

Annual Report
Fiscal Year 2014

**BOARD OF MARITAL AND FAMILY
THERAPY**

July 2014



**DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING**

This Annual Performance Report is presented in accordance with Alaska Statute 08.01.070(1) and Alaska Statute 37.07.080(b). Its purpose is to report the accomplishments, activities, and the past and present needs of the licensing program.

**ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
FY 2014 ANNUAL REPORT**

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**ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
FY 2014 ANNUAL REPORT
IDENTIFICATION OF BOARD**

Board of Marital and Family Therapy – Alaska Statute 08.63. Five members are appointed by the Governor – three persons licensed under 08.63 and two public members.

<u>Board Member</u>	<u>Date Appointed</u>	<u>Term Expires</u>
Leon Webber, LMFT	March 1, 2011	March 1, 2015
Kennith McCarty, LMFT	March 1, 2010	March 1, 2017
Linda King, LMFT	August 10, 2012	March 1, 2017
Father John Downing Public Member	January 28, 2008	March 1, 2016
JoAnn Young Public Member	March 1, 2011	March 1, 2018

ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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IDENTIFICATION OF STAFF

Tawna Curry, Licensing Examiner (August 5, 2013 to June 30, 2014)

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ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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NARRATIVE STATEMENT

Definition/Purpose

The Board of Marital and Family Therapy is staffed by the Division of Corporation and Professional Licensing. The Board consists of three marital and family therapists and two public members. Board members are appointed by the governor and confirmed by the Legislature.

The Board adopts regulations to carry out laws governing the practice of marital and family therapy in Alaska. It makes final licensing decisions and takes disciplinary actions against people who violate licensing laws. The Board meets at least once a year and offers public comment period at each meeting. Meeting agendas are available from the licensing examiner.

The Governor reappointed two Board members, JoAnn Young and Father John Downing. A new licensing examiner, Tawna Curry, was introduced in 2013.

Fiscal

Recurring fiscal surplus budget. At the end of the third quarter of the 2014 fiscal year, the Board carried a \$78,669.00 surplus. A deficit budget was carried for more than a decade due to the high cost of a disciplinary investigation of a licensee. Having paid this debt off through raised licensing fees, the Board continues to encourage the use of the surplus to reduce the biennial fees for its licensees.

The Board voted unanimously to add revenue by recommending fees per credit for continuing education unit (CEU) course requests.

Regulatory Changes

The Board will formally request the Division implement a \$25.00 fee for processing and approving MFT Continuing Education courses and will complete the paperwork at their next Board meeting in August.

The Board continues to request a biennial license fee reduction to \$450.00. Please refer to July 6, 2012 board minutes.

The Board voted for a regulation to make the national examination available to licensed marital and family therapy associates (LMFTAs). The law is now in effect.

In this fiscal year, the Board will consider a regulation change that would require an Alaska associate license status to have supervised hours count towards a license.

We are pleased to note that HB 241 was passed and signed by the Governor extending the Board of Marriage and Family Therapy to 2018. The law is now in effect.

Recommendations for Proposed Legislation

During the past fiscal year, the Board continued its investigation and research into distance therapy and the need for proposing statute and regulation changes and the newly evolving challenges.

One of the most important changes in our field - and that of other health care fields - has been the use of long distance health care. By long distance, we mean the provider is located in one area and the client is

located in another. Therefore, they might use telephone or televideo for their supervision or clinical appointments.

The Board investigated emerging state legislative trends in distance therapy and supervision. A Board member attended the American Association for Marriage and Family Therapy Conference in October which addressed this issue. Two other Board members researched legislation enacted by other states regarding therapy and supervision, which has been provided long distance, whether by phone or encrypted video.

Other counseling fields are also addressing this challenge and we are all looking for an interdisciplinary consensus on a model for guiding our own introduction of legislation in Alaska for LMFT's. In the interim, we will continue to monitor and address these issues for Alaskans, who have long benefitted from distance learning in the medical field and a wider health care field.

During the coming fiscal year, the board will propose statutes and regulations which will provide consumer protection for Alaskans. Statutes and regulations would also define parameters of practice for Alaska licensed practitioners and allow the state board to monitor and regulate AKLMFT's and AKLMFTA's providing distance counseling and/or supervision services.

