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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

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

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: November 30, 2020

RE: Filed Emergency Regulations: Board of Social Work Examiners

Board of Social Work Examiners Emergency Regulations re: emergency courtesy license
(12 AAC 18.111)

Attorney General File:	Emergency Regulations
Regulation Filed:	11/30/2020
Effective Date:	11/30/2020
Expiration Date:	March 29, 2021 unless made permanent by the adopting agency
Print:	237, April 2021

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

FINDING OF EMERGENCY

The Board of Social Work Examiners finds that an emergency exists under AS 44.62.250, and that an emergency regulation change is necessary to 12 AAC 18, 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:


- The restrictive nature of the regulations could negatively impact the health of the public by decreasing healthcare worker availability by impeding the license application process during this public health emergency
- 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 Social Work Examiners, under the authority of AS 08.01.062, AS 08.95.030, and AS 08.95.110, adopted at its November 12, 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: 11/19/20
Palmer, Alaska


Mindy Swisher, LCSW, Chair
Board of Social Work Examiners

April Simpson for

FILING CERTIFICATION

I, [↑]Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on November 30, 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 30, 2020.

Register: 237, April 2021.

Expires March 29, 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 237, April 2021 PROFESSIONAL REGULATIONS

Chapter 18. Board of Social Work Examiners.

12 AAC 18 is amended by adding a new section to read:

12 AAC 18.111. Emergency courtesy license. (a) In an urgent situation, the board may issue an emergency courtesy license to practice clinical social work to an applicant who has a license in good standing to practice clinical social work 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. A complete application includes the applicable application and licensing fees established in 12 AAC 02.155, verification of a current license in good standing to practice clinical social work in another state or other jurisdiction, and certification that the applicant is not under investigation in the state or other jurisdiction in which the applicant is licensed.

(c) An emergency courtesy license issued under this section is valid for the period specified by the board and may not exceed 90 consecutive days. An emergency courtesy license may be renewed for one additional period specified by the board, not to exceed 90 consecutive days.

(d) While practicing under an emergency courtesy license issued under this section, the holder of the license must comply with the standards of practice set out in AS 08.95 and this chapter and is subject to discipline for actions taken or omitted while practicing under the

EMERGENCY REGULATION

Register 237, April 2021 PROFESSIONAL REGULATIONS

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 08.95.050.

(f) In this section, "urgent situation" means a health crisis that requires increased availability of clinical social workers. (Eff. 11 / 30 / 2020, Register 237)

Authority: AS 08.01.062 AS 08.95.030 AS 08.95.110

AFFIDAVIT OF BOARD ACTION

I, Lauren Bales, Licensing Examiner for the Board of Social Work Examiners, being duly sworn, state the following:

The attached motion dealing with emergency courtesy license was passed by the Board of Social Work Examiners during its November 12, 2020 teleconference meeting.

There is no notary public or other official empowered to administer oaths available to notarize this document as a result of social distancing requirements implemented statewide.

I certify under penalty of perjury that the foregoing is true.

Date: 11/17/2020

Lauren T. (Osborn) Bales

Lauren Bales, Licensing Examiner

State of Alaska
Juneau

State of Alaska
Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

Alaska State Board of Social Work Examiners
DATE OF MEETING

*These are drafted minutes prepared by staff of the Alaska State
Board of Social Work Examiners
They have not be reviewed or approved by the Board.*

By Authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a regularly scheduled meeting of the Alaska State Board of Social Work Examiners was held DATE OF MEETING. The meeting was held via teleconference originating at MEETING LOCATION.

DATE OF MEETING

Agenda item #1 Call to order/Roll Call

This meeting was called to order by Chairperson NAME OF BOARD CHAIR at TIME MEETING
STARTED.

Board Members present, constituting a quorum:

Mindy Swisher, Licensed Clinical Social Worker, Board Chairperson
Geoffrey McCormick, Licensed Master Social Worker
Colleen Vague, Public Member
Brandon Ercanbrack, Licensed Clinical Social Worker

Division Staff present were:

Sara Chamber, Division Director
Lacey Derr, Records and Licensing Supervisor
Jun Maiquis, Regulation Specialist
Lauren Bales, Occupational Licensing Examiner

Agenda Item #1 Review Agenda

Chairperson, Mindy Swisher noted that Danielle LaFon should be removed from the board members listed at the top of the agenda.

A motion duly made by Geoffrey McCormick, seconded by Colleen Vague, and approved by unanimous consent, was:

Resolved to approve the agenda as amended.

Attorney, Harriet Milks joined the meeting at 5:10pm.

Agenda item #1 Ethics Reporting

There were no ethics conflicts to report.

Agenda item #2 COVID-19 Status Report

As COVID-19 cases are on the rise in Alaska, the urgent need for more health care providers is clear. Division Director Sara Chambers opened the meeting discussion by presenting a letter from DHSS Commissioner Crum calling on the division to enact emergency regulations and/or long-term regulatory solutions to combat the direct necessity for more health care providers in Alaska. With the ending of SB241, the emergency courtesy licensees

previously offered by the Alaska Board of Social Work Examiners would become null and void after November 15, 2020. Director Chambers asked the board to evaluate the need for a declaration of emergency, review and discuss the regulation language presented for Emergency Courtesy Licenses, and adopt the language if the need was agreed upon.

Unanimously, the board agreed the COVID-19 mental health emergency was still significant.

Agenda item #3 **Proposed Solutions**

<INSERT TEXT>

Agenda item #4 **Adoption of Emergency Regulations**

Proposal of Standard Regulations

<INSERT TEXT>

A motion duly made by Geoffry McCormick, seconded by Collen Vague, and approved by unanimous consent, was:

Resolved to declare an emergent necessity to adopt 12 AAC 18.111 as amended to read "...may not exceed 90 days. An emergency courtesy license may be renewed for one additional period specified by the board, not to exceed 90 days" as emergency regulations and to be public noticed as permanent regulations.

Adjourned at 6:25 PM

Respectfully Submitted By:

Lauren Bales
Occupational License Examiner
State of Alaska, DCCED, CBPL

Date

Mindy Swisher
Board Chairperson
Alaska State Board of Social Work Examiners

Date