

SENATE BILL NO. 105

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY SENATOR WILSON

Introduced: 4/4/17

Referred: Health and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

9 (2) pays the fee established under AS 08.01.065;

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

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

13 (B) holds a master's degree or doctorate in marital and family
14 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.**

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

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

3 **(1) individual supervision** must

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

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

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

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

10 **(A) professional counselor under AS 08.29;**

11 **(B) marital and family therapist under AS 08.63;**

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

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

17 **(E) psychologist under AS 08.86; or**

18 **(F) clinical social worker under AS 08.95.**

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

20 (b) In addition to the mandatory services specified in (a) of this section and the
21 services provided under (d) of this section, the department may offer only the
22 following optional services: case management services for traumatic or acquired brain
23 injury; case management and nutrition services for pregnant women; personal care
24 services in a recipient's home; emergency hospital services; long-term care
25 noninstitutional services; medical supplies and equipment; advanced practice
26 registered nurse services; clinic services; rehabilitative services for children eligible
27 for services under AS 47.07.063, substance abusers, and emotionally disturbed or
28 chronically mentally ill adults; targeted case management services; inpatient
29 psychiatric facility services for individuals 65 years of age or older and individuals
30 under 21 years of age; psychologists' services; clinical social workers' services;
31 **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, 2018.