

Kevin Meyer
Lieutenant Governor
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Juneau, Alaska 99811
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Anchorage, Alaska 99501
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LT.GOVERNOR@ALASKA.GOV

**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

A handwritten signature in blue ink, likely belonging to April Simpson, the Office of the Lieutenant Governor.

DATE: March 15, 2021

RE: Filed Permanent Regulations: Board of Marital and Family Therapy

Board of Marital and Family Therapy emergency regulations made permanent re: use of a notary for applications and establishment of emergency courtesy licenses (12 AAC 19.110; 12 AAC 19.115; 12 AAC 19.117; 12 AAC 19.200; 12 AAC 19.210)

Attorney General File:	2020200672
Regulation Filed:	3/15/2021
Effective Date:	11/17/2020
Print:	238, July 2021

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

CERTIFICATION OF COMPLIANCE

I, Noah Shields, Chair for the Board of Marital and Family Therapy, certify that, as required by AS 44.62.260 in order to make the attached four pages of regulations permanent, as of this date a legal opinion of the Department of Law has been requested under AS 44.62.060, a notice conforming to AS 44.62.200 was issued in compliance with AS 44.62.190, and an opportunity for public comment was provided under AS 44.62.210, for the following emergency regulation:

12 AAC 19.110, 12 AAC 19.115, 12 AAC 19.117, 12 AAC 19.200, and 12 AAC 19.210, dealing with notarized signature requirements and emergency courtesy license.

This regulation originally was filed as an emergency regulation on November 17, 2020.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Board of Marital and Family Therapy paid special attention to the cost to private persons of the regulatory action being taken.

DATE: 2/18/2021
Kenai, Alaska



Noah Shields, LMFT, Chair
Board of Marital and Family Therapy

April Simpson, for
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on March 15, 2021 at 10:58 am., I filed the attached regulation according to the provisions of AS 44.62.

for 

Kevin Meyer, Lieutenant Governor

Register: 238, July 2021.

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.



K. Meyer
.....

**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 19. Board of Marital and Family Therapy.

The emergency amendment of 12 AAC 19.110(b)(1) is made permanent to read:

- (1) a complete application, on a form provided by the department;

The emergency adoption of 12 AAC 19.110(k) is made permanent to read:

(k) If an applicant is unable to have the application required under (b)(1) of this section notarized either in the physical presence of a notary public ^{or} through an electronic notary

system, an applicant shall submit copies of two forms of government issued identification. (Eff.

10/1/93, Register 127; am 8/24/2002, Register 163; am 1/2/2014, Register 209; am 4/24/2016,

Register 218; em am 5/8/2020 – 9/4/2020, Register 234; am 11/17/2020, Register 236)

Authority: AS 08.63.050 AS 08.63.100 AS 08.63.120

Editor's note: Amendments to 12 AAC 19.110 took effect on November 17, 2020, as emergency regulations, and were first published in Register 236 (January 2021). In reviewing the "permanent" regulations in accordance with AS 44.62.060 and 44.62.125(b), the regulations attorney made technical changes to the punctuation in 12 AAC 19.110(k). The technical changes appeared in the

The emergency amendment of 12 AAC 19.115(b)(1) is made permanent to read:

- (1) a complete application, on a form provided by the department;

The emergency adoption of 12 AAC 19.115(c) is made permanent to read:

(c) If an applicant is unable to have the application required under (b)(1) of this section

notarized either in the physical presence of a notary public ^{or} through an electronic notary

system, an applicant shall submit copies of two forms of government issued identification.

(Eff. 8/24/2002, Register 163; am 4/24/2016, Register 218; em am 5/8/2020 – 9/4/2020, Register

234; am 11/17/2020, Register 236)

Authority: AS 08.63.050 AS 08.63.100 AS 08.63.140

cc Circled text from page 4 goes here.)))

The emergency adoption of 12 AAC 19.117 is made permanent to read:

12 AAC 19.117. Emergency courtesy license. (a) In an urgent situation, the board will issue an emergency courtesy license to practice marital and family therapy to an applicant who has a license in good standing to practice marital and family therapy 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 02.242, and verification of a current license in good standing to practice marital and family therapy 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 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, the holder of the license must comply with the standards of practice set out in AS 08.63 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 08.63.210.

