

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7121 HOUSE LABOR & COMMERCE

1/24/92

Anchorage

Daily News

Harassment

Prevention better than cure

After last fall's televised hearings on sexual harassment, some employers didn't waste any time. Before you could say "Clarence Thomas" or "Anita Hill," they had copies of their companies' harassment policies tacked to company bulletin boards.

So at least something good came out of these hearings. At least people became more aware of sexual harassment. At least they talked about it.

Now Sen. Rick Uehling, R-Anchorage, wants to make sure people remain aware. Sen. Uehling is sponsoring a bill that would require all employers with 15 or more workers to post information about sexual harassment in the workplace.

More red tape? More government interference? You could look at it that way. But then, all companies, public and private, already are bound by state and federal sexual harassment laws. If a simple, posted explanation could prevent a case of harassment, then it would keep government out of your business. Better prevention than damages or penalties.

Sexual harassment isn't the only form of discrimination, of course. It certainly would help to have people more aware of race or age or handicap discrimination as well. But, judging from the uproar over the Thomas-Hill hearings, people do seem to have particular trouble understanding sexual harassment. It couldn't hurt to give them more information while interest is high.

But perhaps the best way to see that education and prevention efforts on all kinds of discrimination are carried out is to fully fund the state Human Rights Commission. The commission has seen all complaints — including sexual harassment — go up 44 percent over the past year, while staffing has dropped by almost half over the past few years. Certainly the commission can't take on any new responsibilities under Sen. Uehling's bill, unless it gets the money to do so.

1/22/92
Anchorage Daily News

Bill aims to 'get the word out' on sexual harassment

The Associated Press

JUNEAU — Employers with 15 or more workers would be required to post information about sexual harassment in the workplace under proposed legislation introduced in the Senate Tuesday.

Notices must be placed in "prominent and accessible" locations, and include the federal definition of sexual harassment, a list of state and federal agencies that accept harassment complaints, and deadlines for filing complaints.

"I just don't think people know what constitutes sexual harassment in the workplace," said Sen. Rick Uehling, R-Anchorage and the bill's sponsor. "This bill is just trying to get the word out. It's a start."

Maine has adopted a similar law, he said.

Paula Haley, executive director of the state Human Rights Commission in Anchorage, said she reviewed a copy of the proposal Monday and planned to discuss it with the seven commissioners this week.

"I think posting notices about discrimination can be effective in advising employees of their rights and reminding employers of their responsibilities," Haley said.

Sexual harassment complaints filed with the commission last year doubled to about 28 cases from 14 the year before, Haley said. At least one of the cases investigated last year involved sexual harassment against a man.

Senate Bill 363 was assigned Tuesday to the Finance and Labor and Commerce committees.

HUMAN RIGHTS COMMISSION

INVESTIGATIONS
800 A STREET, SUITE 204
ANCHORAGE, ALASKA 99501-3628
PHONE: (907) 274-4692

March 27, 1992

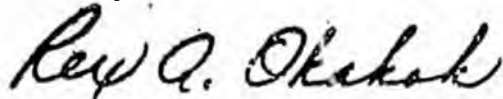
Senator Rick Uehling
Room 512, Capitol
P. O. Box V
Juneau, AK 99811

Re: Senate Bill No. 363

Dear Senator Uehling,

The Alaska State Commission for Human Rights held its Annual Meeting February 27th and 28th in Juneau, during which the Commissioners considered SB363 "An Act requiring certain employers to post information on inquiries and complaints concerning sexual harassment." The Commission wishes to convey its full support of this legislation and funding thereof.

Sincerely,



Rex A. Okakok
Chairperson

RAO/mt

FISCAL NOTE

MAR 19 1992

BILL NO. CSSB363

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Office of the Governor
 Title: Posting of Information on Sexual Harassment BRU: Commissions/Special Offices
 Component: Human Rights Commissions
 Sponsor: Senators UEHLING, Sturgulewski, Rodev, Collins
 Requestor: Senator UEHLING COMPONENT SERIAL NO.

0	0	0	1
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	.9	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	5.6	1.0	1.0	1.0	1.0	1.0
SUPPLIES	3.2	1.5	1.5	1.5	1.5	1.5
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	9.7	2.5	2.5	2.5	2.5	2.5

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
FUND SOURCE:	-	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	9.7	2.5	2.5	2.5	2.5	2.5
FEDERAL FUNDS	-	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	9.7	2.5	2.5	2.5	2.5	2.5

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

See attached detail of expenditure.

Prepared By: Paula M. Haley, Executive Director Phone: 276-7474 x241
 Division: Alaska State Commission for Human Rights Date: _____

Approved by Commissioner: _____ Date: 3/18/92
 Agency: _____

**Detail of Expenditures
Fiscal Note to CSSB363**

Posting of Information on Sexual Harassment

Personal Services

Temporary clerical and administrative support (10 days at Clerk Typist III level)	.9
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Contractual Services

Prepare camera-ready copy	.1	
Print 50,000 copies (Central Duplication)	2.5	
Postage	3.0	
		<u>5.6</u>

Supplies

Mailing tubes and labels; office supplies	<u>3.2</u>
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Total Estimated Cost*	9.7
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*Assumes no mass mailing. Agency would await inquiries and send out information as requested. FY93-98 assumes new requests and requests for replacement information.

Bill No: Senate Bill No. 363

Date: February 4, 1992

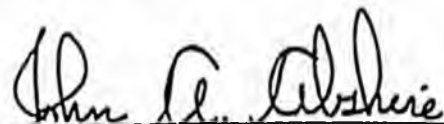
Title: An Act requiring certain employers to post information on injuries and complaints concerning sexual harassment

Contact: Arbe Williams
465-2700

Senate Bill No. 363 requires employers to post a notice that includes a definition of sexual harassment; provides the name, address, and telephone number of the state and federal agencies to which inquiries and complaints concerning sexual harassment may be made; and provides information concerning the deadlines for filing a complaint of sexual harassment with the agencies listed.

The bill's impact on the Department of Labor will be as an employer subject to the posting requirement. Senate Bill No. 363 has no program effect on the Department of Labor.

APPROVED:



John A. Abshire, Acting Commissioner
Department of Labor

POSITION: PAPER/Department of Labor

STATE OF ALASKA
1992 LEGISLATIVE SESSION

No. 18

Bill Version: SB 363

(S) Publish Date: 3-16-92

Revision Date: _____
 Title: An Act requiring certain employers to post information concerning sexual harassment.
 Sponsor: Uehling
 Requestor: Senate Labor and Commerce Committee

Department Affected: _____
 BRU: Personnel/OEEO
 Component: Personnel/OEEO

COMPONENT SERIAL NO.

		5	6
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
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: 0

Changes in CSSB 363 (L+C) have no fiscal impact. This fiscal note is appropriate.

ANALYSIS: (Attach a separate page if necessary.)
 Assumes that the required posters will be provided to the department for distribution to State at

3-13-92 date BM for Com. Comte Aide (initial)

Prepared by: R. H. King
 Division: Personnel/OEEO

Phone: 465-4430
 Date: January 31, 1992

Approved by Commissioner: Nancy Bear Usura
 Agency: Administration

Date: 2/4/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

S B

3 8 5

Alaska State Legislature

HOUSE OF REPRESENTATIVES



REPRESENTATIVE FRAN ULMER

MEMORANDUM

February 19, 1992

TO: Rep. David Finkelstein, Chair
House Labor and Commerce Committee

FROM: Rep. Fran Ulmer

RE: HB 385 - Video Display Terminals

HB 385 was created in response to a growing health problem among state workers who spend long hours in front of their Video Display Terminals (VDTs). VDT workplace injuries include eye strain, stress and musculoskeletal disorders (wrist, back and neck injuries) including host of ailments dubbed "repetitive strain injuries" or RSI.

According to the Federal Bureau of Labor Statistics, disorders associated with repetitive strain injuries now rank among the highest reported workplace injuries (more than 52%). For instance, in recent years the cases of carpal tunnel syndrome (swelling of tendons in the wrist) have increased more rapidly than any other job related illness. Insurance industry sources believe that keyboard operators are one of the highest at-risk groups.

In many cases, the remedy for these conditions already exists in the workplace. Educating workers on the proper positioning of VDT monitors, keyboards and chairs can go a long way to alleviating this problem. However, phasing out or remodeling "unhealthy" work station configurations and furniture is also essential.

HB 385 seeks to remedy this situation for state workers by:

- * Requiring the training of supervisory staff about the causes and remedies of VDT related hazards.



February 19, 1992
HB 385
Page Two

- * Requiring the posting of notices in the workplace to advise state employees about the hazards and safe use of Video Display Terminals.
- * Requiring that future purchases of office furniture and equipment meet engineering standards that reduce the health risks associated with VDTs.
- * Requiring the Department of Administration to report to the legislature on the implementation of the requirements after the first and second years following passage of the bill.

Think of HB 385 as a dose of preventative medicine. By moving now to answer the health concerns of state workers, we will also be saving the state money by eliminating the causes of a growing number of health insurance claims.

Thank you for your prompt consideration of this legislation.

(7)

Date Referred: January 13, 1992

FURTHER REFERRALS:

Labor & Commerce
Finance

Date of Committee Action: 2/14/92

The STATE AFFAIRS Committee considered:

HB 385

HOUSE BILL NO. 385

STATE EMPLOYEE VDT SAFETY

"An Act relating to video display terminals."

RECOMMENDATIONS:

be replaced with CS 14B 385 (STA)

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 ADMIN

fiscal note(s) _____

zero fiscal note LABOR

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene G. Kubera</i>					
<i>Mark ...</i>					
<i>Mike Miller</i>	<input checked="" type="checkbox"/>				
<i>...</i>	<input checked="" type="checkbox"/>				

Eugene G. Kubera
CHAIRMAN'S SIGNATURE

Alaska State Legislature

HOUSE OF REPRESENTATIVES



REPRESENTATIVE FRAN ULMER

MEMORANDUM

February 13, 1992

TO: Rep. Gene Kubina, Chair
State Affairs Committee

FROM: Rep. Fran Ulmer

RE: Revised CS HB 385 - "relating to video display terminals"

Following the 1/30/92 hearing on HB 385, the State Affairs Subcommittee has considered several changes incorporated into the attached CS. In addition to comments raised during the hearing, the Department of Law has responded to HB 385 with several points concerning liability and other aspects (also attached). The new CS was developed in conjunction with the AG's office and the subcommittee members and should address the concerns brought to light.

CHANGES FROM ADOPTED CSHB 385

Section 1. FINDINGS. The new CS adds a new section recognizing the risks and remedies of VDT use, including studies by the National Institute for Occupational Safety and Health and the World Health Organization, and that mitigation of the risks through education and new equipment standards will help reduce health insurance and worker's compensation costs.

Section 2. The subsections (a) and (b) on training remove references that the state shall attempt to provide for "a hazard free workplace for state employees who use" video display terminals and replaces it with "the state shall attempt to provide for proper use of" video display terminals. Subsection (a) has also been amended to state that the training of supervisory staff will be on the "ergonomically proper use of VDTs" and that there be a limit to the amount of workstations assigned to each trained appointee (75). These changes address the Department of Law's concern that the previous draft's scope was too broad and threatened to create a new class of "hazardous" occupation.

February 13, 1992
CSHB 385
Page Two

A new subsection (c) has been inserted to require notices and make information available at workstations in places where there are no qualified worksites, such as small offices in remote locations, where trained staff may not be immediately available.

A new subsection (e) has been inserted which states that the section does not:

- 1) create a cause of action;
- 2) establish a standard of care;
- 3) change administrative remedies of employees;
- 4) change collective bargaining agreements.

This change has been made to address concerns that the bill not create a new and distinct cause of action for VDT users injured on the job.

Subsection (f) adds a definition of "qualified worksite" as a unit or cluster of at least four vdts in regular use, housed within close proximity to each other. Also, under the terms "terminal" or "video display terminal," memory typewriters and CADDS are no longer exempted from the definition.

Section 4. INITIAL TRAINING AND POSTING OF NOTICES. Compliance deadlines have been added in a new section to require that training be completed and workstation notices be in place within one year of enactment.

