



Notice of Proposed Changes to Occupational Licensing Fees for Professions Regulated by the Department

Proposed Fee Regulations - FAQ

June 2018

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."

2. Why is the licensing program in deficit?

The program has been in deficit since 2013 and the deficit is anticipated to grow to (\$114,022) by the end of FY2019 if no fee changes are made. The fees were increased in FY2017, however, the increase was not sufficient to keep up with the rise in expenses. Barring any unforeseen circumstances, the proposed increase will stabilize the program for the foreseeable future and will prevent the need for an even larger increase later.

3. What are the proposed fees for licensure?

Fees proposed for the 2018-2020 licensing period are below. Fees in **bold and underlined** are proposed, [bracketed] amounts being changed; those without such treatment are current fees.

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].

4. How are the estimated costs determined?

AS 08.01.065 requires *all costs* of regulating the profession to be borne by its licensees. The proposed fees are based on known and anticipated costs.

5. What do licensing fees pay for?

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 Board to adopt necessary regulations for management of the licensing program. This requires board and investigator travel, legal support, and other resources the board and 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.

6. What could potentially happen to the program if the licensing fee is not increased?

If the fees are not increased now they would require a very steep fee increase in the future. AS 08.01.065 require the Division of Corporations, Business and Professional Licensing (CBPL) review fee levels and "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"

7. When will this fee be effective?

After public comment deadline, comments received are compiled and given to the Division Director (Department) for consideration. The Division Director (Department) may adopt the regulation as written/publicly noticed, may amend and adopt them, or choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Division/Department action, the adopted regulations goes to Department of Law (DOL) for final review/approval. DOL either approves or disapproves

regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

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