(f) In this section, "urgent situation" means a health crisis that requires increased availability of marital and family therapists. (Eff. 11/17/2020, Register 236)

Authority: AS 08.01.062 AS 08.63.050

Editor's note: Section 12 AAC 19.117 took effect as an emergency regulation. In reviewing the "permanent" regulation in accordance with AS 44.62.060 and 44.62.125(b), the regulations attorney made technical changes to 12 AAC 19.117(b). The changes appeared in the "permanent" regulations as published in Register 238 (July 2021). The history note for 12 AAC 19.117 does not reflect the changes made by the regulations attorney.

The emergency amendment of 12 AAC 19.200(b)(1) is made permanent to read:

(1) a complete application, on a form provided by the department;

The emergency adoption of 12 AAC 19.200(g) is made permanent to read:

(g) If an applicant is unable to have the application required under (b)(1) of this section notarized either in the physical presence of a notary public or through an electronic notary system, an applicant shall submit copies of two forms of government issued identification. (Eff. 10/1/93, Register 127; am 4/24/2016, Register 218; em am 5/8/2020 – 9/4/2020, Register 234; am 11/17/2020, Register 236)

Authority: AS 08.63.050 AS 08.63.110 AS 08.63.120

Editor's note: Amendments to 12 AAC 19.200 took effect on November 17, 2020, as emergency regulations, and were first published in Register 236 (January 2021). In reviewing the "permanent" regulations in accordance with AS 44.62.060 and 44.62.125(b), the regulations attorney made technical changes to the punctuation in 12 AAC 19.200(g). The technical changes appeared in the "permanent" regulations as published in Register 238 (July 2021). The history note for 12 AAC 19.200 does not reflect the changes made by the regulations attorney.

The emergency amendment of 12 AAC 19.210(a)(1) is made permanent to read:

(1) a complete application on a form provided by the department;

The emergency amendment of 12 AAC 19.210(b)(1) is made permanent to read:

(1) a complete application on a form provided by the department;

The emergency amendment of 12 AAC 19.210(d)(1)(A) is made permanent to read:

(A) a complete application on a form provided by the department; and



The emergency adoption of 12 AAC 19.210(f) is made permanent to read:

(f) If an applicant is unable to have the application required under (a)(1), (b)(1), or (d)(1)(A) of this section notarized either in the physical presence of a notary public, or through an electronic notary system, an applicant shall submit copies of two forms of government issued identification. (Eff. 10/1/93, Register 127; am 3/15/97, Register 141; am 8/17/2002, Register 163; am 6/4/2005, Register 174; am 6/24/2012, Register 202; am 6/22/2019, Register 230; am 5/8/2020 – 9/4/2020, Register 234; am 11/17/2020, Register 236)

Authority: AS 08.63.050 AS 08.63.100 AS 08.63.210
AS 08.63.060 AS 08.63.120

Editor's note: Amendments to 12 AAC 19.210 took effect on November 17, 2020, as emergency regulations, and were first published in Register 236 (January 2021). In reviewing the "permanent" regulations in accordance with AS 44.62.060 and 44.62.125(b), the regulations attorney made technical changes to the punctuation in 12 AAC 19.210(f). The technical changes appeared in the "permanent" regulations as published in Register 238 (July 2021). The history note for 12 AAC 19.210 does not reflect the changes made by the regulations attorney.

Editor's note: Amendments to 12 AAC 19.115 took effect on November 17, 2020, as emergency regulations, and were first published in Register 236 (January 2021). In reviewing the "permanent" regulations in accordance with AS 44.62.060 and 44.62.125(b), the regulations attorney made technical changes to the punctuation in 12 AAC 19.115(c). The technical changes appeared in the "permanent" regulations as published in Register 238 (July 2021). The history note for 12 AAC 19.115 does not reflect the changes made by the regulations attorney.

