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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Amy Demboski
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: November 20, 2020

RE: Filed Emergency Regulations: Board of Professional Counselors

Board of Professional Counselors Emergency Regulations re: emergency courtesy license
(12 AAC 62.450)

Attorney General File:	Emergency Regulations
Regulation Filed:	11/20/2020
Effective Date:	11/20/2020
Expiration Date:	March 19, 2021 unless made permanent by the adopting agency
Print:	236, January 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

FINDING OF EMERGENCY

The Board of Professional Counselors finds that an emergency exists under AS 44.62.250, and that an emergency regulation change is necessary to 12 AAC 62, dealing with emergency courtesy license, requiring regulations to enable additional counseling services to be quickly available in the state, for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

- Mental health challenges related to increased morbidity and mortality
- Mental health challenges related to enforced or recommended quarantining, particularly for individuals and families who have limited flexibility in their employment situation
- Disproportionate effects in specific populations including historically vulnerable populations and communities underserved by social services
- Worsening mental health outcomes including increased rates of suicidal ideation, suicide, addiction, and substance abuse
- Mental and physical health effects from long-term physical distancing, including delays in preventive care
- Challenges related to treatment of lingering debilitating symptoms in “long haulers”
- Anticipated challenges in availability and delivery of vaccine

ORDER CERTIFYING ADOPTION

I certify that the Board of Professional Counselors, under the authority of AS 08.01.062 and AS 08.29.020, adopted at its November 5, 2020 teleconference meeting the attached two pages of regulation changes as an emergency regulation to take effect immediately upon filing by the lieutenant governor, as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

DATE: 11-16-2020
Soldotna, Alaska

Debbie Hamilton MA, LPC
Debbie Hamilton, LPC, Chair
Board of Professional Counselors

for

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on November 20, 2020 at 2:06 p.m., I filed the attached regulation according to the provisions of AS 44.62.

for Kevin Meyer, Lieutenant Governor

Effective: November 20, 2020

Register: 236, January 2021

Expires March 19, 2021
unless made "permanent"
by the adopting agency

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



A handwritten signature in blue ink, appearing to read "K. Meyer", is written over a horizontal dotted line.

**KEVIN MEYER
LIEUTENANT GOVERNOR**

EMERGENCY REGULATION

Register 236, January 2021 PROFESSIONAL REGULATIONS

Chapter 62. Board of Professional Counselors.

12 AAC 62 is amended by adding a new section to read:

12 AAC 62.450. Emergency Courtesy license. (a) In an urgent situation, the board may issue an emergency courtesy license to an applicant who has a license in good standing to practice as a professional counselor in another jurisdiction with licensing requirements at least equivalent to those of this state, and who meets the requirements of this section. The board may limit the scope of a license issued under this section, as appropriate to respond to the urgent situation.

(b) An applicant for an emergency courtesy license under this section must submit to the department a completed application on a form provided by the department.

(c) A license issued under this section is valid for the period specified by the board and may not exceed 120 consecutive days. An emergency courtesy license may be renewed for one additional period specified by the board, not to exceed 120 consecutive days.

(d) While practicing under an emergency courtesy license issued under this section, including by distance, the holder of the license must comply with the standards of practice set out in AS 08.29 and this chapter and is subject to discipline for actions taken or omitted while practicing under the emergency courtesy license.

(e) The board may refuse to issue an emergency courtesy license for the same reasons that it may deny, suspend, or revoke a license under AS 08.29.400.

(f) In this section, "urgent situation" means a health crisis affecting all or part of the state that requires increased availability of professional counselors. (Eff. 11 / 20 / 2020, Register

EMERGENCY REGULATION

Register 236, January 2021 **PROFESSIONAL REGULATIONS**

236)

Authority: AS 08.01.062 AS 08.29.020

Excerpt from the Draft Minutes of the
November 5, 2020 Teleconference Meeting of the
Board of Professional Counselors

Emergency regulations dealing with emergency courtesy license – 12 AAC 62.450:

The Board of Professional Counselors finds that an emergency exists under AS 44.62.250, and that an emergency regulation change is necessary to 12 AAC 62, dealing with emergency courtesy license, requiring regulations to enable additional counseling services to be quickly available in the state, for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

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- Anticipated challenges in availability and delivery of vaccine

On a motion duly made by Alice Baum, seconded by Laura Patin, and approved unanimously, it was

RESOLVED to state that there is an emergency, and that the board adopts the emergency regulations as presented, with the intent to make the regulations permanent.

The motion passed with no further discussion.

AFFIDAVIT OF BOARD ACTION

I, Andy Khmelev, Licensing Supervisor for the Board of Professional Counselors, being duly sworn, state the following:


The attached motion dealing with emergency courtesy license was passed by the Board of Professional Counselors during its November 5, 2020 teleconference meeting.

Date: 11/13/2020
Juneau, Alaska


Andy Khmelev, Licensing Supervisor

SUBSCRIBED AND SWORN TO before me this 13 day of November, 2020.




Notary Public in and for the
State of Alaska
My commission expires: with office