

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672

6826 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

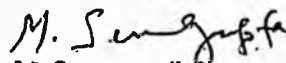
March 20, 1991
Page 2

6. The Accreditation Board for Engineering has rejected the Petroleum Engineering program at UAF for the last ten years. The Petroleum faculty consists, primarily, of individuals from Third World countries with little experience. To give these persons exemptions from registration will further lower the present low standard. Some professors, e.g., Dr. G. D. Sharma, do not have any education in engineering.
7. Some conditional exemptions could be given to qualified professors:

Professors holding B.S. degrees in Engineering from accredited institutions in the United States and a Ph.D. degree in Engineering from similarly accredited engineering program could be given partial exemption from registration requirements.

This should be negotiated with the Board of Engineering. Legislature should not interfere.
8. At UAF, in other programs, like Accounting, all professors are licensed as CPAs. They do not seek exemption.
9. The UAF Board of Regents requires licensed professors.
10. University of Alaska Anchorage professors are not asking for exemption.
11. With the high expenditures of the university and the high salaries for UAF engineering professors (at national average), we cannot afford to lower academic standards of engineering education. The engineering professors have been claiming higher salaries than their colleagues at UAF. The research reputation in engineering at UAF is low at the national level. If we also lower the standard of teaching by permitting unlicensed teachers, where will we stand at the national level?
12. Licensing examination is a competency test. If professors cannot pass the test, are they willing to take \$10,000.00 less in salary than that of a licensed professor?

Yours sincerely,



M. Sengupta, P.E.

Professor of Mining Engineering

cc: Honorable Governor Walter Hickel
State Board of Engineering

ATTACHMENT

To October 22, 1990 Letter to Pat Kalen

We urge the legislature to revise the recently enacted amendments to AS08.48 concerning Architects, Engineers and Land Surveyors. HB 182 was signed into law by the governor on February 2, 1990. We are opposed to the latest law because exemption(4), Sec. 08.48.331 of the former law has been omitted. This exemption read: "This chapter does not apply to... (4) an officer or employee of the state practicing architecture, engineering or land surveying as required by that person's official capacity if registration is not required by that person's job description or by AS 38.95.150 or 38.95.160." This exemption is important to the faculty of the Schools of Engineering in Alaska and we ask that it be reinstated with the following changes: insert "faculty" before job description, and delete < or by AS 38.95.150 or 38.95.160>.

Moreover, the new law specifically requires (Sec 4., 08.48.255) that those teaching engineering at post secondary institutions become registered within 18 months. We ask that this section be repealed.

Ron Johnson
UAF
10/22/90

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

P.O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2534

DIVISION OF OCCUPATIONAL LICENSING

February 22, 1991

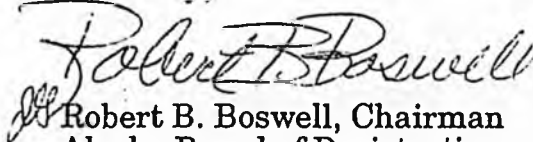
Honorable Niilo Koponen
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Koponen:

Re: Resolution Concerning Registration
of University Teachers

The enclosed resolution was passed by the Board of Registration for Architects, Engineers and Land Surveyors at our February 21-22, 1991 meeting.

Sincerely,



Robert B. Boswell, Chairman
Alaska Board of Registration
for Architects, Engineers and
Land Surveyors

RBB/JG/jc4225q
022291a
Enclosure

cc: Representative Mark Boyer
Representative Kay Brown
Representative Pat Carney
Representative Dave Choquette
Representative Johnny Ellis
Senator Bettye Fahrenkamp
Senator Steve Frank
Representative Loren Lemman
Representative Mike Miller
Representative Tom Moyer
Representative Mike Navarre
Representative Bert Sharp
James Nelson, NSPE
Wendy Redman, University of Alaska
Ron Johnson, University of Alaska

Alaska State Legislature
Representative Niilo Koponen

Pouch V
Juneau, Alaska 99811
(907) 465-4992

House District 21

119 N. Cushman, Suite 207
Fairbanks, Alaska 99701
(907) 456-8172

SPONSOR STATEMENT

House Bill 158

"An Act relating to the licensing requirements for
architects, engineers, and land surveyors"

Presently, Alaska Statutes require licensing of professional engineers, including faculty at the University of Alaska. This restriction prohibits the University from recruiting and hiring qualified but non-registered faculty from other U.S. engineering schools. Under present law, new Ph.Ds may not be eligible for Alaskan registration for 3 or more years, rendering a valuable talent pool unavailable to Alaskan university students. Non-registered faculty must become registered within 18 months of their date of hire.

Unless present law is amended, the Department of Commerce and Economic development could issue cease and desist orders to non-registered faculty as early as January, 1992. This action could effectively close down the University's engineering program, including mining engineering. Non-registered but tenured faculty would retain their jobs, but could not teach upper-level classes, requiring the hiring of additional faculty at a time when funds for new hires are scarce to non-existent.

This bill would exempt from registration faculty employed by postsecondary educational institutions to teach engineering courses for the period of their employment. This approach is taken by most other U.S. engineering schools, including MIT, Purdue and Georgia Tech. This bill does not authorize faculty to perform engineering services other than teaching and performing normal academic duties, including research.



Alaska State Legislature

Please enter into the record my testimony to the House HESS
committee name

committee on HB 158, dated April 11, 1991
bill/subject

I am writing in regard to HB 158, which would again exempt University professors from the requirement for professional registration to teach upper division engineering courses. I have been a professional engineer in Alaska for almost ten years and was originally registered in Colorado in 1971. I have been a civil engineering professor at UAA since 1981 and have served as the Head of Civil Engineering and as Interim Dean of the School of Engineering.

Professional registration is perceived to be important in the academic world of engineering. The accrediting group (ABET) for programs in engineering notes with approval the number of faculty members who are professional engineers. The University catalogs - at UAA and UAF - list "P.E." after appropriate faculty members. Correspondence from faculty members often uses the "P.E." designation.

All the appropriate faculty members at UAA have become or are in the process of becoming registered. This has required an additional expenditure of resources, but as an administrator I believe this has been worthwhile. The exposure to Arctic engineering and the wider range of engineering subjects required to pass the registration exam can provide diversity to narrow engineering courses. The Code of Ethics which is part of the registration statute is appropriate to teaching engineering.

Finally, since the Alaska Statutes (AS 08.48.341(8)) define "Practice of Engineering" as "teaching of advanced engineering courses..." It should be clear that such teachers be registered or be working toward registration. It is difficult for a faculty member to encourage students to pursue engineering registration if the faculty does not take part in the process.

It may be advisable to lengthen the allowable time for faculty to obtain*
Signed: _____

Testifier Robert E. Miller, Ph.D., P.E.

Representing (Optional)

7729 Anne Circle
Address Anchorage, AK 99504 H) 337-7027 W) 786-1869

*professional registration, but the examination should not be an undue burden for
a qualified faculty member.
Phone No.

ALASKA BOARD OF REGISTRATION FOR
ARCHITECTS, ENGINEERS AND
LAND SURVEYORS

RESOLUTION

The board wishes to clarify the intent of their action at the November 29, 1990 meeting as it relates to registration of University staff. The board's motion "not to oppose the University's proposed movement to drop the requirement for staff to be registered" was not intended to support a revision to AS 08.48.255 to exclude teaching in higher education from the requirements of registration, but was simply a recognition by the board of the problems created for the University by the new requirements in AS 08.48.255. The board moved at its February 21, 1991 meeting to modify its policy as follows:

Policies and Historical Information

Work Experience

9(c) TEACHERS. Teaching upper division engineering courses would be accepted as responsible charge if work is verified by a registered Alaskan engineer who is also employed by the same school, regardless of discipline. This interpretation of responsible charge will again be reviewed by the board at their last quarterly meeting of 1994.

The board feels this modification of policy should adequately address the concerns of the University as well as provide the safeguards for registration as desired in AS 08.48 (171 - 265).

Further, the board feels that AS 08.48.255(a), which requires all engineering professors to be registered within 18 months of employment, is unrealistic and that establishment of the time period for registration of said professors should be set at five years.

