

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SHES 1250

Please feel free to call me with any questions.

BZ

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Perfect match

Navajo man donates bone marrow to Tlingit boy

By Cindy Yurth
Navajo Times

Apr. 5, 2007

Here is a story of a perfect match.

Not a romantic match. This is a match that goes even deeper: to the blood, to the bone, to the marrow.

Leonard Begai of Bloomfield, N.M., didn't know two years ago, when he showed up for a bone marrow drive in Farmington and was almost turned away because they were about to close, that he was destined to save a life.

Even less did he know he was about to gain 200 family members in Juneau, Alaska. But that is exactly what happened.

It was April 24, 2005, when Begai went in to donate a blood sample that would be analyzed to see if he was a match for a Navajo man from Shiprock who needed a marrow transplant.

The drive didn't yield a match for that patient, who later died. But three days later, in Juneau, a young boy was diagnosed with leukemia. Begai's data had been entered into the National Marrow Donor Registry, and, incredibly, it matched little Alec Cesar's almost perfectly.

Of the 12 proteins and antigens doctors compare in bone marrow matches, Begai and Cesar had 10 in common. More than Cesar's mom. More than Cesar's dad. In fact, the doctors said, they had never seen such a close match outside of siblings.

Genetically speaking, the 27-year-old Navajo man and the 6-year-old Tlingit/Filipino boy were brothers.

Although Begai had walked into the marrow drive voluntarily, he wrestled with his conscience when he was actually called upon to donate.

"In our tradition, you don't give up something inside of you, except maybe for your family," explained Begai, who is Ashiití (Salt Clan), born for Naakaii Din'í (Mexican People Clan). "I got that from my nalls. I didn't want to disrespect them by going against our tradition."

A sense of family

But Begai knew what it was like to have a sick child. His 10-year-old, Xavier, has a rare congenital condition that causes seizures and wasn't expected to live past one year.

"He has to take about nine pills a day," Begai said.

The Begais have had a lot of support over the years for Xavier.

"Doctors, family members ... so many people have helped us," Begai said. "It doesn't seem like enough to just say 'Thank you.' I felt like I needed to do something for somebody else, and here was my chance."

So it was that on Oct. 17, 2005, Begai lay down on an operating table in Albuquerque and let the doctors remove the marrow from his hipbone.



Photo: N / No / Noo

Courtesy Photo
Leonard Begai of Bloomfield, N.M., left, meets 6-year-old Alec Cesar in Juneau, Alaska, in March. Begai donated the bone marrow that saved the young boy's life.

In Seattle, little Alec Cesar was also lying on an operating table, being prepped.

"By that evening," said Cesar's aunt, Andrea Quinto, "Leonard's marrow was going into Alec."

It was an incredible relief to the boy's family. Quinto had organized a 10-village marrow drive that drew 1,010 Tlingit donors, but none of them had proved to be a match for Cesar. Without the transplant, they were told, the child would probably die.

There was a period of anxious waiting - even with a perfect match, the patient will sometimes reject the donor marrow - and then Cesar started to improve.

These days, aside from the fact he's thinner than average and has a big scar on his chest, it's hard to tell him from a healthy 8-year-old.

"There's a post in my living room the kids like to climb," said Quinto, who is the sister of Alec's father, Robert Cesar. "Alec scurries right up it."

He's not out of the woods - the cancer could come back. But for now, Cesar is energetic and happy, and his family couldn't be more grateful.

Because of confidentiality concerns, there's a yearlong waiting period before a recipient learns his donor's name. Then, if the donor allows it, the two can make contact.

Quinto had already guessed her nephew's donor wasn't Tlingit.

"Leonard was smart," she said. "You're allowed to send a little gift along with the marrow. He sent a turquoise bear fetish and a dream box."

"Our donor is a Southwestern Indian," she told the bilingual nurses at the hospital in Seattle.

"You don't know that," said one nurse.

"Trust me," Quinto said.

Meeting at last

Two months ago, Begali was driving home from his job on an oil pipeline when his cell phone rang. He didn't recognize the area code displayed on the screen.

"I thought, 'It's probably a wrong number or a solicitor; I'm not going to answer it,'" he said.

But it kept ringing, curiosity got the better of him, and he picked it up.

"I said, 'Hello,'" he recalled. "Nothing. I said, 'Hello' again. Still nothing. Finally I said, 'Look, I don't know who this is. If you don't say something, I'm going to hang up.'"

A voice choked with emotion answered back: "My name is Rachel. I'm the mother of the boy you donated your bone marrow to."

It was Begali's turn to get quiet.

"I felt embarrassed," he said. "I was so rude to her over the phone. But she assured me it was all right, and we ended up talking for an hour and a half."

Cesar's family had pooled their resources, and offered to pay Begali's and his family's way to Alaska to help Alex celebrate his eighth birthday on March 17.

"I couldn't believe they would do that," Begali said. "Of course I wanted to meet Alex. I had been thinking about it since that day I went to the hospital."

Quinto is surprised when people ask her why the family, already financially stressed by Cesar's medical bills, bought nine airline tickets - for Begali, his wife Rhea, their five children, his sister-in-law and her roommate - from Albuquerque to Alaska.

"Well, duh," she said. "The guy gave us part of his body. A thank-you note doesn't cut it."

After a grueling nine-hour flight (the last two hours spent circling the Juneau airport because there was too much snow and fog to land the plane), donor and recipient finally met face-to-face.

"We just looked at each other," Begali recalled. "I got choked up. It was my first time really seeing what I had done."

Cesar was thrilled to meet the man who had saved his life, but even more thrilled when he found out Begali had five children.

"He's an only child," his aunt explained. "He's been bugging his mom and dad for a brother. Now he walks around bragging, 'I have five brothers and a sister.'"

The families got along from the start.

"Not only were Leonard and Alec a perfect match," Quinto said, "the families are a match too. We look alike. We think alike. We have similar beliefs."

The families spent 10 days together. Begaii enjoyed learning about the Tlingit culture, which he said has "some strong similarities and a lot of differences" from Navajo culture.

The kids enjoyed sledding and playing in the five feet of snow on the ground in Juneau.

And Begaii discovered the Cesars weren't the only ones who appreciated his gift. He was honored on the floor of the Alaska Legislature, made an honorary citizen of Juneau, and feted with a real Tlingit potluck.

About 300 people filed in for the potluck, a number usually reserved for celebrities. Then the elders did something that made Quinto proud of her tribe.

Begaii had confessed his trepidations about donating his marrow because of Navajo beliefs that such things should occur only between family members.

"The elders came forward, totally on their own, and initiated him into the tribe," Quinto recalled. "They gave him two Tlingit names."

One of them, appropriately enough, means "The Medicine."

"To us, he's family," Quinto said. "And with all the DNA he shares with Alec, you know they're related somewhere along the line, even if it was a hundred years ago. That's how we see it. I just hope his elders see it that way too."

Begaii, for his part, no longer has qualms about what he did.

"I gave up a little part of me, but I got all these great new family members in Alaska," he said. "It was a good trade."

Only 1.3 percent of the potential donors listed on the National Marrow Donor Program's registry are Native American, which makes it extremely difficult for Native American patients to find a match. If you'd like to have a shot at saving a life, go to www.nmdp.org and sign up for the registry online. You'll be sent a swab to run over the inside of your cheek. Just send it back so they can analyze your DNA and you'll be notified if you might match a patient waiting for a transplant.

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Anchorage Daily News

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Friends again rally to aid Nome lawmaker

By ANNE SUTTON, Associated Press Writer

(Published: April 25, 2007)

JUNEAU, Alaska (AP) - In 1991, the state representative from Nome was facing trial on federal gun charges. Six unregistered machine guns and a 50mm Soviet mortar were among the items found in Richard Foster's possession.

In many other places, such troubles could be grounds for a recall. Instead, Foster's constituents threw a fundraiser to help pay for his defense.

Now in the face of a more serious challenge - he has a life-threatening kidney disease and needs a transplant - friends once again are rallying to Foster's side.

Half a dozen people at the Alaska Capitol have offered him one of their kidneys, and more than 200 legislators, staff, lobbyists and well-wishers turned out in Juneau last month to raise money to help cover out-of-pocket expenses for him and his wife, Catherine.

"I was real touched and humbled by it, especially by the donors who came out of the woodwork to help," said Foster, the father of eight adult children and one teen. "You have all these people in the building here and they are at each others throats sometimes but when someone needs help they are the first to step forward."

A silver-haired, easy going man with a ready somewhat manic laugh, Foster has a knack for making friends. At the fundraiser, the stories flowed thick and fast about his corny jokes and biting sense of humor.

Lobbyist Paul Fuhs, a former Nome city manager, drew the biggest laugh with his story of walking with the legislator in his hometown on the edge of the Bering Sea. When a seagull swooped past, dropping a deposit on Foster's head, Fuhs figured Foster would want to tidy up, so he asked if he should fetch some toilet paper.

"Nah, he'll be long gone by then," Foster quipped.

On the House Floor, Foster rarely joins in legislative debate and is often observed leafing through a gun magazine. He is better known for his birthday roasts to colleagues, and for "Fridays at Foster's," the end of the week music jam he hosts in his comfortable offices decorated with photographs of the thousands of people who've visited over the years.