Thank you for taking time to review these changes.

7-LS1567N
Cramer
2/5/92

AS PROPOSED 2-6-92
CS FOR HOUSE BILL NO. 385 ()

IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES ULMER, B.Davis, Bruckman

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to video display terminals."

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

3 * Section 1. FINDINGS. The legislature finds that

4 (1) the use of video display terminals poses a significant health and safety risk to the
5 workers of the state;

6 (2) investigations conducted by the National Institute for Occupational Safety and Health
7 of video display terminal (VDT) operators resulted in recommendations for workstation design and other
8 measures to reduce musculoskeletal and vision complaints among VDT users;

9 (3) studies world-wide have demonstrated elevated musculoskeletal discomforts and other
10 disorders in VDT operators as compared with non-VDT workers; research has shown that inadequate
11 workstation adjustment and lack of operator knowledge of adjustments and other remedies are associated
12 with musculoskeletal discomforts and other complaints; the consensus of the National Institute, the World
13 Health Organization, and the American National Standards Institute is that adjustable VDT workstations
14 in combination with training on proper adjustment of the workstation substantially contribute to a

EW
11/11/92

✓

1 healthier environment for VDT operators:

- 2 (4) reduction of the health and safety risks through education of state workers and
- 3 modification or replacement of the VDT workstation and associated equipment will help prevent VDT
- 4 related injuries, thus reducing health insurance and workers' compensation costs to the state.

5 * Sec. 2. AS 39.90 is amended by adding a new section to read:

6 Sec. 39.90.160. VIDEO DISPLAY TERMINAL USE. (a) A state agency shall attempt
 7 to provide for proper use of video display terminals. ^[A HAZARDOUS WORKSITE FOR STATE EMPLOYEES THAT USE VDT'S] The head of a state agency shall appoint,
 8 for each qualified worksite of the agency, a person responsible for providing information to other
 9 employees on the physical risks associated with improper use of video display terminals and on ^[HAZARDOUS FIND SAFE USE OF VDT'S]
 10 their proper use. ^[TRAIN EMPLOYEES ON THE HAZARDS OF VDT'S AND THE METHODS THAT MAY BE TAKEN TO AVOID OR LESSON THOSE HAZARDS] The Department of Administration shall provide training to the appointee in
 11 the ergonomically proper use of video display terminals and the measures and work habits that
 12 may avoid or lessen physical risks associated with improper video display terminal use. If there
 13 are more than 75 terminals in close proximity within the same agency, the agency shall designate
 14 at least one qualified worksite for each 75 video display terminals.

15 (b) The Department of Administration shall prepare notices to advise state employees
 16 using video display terminals about the ergonomically proper use of the terminals. ^[HAZARDS AND SAFE USE OF VIDEO DISPLAY TERMINALS] The
 17 department shall provide the notices to the persons appointed under (a) of this section. Those
 18 persons shall post the notices at the qualified worksite for which they are responsible and shall
 19 add information on how employees who desire more information may reach them. ^[TO THE NOTICES]

20 (c) The Department of Administration shall prepare and make available to state agencies
 21 notices advising state employees using video display terminals at a worksite that is not part of
 22 a qualified worksite about the ergonomically proper use of video display terminals. Each state
 23 agency shall mail a copy of the notice to those employees who use a video display terminal at
 24 a location that is not part of a qualified worksite together with a statement advising the
 25 employees of the name and how to contact the nearest available person trained in proper use of
 26 video display terminals under (a) of this section.

27 (d) A state agency that purchases, leases, or installs office equipment related to video
 28 display terminal workstations shall comply ^[MAY NOT PURCHASE LEASE OR INSTALL UNLESS THE EQUIPMENT COMPLIES] with the American National Standard for Human
 29 Factors for Engineering of Visual Display Terminal Workstations, ANSI/HFS Standard No. 100-
 30 1988 or a subsequent standard that the commissioner of administration determines is at least as
 31 protective of the health and safety of the user of a video display terminal as that standard.

24
 25
 26
 27
 (2002)

- 1 (e) This section does not
- 2 (1) create a cause of action by any person against the state or an agency of the
- 3 state, whether at law or otherwise;
- 4 (2) establish a standard of care;
- 5 (3) amend or alter administrative remedies of employees; or
- 6 (4) amend or alter collective bargaining agreements entered into by the state or an
- 7 agency of the state.

- 8 (f) In this section,
- 9 (1) "agency" or "state agency" includes the executive, legislative, and judicial
- 10 branches of state government, the University of Alaska, and the Alaska Railroad Corporation;
- 11 (2) "qualified worksite" means a unit or cluster of at least four video display
- 12 terminals in regular use that are housed together or in close proximity within the same agency;
- 13 (3) "terminal" or "video display terminal" means an electronic video screen data
- 14 presentation machine, commonly called a video display terminal, and includes cathode-ray tubes;
- 15 "terminal" does not include a television, cash register, or oscilloscope screen. ^[EMERGENCY TYPEWRITER] [OR CADD]

16 * Sec. 3. REPORTS. (a) The Department of Administration shall report to the legislature one year
 17 and two years after the effective date of this section on implementation of the training program and the
 18 equipment purchase requirements of AS 39.90.160, enacted by sec. 2 of this Act.

19 (b) The Department of Labor shall report to the legislature on or before January 15, 1993, and
 20 January 15, 1994, concerning injuries related to video display terminals that are identified in the initial
 21 report of occupational injuries.

22 * Sec. 4. INITIAL TRAINING AND POSTING OF NOTICES. The Department of Administration
 23 shall comply promptly with the requirements for preparation of notices and provision of training so that
 24 within one year after the effective date of this Act, state agencies will have been able to comply with
 25 the requirements for posting notices and training current employees set out in AS 39.90.160, enacted by
 26 sec. 2 of this Act.

file
section

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

January 31, 1992

REPLY TO:

- 1031 W 4th AVENUE SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 276-3550
FAX: (907) 276-3697
- 1st NATIONAL CENTER
100 CUSHMAN ST. SUITE 400
FAIRBANKS, ALASKA 99701-4679
PHONE: (907) 452-1568
FAX: (907) 456-1317
- P.O. BOX K--STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 463-5295

465-3603

Honorable Fran Ulmer
House of Representatives
P.O. Box V
Juneau, AK 99811

Re: HB 385 - relating to video
display terminals

Dear Representative Ulmer:

Thank you for the opportunity to comment on your bill relating to video display terminals, HB 385. While we take no position on the policy behind the legislation or the hazards posed by video display terminals (VDT) use, we do have some observations about the bill's legal ramifications.

The bill directs state agencies to "attempt to provide a hazard free worksite for state employees who use" a VDT. Section 1; proposed AS 39.90.160(a). While the bill's intent may be to address only hazards related to VDTs, as written it is much broader. Its scope includes all types of hazards to which VDT users may be exposed. Thus, the bill establishes a special class of occupations not heretofore considered "hazardous." The arguable result may be a higher duty to protect, for example, clerks from the hazards of loose rugs or heavy files than to protect emergency fire fighters from the hazards of wildfire.

The bill does not explicitly amend the state's workers' compensation laws. However, the bill may have the effect of creating a statutory "assumption," if not presumption, that work with a VDT is hazardous, without defining the specific hazard and the result caused thereby. This possibility should be carefully considered in light of the available scientific evidence, as it may impact the state's position in workers' compensation matters.

Finally, the bill imposes an obligation to provide a notice advising about the hazards and safe use of a VDT and identifying the source of more information. Section 1; proposed AS 39.90.160(b). It can be argued that this requirement creates a

Honorable Fran Ulmer
House of Representatives

January 31, 1992
Page 2

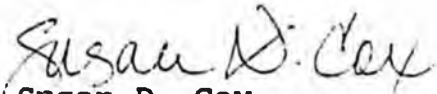
new and distinct cause of action for VDT users who are injured or mentally distressed, whose remedy would otherwise be confined to workers' compensation. This would be a significant departure from current policy and law. The legislature's intent regarding the creation of a new basis of civil liability should be clearly expressed.

We note that the bill is limited to state government and would not cover the Alaska workforce of VDT users generally.

We hope these comments are helpful to you. We would be happy to discuss the bill further at your convenience and to review any proposed changes during the legislative session.

Sincerely,

CHARLES E. COLE
ATTORNEY GENERAL

By: 
Susan D. Cox
Assistant Attorney General

SDC:jal

cc: Paul Fuhs
Deborah E. Behr
B.J. Jordan

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 385

Revision Date: _____

Department Affected: Administration

Title: Relating to video display terminals.

BRU: Personnel/OEEO

Sponsor: Ulmer

Component: Personnel/OEEO

Requestor: House State Affairs

COMPONENT SERIAL NO.

		5	7
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL	8.0	1.7	1.7	1.7	1.7	1.7
CONTRACTUAL	20.5	4.3	4.3	4.3	4.3	4.3
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	28.5	6.0	6.0	6.0	6.0	6.0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE: <i>VA Rec't</i>	28.5	6.0	6.0	6.0	6.0	6.0
TOTAL	28.5	6.0	6.0	6.0	6.0	6.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

See Attached.

Prepared by: R. H. King, Director *Richard P. King*
Division: Personnel/OEEO

Phone: 465-4430
Date: January 28, 1992

Approved by Commissioner: Nancy Bear Usara
Agency: Administration *Nancy Bear Usara*

Date: 1/28/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 385

ANALYSIS: (continued)

This bill requires the Department of Administration to train employees designated by all agencies on the hazards of video display terminals and the measures that may be taken to avoid or lessen those hazards. We estimate that 500 employees will need to be trained initially. For this initial training, it is cost effective to take the training to the various locations. First year costs are for the development of the training, preparation and printing of required notices, course negotiation and contracted instructor costs. Travel for delivering the training throughout the state is provided.

For the second and subsequent years, we anticipate offering the training twice annually, but only in Juneau, Anchorage and Fairbanks. Agencies will be expected to send their new designated employees to one of these courses.

Interagency receipts are shown as the funding source on the assumption that agencies will pay the costs. If that assumption is incorrect, the funding source will be general funds.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO : HB 385

Revision Date: _____
 Title: "An Act relating to video display terminals."
 Sponsor: Representatives Ulmer, B. Davis
 Requestor: House State Affairs

Department Affected: Labor
 BRU: Workers' Compensation & Admin. Svcs.
 Component: Workers' Compensation & Labor Market Information
 COMPONENT SERIAL NO. 344 & 336

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)
 This bill requires a report to be prepared by the Department of Labor concerning video display terminal injuries. The department can report to the legislature on injuries identified on the Initial Report of Occupational Injury Form completed by both the employee and employer and collected by the Workers' Compensation Division. There would be no additional fiscal impact to the department.

Prepared by: Arbe Williams^{AW}, Special Assistant Phone: 465-2700
 Division: Commissioner's Office Date: 1/28/92
 Approved by Commissioner: John Abshire, Acting Commissioner
 Agency: Department of Labor Date: 1/28/92

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

Bill No: House Bill No. 385

Date: January 28, 1992

Title: "An Act relating to video
display terminals."

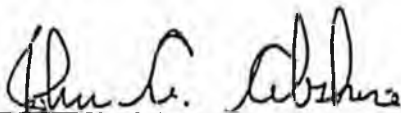
Contact: Arbe Williams
465-2700

House Bill No. 385 requires that information and training be provided by the State Department of Administration to designated state employees who will provide information to other state employees concerning the hazards and safe use of video display terminals. The bill also stipulates standards for the purchase or lease of office equipment related to video display terminal work stations and requires reports to the legislature from the Department of Administration and Department of Labor.

The bill is attempting to provide a hazard-free work site for state employees who use a video display terminal. The Department of Labor will be required to report on or before January 15, 1993 and January 15, 1994 concerning injuries/illnesses to state employees arising from the use of video display terminals in the work place. Given our current resources, we can report to the legislature concerning injuries/illnesses as they are identified on the initial Report of Occupational Injury form completed by both the employee and the employer. Specific data on injuries/illnesses caused by video display terminals is currently not collected.

The Department of Labor supports safety measures that will contribute toward providing a hazard-free work site for employees.