F. USE COMMITTEE REPORT

(7)
Date Referred: February 25, 1991

FURTHER REFERRALS: Labor and Commerce

Date of Committee Action: 4-10-91

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: HB 158

HOUSE BILL NO. 158 EXEMPT ARCH/ENGR/SURVY/OCCUPAT'L LICENSES

"An Act relating to the licensing requirements for architects, engineers, and land surveyors."

- RECOMMENDATIONS: the same title
 be replaced with _____ a new title
- have attached amendments(s)
 do pass
 do not pass
 no recommendations
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

- ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
- fiscal impact _____ fiscal note(s) _____
 zero fiscal note CEDC zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
		Cheri Davis		✓	
Mary Miller	✓	Mark Handley		X	
Denise...	✓	J. G. Lyndel		X	
Patricia...	✓				

Patricia...
 CHAIRMAN'S SIGNATURE

HB

161

COMPARISON OF LICENSE FEES BY OCCUPATION OR PROGRAM

The following list shows the annual license renewal fee for each occupational licensing profession. With the exception of occupations regulated by the Big Game Commercial Services Board or persons involved in charitable gaming, all professions have now been converted to a biennial renewal schedule, meaning that applicants for renewal will actually pay twice the fee shown to renew a two-year license.

Acupuncturist	\$200*
Advanced Nurse Practitioner	45 + 12.50
AELS Corporation	200
Architects, Engineer and Land Surveyor	50
Audiologist	30
Barbers and Hairdressers	50
Business License	25
Chiropractor	50
Clinical Social Worker	150
Collection Agency	50
Concert Promoter	30
Construction Contractor	90
Cosmetologist	15
Dental Hygienist	50
Dentist	90
Dispensing Optician	50
Electrical Administrator	125
Funeral Director/Embalmer	30
Games of Chance and Skill (annual)	
Permittee	20 - 100+
Operator	500
Distributor	1,000
Manufacturer (in-state)	500
Geologist (one time fee)	20
Guide/Outfitter: Assistant and Class A (annual)	100
Guide/Outfitter (annual)	200
Hearing Aid Dealer	30
Marine Pilot	90
Marine Vessel Agent	30
Mechanical Administrator	125
Naturopath	50
Nursing	45
Nursing Home Administrator	30
Occupational Therapist	50
Optometrist	50
Paramedic	25
Pharmacist	90
Physical Therapist	50
Physician	200
Physician Assistant	25
Psychological Associate	50
Psychologist	50
Public Accountant	90
Public Accounting Corporation	50
Real Estate Appraiser	150*
Real Estate Broker/Salesman	62.50
Registered Nurse Anesthetist	45 + 12.50
Transporter (annual)	150*
Veterinarian	50
Veterinary Technician	30*

*Final adoption pending.

Division of Occupational Licensing

FY 92 PROPOSED BUDGET
PORTION FUNDED BY GF/PROGRAM RECEIPTS

Licensing Area	FY 92 LICENSEES	FY 92 GF/ PR BUDGET	FY 92 REVENUE	AVERAGE REVENUE
<u>Acupuncture</u>	<u>3</u>	<u>3,877*</u>	<u>830*</u>	<u>630*</u>
<u>AEELS</u>	<u>4506</u>	<u>261,175</u>	<u>540,170</u>	<u>304,820</u>
<u>Athletic Commission</u>	<u>19</u>	<u>6,034</u>	<u>490</u>	<u>490</u>
<u>Audiology</u>	<u>43</u>	<u>5,969</u>	<u>410</u>	<u>1,580</u>
<u>Barbers/Hairdressers</u>	<u>3,379</u>	<u>180,196</u>	<u>279,815</u>	<u>165,230</u>
<u>Chiropractors</u>	<u>142</u>	<u>29,131</u>	<u>1,090</u>	<u>7,890</u>
<u>Clinical Social Wkrs</u>	<u>103</u>	<u>20,241</u>	<u>25,430</u>	<u>19,250</u>
<u>Collection Agencies</u>	<u>123</u>	<u>13,380</u>	<u>5,280</u>	<u>4,650</u>
<u>Concert Promoters</u>	<u>12</u>	<u>4,762</u>	<u>180</u>	<u>480</u>
<u>Contractors</u>	<u>3,184</u>	<u>217,112</u>	<u>300,840</u>	<u>373,290</u>
<u>Dental</u>	<u>921</u>	<u>81,644</u>	<u>41,490</u>	<u>65,985</u>
<u>Data Bank</u>	<u>0</u>	<u>8,435</u>	<u>0</u>	<u>0</u>
<u>Dispensing Opticians</u>	<u>82</u>	<u>20,186</u>	<u>4,920</u>	<u>5,860</u>
<u>Electrical Admin.</u>	<u>560</u>	<u>41,713</u>	<u>142,480</u>	<u>76,355</u>
<u>Geology</u>	<u>242</u>	<u>11,535</u>	<u>720</u>	<u>720</u>
<u>Guide-Outfitters</u>	<u>1,785</u>	<u>228,956</u>	<u>166,750</u>	<u>273,450</u>
<u>Marine Pilots</u>	<u>123</u>	<u>44,690</u>	<u>2,220</u>	<u>11,310</u>
<u>Mechanical Admin.</u>	<u>477</u>	<u>36,309</u>	<u>118,600</u>	<u>63,100</u>
<u>Medical</u>	<u>1,561</u>	<u>212,879</u>	<u>81,300</u>	<u>325,575</u>
<u>Mortuary Science</u>	<u>135</u>	<u>9,553</u>	<u>2,470</u>	<u>5,680</u>
<u>Naturopathy</u>	<u>12</u>	<u>4,762</u>	<u>1,200</u>	<u>665</u>
<u>Nursing</u>	<u>6,169</u>	<u>385,378</u>	<u>116,020</u>	<u>352,440</u>
<u>Nursing Home Admin.</u>	<u>72</u>	<u>8,099</u>	<u>1,110</u>	<u>2,970</u>
<u>Optometry</u>	<u>105</u>	<u>14,678</u>	<u>900</u>	<u>5,830</u>
<u>Pharmacy</u>	<u>489</u>	<u>50,127</u>	<u>63,279</u>	<u>49,275</u>
<u>PT/OT</u>	<u>381</u>	<u>32,070</u>	<u>17,769</u>	<u>14,920</u>
<u>Psychology</u>	<u>156</u>	<u>25,491</u>	<u>9,840</u>	<u>11,910</u>
<u>Public Accountancy</u>	<u>845</u>	<u>67,981</u>	<u>138,010</u>	<u>83,740</u>
<u>RE Appraisers</u>	<u>200*</u>	<u>46,749*</u>	<u>60,000*</u>	<u>45,000*</u>
<u>Real Estate</u>	<u>2,804</u>	<u>164,990**</u>	<u>404,625</u>	<u>278,268</u>
<u>Veterinary</u>	<u>190</u>	<u>27,816</u>	<u>2,780</u>	<u>11,680</u>
TOTAL:	<u>28,823</u>	<u>\$ 2,265,918</u>	<u>\$2,531,018</u>	<u>\$ 2,563,043</u>

* = New program.

** = Actual FY 92 Real Estate budget is \$312,290. This amount was reduced by \$147,300 which is funded by real estate Surety Funds; for a GF/PR obligation of \$164,990.