Foster said most legislative bills aren't relevant, anyhow, to residents of his far-flung, often icebound northwestern district. He represents the city of Nome, population 3,540, and 28 small native villages - of which only two are connected to each other by road and none to the greater world.

"There are a 1,000 bills introduced here every two years and they don't mean a thing to people in Savoonga or Diomedea," Foster said. "Like seat belt laws. Most of my villagers don't even have a

car. They all use ATVs (all terrain vehicles) or snowmachines."

As a lawmaker, his single-minded focus is on the capital budget and its ability to build jobs and infrastructure in remote, cash-poor villages. In homes there, the toilet is often a bucket behind a curtain in a corner off a main room.

"The question is trying to get good safe conditions, water and sewer mostly, and affordable power," said Foster, whose ancestry is part Scandinavian, part Eskimo. "When I came (to the Legislature) in 1988 they had just found out in Shishmaref that their drinking water pond was built on an old Eskimo cemetery. They were drinking human remains."

His constituents certainly recognize the importance of seniority and Foster's success in bringing projects home.

In recent years, those have included schools in White Mountain, Sheldon Point, Hooper Bay, Chevak and Stebbins, the repaving of several airport runways, and smaller community projects like washeterias and dust and erosion control.

The senior member of the House of Representatives, Foster is now in his 10th two-year term. He has also remained a member of the House majority during his long tenure despite a shift in power 14 years ago from Democrats to Republicans.

He kept his party affiliation but joined the Republican caucus with three fellow rural Democrats. The move angered those who were left in the minority, but former lawmaker and Anchorage Democrat Ethan Berkowitz said he came to appreciate the pressures that the state's handful of rural lawmakers work under.

"If I don't get a capital project, no big deal. We'll get it later on," Berkowitz said. "If he doesn't get a school, that means his family, his friends, aren't going to get the education they deserve. That's a very heavy burden."

Berkowitz took an annual birthday ribbing from Foster for a boating mishap near Juneau early in his own decade-long tenure.

"He doesn't take a bath, he just washes ashore," was one of Foster's lines.

Foster also honored the event with a song, a handmade model of the capsized boat and a tongue-in-cheek request to the U.S. Board of Geographic Names to consider renaming the spot Berkowitz Island, where the legislator spent a cold, wet night before he was rescued by the Coast Guard.

"It's the accident that will never stop giving," Berkowitz said with a laugh.

Foster also gave Berkowitz a gun one birthday. It's the kind of gift he sometimes thrusts on unwitting colleagues. This time it was a derringer nestled in a hollowed-out mystery novel that Foster had earlier given to former Gov. Tony Knowles on a trip to Nome. The governor immediately turned the pistol over to state troopers who eventually gave it back to Foster. Berkowitz still has it.

Foster inherited his passion for firearms from his father, former state Sen. Neal "Willy" Foster, who also shared his air taxi business and Will Rogers-style humor with his son.

It was the younger Foster's zeal for collecting weaponry that landed him in trouble 16 years ago. A Vietnam veteran and former Army captain, Foster grabbed the attention of federal agents when he asked a Juneau machinist to craft some submachine gun parts.

But a sympathetic Nome jury acquitted Foster to the applause of the gallery.

Former Nome mayor Leo Rasmussen is not surprised that people in the capital are now rallying to his support.

"Richard is just good old Alaskan in the true sense," Rasmussen said. "The old Alaskan doesn't fit the mold of today. They have a genuineness to them that by and large the country has lost."

At the fundraiser on his behalf, Foster was characteristically low-key. Though he has a possible donor lined up - a friend is now going through a battery of tests - and Foster is undergoing dialysis, he already has been disappointed several times.

"I hope this is not an obituary," he told well wishers with a soft laugh.

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Bone marrow donor, recipient's family connect in Juneau

Native boy meets his rare match in emotional reunion at the airport

Leonard Begaii was driving to work about six weeks ago in New Mexico when he got a phone call that changed his life.

He answered it, but the caller was silent. He was about to hang up when he heard an emotional voice.

"She told me, 'My name is Rachel. I'm the mother of Alex Cesar,'" he said. "That's the patient you donated the bone marrow to.' "

A year and a half after helping save the life of a Juneau boy, Begaii had finally learned the boy's name.

This week, Begaii, 29, was able to meet him. He and his family were flown up from New Mexico to meet Alex and his family, to celebrate the boy's eighth birthday and be honored by the city Monday evening.

"I just wanted to help somebody out," Begaii said. "I kept wondering who got it, where it went to."

Alex's battle with leukemia inspired a statewide drive for bone marrow in 2005. More than 1,000 people registered in the National Marrow Donor Program across Alaska.

A match was not easy to find for Alex, who is one-quarter Filipino and three-quarters Tlingit. It came from an unexpected source: a Navajo man in New Mexico.

Begaii arrived at a donating facility just as the staff was closing it down one afternoon in April. He talked them into taking one last sample. The blood matched, and a transplant took place later in October.

Much of Begaii's desire to donate sprung from health issues that his own son faced. When his son, Xavier, was an infant, doctors discovered a rare chromosomal disorder. They said the boy had six months to a year to live.

Now he's 10.

Begaii decided to donate the marrow even though it was against his Navajo beliefs, he said. The Navajo say that if you give away part of your body, you give away part of your spirit.

"With my wife standing behind me through the whole procedure, I was glad to do it," he said.

The transplant process has been overwhelming for Alex's family, but it was successful.

Alex's mother, Rachel Dugaqua, said Begaii saved Alex's life. She and Alex's aunt, Andrea Quinto, and other family members gathered at the Juneau International Airport on Friday to meet Begaii and his extended family - but the flight was sent to Sitka due to snow. They were able to land later.

"You don't know what to expect," Dugaqua said as she waited for the plane. "It's been a major roller coaster of emotion."

"We called," she added. "We got to talk on the phone. He sent me a photo, and we sent him photos too. But it's all very different face-to-face."

Alex was playing with other kids. When asked if he wanted to talk about his experiences, he just shook his head. He's shy, his family said.

Every family member was affected differently by the events, Quinto said.

"For me, it was a fight to find a donor," Quinto said. "You got to fix what's broken. But you can't fix it if the doctors don't have what they need."

"We have a good success story," she added. "We just happened to be the lucky ones."

Begaii and his family have been enjoying the snow and getting to know Alex. They were able to bring their five children, ranging in ages 4 to 12, and several other family members for a total of nine. They all watched Monday evening as Begaii was named an honorary citizen of Juneau.

The visit has been hectic at times. But meeting Alex and his family has given Begaii a sense of peace.

"It put my heart at ease," Begaii said. "I'm glad somebody is alive today because of what I did."

• Ken Lewis can be reached at ken.lewis@juneauempire.com.

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http://www.juneauempire.com/stories/032007/loc_20070320018.shtml

HB

284

SENATE COMMITTEE REPORT

DATE: 3/14/08

FURTHER:

DATE TURNED
IN TO OFFICE: 3/26/08

Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 284(FIN)

HB 284 PFD ALLOWABLE ABSENCE: FELLOWSHIPS

"An Act relating to participation in certain student fellowships as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
RW	1/21/08	✓		✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Elta	✓			
	Thomas	✓			
	Cowbart	✓			
	Lyser			✓	
CHAIR:	DAVIS	✓			

AMENDMENT

OFFERED IN THE SENATE

TO: CSHB 284(FIN)

BY SENATOR ELTON

1 Page 1, line 1:

2 Delete "as an allowable absence"

3 Insert "and AmeriCorps programs as allowable absences"

4

5 Page 2, line 25:

6 Delete "[OR] (16) or (17)"

7 Insert "or (16) - (18) [16]"

8

9 Page 3, line 2, following "(17)":

10 Insert "serving as a volunteer under the National and Community Service Trust

11 Act of 1993 (AmeriCorps):

12 (18)"

13

14 Page 3, line 6:

15 Delete "(4) - (16)"

16 Insert "(4) - (17)"

17

18 Page 3, line 9:

19 Delete "(4) - (16)"

20 Insert "(4) - (17)"

21

22 Page 3, line 12:

23 Delete "(1) - (16)"



- 1 **Insert "(1) - (17)"**
- 2
- 3 **Page 3, line 13:**
- 4 **Delete "(4) - (16)"**
- 5 **Insert "(4) - (17)"**
- 6
- 7 **Page 3, line 15:**
- 8 **Delete "(a)(1) - (16)"**
- 9 **Insert "(a)(1) - (17)"**
- 10
- 11 **Page 3, line 22:**
- 12 **Delete "amendment"**
- 13 **Insert "amendments"**

To the Members of the Alaska Legislature,

As a former Fulbright Scholar to Italy (Politecnico di Milano, Milan, Italy, 10/2004 - 07/2005), I fully support House Bill 284 which would modify the language of the current Permanent Fund Dividend statutes to include the Fulbright Scholarship as an acceptable educational absence. The Fulbright Scholarship is a federally awarded scholarship from the US Department of State in partnership with countries around the world to foster understanding and learning. It is an extremely valuable academic experience for those fortunate enough to earn its honours, and is unparalleled in its breadth of influence both culturally and academically. By its nature it has allowed students from around the world to study within the US, and possibly more importantly, for United States citizens to perform academic research in the arts and sciences around the world. It acts to promote learning and understanding, and Alaskans who have worked hard enough to act as a Fulbright "cultural attaché" and scholar representing Alaska and the United States should not be penalized by the state for their absence, but rather have it recognized for what it is.

