THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

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Audiologists and Speech Language Pathologists
Hearing Aid Dealers
Proposed Regulations - FAQ

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1. Why are new fees being proposed?

By law, fees must be analyzed annually and set to approximately recover the cost of program operations. Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations … to implement the adjustments."

This program has been in deficit for more than three years, and the liability will only grow if fees are not adjusted. The division proposes increasing licensing fee amounts in order to comply with the statute listed above, as well as to continue to deliver its current level of service for this licensing program.

The Director of the Division of Corporations, Business and Professional Licensing will adopt fees after considering all public comments. Fees will become effective 30 days after signed by the Lieutenant Governor. The division will post this information on the website and begin sending out renewal applications to current licensees at that time.

2. What are the proposed fees for licensure?

Fees proposed for the 2016-2018 licensing period are below. Fees in **bold** and underlined are proposed; those without such treatment are current fees.

> Fees for audiologists, hearing aid dealers, speech-language pathologists, and speech-language pathologist assistants:
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> (1) application fee for initial license or registration, **$150** [$50];
> (2) temporary license fee for audiologists or speech-language pathologists, **$100** [$25];
> (3) audiologist or speech-language pathologist license fee for all or part of the initial biennial license period, **$150** [$25];
> (4) biennial audiologist or speech-language pathologist license renewal fee, **$150** [$25];
> (5) hearing aid dealer license fee for all or part of the initial biennial license period, **$150** [$100];
> (6) hearing aid dealer biennial license renewal fee, **$150** [$100];
> (7) delinquent fee for delayed renewal, $50;

(8) speech-language pathologist assistant registration fee for all or part of the initial biennial registration period, **$100** [$25];
(9) biennial speech-language pathologist assistant registration renewal fee, **$100** [$25].

3. How are the estimated costs determined? What do licensing fees pay for?

AS 08.01.065 requires *all costs* of regulating the profession to be borne by its licensees. The regulatory requirements enacted in other states have no bearing on Alaska's state statute; therefore, the cost of licensure in another state is not a reasonable barometer of what should be charged in Alaska.

The proposed fees are based on the known costs of a similarly sized and structured licensing program. The law requires licensees to adhere to many provisions, and it gives ample authority to the division to determine many of the requirements of licensure. For example:

- The agency must create, publish, and manage licensing application forms and fees, which entail adherence to the state's recordkeeping, security, payment, and refund policies and procedures.
- Requirement of licensees to meet professional fitness standards, which are evaluated by the license examiner and referred to the agency's investigative unit if necessary for further review.
- Enforcement of disciplinary sanctions available to the agency if a licensee violates the state licensing statutes or regulations or an individual practices the profession without a license. Because state law requires all costs of a licensing program to be borne by the licensees of that program (AS 08.01.065), any investigative, attorney, or appeal expenses of the state will be recovered in the licensing fee.
- Alaska statutes defer to the division to adopt necessary regulations for management of the licensing program. This requires division and investigator travel, legal support, and other resources the division needs to comply with the expectations of law. The Alaska Administrative Code prescribes the requirements for public notice and adoption of agency regulations, the cost of which is borne by the licensing program.

4. How do I find out more about the fee-setting process?

The division director and CBPL staff walk through the program's latest fiscal reports regularly and are available to provide additional information or answer questions.

The latest reconciled fiscal reports are always available at commerce.alaska.gov/web/cbpl.

Do you have a question that is not answered here? Please email jun.maiquis@alaska.gov so it can be added.