

CS FOR SENATE BILL NO. 105(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 2/9/18

Referred: Finance

Sponsor(s): SENATOR WILSON

A BILL

FOR AN ACT ENTITLED

"An Act relating to the licensure of marital and family therapists; relating to professional liability insurance for marital and family therapists; relating to medical assistance for marital and family therapy services; and providing for an effective date."

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

*** Section 1.** AS 08.63.100(a) is amended to read:

(a) The board shall issue a license to practice marital and family therapy to a person who

(1) applies on a form provided by the board;

(2) pays the fee established under AS 08.01.065;

(3) furnishes evidence satisfactory to the board that the person

(A) has not engaged in conduct that is a ground for imposing disciplinary sanctions under AS 08.63.210;

(B) holds a master's degree or doctorate in marital and family therapy or allied mental health field from a regionally accredited educational

1 institution approved by the board for which the person completed a course of
2 study that included instruction substantially equivalent to the following:

3 (i) three courses or nine semester or 12 quarter hours of
4 course work in marital and family therapy;

5 (ii) three courses or nine semester or 12 quarter hours of
6 course work in marital and family studies;

7 (iii) three courses or nine semester or 12 quarter hours
8 of course work in human development;

9 (iv) one course or three semester or four quarter hours
10 of course work in professional studies or professional ethics and law;

11 (v) one course or three semester or four quarter hours of
12 course work in research; and

13 (vi) one year of supervised clinical practice in marital
14 and family therapy;

15 (C) after receiving a degree described in (B) of this paragraph,
16 has

17 [(i)] practiced **supervised** marital and family therapy,
18 including 1,500 hours of [DIRECT] clinical contact with couples,
19 individuals, and families; **the 1,500 hours of** [AND

20 (ii) BEEN SUPERVISED IN THE] clinical contact
21 **must include** [FOR] at least [200 HOURS, INCLUDING] 100 hours
22 of individual supervision and 100 hours of group supervision approved
23 by the board; **the 100 hours of individual supervision and 100 hours**
24 **of group supervision may be conducted by one or more**
25 **supervisors;**

26 (D) has received training related to domestic violence; [AND]

27 (E) has passed a written or oral examination administered by
28 the board; **and**

29 **(F) has professional liability insurance; the insurance must**
30 **include coverage of not less than \$30,000 for the applicant's regulatory**
31 **investigation fees in the state.**

* **Sec. 2.** AS 08.63.120(b) is amended to read:

(b) A person who supervises a licensee under this section **during**

(1) individual supervision must

(A) [(1)] have practiced marital and family therapy for five years;

(B) [(2)] be licensed under this chapter; and

(C) [(3)] meet the minimum standards established by the board for approved supervisors; **or**

(2) group supervision must be licensed to practice as a

(A) professional counselor under AS 08.29;

(B) marital and family therapist under AS 08.63;

(C) physician under AS 08.64 who is licensed by the State Medical Board as a psychiatrist;

(D) advanced practice registered nurse under AS 08.68 who is authorized by the Board of Nursing to practice as an adult or family psychiatric mental health nurse practitioner;

(E) psychologist under AS 08.86; or

(F) clinical social worker under AS 08.95.

* **Sec. 3.** AS 47.07.030(b) is amended to read:

(b) In addition to the mandatory services specified in (a) of this section and the services provided under (d) of this section, the department may offer only the following optional services: case management services for traumatic or acquired brain injury; case management and nutrition services for pregnant women; personal care services in a recipient's home; emergency hospital services; long-term care noninstitutional services; medical supplies and equipment; advanced practice registered nurse services; clinic services; rehabilitative services for children eligible for services under AS 47.07.063, substance abusers, and emotionally disturbed or chronically mentally ill adults; targeted case management services; inpatient psychiatric facility services for individuals 65 years of age or older and individuals under 21 years of age; psychologists' services; clinical social workers' services; **marital and family therapy services;** midwife services; prescribed drugs; physical

therapy; occupational therapy; chiropractic services; low-dose mammography screening, as defined in AS 21.42.375(e); hospice care; treatment of speech, hearing, and language disorders; adult dental services; prosthetic devices and eyeglasses; optometrists' services; intermediate care facility services, including intermediate care facility services for persons with intellectual and developmental disabilities; skilled nursing facility services for individuals under 21 years of age; and reasonable transportation to and from the point of medical care.

* **Sec. 4.** AS 47.07.030(g) is amended by adding new paragraphs to read:

(4) "direct supervision" means that one or more psychiatrists are on the premises of a mental health physician clinic to provide services relating to mental health at least 30 percent of the time that the clinic is open to provide those services;

(5) "mental health physician clinic" means a clinic that

(A) is operated by one or more psychiatrists; and

(B) primarily provides clinic services relating to mental health;

(6) "psychiatrist" means a person licensed to practice as a physician under AS 08.64 who is licensed by the State Medical Board as a psychiatrist.

* **Sec. 5.** AS 47.07.030 is amended by adding a new subsection to read:

(h) The department may reimburse a mental health physician clinic for clinic services under (b) of this section if the services are provided by

(1) a psychiatrist; or

(2) an individual who

(A) works under the direct supervision of a psychiatrist; and

(B) is licensed to practice as

(i) a professional counselor under AS 08.29;

(ii) a marital and family therapist under AS 08.63;

(iii) a physician assistant under AS 08.64;

(iv) an advanced nurse practitioner under AS 08.68 who is authorized by the Board of Nursing to practice as an adult or family psychiatric mental health nurse practitioner;

(v) a psychologist under AS 08.86;

(vi) a psychological associate under AS 08.86; or

1 (vii) a clinical social worker under AS 08.95.

2 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 TRANSITION: REGULATIONS. The Department of Health and Social Services and
5 the Board of Marital and Family Therapy may adopt regulations necessary to implement the
6 changes made by this Act. The regulations take effect under AS 44.62 (Administrative
7 Procedure Act), but not before the effective date of the law implemented by the regulation.

8 * **Sec. 7.** Section 6 of this Act takes effect immediately under AS 01.10.070(c).

9 * **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect January 1, 2019.