APPROVED:



John A. Abshire, Acting Commissioner
Department of Labor

POSITION PAPER/Department of Labor

Casualties of the Keyboard

A push to end injuries from computer use

The pain in Susan Harrigan's arms at times has been so intense that she couldn't open doors or clean her teeth. Even worse, she can't teach her 8-year-old daughter to roller-skate because it hurts too much to hold the child's hand. "The slightest use of my arm can set off the pain," says Harrigan, a reporter at the Long Island newspaper *Newsday*. Harrigan is one of a dozen journalists at several news organizations who have filed several suits recently against Atex Publishing, the Bedford, Mass.-based company that designed and manufactured their employers' computer systems. (Atex, which includes *Newsweek* among its clients, has declined to comment on the suits.) The journalists claim that the design of their computers has led to neck, wrist, hand and arm pain—a syndrome doctors call repetitive strain injury (RSI).

A few decades ago, on-the-job injuries conjured up images of employees stooped by hard labor or felled by heavy equipment. But with automation, more and more workers are spending their days tethered to a computer. That may seem like safer work, but many occupational-safety specialists contend it can be just as hazardous to employees' health as old-fashioned factory work. According to the Bureau of Labor Statistics, RSI accounted for nearly half of all 1988 workplace illnesses in private industry, compared to only 18 percent in 1981. This group still includes meatpackers and textile workers, who have long been susceptible to RSI; but the big addition has been data processors, whose job performance is often judged by the amount of information they put into the computer within a set time. Journalists are at risk because they spend long hours at the keyboard under deadline stress.

Fears about working with computers are not new. Since the widespread introduction of video-display terminals (VDTs) into the workplace in the late 1970s, many employees have worried about the possible side effects of spending so much time in front of a terminal. Some of those concerns abated in the early 1980s, when government researchers found that VDTs presented no real danger from excess



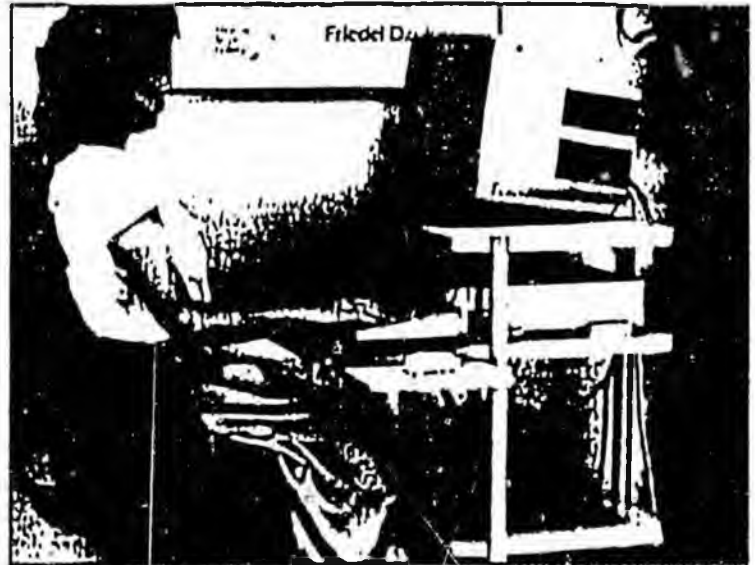
J. CORLEAU WHELAN JR. - NEWSDAY

BAD?

Employees at *Newsday* work in front of their video display terminals; many have complained of injuries

BETTER?

Workers suffer fewer injuries when their screens are at or just below eye level and their tables are adjustable



JAMES J. WHELAN - NEWSDAY

radiation. Then, a few isolated studies seemed to indicate some increase in miscarriages among pregnant women using video-display terminals. But so far, scientists have been unable to establish any clear connection between miscarriages and computers.

The real hazard seems to be the nature of the work itself. Hours at the computer put continuous stress on the wrists, elbows and shoulders. Tension in the arm becomes inflamed, swelling the nerves; the result is numbness and pain. Without early diagnosis and treatment, these injuries can develop into serious lifelong disabilities and loss of ability to work.

Fortunately, experts on ergonomics, who study how humans adapt to the workplace, believe that a few design alterations can minimize problems. Next month, the government is expected to issue voluntary guidelines that reflect current knowledge in office design. "We must consider the work station as a whole," says Susan Burt of the National Institute of Occupational Safety and Health.

Most experts agree on some general rules for office design. To ease back and neck tension, terminals should be placed so that the top of the screen is at eye level or

just below. Adjustable terminal bases and desks allow for differences in height and build. Feet should be flat on the floor and, with elbows at 90 degrees, fingers should just reach the keyboard comfortably. Chairs should provide good back support. Glare from windows or indoor lighting should be minimal to prevent eye strain. Some doctors think computer screens with white backgrounds produce less glare than those with dark screens.

Warning signs: Employees can take some preventive measures on their own as well. Experts say that frequent short breaks from work are crucial. Dr. Linda Morse, a Santa Clara County, Calif., occupational-health official who has been working with RSI patients for a decade, says computer users should—at the very least—stretch their arms for a few minutes each hour. Employees should be alert for early symptoms. The sooner RSI is treated, the more likely a complete recovery. Warning signs include discomfort, stiffness or pain.

The key, experts say, is to make the office adapt to humans instead of the other way around. Then the office of the future will work for everybody.

BARBARA KANTROWITZ
HEBECCA CRANALL

VDTs and Workplace Harmony

from *Labor Relations Today*

COMPLIMENTS OF THE
ALASKA STATE LIBRARY

Editor's Note: Information professionals have been using video display terminals in higher than average numbers since their arrival in the workplace. Now we must seriously consider the effect they may be having on our employees.

Video display terminals (VDTs) first appeared in America's workplaces during the 1960s. Since then, their numbers have grown in immense proportions, from less than a million in 1976 to more than 40 million in American workplaces today. By the year 2000, experts estimate that half of all Americans will be operating VDTs at work. But as VDT use increases, so do reported incidences of carpal tunnel syndrome (CTS).

A nerve disorder, CTS is grouped with repetitive motion injuries such as tendonitis and other disorders affecting the back, hands, wrists and arms. "There has been an exponential explosion in the reporting of these disorders," according to Dr. Roger Stephens, an ergonomist at the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA).

This surge in diagnosed cases of cumulative trauma disorders—CTS in particular—is plaguing an increasing number of white-collar workers, even though traditionally CTS has been associated with workers in manufacturing jobs requiring intensive hand movements. The reason? The disease primarily is caused when repetitive, but not necessarily forceful, motions are made with bent or twisted wrists. Thus, the wrist, hand and finger movements commonly made by VDT users can trigger CTS.

Over time, continuous motions can irritate tendons, which begin to press against a main nerve. The condition can quickly grow worse, because the irritated tendons swell and compress the main, or Median, nerve in the fairly narrow carpal tunnel.

During early stages of CTS, stopping the aggravating activity, splinting the wrist during rest and taking anti-inflammatory drugs can ease the symptoms and even help recovery. Advanced

remains debilitating for life.

Reducing incidences of CTS basically requires an ergonomic work environment: designing a workstation that fits the worker instead of expecting the worker to fit. "The crux of the issue," says Stephens, "is adjustable workstations. If you don't have those, you're hamstringing."

Yet, typically, VDT workstations (and most jobs for that matter) are designed "for that mythical 50-percentile individual, which means that most everything is too big for half of the folks or too small for the other half," Stephens says.

Fortunately, increasing numbers of companies are addressing workstation redesign to reduce CTS's frequency. US West in Phoenix has offices "as close to ergonomically perfect as you can get," according to David LeGrande, Occupational Health and Safety Coordinator for the Communications Workers of America (CWA).

LeGrande co-chairs the US West joint ergonomics committee that developed guidelines for the company's recently redesigned workstations. "The activity [on workstation ergonomics] at US West was substantive. It involved people at the top who had an opportunity to implement policy," LeGrande says.

Confronting occupational ergonomic problems benefits employers and employees. Workers are healthier, absenteeism is lower and morale improves. To achieve these benefits, however, workplace hazards that lead to problems like CTS must first be acknowledged and corrected.

Soon, many more employers may find themselves looking into workplace ergonomics, if San Francisco officials' recent action is any indication. In December its Board of Supervisors approved the country's most far-reaching VDT safety legislation, although busi-

"You have to educate the people; they're slouchers. They sit in such weird positions. We have to convince them that they'd feel better if they sat in an ergonomic position."

ness stages, however, are characterized by weakened grip, continual numbness and persistent pain. Once the condition exists in an advanced stage, it has no guaranteed cure.

Surgery—an expensive "last resort" that can quickly drain employee benefit funds—often alleviates pain, but does not always allow the CTS sufferer to return to work. In fact, surgery can actually aggravate the condition, which then

nesses have up to four years to comply with its standards. It requires city and government agencies and businesses with 15 or more employees to provide adjustable chairs and keyboards and, upon request, glare screens and wrist rests for employees working four hours or more daily at VDTs. The ordinance also requires employers to grant VDT users short rest breaks after two hours of continuous work.

Several other state legislatures and city governments are looking into VDT safety legislation, as well. While no federal VDT safety law exists right now, OSHA can cite ergonomic hazards, like ill-designed VDT stations, under a catch-all clause covering occupational hazards that don't have federal standards as yet.

Completely eliminating carpal tunnel syndrome, however, calls for worker awareness as well. "You have to educate the people; they're slouchers. They sit in such weird positions," says Hester Hursh, Wisconsin Bell's Medical Director. "We have to convince them that they'd feel better if they sat in an ergonomic position."

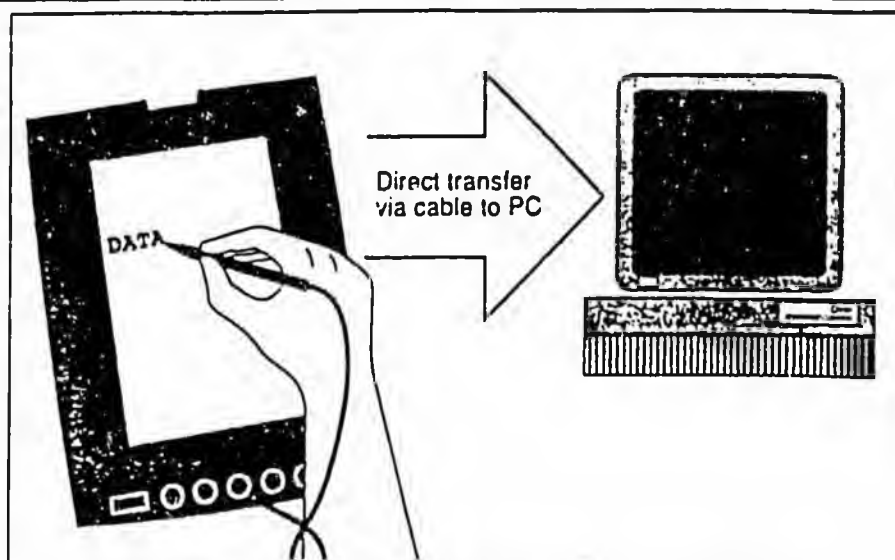
According to published OSHA guidelines, workers should take frequent short rest breaks from their VDT stations and should sit up straight when working at the terminal with hands and forearms parallel to the floor and wrists straight.

Launching ergonomic educational training programs and redesigning workstations—even retrofitting existing desks and keyboards with ergonomic adjustments—is not cheap. LeGrande says it costs at least \$1500 per workstation to make comprehensive ergonomic corrections, including the operator's chair, keyboard, table, any screen and window glare, overhead and area lighting, and foot or wrist rests.

But treating CTS has an even bigger price tag. According to OSHA, CTS costs about \$3500 in benefits and rehabilitation and up to \$30,000 in surgery fees and indirect costs per person.

"It's cost effective to do ergonomic analysis," says Stephens. "It's a proactive endeavor where workers, management, government and academia can work together to try and improve the quality of methods, tools, workstations, and lastly, the work itself."

Labor Relations Today is published bi-monthly by the U.S. Department of Labor-Management Relations and Cooperative Programs.