We think these proposed changes in statutes and regulations will especially be supported by consumers and clinicians residing in and /or serving rural areas. We expect support from our colleagues nationally and locally, who have already begun to implement the practice of distance therapy and supervision. Advances in technology are creating unique opportunities for the practice of our profession. Keeping up with those opportunities, challenges and proposing and enacting thoughtful, adequate statutes and regulations will continue to be a most significant challenge in the coming board year. Please look to our next annual report for a significant progress report, including specific legislative proposals.

We do not anticipate opposition to developing and proposing statutes and regulation that addresses distance supervision and therapy. The purpose is to support both the consumer and the licensed practitioner.

We were disappointed that HB 187 did not make it out of committee and look forward to the Administration's continued support to propose other options to assure liability protection of all Boards.

While we are not sure what other departments this will affect, we know the use of distance supervision and therapy is affecting all health care counseling fields nationally and locally. We spent the past fiscal year researching other states that have discussed and/or introduce legislation pertaining to distance therapy and supervision. This time-consuming research has made us more prepared to propose statutes and regulations in the coming fiscal year. We have done all this in addition to the regular business of the board, which includes approving CEUs, making final licensing decisions and taking disciplinary actions against people who violate licensing laws.

If there are questions about this, please contact Board Chair, Leon Webber.

**ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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BUDGET RECOMMENDATIONS FOR FY 2015**

TRAVEL REQUESTS: ranked in order of the board's priority. Provide the best estimates based on past actuals and seasonal trends in travel, such as summer hotel rooms or increased fuel costs. Calculate on full costs and note any third-party fiscal offsets. Expand the tables below as needed.

Board Meetings

Date	Location	# of Board Members	# of Staff	Total Estimated Cost (total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
08/01/2014	Anchorage	5	1	\$1,000.00
10/22/2014	Anchorage	5	1	\$1,000.00
01/2015	Juneau	5	1	\$3,500.00
04/2015	Anchorage	5	1	\$1,000.00

Travel Required to Perform Examinations

Date	Location	# of Board Members	# of Staff	Total Estimated Cost (total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
	N/A			
Description of meeting and its role in supporting the mission of the board:				

Out-Of-State Meetings and Additional In-State Travel

Rank in order of the board's priority. "Reimbursement" refers to payment to cover travel costs. "Direct" refers to an offer by a company to secure travel arrangements on behalf of the board member.

Rank	Date	Location	# of Board Members	# of Staff	Total Estimated Cost		Total Potential Third-Party Offset
					(total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)	Conference Fee	<input type="checkbox"/> Reimbursement <input type="checkbox"/> Direct
1	9/10/14	New Orleans, Louisiana	1	0	\$1,500.00	\$565.00	
Description of meeting and its role in supporting the mission of the board: Clear's Annual Educational Conference in New Orleans, Louisiana.							
2	10/15/14	Milwaukee, Wisconsin	1	0	\$1,700.00	\$596.00	<input type="checkbox"/> Reimbursement <input type="checkbox"/> Direct
Description of meeting and its role in supporting the mission of the board: AAMFT Annual Conference in Milwaukee, Wisconsin.							

NON-TRAVEL BUDGET REQUESTS

Dues/Memberships/Resources/Online Training/Teleconferences/Examination Contracts

Provide details of the budgetary request. Break down into specific events, where applicable.

Product or service:	Provider:	Cost per event:
Annual Membership Dues	Association of Marital and Family Therapy Regulatory Board	\$500.00
Description of item and its role in supporting the mission of the board:		

**ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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 BUDGET RECOMMENDATIONS FOR FY 2015 CONTINUED**

Other Items with a Fiscal Impact:

Product or service: N/A	Provider:	Cost per event:
Description of item and its role in supporting the mission of the board:		

Summary of FY15 Fiscal Requests

Board Meetings	\$6,500.00
Travel for Exams	\$0.00
Out-Of-State and Additional In-State Travel	\$4,361.00
Dues/Memberships/Resources/Online Training/Teleconferences	\$500.00
Total Potential Third-Party Offset	\$0.00
Other	\$0.00
Total Requested:	\$11,361.00

Additional information:

ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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RECOMMENDATIONS FOR PROPOSED LEGISLATION FOR FY 2014

The Board of Marital and Family Therapy has no specific recommendations for proposed legislation at this time. We will be addressing the need in the coming fiscal year to propose changes in legislation and or regulations in the following areas: distance therapy, distance supervision, and transfer of supervision hours (labor mobility). (Refer FY 15 Goals and Objectives for more detailed information.)

**ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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REGULATION RECOMMENDATIONS FOR FY 2014**

The Board of Marital and Family Therapy has not voted on specific recommendations for regulations at this time. We are prioritizing the need in the coming fiscal year to propose changes in legislation and or regulations in the following areas: distance therapy, distance supervision, and transfer of supervision hours (labor mobility). (Refer FY 15 Goals and Objectives for more detailed information.)

ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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GOALS AND OBJECTIVES FOR FY 2014

List the board's FY14 goals and objectives and how they were met:

1. The board will develop a strategy to address the need for distance therapy and distance supervision.

The board contacted the national organization AAMFT, the APA, and different MFT boards nationwide. We had replies from 16 of the 50 boards we contacted. Along with the responses from our inquires and research we have put together a proposal for legislation of statutes and regulations.

2. The BMFT will continue to review statutes and regulations to be consistent with the practice of marital and family therapy.

The Board will continue to recommend other statutes and regulations as needed.

3. The board will continue to review applications of marriage and family therapists by credentials, by examination, for supervisor status and for associates in an established manner. This is a major function of the BMFT meetings.

The board is satisfied with our process of reviewing applications.

4. The board will continue its responsibility to improve the process of approving continuing education, while maintaining professional standards.

The licensing examiner worked with the board to tweak some parts of the application processes. At this time, the application process is satisfactory.

5. The board will continue to work closely with the investigator assigned at their request. At every meeting, the investigator assigned to this board will give a report on their work related to the BMFT. The board will continue to be updated on the functions of the investigator's office.

The investigator reported at each board meeting.

6. The board will implement brief evaluations with each board meeting.

In addition to feed back from each board member after each board meeting the board will implement a written brief evaluation beginning at the August 1, 2014 meeting.

7. The board will continue to work with the Division of Corporations, Business and Professional Licensing with the goal to continue to reduce fees as is reasonable to maintain a balanced budget.

The Division of Corporations, Business and Professional Licensing has continued to work with the board to clarify budget needs including building expenses and hopefully reducing fees while maintaining a balanced budget.

8. The board will continue to work with the Governor's office to fill vacant board seats in a timely manner. The board will have an opening in March 2014. The board encourages the Governor's office to reappoint this person or appoint a new member in a timely manner.

The Governor's Office filled two board vacancies in March of 2014 in a timely manner. There are no other board seats vacant at this time.

9. The BMFT will work to standardize and streamline the process for approval of continuing education while maintaining the integrity of the mission of the board, which is to approve training relevant to the profession in a changing post-modern world.
10. The board will continue collaborative relations with the Division of Corporations, Business and Professional Licensing.

The board has continued to collaborate with the Division of Corporation, Business and Professional Licensing, especially with the Licensing Examiner whose assistance has been irreplaceable to the functioning of the board.

11. The board will be a presence and information source for legislators and executive branches of the state government.

A form will be provided to board members to be completed after each contact made with a legislator or legislative office on behalf of the Board.

12. The board will continue to review, research and consider new technological advances as it pertains to therapy, supervision and training.

These issues will be addressed in the coming legislative session, especially with regards to distance supervision and distance therapy.

13. The board will explore the concept of challenges and issues of labor mobility and how MFTs may be affected in Alaska.

The board will be seeking support from the administration and legislature in changing statutes and regulations to encourage labor mobility for people transferring into Alaska prior to receiving licensing.

14. The board will work to introduce changes necessary to require licensing as an MFT associate before acquiring clinical and supervision hours. The board will address the issue of previous experience and labor mobility before this change.

(See #13)

15. The board will research and consider ways of insuring MFT licensees have knowledge of their statutes and regulations.