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MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: March 12, 2021

File No.: 2020200672

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Tel. No.: 465-3600

From: Steven C. Weaver *SCW*
Senior Assistant Attorney General
Legislation and Regulations Section

Re: Board of Marital and Family Therapy
emergency regulations made
permanent re: use of a notary for
applications and establishment of
emergency courtesy licenses
(12 AAC 19.110; 12 AAC 19.115;
12 AAC 19.117; 12 AAC 19.200;
12 AAC 19.210)

The Department of Law has reviewed, against the statutory standards of the Administrative Procedure Act, the attached emergency regulations that the Board of Marital and Family Therapy intends to make permanent. Based upon our review, we find no legal problems. The emergency regulations were adopted on November 9, 2020, and were filed and took effect on November 17, 2020. The Board of Marital and Family Therapy action to make the regulations permanent occurred on February 8, 2021, after the state legislative session began. *The emergency regulations will expire on March 16, 2021 unless made permanent.*

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 emergency regulations were approved by the Board of Marital and Family Therapy, after the close of the public comment period, as permanent regulations. In response to the COVID-19 pandemic and future urgent situations, the regulations eliminate the requirement of a notary for applications and provide for emergency courtesy licenses in urgent situations.

The November 10, 2020 certification of emergency adoption order, the November 19, 2020 public notice, and the February 8, 2021 certification of compliance all 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 some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: Noah Shields, LMFT, Chair
Board of Marital and Family Therapy
(via e-mail through Jun Maiquis)

Amy Demboski, Assistant Commissioner and Regulations Contact
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

Harriet Dinegar Milks, Senior Assistant Attorney General
Commercial, Fair Business, and Child Support Section

**NOTICE OF ADOPTION OF EMERGENCY REGULATION ON APPLICATION
REQUIREMENTS AND EMERGENCY COURTESY LICENSE IN THE REGULATIONS OF
THE ALASKA BOARD OF MARITAL AND FAMILY THERAPY**

BRIEF DESCRIPTION: The Board of Marital and Family Therapy proposes to make permanent regulation changes made by emergency regulation regarding notarized signatures and emergency courtesy license.

On **November 9, 2020**, the Board of Marital and Family Therapy (Board) adopted, as an emergency regulation, changes in 12 AAC 19 of the Alaska Administrative Code dealing with notarized signatures and emergency courtesy license, including the following:

1. **12 AAC 19.110. License by examination**, is proposed to remove the notarized signature requirements for license by examination applications, and allowing for two forms of government issued identification in lieu of the notarized signature.
2. **12 AAC 19.115. Licensure by credentials**, is proposed to remove the notarized signature requirements for licensure by credential applications, and allowing for two forms of government issued identification in lieu of the notarized signature.
3. **12 AAC 19.117. Emergency courtesy license**, is a proposed new section to allow for an emergency courtesy license for marital and family therapists, specific to the public health emergency or crisis due to COVID-19 pandemic.
4. **12 AAC 19.200. License for supervised practice**, is proposed to remove the notarized signature requirements for license applications, and allowing for two forms of government issued identification in lieu of the notarized signature.
5. **12 AAC 19.210. Approved supervisors**, is proposed to remove the notarized signature requirements for license application, and allowing for two forms of government issued identification in lieu of the notarized signature.

The emergency regulation took effect on **November 17, 2020**, and will expire **March 16, 2021** unless made permanent. The Board intends to make the emergency regulation permanent.

You may comment on the regulation changes, including the potential costs to private persons of complying with the changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at 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/200176>, and using the comment link. **The comments must be received not later than 4:30 p.m. on December 23, 2020.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Jun Maiquis, 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. **The questions must be received at least 10 days before the end of the public comment period.** The Board 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 Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofMaritalFamilyTherapy.aspx>. The Board 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 Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov

not later than December 16, 2020 to ensure that any necessary accommodation can be provided.

A copy of the emergency regulation is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/MFT-EmergencyRegs-1120.pdf>.


The language of the permanent regulation may be different from that of the original emergency regulation and may include other provisions dealing with the same subject. **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 08.01.062; AS 08.63.050; AS 08.63.060; AS 08.63.100; AS 08.63.110; AS 08.63.120; AS 08.63.140; AS 08.63.210

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.63.050; AS 08.63.060; AS 08.63.100; AS 08.63.110; AS 08.63.120; AS 08.63.140; AS 08.63.210

Fiscal Information: The regulations are not expected to require an increased appropriation.