The electronic clipboard (left) recognizes the user's handwriting, eliminating the need to retype field test data.

Using Clipboard Computers for Field Tests

by Ed Watt

Testing high-tech equipment in the field is a study in contrasts. The system under test may employ state-of-the-art computers, but the testers themselves use the lowliest of low-tech data collection systems: a pencil, a sheaf of paper forms and a clipboard. Of course, there is nothing wrong with this approach, unless the data are destined to be reduced by computer. Then someone has the tedious job of re-typing all that information, while the test officer worries about errors, lost time and increased expense.

All that may be a thing of the past. The U.S. Army Electronic Proving Ground (USAEPG) has begun using electronic clipboards—portable computers that accept handwritten input and convert it to PC-compatible data—to streamline the cycle of data collection, reduction and analysis. Apart from the obvious benefit of eliminating the need to keypunch manually collected data, use of these computers on a recent test demonstrated other advantages: improved error-checking, better control over the conduct of the test and closer coordination with the test customer.

Description

The electronic clipboard is a lightweight, PC-compatible portable computer with a large liquid-crystal display (LCD) screen. Although the unit can accept input from a detachable keyboard, its unique aspect is the transparent touch-sensitive screen built into the display. The user writes (in block capital letters) on the screen with an electronic stylus. Initially, the computer displays an electronic image of the user's pen strokes directly under the point of the stylus, giving the user the feeling of writing on a slate. After a moment of computation, computer-generated characters replace the handwritten input. If there is an error in this interpretation, the user can cross out the incorrect character and rewrite it.

The electronic clipboard can be programmed to display data entry forms on the screen, very much like paper forms. Unlike paper forms, the entry fields can be set up to accept only particular kinds of input data—letters or numbers, for example—or to accept data only within a particular range. To turn pages, the user touches

RSI

has become the nation's leading work-related illness. How are reporters and editors coping with it?

BY DIANA HEMBREE AND RICARDO SANDOVAL

◆ 1988: A young reporter arrives for her first day of work at the Concord, New Hampshire, *Monitor*. In the ensuing weeks, she finds that the newsroom increasingly resembles a combat zone: several reporters on the small staff have their arms wrapped in Ace bandages or held stiff by plastic braces. At times, some move about with their arms held out like sleepwalkers; others dash to the restroom periodically for warm-water wrist massages. What is going on around here? the reporter asks herself.

◆ 1990: During a long staff meeting at the *Sun Jose Mercury News* in northern California, a number of reporters fiddle with the laces of their wrist braces or annoy colleagues with the "zip, pop ... zip, pop" of Velcro snaps. Missing is one veteran reporter who has recently undergone neck surgery — an extreme remedy that one newsroom executive considers the result of years of typing notes with the phone receiver tucked between shoulder and ear.

◆ 1991: Reporters at the *Los Angeles Times* saddle up for a "chair derby" — a noisy free-for-all in which normally

serious journalists test-drive ergonomically correct chairs and other equipment. Nearby, several colleagues play with pneumatic height-adjustment buttons like kids who have just discovered a car's power windows.

These are snapshots of life in today's newsrooms — workplaces in which one finds increasing numbers of employees who suffer from disabling hand, arm, neck, and shoulder disorders collectively known as Repetitive Strain Injury, or RSI (see "A Newsroom Hazard Called RSI," *CJR*, January/February 1987). Since 1987, RSI has ranked as the country's leading occupational illness. Two years ago the Department of Labor estimated that the number of cases of disorders associated with repeated trauma had climbed to 146,000 — six times higher than the 1980 figure.

No one knows for certain how many of the afflicted are journalists, but some figures provide at least a rough outline of the extent of the problem. David J. Eisen, director of research and information for The Newspaper Guild, says that the guild has logged nearly 3,000 cases of RSI among employees in the Canadian and U.S. news industries, a figure he believes represents only a fraction of the total. Citing the need for more surveys, Eisen says, "RSI is like rice in a kettle of soup. It doesn't come

to the surface until you've stirred the pot."

Eisen's claim that RSI is underreported is backed up by a study by the California Department of Health Services, which found that in California's high-tech Santa Clara County state or health officials had reported seventy-one cases of carpal tunnel syndrome in 1987 — the same year that health-care providers there reported treating nearly 4,000 cases of the same work-related form of RSI. Ironically, new policies that some newspapers have adopted to prevent RSI may discourage journalists from reporting their disorders.

Consider the example of the *San Francisco Examiner*, where a full 60 percent of the editorial and clerical staff responding to a guild survey reported symptoms of RSI. Early this year the paper decided that several employees whose doctors had determined they should work only part-time would be sent home on disability, which pays roughly one-third of a person's salary. One disgruntled editor said in a recent interview, "I have RSI and I don't know anyone [around here] who doesn't, but I'm certainly not going to tell management about it now. To me, the policy means that if they cripple you they can just throw you away." (The *Examiner*

Diana Hembree is news editor and Ricardo Sandoval an associate of the San Francisco-based Center for Investigative Reporting, where several employees have recently developed symptoms of RSI.

Alaska State Legislature

Legislative Research Agency



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Juneau, AK 99811-3100
Phone: (907) 165-3891
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October 4, 1991

MEMORANDUM

TO: Representative Fran Ulmer

FROM: Linda J. Snow *L. Snow*
Legislative Analyst

RE: Repetitive Strain Injury Associated with Use of Video Display Terminals
Research Request 92.043

You asked for information about adverse health effects associated with the use of video display terminals (VDTs). You specifically asked about the incidence and seriousness of repetitive strain injuries (RSI), and what Alaska state government positions are most at risk for this type of injury.

In this report, we present a summary of a recent report by the National Institute for Occupational Safety and Health (NIOSH) entitled *Occupational Health Aspects of Work with Video Display Terminals*.¹ Next we discuss the types of occupations that are most likely to be affected by RSI and other injuries associated with VDT usage.² We then identify which positions held by state employees are most at risk to develop the foregoing types of injuries.

SUMMARY OF RECENT NATIONAL INSTITUTE OF OCCUPATIONAL SAFETY AND HEALTH REPORT

Today, about half the jobs in the U.S. involve work with VDTs. Many studies have examined the possible health effects of VDT use. A recent unpublished report by the NIOSH (February 1991) entitled *Occupational Health Aspects of Work with Video Display Terminals* reviews and summarizes the existing reports on the subject. The report discusses four areas of health concern for VDT users. These areas are visual system dysfunction (eye strain), musculoskeletal disorders, stress and adverse pregnancy outcomes.

¹This study was completed by NIOSH in February 1991. It has not yet been published.

²Repetitive strain injury results from repeating the same motion over and over. It can lead to inflammation of joints and pain and numbness of extremities.

Eye Strain

Eye strain (including sore eyes, blurred vision and headaches) is the most common health complaint of VDT users. At least 50 percent of VDT users have reported occasional symptoms of eye strain, although eye strain is not unique to VDT work. There is little evidence of enduring functional problems resulting from VDT-related eyestrain. Recent studies suggest no link between the use of VDTs and increased risk of cataract development.

Some suggestions to lessen the adverse impact of VDT work on vision are: 1) to test and correct the vision of the affected workers; 2) to modify VDT display characteristics such as contrast, sharpness, type design, image stability and color to reduce discomfort; and 3) to provide adequate and appropriate workplace lighting.

Musculoskeletal Disorders

Early NIOSH studies have shown that 75 percent of VDT workers experience occasional back and neck discomfort on the job. More recent NIOSH studies show that 20 to 25 percent of VDT workers experience almost daily upper torso discomfort.

Musculoskeletal disorders include repetitive strain injuries (RSI). About 40 percent of 834 newspaper employees studied reported symptoms of cumulative trauma disorder during a one-year period. Neck and shoulder pain were prevalent complaints of the subjects. However, recent studies have shown that the hand and wrist are also susceptible to musculoskeletal disorders in VDT work. Although there is no conclusive evidence of RSI from use of VDTs, the World Health Organization stated in a recent report that injury from repeated stress is possible. Recent studies seem conclusive that chronic pain and disability are influenced by cultural, social and psychological forces. However, physical causes of chronic pain and disability cannot be ruled out.

Evidence exists that ergonomic changes in the work environment can reduce musculoskeletal discomfort associated with VDT use. It appears that the stationary and sedentary characteristics of VDT work are the primary risk factor. Tasks can be redesigned to allow for job rotation and more frequent rest breaks. Improved work station design may lessen musculoskeletal discomfort.

Stress

A third health effect examined in the NIOSH study is stress. In the U.S., increased VDT usage has caused a change in the content and organization of work tasks. Following is a list of factors that contribute to stress in VDT workers:

- increased work pressure;
- reduced autonomy;
- increased management control over the work process;
- concerns about computer breakdowns and delays;
- physical immobility;
- excessive repetition;
- reduced skill and experience levels;
- reduced task variety; and
- more uncertainty over job security and promotion opportunities.

Although stress is apparent in all VDT-related jobs, it is most pronounced in lower-level clerical jobs. Stress may result in mental disorders, cardiovascular diseases and psychological disorders. In California, 70 percent of workers compensation claims from stress came from white collar workers, and 40 percent came from the sales and clerical level. Stress can be relieved by making jobs challenging and varied; making sure that tasks have some kind of closure, or an end product, and by improving the social environment of the workplace.

Adverse Pregnancy Outcomes

It has long been claimed that VDT usage causes adverse pregnancy outcomes; however, no conclusive evidence of any relationship between VDT use and adverse pregnancy outcomes is available. A recent NIOSH report on the subject found no relationship between the two.

AT-RISK OCCUPATIONS

According to Betsy Jordon with the Bureau of Labor Statistics in Washington, D.C., disorders associated with repetitive motion (RSI) now make up 52 percent of reported job-related illnesses. Reports of carpal tunnel syndrome have increased more rapidly in recent years than reports of any other job-related illness.³

³Carpal tunnel syndrome is the swelling of the tendons where they pass through the front of the wrist. The resulting pressure can cause pain, numbness and weakness of the hands.

Representative Ulmer
October 4, 1991
Page 4

Barbara Webster, with the Liberty Mutual Insurance Company, stated that 1.5 percent of that company's insurance claims, and 2.5 percent of their costs in 1990, were for RSI. The average award per case in 1990 was \$6,168. Ms. Webster said that no one in the insurance industry keeps statistics on the occupations of those making claims for RSI, but managers in the insurance industry generally believe keyboard operators are one of the highest at-risk groups for that type of injury. The industries most affected by RSI are:

- meat and poultry cutting and packing industry;
- electronic manufacturing industry;
- telephone operators; and
- data entry/secretarial agencies.

The fourth category, secretarial and data processing agencies, file 1 percent of all workers' compensation claims in the U.S. A large number of claims for RSI are filed by reporters, automotive workers, and upholsterers.

In Alaska, 289 of 11,998 workers compensation claims made in 1990 were for inflammation of the joints. According to Jim Wilson, labor economist with the Alaska Department of Labor, this category of injury is caused almost exclusively by repetitive motion. Carpal tunnel syndrome is not included in the foregoing category of injury and is difficult to separate from its primary category of nervous system disorders.

STATE EMPLOYEES IN AT-RISK OCCUPATIONS

Table A (attached) presents a list of the most obvious job classes at risk to develop RSI and other VDT-associated health disorders in Alaska state government. It is difficult to tell what the exact duties of a particular position may entail, however, those listed in Table A are likely to require many hours of typing or data entry using VDTs. Just as some of these positions may not use VDTs for a significant portion of their duties, many other job classes not listed here (the state has over 1,300 job classes) may use VDTs for a major portion of their work day. The 2,056 positions represented by these job classes account for nearly 10 percent of the total positions in state government.⁴

I hope this information is helpful to you. If you have further questions, please feel free to call this office.

Attachment

⁴The state FY 92 budget (after vetoes) funds 21,018 positions.