FN 92

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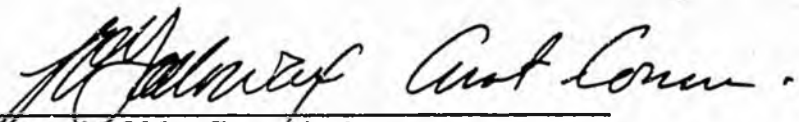
CATEGORY	TOTAL	MEDICAL
NUMBER OF LICENSEES	29,108	1,561
PERCENT OF LICENSEES	100%	5.36%
PERSONAL SERVICES		
Administrative	982,185	52,672
Direct Support	266,763	60,475
# of Licensing Examiners	12.5	75%
Examiner Pay/Benefits	530,072	31,804
# of Investigator	7.5	100%
Investigator Pay/Benefits	447,633	49,737
% of Hearing Examiner	100%	5.93%
Hearing Examiners w/o RE	85,173	5,055
Real Estate Hearing Examiner	42,435	
SUB TOTAL	2,312,778	199,743
TRAVEL/PER DIEM		
Administrative	60,400	3,239
Board Meetings	227,184	18,000
SUB TOTAL	287,584	21,239
CONTRACTUAL SERVICES - ADMINISTRATIVE		
Professional Services	136,168	7,302
Communications	155,530	8,341
Transportation	10,000	536
Advertising/Printing	128,300	6,880
Repairs/Maintenance	30,700	1,546
Rental	46,900	2,515
Other (Memberships)	37,700	2,022
SUB TOTAL	545,298	29,243
CONTRACTUAL SERVICES - DESIGNATED		
Professional Services	0	
Communications	0	
Transportation	0	
Advertising/Printing	0	
Repairs/Maintenance	0	
Rental	0	
Other (Memberships)	0	
SUB TOTAL	15,402	0
CONTRACTUAL TOTAL	560,700	29,243
SUPPLIES		
Administrative	45,747	2,453
Designated	4,753	
SUB TOTAL	50,500	2,453
LABOR		
Administrative	6,253	335
Designated	2,847	
SUB TOTAL	9,100	335
TOTAL BUDGET - COLUMNS 3, 220, 662		
		253,014

HB 165: "An Act extending the Board of Nursing in the Department of Commerce and Economic Development; and providing for an effective date."

The Board of Nursing is responsible for the regulation and licensing of the nursing profession in the state. Under AS 08.03.010(c)(1), the Board of Nursing is currently scheduled to terminate on June 30, 1991. HB 165 will extend the termination date of the board to June 30, 1995.

There are approximately 6,169 nurses licensed in Alaska. The department concurs with the findings documented in the performance audit conducted by the Division of Legislative Audit; in particular, that the board is necessary to protect the public's health, safety, and welfare, therefore, the board should be reestablished.

The department strongly supports continuation of the Board of Nursing and requests favorable support in passage of HB 165.



Glenn A. Olds, Commissioner

Date: 4-18-91

GAO/JS/dgl9428D-1
041891a

Position Paper - DCED

HB 159

THE FOLLOWING WAS PUBLISHED FEBRUARY 25, 1991:

ZERO FISCAL NOTE, DEPARTMENT OF COMMERCE & ECONOMIC
DEVELOPMENT

THE GOVERNOR'S TRANSMITTAL LETTER, DATED FEBRUARY 25, 1991,
APPEARS BELOW:

"DEAR SPEAKER GRUSSENDORF:

UNDER THE AUTHORITY OF ART. III, SEC. 18, OF THE ALASKA
CONSTITUTION, I AM HEREBY TRANSMITTING SEVEN BILLS TO EXTEND
THE "SUNSET" DATE FOR CERTAIN OCCUPATIONAL BOARDS OR
COMMISSIONS IN THE IN THE DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT.

UNDER AS 08.03.010(C), THE EXISTENCE OF THE FOLLOWING BOARDS
OR COMMISSIONS WOULD TERMINATE ON JUNE 30, 1991:

BOARD OF NURSING
BOARD OF DENTAL EXAMINERS
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE
EXAMINERS
STATE MEDICAL BOARD
BOARD OF MARINE PILOTS
REAL ESTATE COMMISSION
BOARD OF ELECTRICAL EXAMINERS

I BELIEVE THE CONTINUED EXISTENCE OF EACH OF THESE BOARDS OR
COMMISSIONS IS IMPORTANT FOR THE PUBLIC'S WELFARE, SAFETY,
OR HEALTH. ACCORDINGLY, I RECOMMEND THAT EACH OF THEM BE
EXTENDED FOR FOUR YEARS TO JUNE 30, 1995. THE ACCOMPANYING
SEVEN BILLS WOULD ACCOMPLISH THAT EXTENSION FOR ALL OF THE
ABOVE-NAMED BOARDS.

I URGE YOUR SUPPORT FOR EACH OF THESE BILLS.

SINCERELY,

/S/

WALTER J. HICKEL
GOVERNOR"

gov. Transmittal letter

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 25, 1991

FURTHER REFERRALS:

Labor and Commerce
Finance

Date of Committee Action: 4-22-91

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 161

HOUSE BILL NO. 161

EXTEND STATE MEDICAL BOARD

"An Act extending the State Medical Board in the Department of Commerce and Economic Development; and providing for an effective date."

RECOMMENDATIONS:

be replaced with _____ the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note DEED

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Cheri Davis</i>	<input checked="" type="checkbox"/>				
<i>Mary Miller</i>	<input checked="" type="checkbox"/>				
<i>Mark Healy</i>	<input checked="" type="checkbox"/>				
<i>Betty Davis</i>	<input checked="" type="checkbox"/>				
<i>John Kenney</i>	<input checked="" type="checkbox"/>	(CARNEY)			
<i>[Signature]</i>	<input checked="" type="checkbox"/>	(LINCOLN)			

[Signature]
CO-CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HB 161

Revision Date: _____ Department Affected: Commerce & Economic Dev.
 Title: Extending the State Medical Board... BRU: Occupational Licensing
 Board.... _____ Component: Administration
 Sponsor: Rules Committee
 Requestor: Governor COMPONENT SERIAL NO.

0	3	5	6
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Funding for the State Medical Board is included in the department's FY 92 operating budget request and, therefore, new funds are not required.

Prepared By: Jennifer Strickler, Admin. Officer Phone: 465-214
 Division: Occupational Licensing Date: 4-17-91
 Approved by Commissioner: Glenn A. Olds
 Agency: Commerce and Economic Development Date: 4-18-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FN & DCED

REVISION DATE: 1/15/91

MEDICAL BOARD

MEMBER	APPT	REAPT	REAPPT	TERM
Ray Bailey 1726 Chena Pump Road Fairbanks 99709 Public	89/01/12	0/00/00	0/00/00	92/08/13
Abigale R Hensley 7045 Tree Top Circle Anchorage 99516 Public	86/02/10	88/12/28	0/00/00	93/01/09
Joan Jelinek 2111 Cowles Street, Suite 1 Fairbanks 99701 Physician	89/01/12	0/00/00	0/00/00	92/11/06
Michael H Newman 4048 Laurel Street, #106 Anchorage 99508 Physician	88/07/18	0/00/00	0/00/00	92/07/08
Patrick M Nolan 3300 Providence Drive #206 Anchorage 99508 Physician	88/04/22	0/00/00	0/00/00	92/04/21
Raymond Shields 3289 Tongass Avenue Ketchikan 99901 Physician	90/04/22	0/00/00	0/00/00	94/04/21
James W Thompson 890 Mendenhall Peninsula Road Juneau 99801 Physician Chair	87/02/26	88/01/21	0/00/00	92/01/12

Members - State Medical Board

BOARD: MEDICAL BOARD, STATE

BOARD IDENTIFICATION NUMBER: 61

TITLE: State Medical Board

DEPT: Department of Commerce and Economic Development

AUTHORITY: AS 08.64.010

STATUS: June 30, 1991

REQUIREMENTS: LEGISLATIVE CONFIRMATION

PROHIBITIONS: Cannot serve more than all or part of two consecutive terms.

TERM: 4 years

DESCRIPTION: 7 members appointed by Governor: 5 licensed physicians residing in as many separate Alaska judicial districts as possible; 2 public members with no direct financial interest in the health care industry.

SPECIAL FACTS: Quorum - 4 members; serve at the pleasure of the Governor (AS 08.01.020). Staffed with an executive secretary located in Anchorage. Members serve until a successor is appointed. An appointment to fill a vacancy is for the remainder of the unexpired term. A member who has served all or part of two successive terms may not be reappointed unless four years have elapsed since the person has last served.

FUNCTION: Prescribes and establishes rules/regulations to carry into effect provisions of chapter.

COMPENSATION: Standard travel/per diem.

MEETINGS: 4 times per year.