DATE: 11/19/2020



Jun Maiquis, 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:** Board of Marital and Family Therapy – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Notarized signatures and emergency courtesy license.
3. **Citation of regulation:** 12 AAC 19.110, 12 AAC 19.115, 12 AAC 19.117, 12 AAC 19.200, and 12 AAC 19.210.
4. **Department of Law file number:** 2020200672.
5. **Reason for the proposed action:** Emergency regulation due to COVID-19.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: \$50 application fee; \$300 emergency courtesy license fee.
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 2021 or in subsequent years.
9. **The name of the contact person for the regulation:**
Lauren (Osborn) Bales, Licensing Examiner
Board of Marital and Family Therapy
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-2551
E-mail: lauren.osborn@alaska.gov
10. **The origin of the emergency regulation action:** Board of Marital and Family Therapy.
11. **Date:** 11/19/2020 **Prepared by:** 
Jun Maiguis
Regulations Specialist

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 268972 ST OF AK/DEC/OCCU
Attention To: ATTN TO: JUN MAIQUIS
PO BOX 110806, JUNEAU, AK 99811

Order #: W0019078

Cost: \$557.8

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that 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 afore-said 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

11/19/2020

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 _____

Subscribed and sworn to before me
this 24th day of November 2020.

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

MY COMMISSION EXPIRES

4/14/21

ANGELA M SIMMONS
NOTARY PUBLIC
State of Alaska
My Commission Expires Apr. 14, 2021

NOTICE OF ADOPTION OF EMERGENCY REGULATION ON APPLICATION REQUIREMENTS AND EMERGENCY COURTESY LICENSE IN THE REGULATIONS OF THE ALASKA BOARD OF MARITAL AND FAMILY THERAPY

On November 9, 2020, the Board of Marital and Family Therapy (Board) adopted, as an emergency regulation, changes in 12 AAC 19 of the Alaska Administrative Code dealing with notarized signatures and emergency courtesy license, including the following:

1. 12 AAC 19.110. License by examination, is proposed to remove the notarized signature requirements for license by examination applications, and allowing for two forms of government issued identification in lieu of the notarized signature.
2. 12 AAC 19.115. Licensure by credentials, is proposed to remove the notarized signature requirements for licensure by credential applications, and allowing for two forms of government issued identification in lieu of the notarized signature.
3. 12 AAC 19.117. Emergency courtesy license, is a proposed new section to allow for an emergency courtesy license for marital and family therapists, specific to the public health emergency or crisis due to COVID-19 pandemic.
4. 12 AAC 19.200. License for supervised practice, is proposed to remove the notarized signature requirements for license applications, and allowing for two forms of government issued identification in lieu of the notarized signature.
5. 12 AAC 19.210. Approved supervisors, is proposed to remove the notarized signature requirements for license application, and allowing for two forms of government issued identification in lieu of the notarized signature.

The emergency regulation took effect on November 17, 2020, and will expire March 16, 2021 unless made permanent. The Board intends to make the emergency regulation permanent.

You may comment on the regulation changes, including the potential costs to private persons of complying with the changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at 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/200176>, and using the comment link. The comments must be received not later than 4:30 p.m. on December 23, 2020. Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Jun Maiquis, 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. The questions must be received at least 10 days before the end of the public comment period. The Board 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 Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofMaritalFamilyTherapy.aspx>. The Board 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 Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov not later than December 16, 2020 to ensure that any necessary accommodation can be provided.

A copy of the emergency regulation is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/MFT-EmergencyRegs-1120.pdf>.

The language of the permanent regulation may be different from that of the original emergency regulation and may include other provisions dealing with the same subject. 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 08.01.062; AS 08.63.050; AS 08.63.060; AS 08.63.100; AS 08.63.110; AS 08.63.120; AS 08.63.140; AS 08.63.210

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.63.050; AS 08.63.060; AS 08.63.100; AS 08.63.110; AS 08.63.120; AS 08.63.140; AS 08.63.210

Fiscal Information: The regulations are not expected to require an increased appropriation.

DATE: 11/18/2020
Jr/ Jun Maiquis,
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.