TABLE A

State of Alaska Positions at Risk
for Repetitive Strain Injury
(as of September 1991)

CLASS CODE	CLASS TITLE	NUMBER OF POSITIONS
1122	Clerk Typist II	93
1123	Clerk Typist III	786
1145	Legal Secretary I	99
1146	Legal Secretary II	30
1151	Secretary I	106
1152	Secretary II	24
1182	Correspondence Secretary I	4
1183	Correspondence Secretary II	4
1184	Correspondence Secretary III	12
1185	Administrative Support Technician I	3
1186	Administrative Support Technician II	0
1187	Administrative Support Technician III	9
1188	Administrative Support Technician IV	4
1191	Data Processing Clerk I	38
1192	Data Processing Clerk II	60
1193	Data Processing Clerk III	16
1201	Accounting Clerk I	4
1202	Accounting Clerk II	98
1203	Accounting Clerk III	144
1204	Accountant I	4
1205	Accountant II	26
1210	Accounting Technician I	100
1211	Accounting Technician II	66
1212	Accounting Technician III	32
1217	Permanent Fund Dividend Specialist I	11
1218	Permanent Fund Dividend Specialist II	2
1219	Permanent Fund Dividend Specialist III	2
1610	Data Processing Assistant	2
1611	Data Processing Technician I	14
1612	Data Processing Technician II	27
1613	Data Processing Technician III	12
1621	Analyst Programmer I	10
1622	Analyst Programmer II	26
1623	Analyst Programmer III	64
1624	Analyst Programmer IV	92
1625	Analyst Programmer V	32
	Total	2,056

Note: This table presents the number of existing state positions. These positions may or may not be filled at any given time.

Source: Alaska Department of Administration, Division of Personnel.

Prepared by the Legislative Research Agency, October 1991 (92.043A).

TESTIMONY OF DEBRA KNUTSON
BEFORE THE HOUSE STATE AFFAIRS COMMITTEE
HONORABLE GENE KUBINA, CHAIRMAN
ON HOUSE BILL 385
"STATE EMPLOYEE V.D.T. SAFETY"
JANUARY 29, 1992

GOOD MORNING. MY NAME IS DEBRA KNUTSON. FOR THE RECORD, MY MAILING ADDRESS IS 5875 GLACIER HIGHWAY, NO. 4, JUNEAU, ALASKA 99801.

I WANT TO BEGIN MY TESTIMONY BY THANKING CHAIRMAN KUBINA FOR ALLOWING ME TO TESTIFY ON BEHALF OF HOUSE BILL 385, AND BY THANKING REPRESENTATIVE FRAN ULMER FOR INTRODUCING THIS MUCH-NEEDED LEGISLATION.

FOR THE PAST 10 YEARS, I HAVE WORKED IN THE ALASKA DEPARTMENT OF ADMINISTRATION'S TYPING POOL AND WORD PROCESSING CENTER, AND FOR TWO YEARS PRIOR TO THIS I WORKED IN THE ALASKA DEPARTMENT OF EDUCATION AS A CLERK TYPIST. IN THE PAST 12 YEARS, MY WORK HAS CONSISTED ALMOST EXCLUSIVELY OF TYPING EITHER ON TYPEWRITERS, AS I DID IN THE DEPARTMENT OF EDUCATION, OR ON COMPUTER KEY BOARDS WITH VISUAL DISPLAY TERMINALS.

I SUPPORT HOUSE BILL 385 BECAUSE MY WORK EXPERIENCE WITH THE STATE LED TO MY DEVELOPING CARPAL TUNNEL SYNDROME AND THE NEED FOR CORRECTIVE SURGERY. I BELIEVE THIS BILL CAN NOT ONLY PREVENT OTHER STATE WORKERS FROM DEVELOPING THIS SYNDROME AND THE SURGERY NEEDED TO CORRECT IT, BUT ALSO BECAUSE, IF ENACTED BY THE LEGISLATURE, THIS BILL CAN SAVE THE STATE MONEY IN TERMS OF LOST EMPLOYEE WORK TIME, HEALTH BENEFIT COSTS TO THE STATE AND WORKERS' COMPENSATION COSTS TO THE STATE.

MY PROBLEMS WITH CARPAL TUNNEL SYNDROME BEGAN ABOUT TWO YEARS AGO. AT THAT TIME I NOTICED A TINGLING SENSATION IN MY HANDS AND FINGERS AS I WORKED.

(CONTINUED)

HOUSE STATE AFFAIRS COMMITTEE
TESTIMONY OF DEBRA KNUTSON ON H.B. 385
PAGE TWO

WHEN THIS SENSATION PERSISTED FOR THREE OR FOUR MONTHS, I WENT TO SEE MY DOCTOR, DOCTOR ISTO, AT THE VALLEY MEDICAL CLINIC. AFTER EXAMINING ME, DR. ISTO ASKED ABOUT MY WORKING CONDITIONS. SHE TOLD ME THAT I PROBABLY HAD THE BEGINNINGS OF CARPAL TUNNEL SYNDROME. THIS WAS THE FIRST TIME I WAS AWARE THAT THERE WAS SUCH A THING AS CARPAL TUNNEL SYNDROME. AFTER SEEING DR. ISTO, I TOLD MY SUPERVISOR AT WORK ABOUT THE DOCTOR'S COMMENTS, BUT NOTHING WAS DONE TO ALTER MY WORKING SITUATION OR TO EASE THE PAIN. IN FACT, MY SUPERVISOR SUGGESTED SEEING A CHIROPRACTOR AND ALSO SUGGESTED I LOSE WEIGHT.

DR. ISTO PROVIDED SPLINTS FOR MY HANDS, BUT THESE DID NOT REALLY HELP. I KEPT WORKING AT MY COMPUTER KEY BOARD AT THIS TIME BECAUSE I AM A SINGLE PARENT WITH A FIVE-YEAR OLD CHILD AND MY JOB IS OUR SOLE MEANS OF SUPPORT. BUT THE TINGLING IN MY HANDS GOT WORSE, LEADING TO A NUMBNESS FROM MY RIGHT HAND TO THE ELBOW. AND THE PAIN FROM THIS WAS KEEPING ME AWAKE AT NIGHT. DR. ISTO SAID MY PROBLEM WAS FROM CONTINUOUS TYPING AT WORK, AND THAT I SHOULD CHECK WITH DR. PERKINS, WHO IS MORE EXPERT AT NERVE AND TENDON DAMAGE, AND IS FAMILIAR WITH CARPAL TUNNEL SYNDROME.

DR. PERKINS SAID I HAD NERVE DAMAGE FROM CARPAL TUNNEL SYNDROME, AND RECOMMENDED CORRECTIVE SURGERY. DR. CEDAR DID THE SURGERY ON MY RIGHT HAND IN JUNE 1991. I MISSED ABOUT A WEEK'S WORTH OF WORK, AND APPLIED FOR NORMAL SICK LEAVE.

ON MY RETURN TO WORK AFTER THE SURGERY THE OFFICE WAS SYMPATHETIC AND ALLOWED ME TO TAKE A BREAK FROM TYPING BY DOING PROOFING, OR EDITING, WORK FOR ABOUT TWO MONTHS. WHEN I RETURNED TO MY REGULAR WORK, THE OFFICE PROVIDED WRIST RESTS AS A PREVENTIVE MEASURE, AND THEY HAVE HELPED A LOT. IT TOOK ABOUT TWO WEEKS TO GET THE WRIST RESTS BECAUSE THERE IS SUCH A DEMAND FOR THEM NOW THAT MORE PEOPLE ARE BECOMING AWARE OF CARPAL TUNNEL SYNDROME.

(CONTINUED)

HOUSE STATE AFFAIRS COMMITTEE
TESTIMONY OF DEBRA KNUTSON ON H.B. 385
PAGE THREE

WHILE I AM NOT AN EXPERT IN THIS AREA, IT SEEMS TO ME THAT BY PROVIDING THE \$15.00 WRIST RESTS AT A MUCH EARLIER TIME AND ALTERING FROM TIME TO TIME MY WORKING CONDITIONS, THE STATE MIGHT HAVE SAVED THE \$3,000.00 IN MEDICAL EXPENSES PAID THROUGH MY HEALTH INSURANCE POLICY, AND CERTAINLY WOULD HAVE SAVED THE WORK TIME I LOST AS A RESULT OF DEVELOPING CARPAL TUNNEL SYNDROME. I ALSO BELIEVE THAT PASSAGE OF HOUSE BILL 385 COULD HELP REDUCE THE STATE'S RISING HEALTH CARE COSTS.

AGAIN, MY THANKS TO CHAIRMAN KUBINA FOR ALLOWING ME TO TESTIFY, AND TO REPRESENTATIVE ULMER FOR INTRODUCING HOUSE BILL 385. IF THE COMMITTEE HAS ANY QUESTIONS ABOUT MY SITUATION, I WILL DO MY BEST TO ANSWER THEM.

THANK YOU.

(END OF TESTIMONY)

TESTIMONY OF GEORGE IMBSEN
REPRESENTING THE ALASKA STATE EMPLOYEES ASSOCIATION
BEFORE THE HOUSE STATE AFFAIRS COMMITTEE
ON HOUSE BILL 385
"STATE EMPLOYEE V.D.T. SAFETY"
JANUARY 29, 1992

GOOD MORNING. FOR THE COMMITTEE RECORD, MY NAME IS GEORGE IMBSEN AND MY MAILING ADDRESS IS 2113 SECOND STREET, DOUGLAS, ALASKA 99824. I HAVE BEEN AN EMPLOYEE OF THE STATE OF ALASKA FOR 16 YEARS, AND FOR THE PAST 14 YEARS HAVE WORKED AS A CIVIL ENGINEER FOR THE ALASKA DEPARTMENT OF TRANSPORTATION.

I WOULD LIKE TO BEGIN BY THANKING COMMITTEE CHAIRMAN KUBINA FOR ALLOWING ME TO TESTIFY ON BEHALF OF HOUSE BILL 385, AND TO THANK REPRESENTATIVE FRAN ULMER FOR INTRODUCING THE BILL WHICH, I BELIEVE, CAN RECTIFY SAFETY AND HEALTH PROBLEMS FOR STATE WORKERS AND CAN SAVE THE STATE MONEY. I AM ALSO A MEMBER OF THE ALASKA STATE EMPLOYEES ASSOCIATION AND MY TESTIMONY TODAY REFLECTS THE DESIRES OF ASEA AND ITS APPROXIMATELY 9,000 MEMBERS WITH REGARD TO HOUSE BILL 385.

WHILE ASEA SUPPORTS THIS BILL, WE DO FEEL THAT IT NEEDS SOME IMPROVEMENTS TO PROTECT THE SAFETY AND HEALTH OF STATE WORKERS WHO SPEND A GOOD DEAL OF THEIR TIME WITH VISUAL DISPLAY TERMINALS AND COMPUTER KEYBOARDS.

FIRST, I WOULD RECOMMEND TO THE COMMITTEE AND THE BILL'S SPONSOR THAT SECTION ONE OF THE BILL BE AMENDED TO DELETE THE DEPARTMENT OF ADMINISTRATION AS THE STATE AGENCY RESPONSIBLE FOR TRAINING AND IMPLEMENTING HEALTH AND SAFETY REGULATIONS THE BILL MAY INCLUDE FOR VISUAL DISPLAY TERMINALS. INSTEAD, I WOULD RECOMMEND THESE RESPONSIBILITIES BE PLACED WITH THE STATE DEPARTMENT OF LABOR'S DIVISION OF OCCUPATIONAL SAFETY AND HEALTH.

(CONTINUED)

HOUSE STATE AFFAIRS COMMITTEE
GEORGE IMBSEN TESTIMONY ON H.B. 385
PAGE TWO

SECOND, AS PRESENTLY DRAFTED, HOUSE BILL 385 CONTAINS NO COMPLIANCE DEADLINES WHICH THE STATE MUST MEET FOR IMPLEMENTATION OF HEALTH AND SAFETY MEASURES REGARDING STATE EMPLOYEES WHO WORK WITH VISUAL DISPLAY TERMINALS. I STRONGLY URGE THE BILL'S SPONSOR AND THE COMMITTEE TO INCLUDE SUCH COMPLIANCE DEADLINES IN HOUSE BILL 385 TO AVOID ANY FURTHER DELAYS IN PROTECTING STATE EMPLOYEES FROM CARPAL TUNNEL SYNDROME AND OTHER HEALTH RISKS ASSOCIATED WITH V.D.T. WORK.

