

Byron Mallott  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Jun Maiquis  
Department of Commerce, Community & Economic Development

**FROM:** Scott Meriwether, Office of the Lieutenant Governor  
465.4081 

**DATE:** July 3, 2018

**RE:** Filed Permanent Regulations: Department of Commerce, Community, and Economic Development

Regulation re: Occupational Licensing Fees for Audiologists, Speech Pathologists, Hearing Aid Dealers (12 AAC 02.130)

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Attorney General File:	2018200515
Regulation Filed:	7/2/2018
Effective Date:	8/1/2018
Print:	227, October 2018

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached two pages of regulations, dealing with occupational licensing fees for Audiologists, Hearing Aid Dealers, Speech-Language Pathologists, and Speech-Language Pathologist Assistants regulated by the Department of Commerce, Community, and Economic Development, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community and Economic Development adopts under the authority of AS 08.01.065, AS 08.11.010, AS 08.11.015, AS 08.11.020, AS 08.11.025, AS 08.11.030, AS 08.11.043, AS 08.11.050, AS 08.55.010, AS 08.55.020, and AS 08.55.040, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: June 25, 2018  
Juneau, Alaska

  
Janey McCullough, Director  
Division of Corporations, Business and  
Professional Licensing

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on July 2, 2018 at 3:50 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
Byron Mallott, Lieutenant Governor

Effective: August 1, 2018.

Register: 227, October 2018.



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, AK 99811-0800  
Main: 907.465.2500  
Fax: 907.465.5442

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Division of Corporations, Business and Professional Licensing (CBPL), but for the Department of Commerce, Community, and Economic Development (DCCED), under the Alaska Administrative Procedure Act, is hereby delegated to:

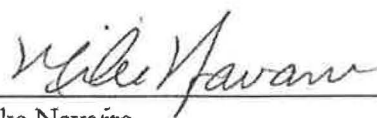
Micaela Fowler  
Legislative Liaison  
Office of the Commissioner  
DCCED  
P.O. Box 110800  
Juneau, AK 99811-0800  
907-465-2503  
[micaela.fowler@alaska.gov](mailto:micaela.fowler@alaska.gov)

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Division of Corporations, Business and Professional Licensing, under the Alaska Administrative Procedure Act, is hereby delegated to:

Janey McCullough  
Director  
CBPL  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2538  
[janey.mccullough@alaska.gov](mailto:janey.mccullough@alaska.gov)

This Delegation of Authority will remain in effect until modified or revoked by a subsequent delegation. This Delegation supersedes and revokes all delegations preceding it.

Dated the 29<sup>th</sup> day of January, 2018

  
Mike Navaire  
Commissioner  
Department of Commerce, Community,  
and Economic Development

**Chapter 02. General Occupational Licensing Functions.**

12 AAC 02.130 is amended to read:

**12 AAC 02.130. Audiologists, hearing aid dealers, speech-language pathologists, and speech-language pathologist assistants.** The following fees are established for audiologists, hearing aid dealers, speech-language pathologists, and speech-language pathologist assistants:

- (1) application fee for initial license or registration, **\$250** [\$150];
- (2) temporary license fee for audiologists or speech-language pathologists, **\$225** [\$100];
- (3) audiologist or speech-language pathologist license fee for all or part of the initial biennial license period, **\$225** [\$150];
- (4) biennial audiologist or speech-language pathologist license renewal fee, **\$225** [\$150];
- (5) hearing aid dealer license fee for all or part of the initial biennial license period, **\$225** [\$150];
- (6) hearing aid dealer biennial license renewal fee, **\$225** [\$150];
- (7) delinquent fee for delayed renewal, \$50;
- (8) speech-language pathologist assistant registration fee for all or part of the initial biennial registration period, **\$225** [\$100];
- (9) biennial speech-language pathologist assistant registration renewal fee, **\$225** [\$100]. (Eff. 9/27/86, Register 99; am 10/1/88, Register 107; am 5/28/93, Register 126; am 9/11/94, Register 131; am 8/29/98, Register 147; am 11/14/99, Register 152; am 8/10/2000, Register 155; am 10/12/2000, Register 156; am 8/26/2004, Register 171; am 1/20/2005, Register

173; am 7/20/2006, Register 179; am 8/24/2016, Register 219; am 8 / 1 / 2018, Register 227)

<b>Authority:</b>	AS 08.01.065	AS 08.11.025	AS 08.55.010
	AS 08.11.010	AS 08.11.030	AS 08.55.020
	AS 08.11.015	AS 08.11.043	AS 08.55.040
	AS 08.11.020	AS 08.11.050	



# MEMORANDUM

## State of Alaska Department of Law

**To:** The Honorable Byron Mallott  
Lieutenant Governor

**Date:** June 27, 2018

**File No.:** 2018200515

**Tel. No.:** 465-3600

**From:** Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

**Re:** Regulation re: 12 AAC 02.130:  
Occupational Licensing Fees for  
Audiologists, Speech Pathologists,  
Hearing Aid Dealers

The Department of Law has reviewed the attached regulations of the Department of Commerce, Community, and Economic Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations concern biennial licensing fees for audiologists, speech pathologists, and hearing aid dealers. The agency requests that the regulations be filed in time to be in effective by August 15, 2018 or sooner in time to become effective for upcoming license renewal.

The regulations were adopted by the Department after close of the public comment period. The public notice and the adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made a minor technical correction to conform the regulations in accordance with AS 44.62.125.