*FOR FURTHER INFORMATION CONTACT: Licensing Examiner, Division of Occupational Licensing, Dept. of Commerce and Economic Development, Box D, Juneau, AK 99811 PHONE: 465-2541 (Revised 1/14/91)

Audit Report

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT
STATE MEDICAL BOARD

October 15, 1990



Audit Control Number:

08-1384-91

Division of Legislative Audit

P.O. Box W, Juneau, Alaska 99811-3300

Legislative Audit

OFFICE OF THE
STATE OF ALASKA

AUDIT DIVISION
PO BOX W
JUNEAU ALASKA 99801-3300

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

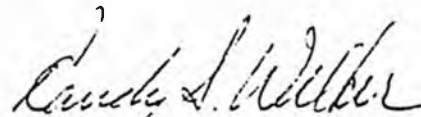
October 15, 1990

Members of the Legislative Budget
and Audit Committee:

According to the provisions of Titles 24 and 44 of the Alaska Statutes, the Division of Legislative Audit is required to conduct a "Sunset" review of the State Medical Board.

At the request of the Chairman, during Fiscal Year 1988 budget deliberations, the Finance and Audit Divisions' budgets were revised to reflect certain changes in the organizations of the Committee's two Divisions. The revised budget of the Audit Division reflected efficiencies that might be obtained by utilizing the staff of the Legislative Finance Division on selected audit assignments during the interim.

As a result, the audit of the State Medical Board was conducted and this report has been prepared by the Legislative Finance Division. We feel this report discharges our responsibility under Titles 24 and 44. The report is submitted for your review.



Randy S. Welker, CPA
Legislative Auditor
Division of Legislative Audit

CORRECTION

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

Audit Report

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT
STATE MEDICAL BOARD

October 15, 1990



Audit Control Number:

08-1384-91

Division of Legislative Audit
P.O. Box W, Juneau, Alaska 99811-3300

Legislative Audit

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

DIVISION OF LEGISLATIVE AUDIT

The Legislative Budget and Audit Committee is a permanent interim committee of the Alaska Legislature. The bipartisan committee is made up of five senators and five representatives, with one alternate from each legislative chamber. The chairmanship of the committee alternates between the two chambers every legislature.

The committee is responsible for providing the legislature with audits of state government agencies. The programs and activities of state government now cost more than \$4 billion a year. As legislators and administrators try increasingly to allocate state revenues effectively and make government work more efficiently, they need information to evaluate the work of governmental agencies. The audit work performed by the Division of Legislative Audit helps provide that information.

As a guide to all their work, the Division of Legislative Audit complies with generally accepted auditing standards established by the American Institute of Certified Public Accountants and with government auditing standards established by the U.S. General Accounting Office.

Audits are performed at the direction of the Legislative Budget and Audit Committee. Individual legislators or committees can submit requests for audits of specific programs or agencies to the committee for consideration. Copies of all completed audits are available from the Division of Legislative Audit's offices in either Anchorage or Juneau.

BUDGET AND AUDIT COMMITTEE

Representative Ron Larson, Chairman
Representative Pat Carney
Representative Eileen MacLean
Representative Terry Martin
Representative Fran Ulmer
Representative Kay Brown (alternate)

Senator Jay Kerttula, Vice Chairman
Senator Al Adams
Senator Jim Duncan
Senator Dick Eliason
Senator Curt Menard
Senator Lyman Hoffman (alternate)

DIVISION OF LEGISLATIVE AUDIT

Randy S. Welker, CPA
Legislative Auditor
Merle R. Jenson, CPA
Deputy Legislative Auditor

P.O. Box W
Juneau, Alaska 99811-3300

(907) 465-3830, Juneau
(907) 561-1445, Anchorage

STATE OF ALASKA
STATE OF ALASKA

AUDIT DIVISION
PO BOX W
JUNEAU ALASKA 99811-3300

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

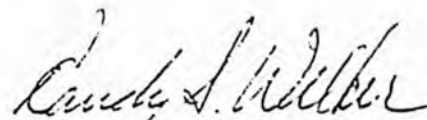
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Randy S. Welker, CPA
Legislative Auditor
Division of Legislative Audit

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
P.O. BOX WF
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

October 15, 1990

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the
Alaska Statutes (sunset legislation), the attached report is
submitted for your review.

A REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
STATE MEDICAL BOARD
October 15, 1990

Audit Control Number

08-1384-91 R



Mike Greany, Director
Division of Legislative Finance

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PURPOSE AND SCOPE OF THE REPORT

Purpose

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the State Medical Board to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Board should be reestablished. The law now specifies that the Board will terminate June 30, 1991, and have one year from that date to conclude its affairs.

Scope

The major areas of our examination were the licensing, examination, administration, complaint, and investigation functions of the Board. We reviewed and performed the following:

1. Applicable statutes and regulations.
2. Tests of files and documents of licensees.
3. Interviews with the staff of the Board.
4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, the Ombudsman's Office, and the Department of Law.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General's Opinions applicable to professional boards.

ORGANIZATION AND FUNCTION

The State Medical Board is a regulatory Board established under AS 08.64, consisting of five physicians residing in as many separate geographical areas of the state as possible, and two public members with no direct financial interest in the health care industry.

The function of the Board is to determine that minimum quality of medical care by:

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

The Board regulates the following groups engaged in medical practice in Alaska: physicians, osteopaths, physician assistants (PAs), podiatrists, and paramedics. Most licensing requirements are established by statute. However, statutes have granted power to waive some requirements in favor of conditions concerning special licenses - those by endorsement, those for temporary licensure up to 6 months or until the Board meets to consider the application, whichever occurs first, and a temporary locum tenens permit which is valid for 120 consecutive days not to exceed 240 days during any consecutive 24 months, to name a few.

An applicant for registration as a medical practitioner must have passed an examination given by the National Board of Medical Examiners or the Federation of State Medical Boards. An oral interview is also administered by a member of the Board. Foreign medical graduates who graduated from medical colleges not accredited by the American Medical Association or one of its agencies must be certified by the Educational Council of Foreign Medical Graduates or be licensed by examination in another state or territory of the United States or a province in Canada.

REPORT CONCLUSION

Policy Issues

This report does not contain any policy issues raised as a result of our evaluation of Board practices. Any policy decisions affecting these practices would not be within the scope of this report but requires legislative consideration. In debating these issues, the oversight committees would take into consideration the information presented in this report so the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the State Medical Board should be reestablished. The regulation and licensing of qualified professionals is necessary to protect the public's health, safety, and welfare. The Board provides this service by establishing minimum educational and experience requirements that provide reasonable assurance that persons licensed are qualified. Also, assurances that those licensed act in a competent manner is provided by active investigation of complaints and revocation or suspension of licenses when appropriate.

Current statutes, AS 08.03.010, specify that the sunset review period for the State Medical Board shall be four years.

Based upon the State Medical Board performance for the past four reviews, from 1978 to 1990, it is recommended that the review interval be extended from 4 to 8 years. The next statutory termination date subject to sunset review would be June 30, 1999.

The State Medical Board has consistently been found to satisfy a public purpose and has demonstrated its ability to conduct its business in a satisfactory manner.

The last two sunset reviews included no recommendations. In prior sunset reviews, deficiencies found have been relatively minor, and for the most part, "housekeeping" in nature.

The State Medical Board statutes, regulations, policies, and procedures are current. The Board's business is generally viewed as conducted in a professional, competent, and efficient manner.

The Board's membership has been dedicated and responsible to its mission; its representation has been well balanced in serving its purpose.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas pertinent to our review.

- I. The extent to which the board, commission, or program has operated in the public interest.
 - A. The Board has served the public by examining and licensing qualified applicants and proposing changes in regulations that are necessary to enforce State statutes and enhances quality of Medical care to Alaskans.
 - B. The Board has held four board meetings per year during the past two fiscal years.
 - C. The Board has instituted an impaired physician program for physicians addicted to alcohol, drugs, or narcotics.
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. The Board received legal assistance from the Attorney General's office.
 - B. The Board received assistance in drafting legislation and regulatory changes from the Division of Occupational Licensing.
- III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.
 - A. The Board has recommended legislation (HB 146) that would increase the effectiveness of the Board in performance of its duties relating to : (1) licensing and permitting medical professionals; (2) reviewing the malpractice claims histories of physicians licensed in Alaska; and (3) creating a retired status license for physicians retired from active practice.