THIRD, SECTION 1, SUBPARAGRAPH (d) (2) OF THE BILL, AS PRESENTLY DRAFTED, WOULD DELETE CONSOLE COMPUTER AIDED DESIGN DRAFTING, OR C.A.D.D., TERMINALS FROM THE BILL'S PROVISIONS. MANY OF MY COLLEAGUES WORK WITH C.A.D.D. TERMINALS AND, FROM LISTENING TO THEIR COMPLAINTS AND CONCERNS, IT IS CLEAR THAT THEY ARE SUBJECT TO THE SAME PROBLEMS AS EMPLOYEES WHO WORK WITH STANDARD VISUAL DISPLAY TERMINALS. FOR THIS REASON, I WOULD URGE THE COMMITTEE AND THE BILL'S SPONSOR TO RETAIN C.A.D.D.s AS COVERED ITEMS UNDER THIS LEGISLATION.

FINALLY, I BELIEVE HOUSE BILL 385 IS MISSING TWO OTHER KEY SECTIONS THAT SHOULD BE INCLUDED BY THE COMMITTEE. ONE OF THESE IS A SECTION ON FINDINGS, THE OTHER IS A SECTION DELINEATING PROPER STANDARDS FOR VISUAL DISPLAY TERMINALL AND C.A.D.D. WORKSTATIONS. THE LANGUAGE I PROPOSE FOR THESE SECTIONS COMES FROM THE V.D.T. ORDINANCE ENACTED BY THE CITY OF SAN FRANCISCO, CALIFORNIA. SINCE IT IS SOMEWHAT LENGTHY AND I DO NOT WANT TO TAKE TOO MUCH OF THE COMMITTEE'S VALUABLE TIME OR TO PREVENT OTHERS FROM BEING ALLOWED TO TESTIFY, I HAVE INCLUDED THESE RECOMMEDATIONS AS APPENDIXES A AND B, RESPECTIVELY, TO MY TESTIMONY.

I BELIEVE COPIES OF THESE RECOMMENDATIONS HAVE BEEN PLACED IN THE COMMITTEE MEMBERS' INFORMATION PACKETS ON THIS BILL BUT, IF NOT, I WILL BE PLEASED TO PROVIDE COPIES FOR THE COMMITTEE.

(CONTINUED)

HOUSE STATE AFFAIRS COMMITTEE
GEORGE IMBSEN TESTIMONY ON H.B. 385
PAGE THREE

IN CLOSING, I WOULD LIKE TO SAY THAT I BELIEVE PASSAGE OF HOUSE BILL 385 IS ESSENTIAL TO THE SAFETY AND MORALE OF STATE EMPLOYEES. FURTHERMORE, I BELIEVE THE BILL WILL SAVE THE STATE MONEY BY REDUCING HEALTH CARE COSTS, WORKERS' COMPENSATION COSTS, AND BY REDUCING TIME LOST ON THE JOB BY INJURED EMPLOYEES.

AGAIN, I WANT TO THANK COMMITTEE CHAIRMAN REPRESENTATIVE GENE KUBINA AND COMMITTEE MEMBERS FOR CONSIDERING MY TESTIMONY TODAY, AND TO EXTEND MY APPRECIATION TO REP. FRAN ULMER FOR SPONSORING HOUSE BILL 385.

IF ANY OF YOU HAVE QUESTIONS REGARDING MY TESTIMONY OR THE ATTACHMENTS, I WILL BE PLEASED TO TRY TO ANSWER THEM FOR YOU. THANK YOU.

APPENDIX A -- FINDINGS

(b) Investigations conducted by the National Institute for Occupational Safety and Health of video display terminal (VDT) operators in response to complaints of headaches, general malaise, eyestrain and other visual and musculoskeletal problems resulted in recommendations for VDT workstation design, VDT work breaks and pre-placement and periodic visual testing to reduce musculoskeletal and vision complaints among VDT users.

(c) ... Various world-wide studies have demonstrated elevated musculoskeletal discomforts and disorders in VDT operators as compared with non-VDT workers. Statistics from these studies show a correlation between VDT use and shoulder-neck discomfort/pain, wrist tendonitis, and carpal tunnel syndrome. Statistics also show a higher number of vision complaints among VDT operators compared to other workers. Research has shown that inadequate workstation adjustment, lack of operator knowledge of adjustments, and long, uninterrupted use of VDTs are associated with musculoskeletal disorders and vision complaints. The consensus of the National Institute for Occupational Safety and Health, the World Health Organization and the American National Standards Institute is that adjustable VDT workstations in combination with training on proper adjustment of the work station and periodic breaks from VDT use during the work day substantially contribute to suitable working postures and reduce vision complaints, thereby providing a safer and healthier work environment for VDT operators.

APPENDIX B -- WORK STATION STANDARDS

SEC. 1304. WORKSTATION STANDARDS. (a) Within twelve (12) months of the effective date of this Article 23, every employer, when purchasing VDT workstations or equipment, shall provide an operator who may be expected because of the employee's duties to routinely perform repetitive keyboard motions four (4) hours or more, inclusive of breaks, per shift, with user-adjustable workstations and chairs that meet the following minimum standards:

(1) Seating for the workstation shall conform to the provisions of the American National Standard for Human Factors

Engineering of Visual Display Terminal Workstations, ANSI/HFS Standard No. 100-1988, Section 8.7 "Seating," or meet the requirements of subsections (a)(1)(A) through (a)(1)(D) as follows:

- (A) Seat pans and backrests of chairs shall be upholstered with moisture absorbing material. The upholstery shall be compressible at a minimum in the range of approximately one-half to one inch.
 - (B) Seat pans shall be adjustable for height and angle.
 - (C) Backrests shall be adjustable for height and to a position behind and forward of the vertical position.
 - (D) Chairs shall be capable of being swivelled by the user.
- (2) Arm rests, wrist rests and foot rests shall be provided upon the request of the operator. Wrist rests shall enable the operator to maintain a neutral position of the wrist while at the keyboard, and shall be padded and without sharp edges.
- (3) The adjustment mechanism for adjustable chair seat pans shall be operable by the user from a seated position. The adjustment mechanism for adjustable chair backrests shall be easily operable by the user.
- (4) The keyboard shall be detachable from the terminal.
- (5) The terminal display support shall be adjustable so that the entire primary viewing area of the terminal is between zero and sixty degrees below the horizontal plane passing through the eyes of the operator. The terminal keyboard, in combination with the seating and the worksurfaces, shall be adjustable so that the operator, while seated in a normal upright position, is able to operate the keyboard with his or her forearms, wrists and hands in a position approximately parallel to the floor. The height of the worksurface shall be such as to provide adequate clearance under the worksurface to accommodate the operator's legs in a normal upright seated position.
- (b) Within twelve (12) months of the effective date of this Article 23, every employer, when purchasing VDT workstations or equipment, shall provide an operator who may be expected because of the employee's duties to use video display terminal equipment four (4) hours or more, inclusive of breaks, per shift, with a workstation that meets the following minimum standards:
- (1) Workstations shall be illuminated with lights arranged to avoid visual glare and discomfort. The illumination level shall be within 200-500 lux. Task lighting shall be made available upon the request of the operator.
 - (2) Glare shall be eliminated through methods that include but are not limited to shielding windows with shades, curtains or blinds, positioning the terminal so that the terminal screen is at a right angle to the window producing the glare.

fitting video display screens with anti-glare screens and providing keyboards with tops finished in a manner so as to minimize reflection.

(3) A document holder adjustable for placement angle and height shall be provided upon the request of the operator when a document holder is appropriate for the performance of the operator's duties.

(4) Video display screens shall be clean, clear, and free of perceptible flicker to the operator.

(5) Direct noise from impact printers shall be reduced to improve ease of communication by placing covers over the printers or by isolating the printers from the rest of the work environment.

(c) As used in this Article, "Routinely perform repetitive keyboard motions" shall not be interpreted to include only brief, intermittent keyboard motions that are ancillary to the employee's performance of other work tasks.

(d) Within thirty (30) months of the effective date of this Article 23, every employer shall (1) upgrade existing VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(a), as necessary to comply with the minimum standards specified in Section 1304(a)(1) through (a)(5); and (2) upgrade existing VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(b), as necessary to comply with the minimum standards specified in Section 1304(b)(1) through (b)(5); provided, however, that the upgrading required by Sections 1304(a) and (b) combined shall not require the employer to expend more than two hundred and fifty dollars (\$250.00) per upgraded VDT workstation.

(e) Within forty-eight (48) months of the effective date of this Article 23, for any existing equipment, every employer shall (1) upgrade or replace VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(a), as necessary to comply with the minimum standards specified in Section 1304(a)(1) through (a)(5); and (2) upgrade or replace VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(b), as necessary to comply with the minimum standards specified in Section 1304(b)(1) through (b)(5).



Alaska Health Project

Information and advocacy on occupational and environmental health.
1818 W. Northern Lights Blvd., Suite 103, Anchorage, Alaska 99517
(907) 276-2864 In State 800-478-2864 Fax 907-279-3089 Modem 907-279-3128

January 23, 1992

Representative Ulmer
State Capitol
Juneau, AK 99801-1182

Dear Representative Ulmer:

The Alaska Health Project has for the past twelve years advocated for improved safety and health at the work place. We are in support of HB 385 on Video Display Terminals. The use of the keyboard and computer have become the basic tools for much of the State's work force. It is very important that any tool be used wisely and with precautions to prevent injury.

The video display terminal has many associated health problems including the position of the users hands, arms, back, legs, and neck and head. Working for many hours with limited breaks in physical posture creates strain on many body parts. An ergonomic review of any process that is repetitive and requires the body to maintain a particular position will show multiple areas of stress.

The incidence of spontaneous abortions among users of VDTs was first thought to be due to the electromagnetic fields. Upon further research it was found that it was due to long periods of the body being held in tension, in one position. This working position stress reduced circulation to the abdomen and contributed to the miscarriages. It is now recommended that any user of a keyboard be allowed a ten minute alternative work activity for each fifty minutes of typing. This stimulation of the body reduces stress and improves health.

We support HB 385. We would like to see it expanded in two areas. First, we would like to see it deal with the ergonomic concerns of all State employees in office activities. This would include individuals who are required to stand at counters or photocopy machines for extended periods. It should also deal with those who use standard keyboards on typewriters or calculators for long continuous periods.

Second, we would like to see it deal with the electromagnetic fields associated with electronic equipment.

Representative Ulmer
Page 2

This would include video display terminals, computers, copiers, blue line machines, laminators and other equipment which give off electromagnetic radiation. It is important to know where these machines are located, the extent of their fields as they pass through walls and floors, and how frequently employees are required to be within those fields. It is true that the exact impact of electromagnetic fields is currently under debate, however, the more recent investigations are finding that there does seem to be an increase in cancer promotion for those who regularly work in electromagnetic fields.

We support HB 385 and urge that it move forward. If possible we would appreciate inclusion of the above concerns to broaden the bill. Thank you.

Sincerely,

Kris Benson for

Carl M. Hild, M.S., Sci.Mgmt.
Executive Director

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Date of Committee Action: 5/5/92

The LABOR AND COMMERCE Committee considered:

SB 392

SENATE BILL NO. 392

COURT APPEARANCE: NONPROFIT HOUSING CORP

"An Act relating to appearances in civil actions and making an exception from the requirement of representation by an attorney for appearances on behalf of nonprofit housing corporations in certain civil actions."

