are successful, we will leave an indispensable infrastructure for our children and grandchildren. If not, we'll probably not even know how we spent the Railbelt Energy Fund several years from now.

To provide you with further information, I have enclosed a new white paper on the Railbelt Energy Fund, a copy of my column in a recent issue of Chugach's member newsletter and a map of the Railbelt power supply system. Feel free to contact me or Larry Markley, our government affairs manager. You are probably aware that Larry spends considerable time in Juneau during the legislative session; his telephone number in Anchorage is 564-0745.

Sincerely,


David L. Highers
General Manager

Manager's Message

David Highers



Use Railbelt Energy Fund

You've probably read or heard recently some renewed talk for a stronger Railbelt transmission system to better accommodate the Bradley Lake hydroelectric project when that new generation source comes on line in 1991.

Upgrades are needed to the patchwork transmission system that currently extends from Fairbanks on the north end of the Railbelt, down through the Matanuska Valley, Anchorage and the Kenai Peninsula to Homer on the south end. The renewed talk you've been hearing about this recently is just that — renewed.

For the past three years, the Railbelt's seven electric utilities and others have been trying to convince the legislature and the administration that the Railbelt Energy Fund should be used to develop an improved Railbelt Intertie system that could serve the majority of our state's residents for as long as a hundred years. While it may not be as glamorous as some projects, an electric Intertie system is a very sound public infrastructure investment — like roads or sewer lines or water systems.

And remember, the Railbelt Energy Fund is just that: Money set aside by the legislature in 1986 to ensure that our region gets its fair share of the dollars for energy projects that provide wide public benefit. The fund presently has about \$230 million in it.

As I said, the Railbelt utilities' advocacy of using the Railbelt Energy Fund for intertie improvements was vocal in 1986 even as we were developing our power sales agreement with the state for Bradley Lake, which we all strongly support.

We told the legislature in 1986, in 1987 and again this year that upgrades to the existing Railbelt transmission system are needed to ensure the most reliable use of Bradley Lake power and to increase electric system reliability in general throughout the Railbelt. The Railbelt Energy Council, established in 1986 by the legislature and made up of utility managers, legislators and public members appointed by the Governor, unanimously endorsed use of the Railbelt Energy Fund for intertie upgrades.

However, the 1987 legislature chose instead to look at the matter further by authorizing \$2.5 million for a Railbelt energy feasibility study now underway by the Alaska Power Authority. We expect a draft of that study early next year.

Most recently, a study commissioned by a technical coordinating committee comprised of the Bradley Lake utilities and the APA, detailed the utilities' previous concerns that the existing transmission lines might not be able to carry the full load of Bradley Lake without jeopardizing system reliability throughout the Railbelt. The solution, the study shows, is just what we have been actively supporting for three years now: An upgrade of the existing interties — more specifically, the southern section between Anchorage and the lower Kenai Peninsula.

We hope that the recent study, and follow-on work, will sufficiently supplement the case for using the Railbelt Energy fund for intertie upgrades.

I assure you that if, as some of our public officials are advocating, the Railbelt Energy Fund is drained here and there for governmental operations, a couple of years from now we'll never know what happened to the \$230 million. If, on the other hand, we use the money to improve the interties, we'll have an electric transmission infrastructure that will benefit the majority of all Alaskans for many years to come.

A handwritten signature in cursive script that reads "David Highers".



TENAKEE SPRINGS ELECTRICAL EXTENSION WEST

PROJECT COST: \$75,000

West Tenakee residents and property owners have patiently requested this basis service each year since 1982. The city council has made this its top priority, and its sole capital improvement request submitted to the legislature. Project costs take into consideration use of local materials and local labor.

HOLLIS ELECTRIFICATION

PROJECT COST: \$350,000

The Hollis area is currently without central station power, which is a serious hardship upon the residents. The area has been designated as part of the authorized service area of the Alaska Power and Telephone Company which is ready to construct systems and begin operations. \$225,000 would provide a distribution plant, and \$125,000 will provide a power plant.

6-0582E
Cramer
2/13/89

Original sponsors: Uehling, Sturgulewski,
Pearce, et al.

Funding Information

| | |
|--------------|----------------------|
| General Fund | \$220,229,306 |
| Other Funds | -0- |
| | <u>\$220,229,306</u> |

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 130 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Alaska

7 Power Authority for the Bradley Lake Intertie, Seward

8 transmission line, and Northern Intertie; making a

9 special appropriation to the Alaska Power Authority

10 for payment as a grant to Golden Valley Electric

11 Association; and providing for an effective date."

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

13 * Section 1. The sum of \$213,200,000 is appropriated from the Railbelt
14 energy fund in the general fund (AS 37.05.520) to the Alaska Power Author-
15 ity for the design and construction of the following capital projects:

- | | |
|---|---------------|
| 16 Bradley Lake Intertie to Anchorage | \$ 80,000,000 |
| 17 Seward transmission line from Lawing | |
| 18 to Fort Raymond substation | 15,000,000 |
| 19 Northern Intertie from Wasilla to | |
| 20 Willow and from Healy to Fairbanks | 118,200,000 |

21 * Sec. 2. The sum of \$7,029,306 is appropriated from the Railbelt
22 energy fund in the general fund to the Alaska Power Authority for payment
23 as a grant under AS 37.05.316 to Golden Valley Electric Association for
24 extending electrical service in certain areas as follows:

- | | |
|---|--------------|
| 25 Ester to Little Goldstream | \$ 2,633,296 |
| 26 Cantwell to McKinley Village | 2,215,325 |
| 27 Mercers Corner (on the Parks Hwy.) to Ferry | |
| 28 and the Rock Creek Subdivision | 946,335 |
| 29 Kobe to Ferry and the Rock Creek Subdivision | 1,234,350 |