I personally am not a proponent of the Permanent Fund Dividend, nor retroactive amendments. However, in this case I believe that the clear intent of the original statute shows support for scholars such as Fulbrighters, and as the initial wording failed to specifically highlight its support, such scholars should be awarded where literal interpretation of the regulations failed to do justice. Furthermore, as many legislators are concerned about the return of students who travel outside the state for their education, I would like to offer that this is one incentive by which the state could encourage the return of such people. In my own case, I know that although I have not received a dividend since the 2005 award, I have continued to show my intent to return to Alaska through investment in a house in Anchorage and maintaining the majority of my personal belongings there, staying active in Alaska politics, and continuing to pay the additional fees for out-of-state tuition in my current graduate work at the University of California San Diego, so that I may continue to be who I am – an Alaskan.

Thank you for your consideration of House Bill 284, and I thank you for your support,

Sincerely,

Robb M. Kulin
Ph.D. Candidate
Materials Science & Engineering
University of California, San Diego

My name is Demian Schane, and I live at 836 Calhoun Avenue in Juneau, Alaska. Thank you for the opportunity to submit testimony. I make this statement as an individual and on my own behalf.

I applaud the efforts of Representative Hawker and urge all legislators to support HB 284. I would like to echo Representative Hawker's sentiment that HB 284 does not add a new excusable allowance to the existing list. Rather, it restores the Legislature's original intent to support residents who leave the State for educational purposes and who plan to return to the State and enter the work force upon completion of their education. That is precisely what I and several other Alaskans have done, and it makes sense to encourage those activities.

It is my understanding that, based on an interpretation by the PFD Division, the current PFD statute precludes Alaskans who receive U.S. sponsored fellowships to study outside of the U.S. from retaining their residency for purposes of PFD eligibility. Every year, a handful of Alaskans are offered such fellowship opportunities. In my case, I spent 10 months in Iceland on a U.S. Fulbright grant studying the European Union's mechanisms for regulating fish escapes from farm fishing operations. I designed the project specifically because Iceland and Alaska are in a similar situation – they both support and depend on commercial fisheries for their economies and are concerned about the growth and expansion of aquaculture operations. The EU has substantial experience in studying the effects of aquaculture, and I figured it would be a great opportunity to learn more in that area and import home that learning.

The Fulbright Program is funded through the U.S. Department of State and it promotes a cultural and educational exchange program in numerous foreign countries. The grantees can enroll in a foreign university or conduct research independently under the auspices of a university or professional organization. U.S. sponsored fellowships such as the U.S. Fulbright Program are professionally and personally rewarding. I hope that the Legislature recognizes and supports its fellow Alaskans' efforts to pursue such opportunities by allowing them to do so without losing their residential status and eligibility for a PFD disbursement.

Finally, since HB 284 seeks to restore the Legislature's original support, I believe it makes sense to make it retroactive. I understand that the result of doing so would have extremely small, if not zero, consequences on the Department of Revenue since the PFD Division withholds a certain amount of money to cover situations similar to this one.

Thank you for your time and consideration.

Representative Mike Hawker

Alaska State Legislature



House Bill 284

Sponsor Statement

Session

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Member

House Finance Committee
Legislative Budget
& Audit Committee

House District 32:

Eagle River
Anchorage
Rainbow
Indian
Bird
Girdwood
Portage
Whittier
Sunrise
Hope

Short Title: PFD Allowable Absence: Fellowships

HB 284 corrects an inequity in our statutes regarding allowable absences for Permanent Fund Dividends. Current law provides for an allowable absence for students who are "receiving vocational, professional, or other specific education on a full-time basis for which, as determined by the Alaska Commission on Postsecondary Education, a comparable program is not reasonably available in the state." For some reason, the above statutory language has been interpreted by regulation to exclude students who are participating in an international educational exchange under a U.S. Fulbright Scholarship.

The Fulbright Scholar Program, which was signed into law by President Truman in 1946, is sponsored by the United States Department of State, Bureau of Educational and Cultural Affairs. Every year, the program sends 800 scholars and professionals, chosen for their academic merit and leadership potential, to more than 150 countries, where they lecture or conduct research in a wide variety of fields.

Those chosen for the Fulbright program represent Alaska and the United States in foreign countries all over the world. Grants are typically for three months to one year. I encourage you to support this bill and correct this inequality in our current law.

Representative Mike Hawker

Alaska State Legislature



Secretary

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To: Senator Bettye Davis
Chair, Senate Health, Education and Social Services Committee

From: Representative Mike Hawker

A handwritten signature in black ink, appearing to read "Mike", written over the printed name "Mike Hawker".

Date: March 17, 2008

Re: House Bill 284

I request that House Bill 284, which would add the Fulbright Scholar Program to the list of allowable absences for Permanent Fund Dividends, be scheduled for a hearing in the Senate Health, Education and Social Services Committee at your earliest convenience.

The Fulbright is the largest U.S. international exchange program, allowing students, scholars and professionals to pursue graduate study, advanced research and teaching opportunities abroad. Scholars are sponsored by the United States Department of State's Bureau of Educational and Cultural Affairs and represent our state and country in more than 140 foreign countries.

Attached you will find the current bill text, fiscal note, sponsor statement, background materials and written testimony. I would like to request an off-net teleconference for Robb Kulin, a graduate student at University of California, San Diego and former Fulbright Scholar, to testify.

Please feel free to contact me, or my legislative aide, Juli Lucky, if you need any additional information.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 284
 (H) Publish Date: 1/24/08

Identifier (file name): HB284-DOR-PFD-1-21-08
 Title: PFD Allowable Absence: Fellowships
 Sponsor: Reps. Hawker, Kerttula
 Requester: House State Affairs
 Dept. Affected: Revenue
 RJU: Permanent Fund Dividend Division
 Component: Permanent Fund Dividend Division
 Component Number: 981

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1050 PFD Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	0.0	0.00	0	0	0	0	0
Part-time		0					
Temporary		0					

ANALYSIS: (Attach a separate page if necessary)

PFD already has an education type absence category, and would incorporate this proposed absence reason into the current educational category, within its forms and databases. The financial effect to the operating expenses of the PFD program are anticipated to be minimal.

Prepared by: Amy Skow, Division Manager
 Division: Permanent Fund Dividend Division
 Approved by: Jerry Burnett
Department of Revenue

Phone 907 465-4784
 Date/Time 1/18/08 4:35 PM
 Date 1/21/2008

Representative Mike Hawker

Alaska State Legislature



House Bill 284

Sponsor Statement

Session:

State Capitol
Juneau, AK 99801
907 465-4949 direct
800 478-4950 toll free
907 465-4979 fax

Interim:

716 W 4th Avenue
Anchorage, AK 99501
907 269-0244 office
907 269-0248 fax

Member:

House Finance Committee
Legislative Budget
& Audit Committee

House District 32:

Eagle River
Anchorage
Rainbow
Indian
Bird
Girdwood
Portage
Whittier
Sunrise
Hope

Short Title: PFD Allowable Absence: Fellowships

HB 284 corrects an inequity in our statutes regarding allowable absences for Permanent Fund Dividends. Current law provides for an allowable absence for students who are "receiving vocational, professional, or other specific education on a full-time basis for which, as determined by the Alaska Commission on Postsecondary Education, a comparable program is not reasonably available in the state." For some reason, the above statutory language has been interpreted by regulation to exclude students who are participating in an international educational exchange under a U.S. Fulbright Scholarship.

The Fulbright Scholar Program, which was signed into law by President Truman in 1946, is sponsored by the United States Department of State, Bureau of Educational and Cultural Affairs. Every year, the program sends 800 scholars and professionals, chosen for their academic merit and leadership potential, to more than 150 countries, where they lecture or conduct research in a wide variety of fields.

Those chosen for the Fulbright program represent Alaska and the United States in foreign countries all over the world. Grants are typically for three months to one year. I encourage you to support this bill and correct this inequality in our current law.

ABOUT - PROGRAM HISTORY

Page location: http://us.fulbrightonline.org/about_programhistory.html

"The Fulbright Program aims to bring a little more knowledge, a little more reason, and a little more compassion into world affairs, and thereby to increase the chance that nations will learn at last to live in peace and friendship." - J. William Fulbright

In 1945, **Senator J. William Fulbright** introduced a bill in the United States Congress that called for the use of proceeds from the sale of surplus war property to fund the "promotion of international good will through the exchange of students in the fields of education, culture, and science."

On August 1, 1946, President **Harry S. Truman** signed the bill into law, and Congress created the Fulbright Program.

The J. William Fulbright Foreign Scholarship Board (FSB) was created by Congress to supervise the Fulbright Program. This 12-member Board, appointed by the President of the United States, works in cooperation with the Bureau of Educational and Cultural Affairs of the U.S. Department of State, binational Fulbright Commissions and Foundations, and Public Affairs Sections of U.S. Embassies abroad, to administer the Program. The FSB sets policies and procedures for administration of the Fulbright Program, has final authority for selection of all grantees, and supervises the conduct of the program both in the United States and abroad. [Click here for a complete list of current FSB members.](#)

The primary source of funding for the Fulbright Program is an annual appropriation from Congress to the Department of State. Participating governments and host institutions in foreign countries, and in the United States, also contribute financially through cost-sharing and indirect support, e.g., through salary supplements, tuition waivers, and university housing.