- IV. The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.
- A. The public is informed of meeting and examination dates and regulation changes by notices in major newspapers throughout the State.
 - B. Minutes of Board meetings include "guest" names of Medical Association representatives, applicants, and support staff in attendance.
- V. The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.
- A. The public is invited by notices in major newspapers throughout the state to give input about Board business and proposed regulations.
- VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.
- A. The Board processes and addressed complaints in an effective and timely manner.
- VII. The extent to which a board or commission which regulated entry into an occupation or profession has presented qualified applicants to serve the public.
- A. The Board, as of July 10, 1990 regulated 1292 physicians, 157 physician assistants, and 111 paramedics.
 - B. The Board provides for licensing by endorsing (credentialing) physicians from other states.
 - C. The Board requires continuing medical education of physicians, physician assistants, and paramedics.
- VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.
- A. The Human Rights Commission and the Equal Employment Opportunity Office have received no complaints related to the Board's activities.

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

- A. The Board has complied with the criteria enumerated in this subsection. We found no instance where changes are necessary to enable the Board to better serve the interests of the public.

APPENDIX

APPENDIX A

STATE MEDICAL BOARD
SCHEDULE OF REVENUES COMPARED WITH EXPENDITURES
For Fiscal Year 1990
(Unaudited)
(Note 1)

Revenues (Note 2)		\$286,970
Expenditures (Note 3)		
Personal Services	\$185,466	
Travel	17,931	
Contractual	29,841	
Supplies	3,268	
Equipment	<u>8,925</u>	
Total Expenditures		<u>245,431</u>
Revenues Compared to Expenditures		<u>\$ 41,539</u>

Note 1

The Schedule of Revenues Compared with Expenditures was prepared by the Division of Occupational Licensing personnel. The records were not audited by us and, accordingly, we do not express an opinion on the Board's Schedule of Revenues Compared with Expenditures.

Note 2

A significant portion of revenues is composed of license renewal fees. Licenses are renewed biennially. Because of the renewals, revenues vary substantially every year. Therefore, we combined revenues collected in fiscal year 1989 and 1990, and calculated an average in order to obtain a representative amount of annualized revenues collected.

Note 3

This amount does not include expenditures for efforts of other departments assisting the Board.

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

P. O. BOX D
JUNEAU, ALASKA 99811-2800
PHONE: (907) 465-2500

OFFICE OF THE COMMISSIONER

December 4, 1990

Mr. Randy S. Welker
Legislative Auditor
Audit Division
Legislative Budget and
Audit Committee
P.O. Box W
Juneau, AK 99811-3300

Dear Mr. Welker:

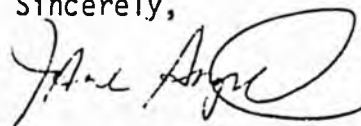
This letter is written in combined response to the preliminary audit reports on the State Medical Board, the Board of Nursing, the Board of Psychologist and Psychological Associate Examiners, and the Real Estate Commission.

The Department of Commerce and Economic Development is pleased that the audit reports found that the business of these three boards and one commission has been "conducted in a professional, competent, and efficient manner," and that the Audit Division is recommending that the sunset performance "review interval be extended from 4 to 8 years."

Given that the department itself also believes that these boards have consistently satisfied the public purposes for which they were created and have demonstrated their ability to competently and with care conduct their business, the department not only concurs in but wholeheartedly endorses the Audit Division's recommendation that these four agencies be continued until June 30, 1999.

Both the boards and the department take great pride in the audit reports' findings and recommendations.

Sincerely,



Jane Angvik
Commissioner

JA/1vs4331t
120390b

cc: Randall Burns, Director, Division of Occupational Licensing



Alaska State Legislature
House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

DATE: April 22, 1991

PLACE: Capitol Room 106

SUBJECT OF MEETING:
WITNESS REGISTER FOR:
 *HB 156 Confidentiality/Dom. Vio. Counsel.
 *HB 269 Private Health Care Review Agents
 *HB 165 Extend Board of Nursing
 *HB 161 Extend State medical Board

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
<i>Ann Boudreau</i>		<i>see HB 269 sheet</i>				Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

HPB

163

HB 163

February 26, 1991

Representative Georgianna Lincoln
Chair of the House Health, Education
and Social Services Committee
PO BOX V STATE HOUSE
Juneau, AK 99811

Dear Representative Lincoln:

I am writing to you on behalf of the Alaska Psychological Association with regard to the Alaska statutes as they relate to the Psychological Associate license. Specifically, I am requesting that the educational requirement for the Psychological Associate be increased from a minimum of a Masters Degree consisting of twenty four semester hours to a minimum of a Masters Degree consisting of forty eight hours.

As you may know, the Psychological Associate license allows those holding a Masters Degree in psychology to practice psychology in Alaska. Alaska is one of approximately five states in the country that allow those holding the Masters Degree in psychology to be licensed, thus providing quality control with regard to whom may practice.

In order to be licensed, Psychological Associates must first practice under the supervision of a Psychologist (someone who holds a Doctorate Degree and is licensed by the the state) for a period of three years. After successfully completing the supervision requirement they are then eligible to sit for the written examination. This examination consists of two parts, an objective portion that is used throughout the country, and an essay portion which covers ethics and legal issues specific to the practice of psychology in Alaska. The test is the same as that taken to be licensed as a Psychologist, but the passing score is substantially lower. After being licensed, Psychological Associates must remain under the supervision of a Psychologist for five years after which they may apply to practice independently.

The difference between Psychologists and Psychological Associates is that Psychologists have two to three more years

1 of 3

Misc. Correspondence

of formal training at the graduate level, and have a far broader base of education and thus typically perform a wider variety of services. These include evaluations based upon information derived from psychological testing, and therapy to individuals, groups and families. In addition many Psychologists serve as expert witnesses in court, and do evaluations in the correctional system. Some Psychologists specialize in rehabilitation of those with brain injuries or disease and evaluate neurological capabilities. Psychologists provide services in hospitals, as well as out patient settings.

Psychological Associates may do any of these activities provided they have the necessary training. As a general rule however, most Psychological Associates limit their practice to psychotherapy, and generally restrict their practice to outpatient work.

The Alaska Psychological Association is recommending that the educational requirement for Psychological Associates be increased for two reasons. The first is that when first written, the statute required that Psychological Associates remain under the supervision of a psychologist in order to practice. With the higher level of responsibility that comes with completely independent practice that the law now allows, should come a higher level of training.

The second reason for the requested change is that since the law was written, the amount of knowledge has expanded sufficiently to warrant an increased educational requirement. There continues to be a wide disparity between the requirements for earning a masters degree. While some schools require as many as ninety semester hours of credit, others require less than the twenty four specified for licensure. Twenty four hours of credit is the equivalent of only eight classes, seven classes if credit is given for writing the masters thesis. When viewed in that respect it is apparent that one can just begin to scratch the surface of the current body of knowledge with only twenty four hours of credit. It is clearly not enough to practice independently.

The University of Alaska has increased its requirements for the masters degree to forty eight hours. Those trained in that program will be able to meet this requirement. Those pursuing licensure without the required course work can enroll in graduate courses offered at The University of Alaska and Alaska Pacific University. For those living in rural areas, there are several extended degree programs that a number of Alaskans are enrolled in which allow their

students to do much of the required work independently and attend short intensive seminars Outside on a regular basis. While these programs require a high degree of commitment and time, that is the price that anyone holding an advanced degree has been required to pay.

The Board of Psychologists and Psychological Associates is in support of this change, and has in fact been working toward it for some time now. They have advised me that they have experienced problems doing so due to time constraints and difficulty arranging the necessary hearings to make the change administratively. Because this is a year that the Psychology License is being reviewed for continuation by the legislature, it is a good time to consider this change legislatively. The bill for continuation is HB 163 to extend the Psychology License for another four years. Please consider amending to bill to include an increase in the educational requirement for Psychological Associates to forty eight semester hours as I have discussed above.

I hope that this letter has clarified the position the Alaska Psychological Association is taking with regard to this issue. Please feel free to contact me or our lobbyist, Sharon Macklin, if you have any questions.