The primary way of insuring MFT licensees have knowledge of their statutes and regulations is through our website. However knowing that many licensees do not check the website the board will be occasionally sending a mailing out to licensees to up date and inform them of current statutes and regulations and recent changes.

16. The board will continue their affiliation and full membership with the Association of Marital and Family Therapy Regulation Board (AMFTRB). Attendance at the annual meetings is crucial to provide an Alaskan perspective and to stay informed of what is occurring nationwide that will affect Alaska.

In this report funds are requested which will send one board member to the AAMFT annual conference in Milwaukee, Wisconsin.

17. The board will continue its goals to increase board education to improve its function by sending delegates to national conferences and/or trainings such as the American Association for Marriage and Family Therapy's yearly conference, Board Regulator and CLEAR.

In this report funds are requested which will send one board member to the CLEAR's education conference in New Orleans, Louisiana.

18. The board will continue to review and explore title vigilance.

The board regularly reviews and is open to explore issues relating to title vigilance.

19. The board will be a presence and information source for legislators and executive branches of the state government.

The board will continue to represent its mission, goals, and mandates, as it interacts with legislators and executive branches coming legislative session.

List the board's FY15 goals and objectives. Include any strengths, weaknesses, opportunities, and threats, as well as any resources needed:

In addition to continuing our FY 2014 goals and objectives, a major amount of time will be spent in

1. The board will develop a strategy to address the need for distance therapy and distance supervision.
2. The board will be a presence and information source for legislators and executive branches of the state government.
3. The board will continue to review, research and consider new technological advances as it pertains to therapy, supervision and training.
4. The board will explore the concept of challenges and issues of labor mobility and how MFTs may be affected in Alaska.
5. The board will work to introduce changes necessary to require licensing as an MFT associate before clinical hours with clients and supervision hours may be counted toward licensing. The board will address the issue of previous experience and labor mobility before this change.
6. The board will research and consider ways of insuring MFT licensees have knowledge of their statutes and regulations.
7. The Board will review the following considerations to propose changes in statutes and regulations for the benefit of consumers and licensed MFTs.

Supervised Clinical Hours - 08.63.100

The Board will consider clearly defining that Supervision and Clinical Hours attained are Concurrent. It currently appears to be implying such but the Division of Licensing is interpreting the Statute as independent.

Considering requiring LMFT Candidates have Liability Insurance with Proviso for Regulatory Investigation Fees of at least \$30,000 - 08.63.100 (a) (4)

Limited Investigation Liability as a Board

The Board will continue to work with the administration and legislature to decrease its liability.

Consider pursuing acknowledgment of MFT's in Title AS 47.07.030

Marriage and Family Therapists are currently not acknowledged as a Provider in Title 47. The inclusion of MFT's in Title 47 will allow the Department of Health and Social Services to have a greater amount of mental health resources to provide services to Alaskans.

The Board will review and reconsider the ethical responsibility/obligation for accepting transfer of supervision hours. Distance supervision and distance therapy must be addressed and defined.

Transfer of supervision hours

For licensing, it is important that nationally we facilitate the mobility of our licensee candidates by accepting previously acquired out-of-state supervision hours and supervised clinical hours if a candidate is qualified per section AS 08.63.100 and they have received qualified hours by a qualified supervisor.

A qualified supervisor in the case of hour transfers should be approved by our Board as a qualified supervisor if they were a current/in good standing/approved Supervisor by national AAMFT and/or an approved supervisor by the state that the hours were accumulated in at the time of accumulation. If the supervisor is not an Approved Supervisor by AAMFT but an approved supervisor by another state, the supervisor must also meet our minimal requirements to be a supervisor with the exception that they do not need to be licensed under our chapter if they were licensed under their own state's chapter.

Supervisors

Sec. 08.63.120. Authorized supervisors.

(a) A person may not supervise a person under this chapter unless approved by the board to be a supervisor.

(b) A person who supervises a licensee under this section must

(1) have practiced marital and family therapy for five years;

(2) be licensed under this chapter; and

(3) meet the minimum standards established by the board for approved supervisors. (?? for supervision transfer hours)

Distance Therapy

“Distance Therapy” means any use of technology that replaces face-to-face delivery of counseling or therapy service. Such technologies include, but are not limited to, use of computer hardware and software, telephones, the internet, online assessment instruments and other communication devices.