Pub: November 19, 2020

**AFFIDAVIT OF NOTICE OF ADOPTION OF EMERGENCY REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION**

I, Jun Maiquis, 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 44.62.250, notice of the November 17, 2020 emergency changes to 12 AAC 19.110, 12 AAC 19.115, 12 AAC 19.117, 12 AAC 19.200, and 12 AAC 19.210, dealing with notarized signature requirements and emergency courtesy license, has been given under AS 44.62.190(a) by being

1. published in a newspaper or trade publication;
2. furnished to every person who has filed a request for notice of proposed action with the state agency;
3. furnished to appropriate state officials;
4. furnished to interested persons;
5. furnished to the Department of Law, along with a copy of the regulation;
6. electronically transmitted to incumbent State of Alaska legislators;
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).

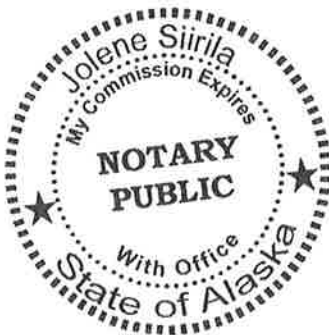
As required by AS 44.62.190, additional regulation notice information regarding the November 17, 2020 emergency changes to the regulation described above has been furnished to interested persons and furnished to those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.


DATE: 2/22/21
Juneau, Alaska



Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 22 day of February, 2021.





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

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

In compliance with AS 44.62.215, the Board of Marital and Family Therapy did not receive any 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 Board of Marital and Family Therapy regulations on dealing with notarized signature requirements and emergency courtesy license.


DATE: 2/22/21
Juneau, Alaska



Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 22 day of February, 2021.





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

AFFIDAVIT OF BOARD ACTION

I, Lacey Derr, Licensing Supervisor for the Board of Marital and Family Therapy, being duly sworn, state the following:

The attached motion dealing with notarized signature requirements and emergency courtesy license was passed by the Board of Marital and Family Therapy during its February 8, 2021 teleconference meeting.

Date: 2.9.2021
Juneau, Alaska

Lacey Derr
Lacey Derr, Licensing Supervisor

SUBSCRIBED AND SWORN TO before me this 9 day of February, 2021.



Jolene Siirila
Notary Public in and for the
State of Alaska
My commission expires: w/office

February 8, 2021

Agenda Item #5 Emergency Courtesy License

Records and Licensing Supervisor Lacey Derr presented the board with the final Emergency Courtesy License (ECL) regulations. There had been no public comment received and RLS Derr explained the ECL was a very useful tool to get licensees approved for services while applying for full licensure to serve Alaska long term. It also assisted in getting licensees moving forward when there were no notaries available for in person services. The agreement amongst the board was the regulations were serving their purpose and should become permanent.

A motion duly made by Nicole Jenkins, seconded by Kayla Green, and approved by unanimous consent, was:

Resolved to adopt 12 AAC 19.117 – Emergency Courtesy License as presented and make permanent.

A motion duly made by Nicole Jenkins, seconded by Kayla Green, and approved by unanimous consent, was:

Resolved to adopt emergency amendments 12 AAC 19.110, 19.115, 19.200, 19.210 – notary requirements as presented and make permanent.

FINDING OF EMERGENCY

The Board of Marital and Family Therapy finds that an emergency exists under AS 44.62.250, and that an emergency regulation change is necessary to 12 AAC 19.110 - 12 AAC 19.210, dealing with notarized signatures and 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 Marital and Family Therapy, under the authority of AS 08.01.062, AS 08.63.050, AS 08.60.060, AS 08.63.100, AS 08.63.110, AS 08.63.120, AS 08.63.140, and AS 08.63.210, adopted at its November 9, 2020 teleconference meeting the attached four 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: 11/10/2020
Kenai, Alaska


Noah Shields, LMFT, Chair
Board of Marital and Family Therapy

April Simpson for

FILING CERTIFICATION

I, [↑]Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on November 17, 2020 at 4:36 p.m., I filed the attached regulation according to the provisions of AS 44.62.

for 
Kevin Meyer, Lieutenant Governor

Effective: November 17, 2020

Register: 236, January 2021

Expires March 16, 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.**




.....

**KEVIN MEYER
LIEUTENANT GOVERNOR**

EMERGENCY REGULATION

Register 236, January 2021 PROFESSIONAL REGULATIONS

Chapter 19. Board of Marital and Family Therapy.