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)

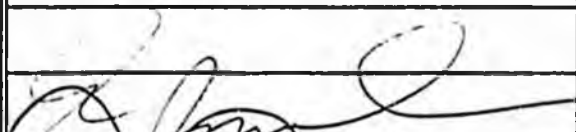
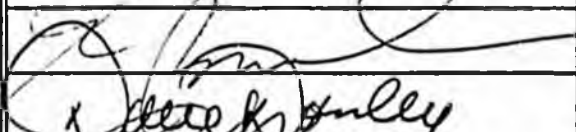
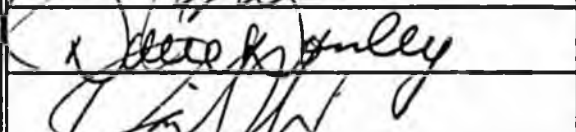
APPROVES PREVIOUS: _____ (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note _____

^{Senate} zero fiscal note(s) Courts 4/10/92

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
	<input checked="" type="checkbox"/>	Chris L. Taylor		<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>				
	<input checked="" type="checkbox"/>				


CHAIRMAN'S SIGNATURE

Patrick M. Rodey
Senator

Alaska State Legislature



Senate

3111 C. St., Suite 510
Anchorage, Alaska 99503
(907) 561-7618

During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-3793

MEMORANDUM

DATE: May 4, 1992

TO : Rep. David Finkelstein, Chair
House Labor & Commerce Committee

FROM: Senator Pat Rodey, Sponsor

RE : *Senate Bill 392 - An Act relating to appearances in civil actions and making an exception from the requirement of representation by an attorney for appearances on behalf of nonprofit housing corporations in certain civil actions*

(Always Scheduled Tuesday)

I would appreciate your scheduling SB 392 for a hearing in the Labor and Commerce Committee as soon as possible. The bill received strong support in the Judiciary and Finance Committees, and passed the senate 18-0.

This proposal would change existing law which requires non-profit housing corporations to hire an attorney in forcible entry and detainer (FED) actions.

Senate Bill 392 would help reduce the costs of legal representation for nonprofit housing corporations by authorizing corporations to be represented in civil actions by someone other than an attorney and specifically allows (in FED actions) a nonprofit housing corporation to be represented by an officer or employee of the corporation who is not an attorney. Since the tenants of nonprofit housing corporations are generally low income and unable to pay, the attorney's fees oftentimes must be absorbed by the corporation.

The bill is supported by Anchorage Neighborhood Housing Services, Tlingit-Haida Regional Housing Authority, Bristol Bay Housing Authority, Interior Regional Housing Authority and the AVCP Housing Authority. It has a zero fiscal note.

I am attaching a sectional analysis and two position papers for your perusal.

Thank you for your consideration of this request.

Enclosures

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY

STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

March 13, 1992

SUBJECT: Senate Bill 392, relating to appearances by attorneys for corporations in civil actions, sectional analysis (Work Order No. 7LS-1905A)

TO: Senator Pat Rodey
ATTN: Katie Drennan

FROM: Jack Cheroweth
Legislative Counsel

Current law (AS 22.20.040) requires that, in civil actions, a corporation--public or private--must be represented by an attorney--that the corporation's "appearance" must be by an attorney.

Bill section 3, an amendment to AS 22.20.040, restates that requirement (separating the two instances in which representation or appearance must be by an attorney--that is, when the party is the United States or a corporation), then revises the requirement to permit an exception to appearance by an attorney for a corporation when an exception has been "explicitly made by law."

An exception to the requirement is made by the new material added by bill section 2. Specifically, a nonprofit housing corporation may designate one of its officers or employees to represent it in maintaining a forcible entry and detainer action under AS 09.45.060 - 09.45.160 against a tenant or person in possession. (Forcible entry and detainer actions may be referred for disposition to the state's District Court. See Alaska Rule of Civil Procedure 85(b).) The bill section further directs that, as with appearances by attorney, when a proceeding goes forward under the exception, the officer or employee who is designated to represent the nonprofit housing corporation is the party responsible for the pleadings and is the sole representative of the corporation whom he or she represents.

The material set out in bill section 1 provides a short summary of the principal features of the measure and the reason for its introduction.

JBC:pl
92-175.plm



Tlingit-haida regional housing authority



P.O. Box 32237 • Juneau, Alaska 99803-2237 • (907) 780-6868 • Fax: 780-6895

UB
3/9/95

POSITION STATEMENT ON HOUSE BILL 531

My name is Jacqueline L. Johnson and I am the Executive Director of the Tlingit Haida Regional Housing Authority and also the President of the Association of Alaskan Housing Authorities. I am personally in support of this bill and have received endorsement of support from Kim Johnson, Director of Bristol Bay Housing Authority; John Guinn, Director of AVCP Housing Authority and William C. Williams, Director of Interior Regional Housing Authority.

As a employee of the Tlingit Haida Housing Authority for over ten years, I have represented the housing authority many times in the eviction process not knowing I did not have the authority to do so. My decision to support this house bill is based up on the following reasons:

1. Housing authorities provide low income housing. Any costs incurred in the eviction process, such as attorney fees, are passed onto the client who is facing eviction and who most likely was being evicted because they could not make rental payments.
2. Most of our clients only source of affordable housing is in the programs that the Regional Housing Authorities provide. To get back into our housing programs, once evicted, the client must clear all past debts with any housing authority. Excessive eviction costs only prohibit the client from acceptable affordable housing at a later date.
3. Since many of our clients are basically judgement free, meaning they have very few resources to attach even if we received a judgement for the costs, the Housing Authority still has to pay its bills. Therefore, the additional costs get incorporated into the administrative fee and passed on to all participants.
4. For most clients, the eviction procedure is intimidating and even more so when they have to deal with an attorney. Our housing authority provides counseling services and when I represent our housing authority, I feel it is an extension of our services to explain to the client what is going to happen in the court room, what the judge is going ask of me and of them, and most of all, let them know that just because they are having this problem now does not mean that they can not resolve it. I also let them know that I am willing to work with them and assist them. Hopefully, it then becomes a learning experience rather than a road block.

Anchorage
 Neighborhood
 Housing
 Services, Inc.
 3700 Woodland Drive
 Suite 600
 Anchorage, AK 99517
 (907) 243-1858
 FAX (907) 243-3214



DATE: March 4, 1992
TO: House Labor and Commerce Committee
RE: House Bill 631 / SB 392

BILL PURPOSE

Concerning Nonprofit Representation In Court In Certain Civil Procedures

The purpose of this bill would be to allow nonprofit housing providers the ability to represent themselves in court for Forcible Entry and Detainer (FED) action. Presently, under Alaska Statute, private property owners and property managers may represent themselves in civil action taken for the purposes of forcible entry and detainer under the Alaska Landlord Tenant Law. Corporations are specifically required by statute to be represented by an attorney at all times, regardless of the size of the civil action.

A number of housing providers in the state are nonprofit agencies whose purposes are to provide affordable housing for renters and consequently provide attendant property management services.

Although the task of requiring civil action for eviction purposes is oftentimes unpleasant, it is a necessary fact of property management. Oftentimes, the individual with the most background and knowledge concerning this process is the on-site resident manager. Under Alaska Landlord Tenant Law, an FED action is primarily a proforma matter and the requirement for attorney representation in this action is costly and redundant. This measure will provide a more effective means for civil proceedings in this type of action and provide cost savings to consumers.



FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill No. SB 392

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act relating to appearances in BRU: Trial Courts
civil actions... Components: _____
 Sponsor: Rodey
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 000 | 000 000 | 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228
 Division: Alaska Court System Date: 04/08/92
 Approved by: Arthur H. Snowden, II, Administrative Director *AS*
 Agency: Alaska Court System Date: 04/08/92

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

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Alaska State Legislature



Sen. Jay Kerttula, Co-Chairman
Sen. Pat Pourchot, Co-Chairman

Sen. Al Adams
Sen. Jim Duncan
Sen. Lyman F. Hoffman
Sen. Dick Shultz
Sen. Rick Uehling

Senate Finance Committee

State Capitol
Juneau, AK 99801-1182
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Palmer, AK 99645
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(907) 376-0315 Fax

CS FOR SENATE BILL 404 (L&C)

THE OFFERING OF DENTAL, VISION AND HEARING INSURANCE

CONTENTS OF PACKET

- 1) SPONSOR STATEMENT
- 2) COPY OF BILL AND 0 FISCAL NOTES
- 3) LEGAL OPINION
- 4) LETTER OF SUPPORT FROM THE ALASKA STATE MEDICAL ASSOCIATION
- 5) LETTER OF SUPPORT FROM THE ALASKA DENTAL SOCIETY
- 6) MINIMUM BENEFITS TO BE OFFERED

Alaska State Legislature



Sen. Jay Kerttula, Co-Chairman
Sen. Pat Pourchot, Co-Chairman

Sen. Al Adams
Sen. Jim Duncan
Sen. Lyman F. Hoffman
Sen. Dick Shultz
Sen. Rick Uehling

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Senate Finance Committee

Sponsor Statement

CS for Senate Bill 404

The Offering of Hearing, Dental and Vision Insurance

CS for Senate Bill 404 requires that a separate insurance policy for dental, vision, and hearing be offered to health insurance policyholders for acceptance or rejection. The purpose of this bill is to make hearing, dental and vision insurance more widely available.

This bill will have no fiscal impact on the State. CS for Senate Bill 404 requires only that dental, hearing, and vision insurance be offered for acceptance or rejection as a rider or a separate limited benefit policy. It is not a mandated benefit, so it will not contribute to rising premium costs for health insurance. The health insurance industry will be free to set the price of the policies as they see fit. They will also be free to set pre-existing condition waiting periods as needed to cover their risk. Insurers need only to offer the hearing, dental and vision coverage to those who are already customers. If the insurers write very little insurance in Alaska, they will not be required to offer

this insurance. We worked very closely with the Division of Insurance in the development of this bill.

This is the kind of bill that representatives of business have said they would like to see in the future because it does not mandate benefits, but only requires that they be an option in a separate policy.

Senate Bill 404 makes it possible for the elderly and other Alaskans to be able to purchase a separate insurance policy to cover dental, vision, and hearing. Such insurance coverage is not now available in Alaska to those whose employer does not offer it. Medicare, and medicare supplement insurance does not cover dental, hearing or vision. Thus the elderly can not get dental, hearing, or vision insurance (unless they are indigent and qualify for medicaid). The elderly should not be deprived of seeing, hearing and tasting in their later years, as they become less mobile. This bill would make it possible for the elderly, children, the self-employed, and individuals who are not offered insurance through their employer to have the option of purchasing very basic coverage for dental, vision and hearing care.

CS FOR SENATE BILL NO. 404 (L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 5/5/92
Referred: Rules

Sponsor(s): SENATOR KERTTULA

A BILL
FOR AN ACT ENTITLED

1 "An Act requiring an offer of certain dental, vision, and hearing insurance coverage; and
2 providing for an effective date."

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

4 Section 1. AS 21.42 is amended by adding a new section to read:

5 Sec. 21.42.385. DENTAL, VISION, AND HEARING COVERAGE. (a) An insurer
6 authorized under AS 21.09 to offer, issue for delivery, deliver, or renew an individual or group
7 disability insurance policy for medical coverage on an expense incurred basis in the state or a
8 hospital or medical service corporation authorized under AS 21.87 to offer or renew a
9 subscriber's contract, shall offer to each policyholder or subscriber for acceptance or rejection
10 minimum dental, vision, and hearing coverage described in (b) of this section. Coverage required
11 under this subsection may be offered as a rider or in the form of a limited benefit policy.

12 (b) The minimum coverage required under (a) of this section may
13 (1) be provided under contract with another insurer or another hospital or medical
14 service corporation; and

1 (2) not be less than the dental, vision, and hearing coverage provided on
2 January 1, 1992, to a person entitled to medical benefits under AS 39.35.535 (public employees'
3 retirement system of Alaska).

4 (c) This section does not apply to an insurer or a hospital or medical service corporation
5 that has written less than \$300,000 in premiums in the previous calendar year. An insurer or a
6 hospital or medical service corporation exempt under this subsection shall disclose the exemption
7 when issuing or renewing a disability insurance policy or subscriber's contract, and shall advise
8 the policyholder or subscriber that insurers that have written more than \$300,000 in premiums
9 in the previous calendar year are required to offer coverage under (a) and (b) of this section.

10 (d) This section applies to an insurer or a hospital or medical service corporation writing
11 a Medicare supplement policy to the extent not prohibited under 42 U.S.C. 1395.

12 (e) This section does not require an insurer who offers only group coverage to offer
13 dental, vision, and hearing coverage to an individual.