The Fulbright U.S. Student Program is now the largest U.S. exchange program offering opportunities for students and young professionals to undertake international graduate study, advanced research, university teaching, and teaching in elementary and secondary schools worldwide. The U.S. Student Program currently awards approximately 1,300 grants annually in all fields of study, and operates in more than 140 countries worldwide.

Since the establishment of the Program, more than 45,000 students from the United States and 148,000 students from other countries have benefited from the Fulbright experience.

The Fulbright Program has provided more than 250,000 participants, chosen for their leadership potential, with the opportunity to observe each others' political, economic and cultural institutions, exchange ideas, and embark on joint ventures of importance to the general welfare of the world's inhabitants.

U.S. Fulbright Student alumni populate an entire range of professions and include heads of state, cabinet ministers, ambassadors, Members of Congress, judges, heads of corporations, university presidents, journalist, artists, professors, and teachers. Actor **John Lithgow**, composer **Philip Glass**, opera singer **Renee Fleming** and economist **Joseph Stiglitz** are among notable former grantees.

- From its inception, the Fulbright Program has fostered bilateral relationships in which other countries and governments work with the U.S to set joint priorities and shape the Program to meet shared needs. The world has been transformed in ensuing decades, but the fundamental principle of international partnership remains at the core of the Fulbright mission.



President Harry S. Truman signs the Fulbright Act into law. 1946.



President John F. Kennedy signs the Fulbright-Hays Act into law, 1961.

ABOUT - U.S. DEPARTMENT OF STATE

Page location: http://us.fulbrightonline.org/about_us.html

The United States Department of State's Bureau of Educational and Cultural Affairs (ECA) sponsors the Fulbright Program under policy guidelines established by the J. William Fulbright Foreign Scholarship Board (FSB) and in cooperation with binational Fulbright Commissions/Foundations and Public Affairs Sections of U.S. Embassies abroad.

As the administrative and executive arm of the Fulbright Program, the Bureau has fiscal responsibility for the preparation of an annual budget request to Congress and makes decisions on funding allocations to participating countries. Under policies established by the J. William Fulbright Foreign Scholarship Board, ECA also holds primary responsibility for the administration of the Program, together with the assistance of cooperating non-profit organizations. The Bureau's contribution to the Fulbright Program in 2006 amounted to \$184.6 million.

Within a U.S. Embassy abroad (the **Post**), exchange-program activities are the responsibility of a **Public Affairs Officer (PAO)** or a **Cultural Affairs Officer (CAO)**. At least one of these officers is a member of the local **Binational Commission** and maintains liaison with the Commission on policy and program matters on behalf of the Bureau. In countries without a Commission, the PAO or CAO administers the educational exchange program.

HTTP://US.FULBRIGHTONLINE.ORG/THINKING_ELIGIBILITY.HTML

Page location: http://us.fulbrightonline.org/about_programdesign.html

THE U.S. STUDENT PROGRAM:

- Awards grants to U.S. citizens in all fields of study
- Operates in more than 140 countries worldwide
- Awards more than 1,400 grants to U.S. students to study overseas
- Offers one academic year of study, research, or teaching assistantship experience
- Projects may include university course work, independent library or field research, or professional training in the arts.
- Preference will be given to candidates who have not had extensive recent experience abroad (excluding recent undergraduate study abroad), especially in the country of applications

THE U.S. STUDENT PROGRAM IS DESIGNED FOR:

- Recent BA/BS graduates,
- Master's, and doctoral candidates
- Young professionals, including writers, journalists, and those in law, business, and other professional fields
- Artists and musicians

To the Members of the Alaska Legislature,

As a former Fulbright Scholar to Italy (Politecnico di Milano, Milan, Italy, 10/2004 - 07/2005), I fully support House Bill 284 which would modify the language of the current Permanent Fund Dividend statutes to include the Fulbright Scholarship as an acceptable educational absence. The Fulbright Scholarship is a federally awarded scholarship from the US Department of State in partnership with countries around the world to foster understanding and learning. It is an extremely valuable academic experience for those fortunate enough to earn its honours, and is unparalleled in its breadth of influence both culturally and academically. By its nature it has allowed students from around the world to study within the US, and possibly more importantly, for United States citizens to perform academic research in the arts and sciences around the world. It acts to promote learning and understanding, and Alaskans who have worked hard enough to act as a Fulbright "cultural attaché" and scholar representing Alaska and the United States should not be penalized by the state for their absence, but rather have it recognized for what it is.

I personally am not a proponent of the Permanent Fund Dividend, nor retroactive amendments. However, in this case I believe that the clear intent of the original statute shows support for scholars such as Fulbrighters, and as the initial wording failed to specifically highlight its support, such scholars should be awarded where literal interpretation of the regulations failed to do justice. Furthermore, as many legislators are concerned about the return of students who travel outside the state for their education, I would like to offer that this is one incentive by which the state could encourage the return of such people. In my own case, I know that although I have not received a dividend since the 2005 award, I have continued to show my intent to return to Alaska through investment in a house in Anchorage and maintaining the majority of my personal belongings there, staying active in Alaska politics, and continuing to pay the additional fees for out-of-state tuition in my current graduate work at the University of California San Diego, so that I may continue to be who I am – an Alaskan.

Thank you for your consideration of House Bill 284, and I thank you for your support,

Sincerely,

Robb M. Kulin
Ph.D. Candidate
Materials Science & Engineering
University of California, San Diego

My name is Demian Schane, and I live at 836 Calhoun Avenue in Juneau, Alaska. Thank you for the opportunity to submit testimony. I make this statement as an individual and on my own behalf.

I applaud the efforts of Representative Hawker and urge all legislators to support HB 284. I would like to echo Representative Hawker's sentiment that HB 284 does not add a new excusable allowance to the existing list. Rather, it restores the Legislature's original intent to support residents who leave the State for educational purposes and who plan to return to the State and enter the work force upon completion of their education. That is precisely what I and several other Alaskans have done, and it makes sense to encourage those activities.

It is my understanding that, based on an interpretation by the PFD Division, the current PFD statute precludes Alaskans who receive U.S. sponsored fellowships to study outside of the U.S. from retaining their residency for purposes of PFD eligibility. Every year, a handful of Alaskans are offered such fellowship opportunities. In my case, I spent 10 months in Iceland on a U.S. Fulbright grant studying the European Union's mechanisms for regulating fish escapes from farm fishing operations. I designed the project specifically because Iceland and Alaska are in a similar situation - they both support and depend on commercial fisheries for their economies and are concerned about the growth and expansion of aquaculture operations. The EU has substantial experience in studying the effects of aquaculture, and I figured it would be a great opportunity to learn more in that area and import home that learning.

The Fulbright Program is funded through the U.S. Department of State and it promotes a cultural and educational exchange program in numerous foreign countries. The grantees can enroll in a foreign university or conduct research independently under the auspices of a university or professional organization. U.S. sponsored fellowships such as the U.S. Fulbright Program are professionally and personally rewarding. I hope that the Legislature recognizes and supports its fellow Alaskans' efforts to pursue such opportunities by allowing them to do so without losing their residential status and eligibility for a PFD disbursement.

Finally, since HB 284 seeks to restore the Legislature's original support, I believe it makes sense to make it retroactive. I understand that the result of doing so would have extremely small, if not zero, consequences on the Department of Revenue since the PFD Division withholds a certain amount of money to cover situations similar to this one.

Thank you for your time and consideration.

ABOUT - FULBRIGHT

Page location: <http://us.fulbrightonline.org/about.html>

"Fostering leadership, learning and empathy between cultures was and remains the purpose of the international scholarship program." – Senator J. William Fulbright

THE FULBRIGHT PROGRAM:

- Is sponsored by the U.S. Department of State.
- Is the largest U.S. international exchange program offering opportunities for students, scholars, and professionals to undertake international graduate study, advanced research, university teaching, and teaching in elementary and secondary schools worldwide.
- Was established in 1946 by the U.S. Congress to "enable the government of the United States to increase mutual understanding between the people of the United States and the people of other countries."
- Awarded approximately six thousand grants in 2006, at a cost of more than \$235 million, to U.S. students, teachers, professionals, and scholars to study, teach, lecture, and conduct research in more than 150 countries, and to their foreign counterparts to engage in similar activities in the United States.
- Receives its primary source of funding through an annual appropriation from Congress to the Department of State. Participating governments and host institutions in foreign countries, and in the United States, also contribute financially through cost-sharing and indirect support, e.g., through salary supplements, tuition waivers, and university housing.



J. William Fulbright

In This Section

Program History

The origins and development of the Fulbright Program, outlining its mission and vision.

U.S. Department of State

The role of the U.S. Department of State in the Fulbright Program.