(Words in boldface and underlined indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 19.110(b)(1) is amended to read:

(1) a complete [, NOTARIZED] application, on a form provided by the
department [BOARD];

12 AAC 19.110 is amended by adding a new subsection to read:

(k) If an applicant is unable to have the application required under (b)(1) of this section notarized either in the physical presence of a notary public, or through an electronic notary system, an applicant shall submit copies of two forms of government issued identification. (Eff. 10/1/93, Register 127; am 8/24/2002, Register 163; am 1/2/2014, Register 209; am 4/24/2016, Register 218; em am 5/8/2020 – 9/4/2020, Register 234; am 11 / 17 / 2020, Register 236)

Authority: AS 08.63.050 AS 08.63.100 AS 08.63.120

12 AAC 19.115(b)(1) is amended to read:

(1) a complete [, NOTARIZED] application, on a form provided by the
department [BOARD];

12 AAC 19.115 is amended by adding a new subsection to read:

(c) If an applicant is unable to have the application required under (b)(1) of this section

EMERGENCY REGULATION

Register 236, January 2021 **PROFESSIONAL REGULATIONS**

notarized either in the physical presence of a notary public, or through an electronic notary system, an applicant shall submit copies of two forms of government issued identification.

(Eff. 8/24/2002, Register 163; am 4/24/2016, Register 218; em am 5/8/2020 – 9/4/2020, Register 234; am 11 / 17 / 2020, Register 236)

Authority: AS 08.63.050 AS 08.63.100 AS 08.63.140

12 AAC 19 is amended by adding a new section to read:

12 AAC 19.117. Emergency courtesy license. (a) In an urgent situation, the board will issue an emergency courtesy license to practice marital and family therapy to an applicant who has a license in good standing to practice marital and family therapy 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 02.242 and verification of a current license in good standing to practice marital and family therapy 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 120 consecutive days. An emergency courtesy license may be renewed for one additional period specified by the board, not to exceed 120 consecutive

EMERGENCY REGULATION

Register 236 January 2021 **PROFESSIONAL REGULATIONS**

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 08.63 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 08.63.210.

(f) In this section, "urgent situation" means a health crisis that requires increased availability of marital and family therapists. (Eff. 11 / 17 / 2020, Register 236)

Authority: AS 08.01.062 AS 08.63.050

12 AAC 19.200(b)(1) is amended to read:

(1) a complete [, NOTARIZED] application, on a form provided by the **department** [BOARD];

12 AAC 19.200 is amended by adding a new subsection to read:

(g) If an applicant is unable to have the application required under (b)(1) of this section notarized either in the physical presence of a notary public, or through an electronic notary system, an applicant shall submit copies of two forms of government issued identification. (Eff. 10/1/93, Register 127; am 4/24/2016, Register 218; em am 5/8/2020 – 9/4/2020, Register 234; am 11 / 17 / 2020, Register 236)

Authority: AS 08.63.050 AS 08.63.110 AS 08.63.120

EMERGENCY REGULATION

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12 AAC 19.210(a)(1) is amended to read:

(1) a complete [, NOTARIZED] application on a form provided by the department;

12 AAC 19.210(b)(1) is amended to read:

(1) a complete [, NOTARIZED] application on a form provided by the department;

12 AAC 19.210(d)(1)(A) is amended to read:

(A) a complete [, NOTARIZED] application on a form provided by the department; and

12 AAC 19.210 is amended by adding a new subsection to read:

(f) If an applicant is unable to have the application required under (a)(1), (b)(1), or (d)(1)(A) of this section notarized either in the physical presence of a notary public, or through an electronic notary system, an applicant shall submit copies of two forms of government issued identification. (Eff. 10/1/93, Register 127; am 3/15/97, Register 141; am 8/17/2002, Register 163; am 6/4/2005, Register 174; am 6/24/2012, Register 202; am 6/22/2019, Register 230; em am 5/8/2020 – 9/4/2020, Register 234; am 11 / 17 / 2020, Register 236)

Authority: AS 08.63.050 AS 08.63.100 AS 08.63.210
AS 08.63.060 AS 08.63.120