SRP:srp

cc: Micaela Fowler, Regulations Contact  
Department of Commerce, Community, and Economic Development

Janey McCullough, Director  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Megyn A. Weigand, Assistant Attorney General  
Commercial and Fair Business Section

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR  
AUDIOLOGISTS, HEARING AID DEALERS, SPEECH-LANGUAGE PATHOLOGISTS, AND  
SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS IN THE REGULATIONS OF  
THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT**

**BRIEF DESCRIPTION:** The Department of Commerce, Community, and Economic Development proposes to change occupational license fees charged to audiologists, hearing aid dealers, speech-language pathologists, and speech-language pathologist assistants.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code including the following:

**12 AAC 02.130. Audiologists, hearing aid dealers, speech-language pathologists, and speech-language pathologist assistants,** is proposed to be changed to alter the application, license, registration, renewal, and temporary license fees for audiologists, hearing aid dealers, speech-language pathologists, and speech-language pathologist assistants.

Under AS 08.01.065, the Department must establish fee levels so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The Department has reviewed the income and expenses for the occupational licensing programs mentioned above and proposes fee changes that reflect, to the extent possible, the actual costs of the activities under these occupational licensing programs.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/190042>, and using the comment link. **The comments must be received not later than 5:00 p.m. on June 20, 2018.** Comments received after this deadline will not be considered by the Department.

You may submit written questions relevant to the proposed action to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). **The questions must be received at least 10 days before the end of the public comment period.** The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/AudiologistsandSpeech-LanguagePathologists.aspx>. The Department may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov) not later than June 13, 2018 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/AUD-Fees-2018.pdf>.

After the public comment period ends, the Department will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

**Statutory Authority:** AS 08.01.065; AS 08.11.010; AS 08.11.015; AS 08.11.020; AS 08.11.025; AS 08.11.030; AS 08.11.043; AS 08.11.050; AS 08.55.010; AS 08.55.020; AS 08.55.040

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.11.010; AS 08.11.015;

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 5/16/18

Sher Zinn  
Sher Zinn, Regulations Specialist  
Division of Corporations, Business and  
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

**ADDITIONAL REGULATION NOTICE INFORMATION**  
**(AS 44.62.190(d))**

1. **Adopting agency:** Department of Commerce, Community, and Economic Development – Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Occupational licensing fees.
3. **Citation of regulation:** 12 AAC 02.130.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**  
**A private person:** \$100 increase for initial application; \$125 increase for temporary license; \$75 – \$125 increase for initial biennial license or registration; \$75 – \$125 increase for biennial license or registration renewal.  
**Another state agency:** None known.  
**A municipality:** None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):** No costs are expected in FY 2018 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Sher Zinn, Regulations Specialist  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
Telephone: (907) 465-1049  
E-mail: sher.zinn@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 5/16/18

**Prepared by:** Sher Zinn  
Sher Zinn  
Regulations Specialist



STATE OF ALASKA

)

) ss.

FIRST JUDICIAL DISTRICT )

## AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS

### AND FURNISHING OF ADDITIONAL INFORMATION

I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 02.130, dealing with occupational licensing fees for Audiologists, Hearing Aid Dealers, Speech-Language Pathologists, and Speech-Language Pathologist Assistants regulated by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, has been given by being:

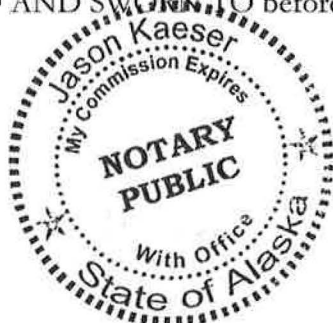
1. published in a newspaper or trade publication;
2. furnished to interested persons;
3. furnished to appropriate state officials;
4. furnished to the Department of Law, along with a copy of the proposed regulation;
5. furnished electronically to incumbent State of Alaska legislators;
6. furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
8. furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the Chair of the Labor and Commerce Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 6/25/18

  
Sher Zinn, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 25th day of JUNE, 2018.



Notary Public in and for the State of Alaska  
My commission expires: W/ OFFICE

STATE OF ALASKA                     )  
  ) ss.  
FIRST JUDICIAL DISTRICT    )

**AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT**

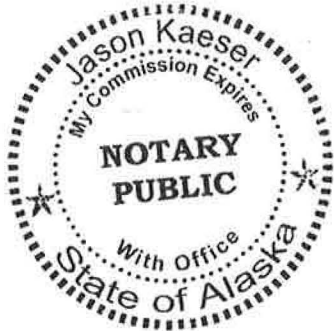
I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

In compliance with AS 44.62.215, the Department of Commerce, Community, and Economic Development has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Commerce, Community, and Economic Development regulations on dealing with occupational licensing fees for Audiologists, Hearing Aid Dealers, Speech-Language Pathologists, and Speech-Language Pathologist Assistants regulated by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.

Date: 6/25/18

Sher Zinn  
Sher Zinn, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 25TH day of JUNE, 2018.



JK  
Notary Public in and for the State of Alaska  
My commission expires: W / OFFICE



# ANCHORAGE DAILY NEWS

RECEIVED  
Juneau

MAY 21 2018

## AFFIDAVIT OF PUBLICATION

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JUNEAU, AK 998110806

Order#

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Cost

\$488.06

Product

ANC-Anchorage Daily News

Placement

0300

Position

0301

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin

being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

May 17, 2018

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

Joleesa Stepetin

Subscribed and sworn to before me  
this 17th day of May, 2018

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

2/23/2019  
Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
Commission Expires Feb 23, 2019

### NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR AUDIOLOGISTS, HEARING AID DEALERS, SPEECH-LANGUAGE PATHOLOGISTS, AND SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

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