Program Design

The U.S. Student Program

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 284
 (H) Publish Date: 1/24/08

Identifier (file name): HB284-DOR-PFD-1-21-08

Dept. Affected: Revenue
 RDU: Permanent Fund Dividend Division
 Component: Permanent Fund Dividend Division

Title: PFD Allowable Absence: Fellowships

Sponsor: Reps. Hawker, Kerttula

Requester: House State Affairs

Component Number: 981

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1050 PFD Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	0.0	0.00	0	0	0	0	0
Part-time		0					
Temporary		0					

ANALYSIS: (Attach a separate page if necessary)

PFD already has an education type absence category, and would incorporate this proposed absence reason into the current educational category, within its forms and databases. The financial effect to the operating expenses of the PFD program are anticipated to be minimal.

Prepared by: Amy Skow, Division Manager
 Division: Permanent Fund Dividend Division
 Approved by: Jerry Burnett
Department of Revenue

Phone 907 465-4784
 Date/Time 1/18/08 4:35 PM
 Date 1/21/2008

AMENDMENT

OFFERED IN THE SENATE

TO: CSHB 284(FIN)

1 Page 1, line 1:

2 Delete "as an allowable absence"

3 Insert "and AmeriCorps programs as allowable absences"

4

5 Page 2, line 25:

6 Delete "[OR] (16) or (17)"

7 Insert "or (16) - (18) [16]"

8

9 Page 3, line 2, following "(17)":

10 Insert "serving as a volunteer under the National and Community Service Trust
11 Act of 1993 (AmeriCorps);

12 (18)"

full time

13

14 Page 3, line 6:

15 Delete "(4) - (16)"

16 Insert "(4) - (17)"

17

18 Page 3, line 9:

19 Delete "(4) - (16)"

20 Insert "(4) - (17)"

21

22 Page 3, line 12:

23 Delete "(1) - (16)"

- 1 Insert "(1) - (17)"
- 2
- 3 Page 3, line 13:
- 4 Delete "(4) - (16)"
- 5 Insert "(4) - (17)"
- 6
- 7 Page 3, line 15:
- 8 Delete "(a)(1) - (16)"
- 9 Insert "(a)(1) - (17)"
- 10
- 11 Page 3, line 22:
- 12 Delete "amendment"
- 13 Insert "amendments"

HB

319

SENATE COMMITTEE REPORT

DATE: 3/21/08

FURTHER:

DATE TURNED
IN TO OFFICE: 4/4/08

Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 319(L&C)

HB 319 DENTISTS & DENTAL ASSISTANTS

"An Act relating to the practice of dentistry, to dental assistants, and to dental hygienists."

and recommends:

- be replaced with SCS or CS HB 319 (HES)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indef.	Zero	FN#
CEO	4/4		✓		

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indef.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Joe Thomas</i>	Thomas	✓			
<i>Phil Couders</i>	Couders	✓			
<i>Fred Dyson</i>	Dyson	✓			
CHAIR: <i>Betty Davis</i>	DAVIS	✓			

25-LS1281\T
Bullard
3/31/08

SENATE CS FOR CS FOR HOUSE BILL NO. 319(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES RAMRAS, Thomas, Salmon, Buch

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the practice of dentistry, to dental assistants, and to dental**
2 **hygienists."**

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

4 *** Section 1. AS 08.32 is amended by adding a new section to read:**

5 **Sec. 08.32.085. Restorative function license endorsement.** (a) The board
6 shall issue a restorative function endorsement to a dental hygienist who is licensed
7 under this chapter if the licensee furnishes evidence satisfactory to the board that the
8 licensee has

9 (1) successfully completed a program accredited by the Commission
10 on Dental Accreditation of the American Dental Association or other course of
11 instruction approved by the board; and

12 (2) passed the Western Regional Examining Board's restorative
13 examination or other equivalent examination approved by the board within the five
14 years preceding the licensee's endorsement application, or the licensee is licensed in

1 another state or United States territory to perform restorative functions.

2 (b) An endorsement issued under this section authorizes a licensed dental
3 hygienist under the direct supervision of a licensed dentist to place restorations into a
4 cavity prepared by the licensed dentist and thereafter carve, contour, and adjust
5 contacts and occlusion of the restoration.

6 (c) The board may by regulation establish renewal and continuing education
7 requirements for an endorsement under this section.

8 * **Sec. 2.** AS 08.32.110(a) is amended to read:

9 (a) The role of the dental hygienist is to assist members of the dental
10 profession in providing oral health care to the public. A person licensed to practice the
11 profession of dental hygiene in the state may

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

15 (2) apply topical preventive agents;

16 (3) apply pit and fissure sealants;

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

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

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

23 * **Sec. 3.** AS 08.32.110 is amended by adding a new subsection to read:

24 (e) This section does not prohibit a dental hygienist

25 (1) with an endorsement issued under AS 08.32.085 from performing
26 the activities authorized under AS 08.32.085; or

27 (2) who has entered into a collaborative agreement approved by the
28 board under AS 08.32.115 from performing the activities authorized under the
29 collaborative agreement.

30 * **Sec. 4.** AS 08.32 is amended by adding a new section to read:

31 **Sec. 08.32.115. Collaborative agreements.** (a) If the collaborative agreement

1 is approved by the board under (d) of this section, a dental hygienist with a minimum
2 of 4,000 documented hours of clinical experience within the five years preceding
3 application for the board's approval may enter into a collaborative agreement with a
4 dentist licensed under AS 08.36 in which the licensed dentist authorizes the dental
5 hygienist to perform one or more of the following:

- 6 (1) oral health promotion and disease prevention education;
- 7 (2) removal of calcareous deposits, accretions, and stains from the
8 surfaces of teeth;
- 9 (3) application of topical preventive or prophylactic agents, including
10 fluoride varnishes and pit and fissure sealants;
- 11 (4) polishing and smoothing restorations;
- 12 (5) removal of marginal overhangs;
- 13 (6) preliminary charting and triage;
- 14 (7) radiographs;
- 15 (8) use of local periodontal therapeutic agents; and
- 16 (9) performance of nonsurgical periodontal therapy, with or without
17 the administration of local anesthesia, subsequent to a licensed dentist's authorization
18 or diagnosis as specified in the licensed hygienist's collaborative agreement.

19 (b) The services described in (a) of this section may be performed under a
20 collaborative agreement approved by the board

- 21 (1) without the presence of the licensed dentist;
- 22 (2) in a setting other than the usual place of practice of the licensed
23 dentist; and
- 24 (3) without the dentist's diagnosis and treatment plan unless otherwise
25 specified in the collaborative agreement or in (a) of this section.

26 (c) The board shall adopt regulations regarding approval of collaborative
27 agreements between licensed dental hygienists and licensed dentists.

28 (d) The board may approve a collaborative agreement between a licensed
29 dentist and a dental hygienist. However, the board may not approve more than five
30 collaborative agreements with a licensed dentist, not including any collaborative
31 agreements that have been terminated. A dental hygienist shall notify the board of the

1 termination of a collaborative agreement with a licensed dentist.

2 * Sec. 5. AS 08.32.140 is amended to read:

3 Sec. 08.32.140. **Supervision required.** A dental hygienist, other than a
4 dental hygienist practicing according to a collaborative agreement approved
5 under AS 08.32.115, may not practice except under the general supervision of a
6 licensed dentist or, if required by regulations adopted under AS 08.32.110(b), the
7 direct or indirect supervision of a licensed dentist.

8 * Sec. 6. AS 08.36 is amended by adding new sections to read:

9 **Article 3A. Dental Assistants.**

10 Sec. 08.36.342. **Coronal polishing certificate.** (a) The board shall issue a
11 coronal polishing certificate to a dental assistant if the dental assistant furnishes
12 evidence satisfactory to the board that the dental assistant has completed a program of
13 instruction approved by the board.

14 (b) A certificate issued under (a) of this section authorizes a dental assistant
15 under the direct supervision of a dentist licensed in the state to perform coronal
16 polishing on teeth without calculus.

17 (c) The board may by regulation establish fees, renewal, and continuing
18 education requirements for a certificate issued under this section.

19 Sec. 08.36.344. **Restorative function certificate.** (a) The board shall issue a
20 restorative function certificate to a dental assistant if the dental assistant furnishes
21 evidence satisfactory to the board that the dental assistant has

22 (1) successfully completed a program accredited by the Commission
23 on Dental Accreditation of the American Dental Association or other course of
24 instruction approved by the board; and

25 (2) passed the Western Regional Examining Board's restorative
26 examination or other equivalent examination approved by the board within the five
27 years preceding the dental assistant's certificate application, or the dental assistant has
28 legal authorization from another state or jurisdiction to perform restorative functions.

29 (b) A certificate issued under this section authorizes a dental assistant under
30 the direct supervision of a licensed dentist to place restorations into a cavity prepared
31 by the licensed dentist and thereafter carve, contour, and adjust contacts and occlusion

1 of the restoration.

2 (c) The board may by regulation establish fees, renewal, and continuing
3 education requirements for a certificate under this section.

4 **Sec. 08.36.346. Delegation to dental assistants.** (a) Except as otherwise
5 provided in this chapter, a dentist licensed in this state may delegate to a dental
6 assistant under indirect supervision

7 (1) the exposure and development of radiographs;

8 (2) application of topical preventive agents or pit and fissure sealants;

9 and

10 (3) other dental operations and services except

11 (A) those that may be performed by a dental hygienist under
12 AS 08.32.110(a); and

13 (B) those that may not be delegated to a dental hygienist under
14 AS 08.32.110(c).