Thank you for your consideration on this matter,

Joel B. Wieman Ph.D
Legislative Coordinator
Alaska Psychological Association

CONTINUATION OF FISCAL NOTE ANALYSIS

The Division of Occupational Licensing, Department of Commerce & Economic Development, is funded primarily by program receipts generated from licensing fees. All licensing programs share in the responsibility of covering a percentage of the administrative costs based on the number of current licensees (156 psychologists and psychological associate licensees) divided by the total number of current division licensees (29,108). In FY 92, costs for the Board of Psychologist and Psychological Associate Examiners are projected as follows:

Personal Services:		
- Administrative costs	5.7	
- 25% Licensing Examiner	10.6	
- 10% Investigative	<u>5.0</u>	
Sub-Total:		\$21.3
Travel:		
- Administrative	.3	
- Board Travel	<u>5.0</u>	
Sub-Total:		\$ 5.3
Contractual:		\$ 2.9
Supplies:		\$.3
Equipment:		<u>\$.0</u>
TOTAL: FY 92 Costs		\$ 29.8
<u>Average Annual Revenue:</u>		\$ 11.9

FN 92

Printed 01/30/91
Time 05:50 PM

CATEGORY	TOTAL	PSYCH
NUMBER OF LICENSEES	29,108	156
PERCENT OF LICENSEES	100%	0.54%
PERSONAL SERVICES		
Administrative	982,185	5,264
Direct Support	266,763	
# of Licensing Examiners	12.5	25%
Examiner Pay/Benifits	530,072	10,601
# of Investigator	7.5	10%
Investigator Pay/Benifits	447,633	4,974
% of Hearing Examiner	100%	0.59%
Hearing Examiners w/o RE	85,173	505
Real Estate Hearing Examiner	42,435	
SUB TOTAL	2,312,778	21,344
TRAVEL/PER DIEM		
Administrative	60,400	324
Board Meetings	227,184	5,000
SUB TOTAL	287,584	5,324
CONTRACTUAL SERVICES -ADMINISTRATIVE		
Professional Services	136,168	730
Communications	155,530	834
Transportation	10,000	54
Advertising/Printing	128,300	688
Repairs/Maintenance	30,700	165
Rental	46,900	251
Other (Memberships)	37,700	202
SUB TOTAL	545,298	2,922
CONTRACTUAL SERVICES - DESIGNATED		
Professional Services	0	
Communications	0	
Transportation	0	
Advertising/Printing	0	
Repairs/Maintenance	0	
Rental	0	
Other (Memberships)	0	
SUB TOTAL	15,402	0
CONTRACTUAL TOTAL	560,700	2,922
SUPPLIES		
Administrative	45,747	245
Designated	4,753	
SUB TOTAL	50,500	245
EQUIPMENT		
Administrative	6,253	34
Designated	2,847	
SUB TOTAL	9,100	34
TOTAL BUDGET - COLUMNS		
	3,220,662	29,867



Alaska State Legislature
House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

SUBJECT OF MEETING:
 HB163 EXTEND BOARD OF PSYCHOLOGIST, ETC
 EXAMINERS
Handover from 3/26/91

DATE: March ²⁷~~26~~, 1991

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Ann Boudreaux	Occupational Licensing	Dept of Commerce + EC Dev.				<input checked="" type="radio"/> Y N	HB 163 -
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

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*****
*
* DELIVER TO: LHSCHES
*
* ORIGINAL
* SENT: 03/27/91 TIME: 08:33
* FROM: LIOCMIL
* SUBJECT: 91-03-127;FS;(H)HESS;3/27
* PRINT DATE: 03/27/91 TIME: 08:34
*
*****

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SUBJECT LINE TO READ: TC NO.; PL FS; SHORT SUBJECT; DATE

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T/C NO: 91-03-127
DATE: 3/27
SPONSOR: H HESS
SUBJECT: HB 149, 150, 173, SB 43
MODERATOR: JUDY
SITE: ANCHORAGE

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FINAL STATISTICS

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*****
TO TESTIFY

```

NAMES/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. ELEANOR ANDREWS/ANHC	715 L ST	276-1454	HB 150
2. LINDA WEBBER/AKPA	1227 W 9	276-4910	HB 163

Alaska Native Health Corporation