14 * Sec. 2. AS 21.87.340 is amended to read:

15 Sec. 21.87.340. OTHER PROVISIONS APPLICABLE. In addition to the provisions
16 contained or referred to previously in this chapter, the following chapters and provisions of this
17 title also apply with respect to service corporations to the extent applicable and not in conflict
18 with the express provisions of this chapter and the reasonable implications of the express
19 provisions, and for the purposes of the application the corporations shall be considered to be
20 mutual "insurers":

- 21 (1) AS 21.03
22 (2) AS 21.06
23 (3) AS 21.09, except AS 21.09.090
24 (4) AS 21.18.010
25 (5) AS 21.18.030
26 (6) AS 21.18.040
27 (7) AS 21.18.120
28 (8) AS 21.21.321
29 (9) AS 21.36
30 (10) AS 21.42.345 - 21.42.365, [AND] 21.42.375, and 21.42.385
31 (11) AS 21.51.120

- 1 (12) AS 21.53
2 (13) AS 21.54.020
3 (14) AS 21.69.400
4 (15) AS 21.69.520
5 (16) AS 21.69.600, 21.69.620, and 21.69.630
6 (17) AS 21.78
7 (18) AS 21.89.040
8 (19) AS 21.89.060
9 (20) AS 21.90.
10 * Sec. 3. This Act takes effect July 1, 1993.

FISCAL NOTE

BILL NO. SB 404

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: 2/14/92

Department Affected: Commerce & Econ. Dev.

Title: An Act relating to dental, vision,
and hearing insurance coverage

BRU: Insurance

Component: Operations

Sponsor: Sen. Kerttula

Requestor: _____

COMPONENT SERIAL NO.

0	3	5	4
---	---	---	---

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
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
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REVENUE FUND RESOURCE:	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS (Attach a separate page if necessary.)
No fiscal impact.

Prepared By: Joan Brown, Administrative Officer *[Signature]*

Phone: 465-2597

Division: Insurance

Date: 2/20/92

Approved by Commissioner: Glenn A. Olds

Agency: Department of Commerce & Economic Development

Date: _____

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).

FISCAL NOTE

**STATE OF ALASKA
1992 LEGISLATIVE SESSION**

**BILL NO. CSSB404 () WORK DRAFT
7-LS20091D
Ford
2/28/92**

**Revised: 2/28/92
Title: Dental, vision and hearing insurance coverage
Sponsor: Sen Kertula
Requestor: Sen Kertula**

**Department Affected: UNIVERSITY OF ALASKA
BRU: SW Programs and Services
Component: Statewide Services**

Component Serial No: 730

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY93	FY94	FY95	FY96	FY97	FY98
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FD SOURCE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

ANALYSIS (Attach additional pages as necessary)

This Fiscal Note supersedes the one issued on April 3, 1992 for SB404 and is based upon the revised text contained in CSSB404 Work Draft.

**Prepared by: Marsha Hubbard, Director
Division: Statewide Budget Office**

**Phone: 474-7593
Date: April 6, 1992**

**Approved by: Brian Rogers, Vice President for Finance
Agency: University of Alaska**

Date: April 6, 1992

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

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

April 23, 1992

SUBJECT: Required dental, vision and hearing insurance - (CSSB 404())

TO: Senator Jay Kerttula

FROM: Michael F. Ford *M.F.*
Legislative Counsel

You have asked if the provisions of 42 U.S.C. 1395ss, relating to medicare supplement insurance, would conflict with the required insurance provisions of CSSB 404(), dated 4/23/92. I have reviewed 42 U.S.C. 1395ss and can find no provisions that appear to conflict with CSSB 404().

Please contact me if you have further questions.

MFF:pl
92-286.plm



ALASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

March 26, 1992

MAR 31 1992

Senator Jalmar Kerttula
Alaska State Legislature
P. O. Box V (MS 3100)
Juneau, AK 99811

Dear Senator Kerttula:

Last night our Legislative Affairs Committee discussed your Senate Bill #404 mandating the offering of insurance coverage for dental, vision, and hearing services. This bill has our strong support. It will not cost the State anything but would allow Alaskans freedom of choice in choosing coverage that could significantly improve their quality of life. If I can be of any assistance to you on this bill, do not hesitate to contact me.

Sincerely yours,

Donald R. Lehmann, M.D., A.B.F.P.
Chairman, Legislative Affairs Committee

DRL:bj



Alaska Dental Society

1001 E. 1st Road Suite 10
Anchorage Alaska 99503
907 277 4675

April 1, 1992

Senator Drue Pearce
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, AK 99811

Dear Senator Pearce:

The Alaska Dental Society supports CS for SB 404. Please schedule SB 404 for hearing.

If you have any questions please feel free to contact me at 907 376-3884. FAX 907 373-7500. Thank you.

Sincerely,

Robert Wade Robinson II, D.M.D.
President
Alaska Dental Society

MINIMUM BENEFITS

DENTAL PLAN HIGHLIGHTS

- Pays 80 percent of the usual, customary and reasonable charges for most preventive (X-rays, exams, etc.) services with no deductible.
- Pays 80 percent of the usual, customary and reasonable charges for most restorative (fillings, extractions, etc.) services after the annual deductible is met.
- Pays 50 percent of the usual, customary and reasonable charges for most prosthetic (crowns, dentures, etc.) services after the annual deductible is met.
- Pays up to \$1,500 of covered expenses per person per year.

VISION PLAN HIGHLIGHTS

- Requires no deductible.
- Covers one complete eye examination, including a required refraction, during any calendar year.
- Pays 80 percent for two lenses during each calendar year.
- Pays 80 percent for one set of frames every two years.

AUDIO PLAN HIGHLIGHTS

- Pays 80 percent of the usual, customary and reasonable charges.
- Requires no deductibles.
- Allows a maximum benefit of \$800 in a three-year period.

By Gordon Evans, HIAA

Comments re SB 404

SB 404 fosters "adverse selection" -- people will buy the coverage only when needed.

What if a health insurance carrier does not normally offer or sell dental, vision, or hearing benefits? As this bill is presently written, the carrier will either have to begin writing that coverage (which will require developing marketing techniques, etc.) or subcontract with another carrier or carriers for a "rider" to the coverage they do offer. No other state has required this. It is doubtful that an insurance carrier will want to share its clients with another carrier.

Either way, this will result in higher administrative costs which will be reflected in "pricey" premiums to the insured, and also may result in a carrier deciding it isn't worth it to sell health insurance in Alaska, since this bill would require the carrier to offer dental, vision and hearing insurance as a condition of doing business in the state. The Division of Insurance says there are only nine private health insurance carriers plus Blue Cross selling health insurance in Alaska. It might prove cheaper for the person to pay for the need out of pocket rather than pay for the insurance, when you take into consideration the premium cost, deductibles, etc.

The requirement that specified minimum benefits be provided (no matter how minimum) is troublesome. The insurance companies must be allowed to design the products they are marketing, rather than having one product dictated based on a specific group.

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE FINKELSTEIN

TO: CSSB 404 (L&C)

Page 3, after line 9:

Delete all material.

Insert new bill sections to read:

** Sec. 3. AS 21.87.340 is *amended* to read:

Sec. 21.87.340. OTHER PROVISIONS APPLICABLE. In addition to the provisions contained or referred to previously in this chapter, the following chapters and provisions of this title also apply with respect to service corporations to the extent applicable and not in conflict with the express provisions of this chapter and the reasonable implications of the express provisions, and for the purposes of the application the corporations shall be considered to be mutual "insurers":

- (1) AS 21.03
- (2) AS 21.06
- (3) AS 21.09, except AS 21.09.090
- (4) AS 21.18.010
- (5) AS 21.18.030
- (6) AS 21.18.040
- (7) AS 21.18.120
- (8) AS 21.21.321
- (9) AS 21.36
- (10) AS 21.42.345 - 21.42.365 and 21.42.375 [, AND 21.42.385]
- (11) AS 21.51.120
- (12) AS 21.53
- (13) AS 21.54.020
- (14) AS 21.69.400
- (15) AS 21.69.520

(16) AS 21.69.600, 21.69.620, and 21.69.630

(17) AS 21.78

(18) AS 21.89.040

(19) AS 21.89.060

(20) AS 21.90.

* Sec. 4. AS 21.42.385 is repealed.

* Sec. 5. Sections 3 and 4 of this Act take effect July 1, 1998.

* Sec. 6. Except as provided in sec. 5 of this Act, this Act takes effect July 1, 1993."

the Principal

Financial
Group

Principal Mutual
Life Insurance Company

April 21, 1992

The Honorable Drue Pearce
Chairperson
Senate Labor and Commerce Committee
P. O. Box V
Juneau, Alaska 99811

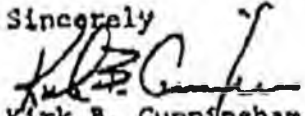
Dear Senator Pearce

I am writing to urge you and your committee to oppose Senate Bill 404. This bill would require all insurers to offer to each individual and group policyholder or subscriber, for acceptance or rejection, a package of dental, vision and hearing coverage. For carriers who do not offer such benefits, they are allowed to offer these services through a subcontract with another insurer, another hospital, or medical service corporation. The Principal Mutual Life Insurance Company has several concerns regarding this legislation.

At a time when insurers and others are seeking ways to provide basic health care services which are accessible and affordable to more people, we believe this bill is counterproductive in that it requires all companies to establish costly procedures that may only benefit a relative small number of individuals. Our company does not have a product covering hearing disabilities and we have no plans for developing such a coverage. While I understand that the bill does not mandate the development of hearing coverage, it would force us to identify and affiliate with another provider through a subcontract if we choose not to develop a product. Special arrangements and procedures will need to be made regardless of whether there is sufficient business justification to do so. Ultimately, the cost of establishing these arrangements and procedures will be passed along to customers resulting in higher care costs for the citizens of Alaska. We believe that market forces should prevail in determining whether a company adds a particular coverage to its product line. Mandates such as those called for in SB404 place an even greater burden upon the health care delivery system to respond efficiently and in a cost effective manner.

We support the goal of providing adequate preventive care because it will lead to lower medical costs. However, the approach being offered in SB404 will not aid any of us - consumer, policyholder, insurers - in meeting this goal. I hope you will join The Principal in opposing this legislation. Thank you.

Sincerely


Kirk B. Cunningham
Vice President - Government Relations

KBC/vc

cc Jim Crawford
Marla Pederson
Lucia Riddle

Mailing Address: Des Moines, Iowa 50382-0001 (515) 247-5111

Memo

To: Bill Miles
Senate Labor & Commerce Committee

From: Gordon Evans
Health Insurance Association of America (HIAA)

Date: 4/28/92

Re: CSSB 404 () draft dated 4/23/92

HIAA opposes SB 404, as drafted, for several reasons, but primarily because it fosters "adverse selection" (people will buy the coverage only when needed):

1. Not all health insurance carriers write all lines of business. What if a health insurance carrier does not normally offer or sell dental, vision or hearing benefits? As this bill is presently written, the carrier will either have to begin writing that coverage (which will require developing marketing techniques, etc.) or subcontract with another carrier or carriers for a provision that is a "rider" to the coverage they do offer. No other state has required this. (You can be sure that private insurance companies which belong to HIAA will not subcontract with Blue Cross; in fact, the private companies don't like to share clients with each other.) Either way, this will result in higher administrative costs which will be reflected in "pricey" premiums to the insured, and also may result in a carrier deciding that it isn't worth it to do business in Alaska. The Division of Insurance says there are only nine HIAA companies selling health insurance in Alaska, plus Blue Cross and Golden Rule. It might prove cheaper for the person to pay for the need out of pocket rather than pay for the insurance, when you take into consideration the premium cost, deductible, etc.

2. The requirement that specified minimum benefits be provided (no matter how minimum) is troublesome. The insurance companies must be allowed to design the products they are marketing, rather than have one product dictated based on a specific group.

3. With reference to paragraph (d) [page 2, lines 10-11], who will make the determination whether it is prohibited?

- ① whole group up + down
- ② and all 3 services offered as clump up or down
- ③ talk up products up @ cost (on farm +
- ④ watch couple years for fine time.