15 (b) A dentist licensed in this state may delegate to a dental assistant under
16 direct supervision

17 (1) coronal polishing on teeth without calculus, if the dental assistant is
18 certified under AS 08.36.342;

19 (2) the placement of a restoration into a cavity prepared by a dentist
20 licensed under this chapter and the subsequent carving, contouring, and adjustment of
21 the contacts and occlusion of the restoration, if the dental assistant is certified under
22 AS 08.36.344; and

23 (3) other dental operations and services as defined and regulated by the
24 board; however, a dentist may not delegate to a dental assistant a dental operation or
25 service that requires the professional skill of a licensed dentist or licensed dental
26 hygienist, including those dental operations and services specified in AS 08.32.110(c).

27 **Sec. 08.36.349. Definitions.** In AS 08.36.342 - 08.36.349,

28 (1) "direct supervision" means a dentist licensed in this state is in the
29 dental office, personally diagnoses the condition to be treated, personally authorizes
30 the procedure, and, before dismissal of the patient, evaluates the performance of the
31 dental assistant;

- 1 (2) "indirect supervision" means a dentist licensed in this state is in the
- 2 dental office, authorizes the procedures, and remains in the dental office while the
- 3 procedures are being performed by the dental assistant.
- 4 * Sec. 7. AS 08.36.370 is amended by adding new paragraphs to read:
- 5 (4) "calculus" means a hardened deposit of mineralized plaque;
- 6 (5) "coronal polishing" means the removal of supragingival plaque and
- 7 stains;
- 8 (6) "dental assistant" means a person employed to provide clinical
- 9 assistance to a dentist licensed in the state.
- 10 * Sec. 8. AS 08.32.110(d) is repealed.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 319(L&C)
 () Publish Date: _____

Identifier (file name): HB319CS(L&C)-CED-OL-03-31-07 Dept. Affected: Commerce
 Title: Dentists & Dental Assistants RDU: Corp. Bus & Prof Licensing (117)
 Component: Corp. Bus & Prof Licensing
 Sponsor: Ramras, Thomas, Salmon, Buch
 Requester: Senate HES Component Number: 2380

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING		0.0					

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES (117)		0.0					
-----------------------------------	--	-----	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1156 Interagency Receipts	*	0.0	*	*	*	*	*
TOTAL	*	0.0	*	*	*	*	*

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation amends AS 08.36 Dentistry revising the delegation of duties to a dental assistant under direct supervision and requires the board to issue certain certificates to dental assistants. Dental Assistants are not currently licensed under the program. The number of people who would seek certifications and the costs of the certification program is unknown at this time.

Occupational licensing programs are required to cover operating costs with licensing fees under AS 08.01.065; revenue generated by fees covers the full operating costs.

Prepared by: Chris Wyatt, Administrative Officer
 Division: Corporations, Business, and Professional Licensing
 Approved by: Emil R. Notti, Commissioner
Commerce, Community, and Economic Development

Phone (907) 465-2572
 Date/Time 3/31/08 11:57 AM
 Date 3/28/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 319(L&C)
 () Publish Date: _____

Identifier (file name): HB319CS(L&C)-CED-OL-03-31-07 Dept. Affected: Commerce
 Title: Dentists & Dental Assistants RDU: Corp. Bus & Prof Licensing (117)
 Component: Corp. Bus & Prof Licensing
 Sponsor: Ramras, Thomas, Salmon, Buch
 Requester: Senate HES Component Number: 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING		0.0					

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES (117)		0.0					
-----------------------------------	--	-----	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1156 Interagency Receipts		0.0					
TOTAL		0.0					

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation amends AS 08.36 Dentistry revising the delegation of duties to a dental assistant under direct supervision and requires the board to issue certain certificates to dental assistants. Dental Assistants are not currently licensed under the program. The number of people who would seek certifications and the costs of the certification program is unknown at this time.

Occupational licensing programs are required to cover operating costs with licensing fees under AS 08.01.065; revenue generated by fees covers the full operating costs.

Prepared by: Chris Wyatt, Administrative Officer
 Division: Corporations, Business, and Professional Licensing
 Approved by: Emil R. Notti, Commissioner
Commerce, Community, and Economic Development

Phone (907) 465-2572
 Date/Time 3/31/08 11:57 AM
 Date 3/28/2008

Sectional HB 319- An Act relating to the practice of dentistry, to dental assistants, and to dental hygienists."

(Version 25-LS1281\T)

Section 1 authorizes the Board of Dental Examiners to issue a restorative function endorsement to a licensed dental hygienist if the hygienist has successfully completed an accredited program and has passed the required restorative function examination(s).

A restorative function endorsement will allow a licensed dental hygienist to place restorations, i.e. fillings, into a cavity prepared by a licensed dentist and thereafter carve, contour and adjust contacts and occlusion of the restoration under the direct supervision of a licensed dentist.

Section 2 authorizes a licensed dental hygienist to administer local anesthetic agents under the general supervision of a licensed dentist.

Local anesthesia renders a small part of the body, such as a tooth, insensitive to pain without affecting consciousness. Licensed dental hygienists in the state who are certified by the Board have been administering local anesthesia under "direct" or "indirect" supervision of a licensed dentist since 1981. Adding "general" supervision would allow a licensed, Board-certified dental hygienist to administer local anesthetic agents without the requirement for a licensed dentist being present in the dental facility.

Section 3 includes under dental hygienists' scope of practice the ability to place restorations (section 1) and perform the activities authorized under a collaborative agreement with a licensed dentist (section 4).

Section 4 authorizes the Board to approve a collaborative agreement between a licensed dentist and a licensed dental hygienist and specifies the services and procedures allowed under a collaborative agreement.

Working under a collaborative agreement with a licensed dentist, a dental hygienist would be able to initiate treatment within their scope of practice based on his or her assessment of a patient's needs without the specific authorization of a dentist.

Section 5 applies supervision requirements to a dental hygienist operating in conjunction with a licensed dentist under a collaborative agreement.

* **Section 6.** Adds a new section to AS 08.36 defining dental assistants.

Sec. 08.36.342 Describes the coronal polishing certificate.

Sec. 08.36.344 Describes the restorative function certificate.

Sec. 08.36.346 Describes delegated duties to a dental assistant.

Sec. 08.36.349 Defines "direct" and "indirect" supervision.

* **Section 7.** AS 08.36.370 Adds the definitions "calculus", "coronal polishing", and "dental assistant".

* **Section 8.** Repeals AS 08.32.110(d).

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

Representative Jay Ramras
Chair, House Judiciary
House Labor & Commerce
House Oil & Gas
House Military & Veteran
Affairs

1292 Sadler Way, Suite 324
Fairbanks, Alaska 99701
Phone: (907) 452-1088
Fax: (907) 452-1146

Alaska State Legislature



While in Session
State Capitol, Room 118
Juneau, Alaska 99801-1182
(907) 465-3004
Fax: 465-2070
Toll Free: (877) 465-3004

House District 10

House of Representatives

Memo

To: Senator Bettye Davis
Chair Senate Health, Education and Social Services Committee

From: Representative Jay Ramras

Date: March 25, 2008

Subject: HB 319 AN ACT RELATING TO THE PRACTICE OF DENTISTRY AND TO DENTAL ASSISTANTS

Please consider this memorandum as a request for the Senate Health, Education and Social Services Committee to hear HB 319. Accompanying this memo are the following documents:

- Sponsor Statement
- Committee Substitute HB 319(L&C) 25-LS1281\N
- Sectional Analysis HB 319(L&C) 25-LS1281\N
- Memo regarding changes to HB 319 25-LS1281\E to 25-LS1281\N
- HB 319(HES) 25-LS1281\L with Legal Memo
- HB 319 25-LS1281\E
- Fiscal Note
- Support
- Bill History

**Chair, House Judiciary
Labor & Commerce
Oil & Gas
Military & Veteran Affairs**

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Alaska State Legislature House of Representatives



**While in Session
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Fax: (907) 465-2070
Toll Free: (877) 465-3004**

**Representative Jay Ramras
District 10**

Sponsor Statement for HB 319

“An Act relating to the supervision and duties of dental assistants by dentists, establishing a restorative function certificate and a coronal polishing certificate.”

The objective of House Bill 319 is to improve access to dental care and reduce treatment costs, by expanding the functions dental assistants are permitted to perform.

HB 319 does the following:

- Allows a **certified** dental assistant, under a dentist's direct supervision, to place “fillings” into a cavity prepared by a licensed dentist.
- Allows a **certified** dental assistant, under a dentist's direct supervision, to polish teeth that are already clean of tarter.

Oral health plays a key role in overall health. Untreated dental problems can cause pain, effect nutrition, and influence quality of life. Good dental health contributes to a healthy lifestyle and promotes good self esteem. Unfortunately, not all Alaskan's enjoy good dental health due to limitations on dental personnel, geographical barriers, fear of dental treatment, and cost of dental care.

Dental Assistants are not currently regulated by the state. HB319 will require dental assistants who perform the expanded duties of packing cavities or polishing teeth to pass a training program and exam to become certified by the Alaska Dental Board. The supervising dentist must personally authorize the procedure, examine the patient afterwards, and ensure the quality of work performed by the dental assistant.