```

*****
TO OBSERVE:

```

NAME/ REPRESENTING	ADDRESS	PHONE	BILL NO.
1. ROSYLAND FRAZIER/ANHC	715 L ST	258-7888	HB 150

```

*****
TESTIFIED: 2
UNABLE: 0
OBSERVED: 1
TOTAL: 3

```

START TIME: 7:30 AM END TIME: 10:00

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HB 163

Revision Date: _____ Department Affected: Commerce & Economic Dev.
 Title: Extending the Board of Psychologist and Psychological Associate Examiners... BPU: Occupational Licensing
 Component: Administration
 Sponsor: Rules Committee
 Requestor: Governor COMPONENT SERIAL NO.

0	3	5	6
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)
 Funding for the Board of Psychologist and Psychological Associate Examiners is included in the department's FY 92 operating budget request and, therefore, new funds are not required.

Prepared By: Jennifer Strickler, Administrative Officer Phone: 465-2144
 Division: Occupational Licensing Date: 3/22/91
 Approved by Commissioner: Glenn A. Olds *Glenn A. Olds* Ass. Comm.
 Agency: Commerce and Economic Development Date: 3-22-91

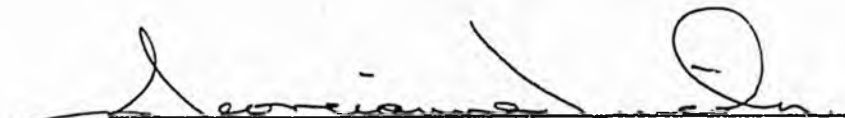
Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

March 27, 1991

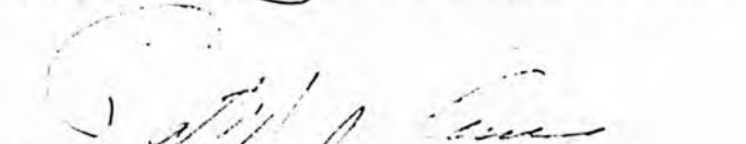
by the House Health, Education and Social Services Committee

**Letter of Intent
for
HB 163**

It is the intent of the House Health, Education and Social Services Committee that occupational licensing fees established pursuant to AS 08.01.065 shall reflect the actual costs to the department for which the fee is charged, except when to do so would create an unreasonable burden upon licensees. The committee requests the Board of Psychologist and Psychological Associate Examiners to work with the department in re-evaluating its current licensing fee schedule. The committee further requests the department to issue a report on fee schedules, with notation as to those fees which have been changed, to the legislature by the first day of the second session of the Seventeenth Legislature.



Representative Georgianna Lincoln, Co-Chair



Representative Pat Carney, Co-Chair

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 25, 1991

FURTHER REFERRALS:

Labor and Commerce
Finance

Date of Committee Action: 3/27/91

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 163

HOUSE BILL NO. 163

EXTEND BD OF PSYCHOLOGIST, ETC. EXAMINERS

"An Act extending the Board of Psychologist and Psychological Associate Examiners in the Department of Commerce and Economic Development; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS HB 163 (HES) the same title a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: HES 3/27/91 letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

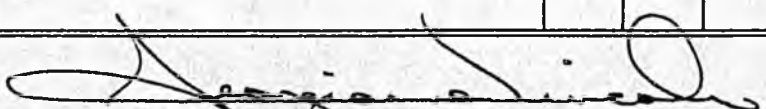
fiscal impact _____

fiscal note(s) _____

zero fiscal note DCED

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
_____	✓	(LINCOLN)			
_____	✓	(CARNAL)			
_____	✓	(GONZALES)			
Betty Davis	✓	(DAVIS)			
Mark Hanley	✓	(HANLEY)			
Mary Miller	✓	(MILLER)			
Cheri Davis	✓	(DAVIS)			


CO-CHAIRMAN'S SIGNATURE

7-GH0049D
Luckhaupt
3/27/91

CS FOR HOUSE BILL NO. 163 (HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE RULES/GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act extending the Board of Psychologist and Psychological Associate Examiners in the
2 Department of Commerce and Economic Development; increasing the amount of graduate
3 course work directly related to a specialized area of psychology necessary to qualify for
4 examination as a psychological associate; and providing for an effective date."

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

6 * Section 1. AS 08.03.010(c)(10) is amended to read:

7 (10) Board of Psychologist and Psychological Associate Examiners
8 (AS 08.86.010) - June 30, 1995 [1991];

9 * Sec. 2. AS 08.86.162 is amended to read:

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

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

14 (2) holds a master's degree with primary emphasis on psychology from an

1 academic institution whose program of graduate study for a master's degree in psychology meets
 2 the criteria established by the board by regulation, with the equivalent of at least 48 [24] semester
 3 credit hours of graduate course work directly related to a specialized area of psychology in which
 4 licensure is requested, including a practicum;

5 (3) has at least three years' supervised experience after obtaining a master's
 6 degree; in this paragraph, "supervised experience" means the equivalent of at least one hour a
 7 week of personal interview with a supervisor whose educational qualifications are consistent with
 8 the level of activity being supervised;

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

11 (5) has not within the preceding six months failed an examination given by the
 12 board.

13 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

Audit Report



DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT
BOARD OF PSYCHOLOGIST AND
PSYCHOLOGICAL ASSOCIATE EXAMINERS

October 11, 1990



Audit Control Number:

08-1386-91

Division of Legislative Audit
P.O. Box W, Juneau, Alaska 99811-3300

Audit Report

STATE OF ALASKA

AUDIT DIVISION
P.O. BOX W
JUNEAU, ALASKA 99811-3300

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

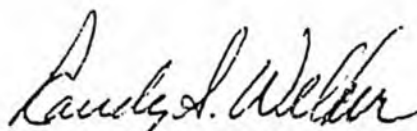
September 24, 1990

Members of the Legislative Budget
and Audit Committee:

According to the provisions of Titles 24 and 44 of the Alaska Statutes, the Division of Legislative Audit is required to conduct a "Sunset" review of the Board of Psychologist and Psychological Associate Examiners.

At the request of the Chairman, during Fiscal Year 1988 budget deliberations, the Finance and Audit Divisions' budgets were revised to reflect certain changes in the organizations of the Committee's two Divisions. The revised budget of the Audit Division reflected efficiencies that might be obtained by utilizing the staff of the Legislative Finance Division on selected audit assignments during the interim.

As a result, the audit of the Board of Psychologist and Psychological Associate Examiners was conducted and this report has been prepared by the Legislative Finance Division. We feel this report discharges our responsibility under Titles 24 and 44. The report is submitted for your review.



Randy S. Welker, CPA
Legislative Auditor
Division of Legislative Audit

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
P.O. BOX WF
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

September 21, 1990

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the Alaska Statutes (sunset legislation), the attached report is submitted for your review.

A REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS
September 24, 1990

Audit Control Number

08-1386-91-R



Mike Greany, Director
Division of Legislative Finance

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PURPOSE AND SCOPE OF THE REPORT

Purpose

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Psychologist and Psychological Associate Examiners to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Board should be reestablished. The law now specifies that the Board will terminate June 30, 1991, and have one year from that date to conclude its affairs.

Scope

The major areas of our examination were the licensing, examination, administration, complaint, and investigation functions of the Board. We reviewed and performed the following:

1. Applicable statutes and regulations.
2. Tests of files and documents of licensees.
3. Interviews with the staff of the Board.
4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, the Ombudsman's Office, and the Department of Law.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General's Opinions applicable to professional boards.

ORGANIZATION AND FUNCTION

The Board of Psychologist and Psychological Associate Examiners (PPAE) was established under the provisions of Title 8, Chapter 86 of the Alaska Statutes. The Board consists of three licensed psychologists, a licensed psychological associate and one public member appointed by the Governor and approved by the Legislature.

The Board regulates licensed psychologists and psychological associates in the State. A psychologist is licensed to use psychological principles, methods, and procedures for the treatment of emotional and mental disorders. A psychological associate is licensed to perform psychological services under the supervision of a licensed psychologist or without supervision if they have completed at least five years of licensed practice and petitioned the Board for certification to practice without supervision.

The Board's duties are basically the following:

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

An applicant may be licensed by passing an exam given by the Board or by credentials. For credentials, an applicant must provide proof of licensure by another authority with equal licensing requirements.

In order to qualify for licensure as a psychologist by examination, an applicant must pass a written examination, have a doctorate degree, and have completed one year of experience. The examination is composed of two parts: an objective national examination composed by the Professional Examination Service and an essay examination composed by the Board.

Psychological associates may qualify for the examination if they have three years supervised experience after obtaining a Master's degree.

REPORT CONCLUSION

Policy Issues

This report does not contain any policy issues raised as a result of our evaluation of Board practices. Any policy decisions affecting these practices would not be within the scope of this report but requires legislative consideration. In debating these issues, the oversight committees would take into consideration the information presented in this report so the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the Board of Psychologist and Psychological Associate Examiners should be reestablished. The regulation and licensing of qualified professionals is necessary to protect the public's health, safety, and welfare. The Board provides this service by establishing minimum educational and experience requirements that provide reasonable assurance that persons licensed are qualified. Also, assurances that those licensed act in a competent manner is provided by active investigation of complaints and revocation or suspension of licenses when appropriate.

Current statutes, AS 08.03.010, specify that the sunset review period for the Board of Psychologist and Psychological Associate Examiners shall be four year.

Based upon the Board of Psychologist and Psychological Associate Examiners performance for the past 2 sunset reviews, it is recommended that the review interval be extended from 4 to 8 years. The next statutory termination date subject to sunset review would be June 30, 1999.

The Board of Psychologist and Psychological Associate Examiners has consistently been found to satisfy a public purpose and has demonstrated its ability to conduct its business in a satisfactory manner.

The ~~Current sunset review~~ included no recommendations. In prior sunset reviews, deficiencies found have been relatively minor, and for the most part, "housekeeping" in nature.

The Board of Psychologist and Psychological Associate Examiners statutes, regulations, policies and procedures are current. The Board's business is generally viewed as conducted in a professional, competent, and efficient manner.

The Board's membership has been dedicated and responsible to its mission; its representation has been well balanced in serving its purpose.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas pertinent to our review.

- I. The extent to which the board, commission, or program has operated in the public interest.
 - A. The Board has promulgated regulations concerning continuing education requirements. In addition, public hearings have been held to consider regulation changes regarding course requirements for graduate programs in psychology, criteria for practicing psychology without supervision as a psychological associate, and the qualifications for persons performing psychological-related activities that are exempt from licensure. The public is notified about upcoming examinations and meetings and is invited to provide input at Board meetings.
 - B. The Board has developed goals and objectives. Some of the goals the Board achieved in FY 1990 includes:
 1. Reviewing applications for licensure and examination.
 2. Conducting examinations twice a year.
 3. Reviewing investigative reports.
 4. Considering changes to psychology regulations.