I believe this bill will increase the efficiency of delivering dental care, while upholding the quality of that care.

Representative_Jay_Ramras@legis.state.ak.us

Alaska State Legislature

Session:

State Capitol, Room 118
Juneau, Alaska 99801-1182
Ph: (907) 465-3004
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Representative Jay Ramras House District 10

Chair, House Judiciary Committee • Member, House Labor & Commerce Committee • Member, House Oil & Gas Committee • Member, House Military & Veteran Affairs Committee

Sectional HB 319- An Act relating to the practice of dentistry and to dental assistants

(Version 25-LS1281N)

* **Section 1.** Adds a new section to AS 08.36 defining dental assistants.

Sec. 08.36.342 Describes the coronal polishing certificate.

Sec. 08.36.344 Describes the restorative function certificate.

Sec. 08.36.346 Describes delegated duties to a dental assistant.

Sec. 08.36.349 Defines "direct" and "indirect" supervision.

* **Section 2.** AS 08.36.370 Adds the definitions "calculus", "coronal polishing", and "dental assistant".

* **Section 3.** Repeals AS 08.32.110(d).

Representative Jay Ramras
Chair, House Judiciary
House Labor & Commerce
House Oil & Gas
House Military & Veteran
Affairs

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Juneau, Alaska 99801-1182
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House District 10

House of Representatives

Memo

To: Representative John Coghill
Chairman House Rules Committee

From: Representative Jay Ramras,

Date: March 4, 2008

Subject: Changes to HB 319 25-LS1281\E to CSHB 319(L&C) 25-LS1281\N

Changes to CSHB 319(HES) 25-1281\L to CSHB 319(L&C) 25-LS1281\N:

Page 3, Rows 4-6 Contained wording problems per Legal Memorandum dated February 13, 2008. Recommendations made by Legislative Legal were adopted. Restrictions on duties which may be delegated to a dental assistant by a dentist are more clearly defined by this change.

Page 3, Line 13 Deleted "facility" and inserted "office" for consistency.

Changes to HB 319 25-LS1281\E to CSHB 319(HES) 25-LS1281\L:

Deleted sections 1, 2, and 3. By defining "direct" and "indirect" supervision in this section it excluded general supervision under which dental hygienists work.

Page 3, Line 30 deleted "subgingival". Corrected a drafting error.

The language in Section AS 08.36.346 Delegation to dental assistants. More narrowly defined what duties can be delegated to dental assistants due to concerns brought forth by the Health, Education and Social Services Committee.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm 329

MEMORANDUM

February 13, 2008

SUBJECT: CSHB 319(HES) Wording Problem (Work Order No. 25-LS1281(L))

TO: Representative Peggy Wilson
Chair of House Health, Education, and Social Services Committee
Attn: Becky Rooney

FROM: Kathryn L. Kurtz *tk*
Assistant Revisor

Enclosed is the committee substitute you requested.

The language the committee inserted at page 3, lines 4 - 6 is internally inconsistent. With the change, the section provides:

(b) A dentist licensed in this state may delegate to a dental assistant under direct supervision

...

(3) other dental operations and services as defined and regulated by the board that do not require the professional skill of a licensed dentist or licensed dental hygienist, *including those dental operations and services provided in AS 08.32.110(c) and this chapter.*

(Emphasis added). AS 08.32.110 addresses the scope of practice of dental hygienists, and subsection (c) limits the tasks which may be delegated by a dentist:

(c) This section does not authorize delegation of

(1) diagnosing, treatment planning, and writing prescriptions for drugs; writing authorizations for restorative, prosthetic, or orthodontic appliances;

(2) operative or surgical procedures on hard or soft tissues except as allowed in (a)(4) of this section; or

(3) *other procedures that require the professional competence and skill of a dentist*

(Emphasis added). Obviously, this is not a list of tasks that do not require the professional skill of a licensed dentist or licensed dental hygienist, as the lead-in language

Representative Peggy Wilson
February 13, 2008
Page 2

The simplest solution to this drafting problem would be to remove the phrase "*including those dental operations and services provided in AS 08.32.110(c) and this chapter*" on page 3, l. 5 - 6. Another approach would be to clarify the language to match what the committee presumably intended, perhaps along these lines:

(b) A dentist licensed in this state may delegate to a dental assistant under direct supervision

(3) other dental operations and services as defined and regulated by the board; however, a dentist may not delegate to a dental assistant a dental operation or service that requires the professional skill of a licensed dentist or licensed dental hygienist, including those dental operations and services specified in AS 08.32.110(c).

Please alert the next committee of referral to this issue, and please call if you have questions or would like us to draft an amendment.

KLK:med
08-096.med

Enclosure

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB 319
() Publish Date: _____

Identifier (file name): HB319-OL-02-06-07 Dept. Affected: Commerce
Title: Dentists & Dental Assistants RDU: Corp. Bus & Prof Licensing (117)
Sponsor: Ramras, Thomas, Salmon Component: Corp. Bus & Prof Licensing
Requester: House HES Component Number: 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
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	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation amends AS 08.36 Dentistry to revise the grounds for discipline, suspension or revocation of licenses; and requires the board to issue certain certificates to dental assistants. This legislation is not expected to increase the board's operating expenses.

Occupational licensing programs are required to cover operating costs with licensing fees under AS 08.01.065; revenue generated by fees covers the full operating costs.

Prepared by: Chris Wyatt, Administrative Officer Phone: (907) 465-2572
Division: Corporations, Business, and Professional Licensing Date/Time: 2/6/08 5:46 PM
Approved by: Emil R. Notti, Commissioner Date: 2/6/2008
Commerce, Community, and Economic Development

EXPANDED FUNCTIONS FOR DENTAL ASSISTANTS

STATE	RESTORATIVE FUNCTION	CORONAL POLISHING
ARIZONA		COURSE AND EXAM
ARKANSAS		COURSE AND EXAM
CALIFORNIA	COURSE AND EXAM	COURSE AND EXAM, OR MAY BE TRAINED BY DENTIST
COLORADO		NO EXAM REQUIRED
FLORIDA		COURSE AND EXAM
GEORGIA		NO EXAM REQUIRED
IDAHO		BOARD CERTIFICATION
ILLINOIS		COURSE AND EXAM
KANSAS		NO EXAM REQUIRED
MAINE	BOARD CERTIFICATION	NO EXAM REQUIRED
MASSACHUSETTS		COURSE AND EXAM
MICHIGAN		COURSE AND EXAM
MINNESOTA		COURSE AND EXAM
MISSOURI	COURSE AND EXAM	COURSE AND EXAM
MONTANA	COURSE AND EXAM	COURSE AND EXAM
NEBRASKA		COURSE AND EXAM
NEVADA		NO EXAM REQUIRED
NEW JERSEY		COURSE AND EXAM
NEW MEXICO		COURSE AND EXAM
NEW YORK	COURSE AND EXAM	COURSE AND EXAM
NORTH CAROLINA		COURSE AND EXAM
NORTH DAKOTA		COURSE AND EXAM
OHIO	BOARD CERTIFICATION	BOARD CERTIFICATION
OKLAHOMA		COURSE AND EXAM
OREGON		COURSE AND EXAM
PENNSYLVANIA	COURSE AND EXAM	COURSE AND EXAM
RHODE ISLAND		COURSE AND EXAM
SOUTH CAROLINA		COURSE AND EXAM
SOUTH DAKOTA		COURSE AND EXAM
TENNESSEE	BOARD CERTIFICATION	COURSE AND EXAM
UTAH		NO EXAM REQUIRED
VERMONT	BOARD CERTIFICATION	BOARD CERTIFICATION
WASHINGTON	BOARD CERTIFICATION (2008)	NO EXAM REQUIRED
WEST VIRGINIA		COURSE AND EXAM
WISCONSIN		NO EXAM REQUIRED
WYOMING		NO EXAM REQUIRED



DAVID L. EICHLER, D.M.D.

3375 Badger Road, Suite 1
North Pole, AK 99705
Telephone: (907) 488-0978

January 16, 2008

To whom it may concern:

At the December 7, 2007 meeting of the Alaska Board of Dental Examiners, we considered the proposed change to the Dental Practice Act enabling a broader scope of practice for dental assistants as presented by the Alaska Dental Society, introduced as HB 319. After discussion by the Board we voted unanimously to support the proposal as beneficial to the citizens of the State by improving access to care while still maintaining the oversight to ensure safety and quality of care. We look forward to providing for these proposed changes and introducing this innovative way to help our profession deliver care to all Alaskans.

Sincerely

David L. Eichler DMD
President, Alaska Board of Dental Examiners



**Alaska Native
Tribal Health Consortium**

Administration 4600 Ambassador Drive Anchorage, Alaska 99508 Phone (907) 729-1900 Fax (907) 729-1301 www.anthc.org

February 5, 2008

**Representative Jay Ramras
Alaska State House
Juneau, AK 99801**

Dear Representative Ramrus:

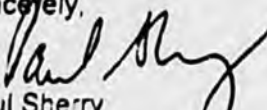
According to the U.S. Surgeon General, periodontal disease in American Indian and Alaska Native adults is 2.5 times greater than in the general U.S. population. Data from Alaska shows that 92 percent of Alaska Native adolescents have signs of early periodontal disease. In the last decade, research has demonstrated the association of periodontal disease in pregnant women with premature birth and studies are underway now to test interventions. Infant mortality is a problem in Alaska and oral health problems can only contribute to this unnecessary loss.