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. The Board has received assistance in drafting regulatory changes from the Division of Occupational Licensing. However, the Department of Law did not process the regulatory changes in the timely manner, which resulted in the Board having to go through the public hearing process again.

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

A. The Human Rights Commission and the Equal Employment Opportunity Office have received no complaints related to the Board's activities.

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

A. The Board has complied with the criteria enumerated in this subsection. We found no instance where changes are necessary to enable the Board to better serve the interests of the public.

CORRECTION

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

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas pertinent to our review.

- I. The extent to which the board, commission, or program has operated in the public interest.
 - A. The Board has promulgated regulations concerning continuing education requirements. In addition, public hearings have been held to consider regulation changes regarding course requirements for graduate programs in psychology, criteria for practicing psychology without supervision as a psychological associate, and the qualifications for persons performing psychological-related activities that are exempt from licensure. The public is notified about upcoming examinations and meetings and is invited to provide input at Board meetings.
 - B. The Board has developed goals and objectives. Some of the goals the Board achieved in FY 1990 includes:
 1. Reviewing applications for licensure and examination.
 2. Conducting examinations twice a year.
 3. Reviewing investigative reports.
 4. Considering changes to psychology regulations.
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. The Board has received assistance in drafting regulatory changes from the Division of Occupational Licensing. However, the Department of Law did not process the regulatory changes in the timely manner, which resulted in the Board having to go through the public hearing process again.

- III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.
- A. No recent legislation has been introduced by the Board.
- IV. The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.
- A. The public is invited to attend Board meetings. Notices of meetings and examinations are published in at least 3 major newspapers and a time for public comment is reserved at Board meetings.
- V. The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.
- A. Public notices of proposed regulations are published in major newspapers. Public comment to proposed regulations, both written and oral, are considered at Board meetings.
- VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.
- A. Review of recently closed Ombudsman's case files and inquiries with the Human Rights Commission, Equal Employment Opportunities Office, the Attorney General and the Department of Commerce and Economic Development Investigation Section have shown no significant complaints filed against the Board.
- VII. The extent to which a board or commission which regulated entry into an occupation or profession has presented qualified applicants to serve the public.
- A. As of June 30, 1990, the Board regulated 128 psychologists and 19 psychological associates.

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

A. The Human Rights Commission and the Equal Employment Opportunity Office have received no complaints related to the Board's activities.

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

A. The Board has complied with the criteria enumerated in this subsection. We found no instance where changes are necessary to enable the Board to better serve the interests of the public.

APPENDIX

Note 3

This amount does not include expenditures for efforts of other departments assisting the Board.

CORRECTION

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

APPENDIX

APPENDIX A
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS
SCHEDULE OF REVENUES COMPARED WITH EXPENDITURES
For the Fiscal Year Ended June 30, 1990
(Unaudited)
(Note 1)

Revenues (Note 2)		\$11,995
Expenditures (Note 3)		
Personal Services	\$21,782	
Travel	6,103	
Contractual	6,322	
Supplies	289	
Equipment	<u>991</u>	
Total Expenditures		<u>\$35,487</u>
Revenues Compared to Expenditures		<u><\$23,492></u>

Schedule 1
Types of Revenues

<u>Revenues</u>	<u>Amount</u>	<u>Collection Time</u>
Application Fee	\$ 30	With submittal of application
Examination Fee	\$135	With submittal of application
Credential Review Fee	\$ 50	With submittal of application
Initial License Fee	\$100	With submittal of application
License Renewal	\$100	Every two years

Note 1

The Schedule of Revenues Compared with Expenditures was prepared by the Division of Occupational Licensing personnel. The records were not audited by us and, accordingly, we do not express an opinion on the Board's Schedule of Revenues Compared with Expenditures.

Note 2

A significant portion of revenues is composed of license renewal fees. Licenses are renewed biennially. Because of the renewals, revenues vary substantially every year. Therefore, we combined revenues collected in fiscal year 1989 and 1990, and calculated an average in order to obtain a representative amount of annualized revenues collected.

Note 3

This amount does not include expenditures for efforts of other departments assisting the Board.

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

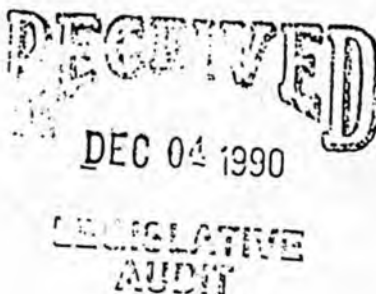
OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P. O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2500

December 4, 1990

Mr. Randy S. Welker
Legislative Auditor
Audit Division
Legislative Budget and
Audit Committee
P.O. Box W
Juneau, AK 99811-3300



Dear Mr. Welker:

This letter is written in combined response to the preliminary audit reports on the State Medical Board, the Board of Nursing, the Board of Psychologist and Psychological Associate Examiners, and the Real Estate Commission.

The Department of Commerce and Economic Development is pleased that the audit reports found that the business of these three boards and one commission has been "conducted in a professional, competent, and efficient manner," and that the Audit Division is recommending that the sunset performance "review interval be extended from 4 to 8 years."

Given that the department itself also believes that these boards have consistently satisfied the public purposes for which they were created and have demonstrated their ability to competently and with care conduct their business, the department not only concurs in but wholeheartedly endorses the Audit Division's recommendation that these four agencies be continued until June 30, 1999.

Both the boards and the department take great pride in the audit reports' findings and recommendations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jane Angvik".

Jane Angvik
Commissioner

JA/1vs4331t
120390b

cc: Randall Burns, Director, Division of Occupational Licensing

HB

164



Alaska State Legislature
House of Representatives
COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V
JUNEAU, AK 99811
465-3759

M E M O R A N D U M

TO: REP. GEORGIANNA LINCOLN, CO-CHAIR
REP. PATRICK CARNEY, CO-CHAIR
REP. BETTYE DAVIS, VICE-CHAIR
REP. CHERI DAVIS
REP. JOHN GONZALES
REP. MARK HANLEY
~~REP. MARY MILLER~~
PAT JACKSON
CAROLINE LOMBARD
LIBRARY FILE
REFERRAL FILE
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

FR: PATTI, HESS COMMITTEE SECRETARY *Patti*

DT: APRIL 4, 1991

RE: HESS HEARING 3/26, NEW CSHB 164 (HES)

ATTACHED FOR YOUR HESS FILE IS THE NEW CSHB 164 (HES) AS
AMENDED AND PASSED DURING OUR HESS HEARING ON MARCH 26, 1991.

FOR YOUR FILE.

CS FOR HOUSE BILL NO. 164 (HES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE RULES/GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act extending the Board of Dental Examiners in the Department of Commerce and
2 Economic Development; and providing for an effective date."

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

4 * Section 1. AS 08.03.010(c)(6) is amended to read:

5 (6) Board of Dental Examiners (AS 08.36.010) - June 30, 1993 [1991];

6 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

Audit Report

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT
BOARD OF DENTAL EXAMINERS

October 21, 1990



Audit Control Number:

08-1388-91

Division of Legislative Audit
P.O. Box W, Juneau, Alaska 99811-3300

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
P.O. BOX W
JUNEAU, ALASKA 99811-3300

October 21, 1990

Members of the Legislative Budget
and Audit Committee:

According to the provisions of Titles 24 and 44 of the Alaska Statutes, the Division of Legislative Audit is required to conduct a "Sunset" review of the Board of Dental Examiners.

At the request of the Chairman, during Fiscal Year 1988 budget deliberations, the Finance and Audit Divisions' budgets were revised to reflect certain changes in the organizations of the Committee's two Divisions. The revised budget of the Audit Division reflected efficiencies that might be obtained by utilizing the staff of the Legislative Finance Division on selected audit assignments during the interim.

As a result, the audit of the Board of Dental Examiners was conducted and this report has been prepared by the Legislative Finance Division. We feel this report discharges our responsibility under Titles 24 and 44. The report is submitted for your review.



Randy S. Welker, CPA
Legislative Auditor
Division of Legislative Audit

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
P.O. BOX WF
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

October 21, 1990

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and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the Alaska Statutes (sunset legislation), the attached report is submitted for your review.

A REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
BOARD OF DENTAL EXAMINERS
October 21, 1990

Audit Control Number

08-1388-91 R



Mike Greany, Director
Division of Legislative Finance

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Agency Response:	
Department of Commerce and Economic Development.	13

PURPOSE AND SCOPE OF THE REPORT

Purpose

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Dental Examiners to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Board should be reestablished. The law now specifies that the Board will terminate June 30, 1991, and have one year from that date to conclude its affairs.

Scope

The major areas of our examination were the licensing, examination, administration, complaint, and investigation functions of the Board. We reviewed and performed the following:

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2. Tests of files and documents of licensees.
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4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, the Ombudsman's Office, and the Department of Law.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General's Opinions applicable to professional boards.

ORGANIZATION AND FUNCTION

The Board of Dental Examiners was created in 1955. The Board consists of nine persons: six licensed dentists, two dental hygienists, and one public member, which are appointed by the Governor subject to confirmation of the Legislature. Board members serve terms of four years.

The Board is organized under the Department of Commerce and Economic Development, Division of Occupational Licensing (DOL). Administrative functions of the Board are provided by DOL, such as processing applications, maintaining licensing files, answering inquiries, and providing investigative support.

The primary function of the Board is to ensure a minimum quality of dental care to Alaskans by licensing qualified applicants and establishing regulations necessary to enforce statutes. The Board regulates dentists, dental specialists, and dental hygienists who perform services in the State.

The responsibility and authority for evaluating the competence of candidates for dental licensure are vested in the Board. Previous to January 1987, candidates had to pass a state administered clinical and written examination to assess a candidate's competency. The Board now accepts the results of the Western Regional Examining Board's clinical and written examination for general dentistry and dental hygienists. Dental hygienists who are licensed in another State and who possess minimum work experience can be licensed through credentials.

Although dental specialists are not required to take an examination, they must be licensed dentists in Alaska and may be required to have completed additional years of education in their specialty area.