Virtually without exception, the studies of dental therapists in other countries and even expanded duty personnel in the U.S. show that these highly competent technicians perform fillings at the same level as their dentist supervisors. A study in Michigan showed that expanded duty personnel had one-third as many failures of dental sealants over 10 years as dentists with an overall retention rate similar to published studies. A study in Canada showed that 79 percent of pit and fissure sealants applied by dental therapists were retained for at least three years and 46 percent less caries in these teeth. Similarly studies in the U.S. showed good agreement between trained dental extenders and dentists in dental caries screening.

In the United States, dentistry is an aging profession. Of the nation's roughly 162,000 practicing dentists, 22.5 percent were ages 55-64, and 10 percent were age 65 and older in 2005. A large portion of this group is expected to retire over the next five to ten years, leaving an even greater need for other dental disciplines to be fully trained and ready to move into the workforce. The national shortage of dentists means even greater hardships for the Alaska Native people living in rural Alaska.

Given the high number of oral health disparities faced by our people, the Alaska Native Tribal Health Consortium supports the expanded function practices of Dental Hygienists and Dental Health Aide Therapists across Alaska and the United States.

Sincerely,


Paul Sherry
Chief Executive Officer

Alaska Dental Outreach Consortium

Dentists reaching out to those in need

Dr. Michale Boothe
Chugiak
President

Dr. Pete Higgins
Fairbanks
Vice President

James R. Towle
Anchorage
Secretary

Dr. Dave Eichler
North Pole
Treasurer

Dr. Dave Logan
Juneau
Director

The Honorable Peggy Wilson, Chair, &
Honorable Members
House Committee for Health Education & Social Services
State Capitol Building
Juneau, AK 99901

1 February 2008

Chairman Wilson & Honorable Members:

On behalf of the Board of Directors of the Alaska Dental Outreach Corporation (ADOC), I urge you to support the passage of House Bill 319 & Senate Bill -239 concerning the expansion of duties for certified dental assistants.

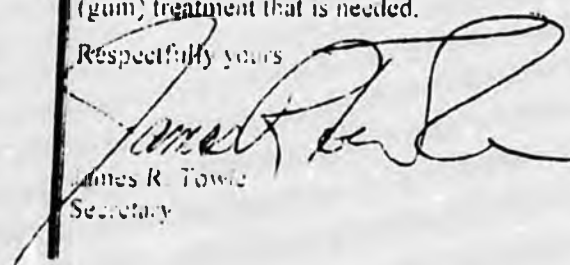
These bills would allow greater access to care in rural areas and increase the ability of dentists to deliver care under the Medicaid and Denali Kid Care system.

ADOC is a non-profit organization started by the Alaska Dental Society in 2007. It has requested IRS designation as a tax-exempt entity, and is currently awaiting a ruling prior to commencing operations. ADOC has been established to provide care in underserved rural areas of Alaska using volunteer dentists.

The adoption of HB-319/SB-239 will ensure that ADOC's volunteer dentists are able to use the expanded duty for dental assistants to significantly increase the amount of care they are able to provide compared to than would be possible under the exist statutes. Certified dental assistants placing fillings after the dentists have prepared teeth will allow our dental teams to work efficiently. One dentist working in concert with several assistants will be able to provide care to 50-75% more patients than a dentist who is not allowed to delegate the "restorative services" authorized by these bills.

Allowing certified dental assistants to perform coronal polishing is also crucial to the efficient delivery of care. Unless ADOC is able to recruit hygienists willing to accompany our volunteer dentists and provide their services without compensation or remuneration, it will be cost prohibitive for ADOC to provide basic dental hygiene services. This will severely hinder ADOC's ability to provide this most basic of preventive services. Our dentists, due to the more pressing need to restore decayed teeth, will be unable to provide little more than a minimal number of the cleanings needed in the communities we will serve. However, with the adoption of these bills, dental assistants can provide coronal polishing, under the supervision of a dentist, who after removing any calculus (tarter) and treating any sub-gingival (below the gum line) treatment deemed appropriate, can focus on providing restorative and periodontal (gum) treatment that is needed.

Respectfully yours


James R. Towle
Secretary



Alaska Dental Society, Inc.

9170 Jewel Lake Road, Suite 203
Anchorage, Alaska 99502-5390
(907) 563-3003 • FAX: 563-3009
akdental@alaska.net

The Honorable Jay Ramras
Alaska House of Representatives
State Capitol Bldg. Rm 118
Juneau, AK 99801

Dear Representative Ramras,

The Alaska Dental Society welcomes you back, for what we hope will be a productive and rewarding 2008 session of the Alaska Legislature.

This session the Alaska Dental Society (ADS) is backing legislation sponsored by Sen. Joe Thomas and Rep. Jay Ramras. These bills are one of several steps the is undertaking to increase access to dental care to rural and other Alaskans in need. A packet enclosed provides information on the Expanded Duty for Dental Assistants Bills, HB-319 and SB-239, as well as other components of a strategic plan for dealing with the shortage of dental care in Alaska.

Given the short 90 day session in 2008 we hope you will give HB-319 and SB-239 your support and urge you fellow lawmakers to take prompt attention before preparation of the FY2009 budget takes center stage.

Enclosed are complementary toothbrushes, floss for you and your staff.

Respectfully yours,

David Logan, DDS, Chairman
Legislative Committee



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Long Term Strategic Plan for Providing Care for the Underserved in Alaska

The majority of Alaskans enjoy access to excellent and affordable dental care – some of the best in the world. A segment of the Alaska's population does not have ready access to basic dental care and struggles to pay for the treatment they need; particularly if they have delayed seeking care and their condition has gotten worse and more difficult and costly to treat.

The Alaska Dental Society has developed a long term strategic plan which will increase access to care for those Alaskans most in need and with the greatest challenges to getting regular care and treatment. It will require cooperation between the Alaska Dental and the Alaska Dental Board, the Legislature, as well as the other state and federal agencies responsible for dental and health care.

The Alaska Dental Society recommends the following steps to increase access to dental care:

1. Legislation to expand the duties that can be assigned to auxiliary dental personnel. Increasing the tasks performed by hygienists and assistants will increase efficiency while lowering costs.
2. Implement a 10% tax at the wholesale level on soda pop, soft drinks that contain significant percentages of sugar and candy products. Proceeds of the tax would be directed to the general fund and used to offset key programs to improve and increase access to dental care.
3. Implementation of a state grant program for delivery of preventive care in underserved areas.
4. Institute a loan program to encourage health care providers to deliver care in underserved areas.
5. Modifications to the Medicaid system by the Department of Health and Social Services that will encourage rather than discourage dentists to participate.
6. Incentives from the state to encourage communities to fluoridate community water systems and development of a state program to provide fluoride supplementation in communities without fluoridated water.

More detailed information on the above listed programs can be found in the accompanying material

From: housemajority_email@housemajority.org
Sent: Thursday, February 07, 2008 6:09 PM
To: Rep. Jay Ramras
Subject: HB 319

From: swighs@yahoo.com

Dear Representative Ramras,

I am writing to you as a dental hygienist who loves her job and loves her patients. I worked hard for my degree and am proud of the level of training I received. I am very concerned about HB 319.

Dental Hygienists are highly trained and highly educated professionals. You Bill states that only tarter free children would be polished by assistants, why would you want someone with less hands on training and less education working on our most precious resource? We should expect the same high level care for children that we do for adults and that is with a hygienist.

Recently Dental Health Aides were allowed to practice in our rural areas and a new Dental Hygiene program was opened in Fairbanks. As more students graduate more professionals will be available to treat the needs of Rural Alaska. They will be professionals with at least 2 years of intense clinical training, which is what our states deserves.

Thank you,
Sarah Sullivan

- Sarah Sullivan
Zip Code: 99709

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DO NOT REPLY TO THIS EMAIL if you want to correspond with this author.
If suspected Spam please forward to: support@housemajority.org
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Support HB319

From: Rep. Jay Ramras
Sent: Saturday, February 23, 2008 5:03 PM
To: Patty Krueger
Subject: FW: Allied Health Funding for UAF

-----Original Message-----

From: Phyllis Pendergrast [mailto:soviev@yahoo.com]
Sent: Friday, February 22, 2008 11:19 PM
To: Rep. Jay Ramras
Subject: Allied Health Funding for UAF

Dear Jay,

Thank you for your good work and fine effort. Your support of the HB319 is appreciated.

My wife and I heard of the budget cut for the Allied Health program at UAF and wanted to give you our opinion on this action.

The new Dental Hygiene program is one that can help satisfy the demand of access to care. We need more trained professionals to meet the demands of our communities. In addition to being a sound idea for the care recipients it provides an opportunity for individuals in the small towns and villages to receive a degree and provide much needed care to their people.

The time to meet these demands is now. Any delays will only set back the already needed care.

Any help you can give would be greatly appreciated and valued.

Respectfully,

Phyllis Pendergrast DMD
Charles W. Lemke

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know-it-all with Yahoo! Mobile. Try it now.
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