If you are located in Alaska and are providing services as a licensed marital and/or family therapy to a consumer located in another jurisdiction, you are considered to be practicing in Alaska and need to be licensed in this State.

If you are located in another state and are providing services as a licensed marital and/or family therapist to a consumer located in Alaska, you are considered to be practicing in Alaska and need to be licensed in this State.

In either case, you might also be considered to be practicing in another jurisdiction and therefore may be required to be licensed in that jurisdiction. This statement is not intended to interpret the laws of any other state. You should consult other state's marital and family therapy boards if you plan on providing services while you or your client(s) are in that jurisdiction.

If you are about to engage in therapy with a service providing licensed marital and/or family therapist in Alaska you would be advised to contact the Board of Marital and Family Therapy to check if the provider is licensed in Alaska.

(1) Distance therapy shall require an initial meeting sufficient to verify the identity of the electronic service delivery client. At that meeting steps shall be taken to address safety, impostor concerns, such as using passwords to identify the client in future electronic contacts.

(2) Informed consent shall include information defining distance therapy as practiced by the licensee and the potential risks and ethical considerations

(a) Licensees shall obtain written informed consent.

(b) Licensees shall not provide services without client signed informed consent.

(3) Licensees shall provide links to websites for all of their stated certification bodies and licensure boards to facilitate consumer protection. (***) Because in a face-to-face setting clients would be able to see certifications on the wall, or other places, etc. it is important to give clients links to your certifications either through a personal website or through your groups website so that they can verify your credentials if they would like).

(4) Licensees shall identify an appropriately trained professional who can provide local/closest assistance, including crisis intervention, if needed. Licensees shall provide electronic service delivery clients the local/closest crisis hotline telephone number and the local/closest emergency mental health telephone number.

(5) Licensees shall provide a link to the board's online license verification site on their web page.

(6) Licensees must inform clients of the benefits and limitations of distance service delivery, including:

(a) Issues related to the difficulty of maintaining the confidentiality of electronically transmitted communications;

(b) Names of colleagues, supervisors, and employees, such as Informational Technology (IT) administrators, who may have authorized or unauthorized access to electronic transmissions;

(c) The risks of all authorized or unauthorized people who have access to any technology clients may use in the counseling process. This includes family members, friends, acquaintances, and fellow employees;

(d) Limitations governing the practice of the LMFT profession in the State of Alaska, including that the laws and statutes regarding the practice of professional counseling and marriage and family therapy differ from state-to-state;

(e) Contact information and alternate methods of contact in case of technology failure;
and

(f) Emergency procedures for situations when the counselor is not available.

Confidentiality in electronic service delivery shall be maintained by the licensee:

(1) Licensees shall use best of practice encryption methods for electronic service delivery;
and

(2) Shall inform electronic service delivery clients details of data record storage.

Inappropriate Services

When technology-assisted distance counseling services are deemed inappropriate for any reason by the counselor or client, counselors must attempt to ensure that a clinically sound referral is made to a professional counseling resource in the client's nearest geographic area or to another approved provider offering similar distance services.

**ALASKA STATE BOARD OF MARITAL AND FAMILY THERAPY
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SUNSET AUDIT RECOMMENDATIONS**

Date of last Legislative Audit: May 24, 2013

Board sunset date: June 30, 2014

<p>Audit Recommendation #1: BMFT should develop a strategy to address the need for distance therapy and distance supervision.</p>
<p>Action taken: The Board has contacted the AAMFT and other MFT boards around the country inquiring about current statutes and regulations proposed or in legislation about the topic. Two documents were prepared – (1) A running tab of each response by each state as well as other side conversations that were had and (2) a document of recommendations for the Board based on those conversations/responses.</p>
<p>Next Steps: The Board will be reviewing documents and proposing states and regulations to introduce in this next legislative session. Call to a vote. Have lawyers look at proposed statutes and regulation.</p>
<p>Date completed: To be determined.</p>

<p>Audit Recommendation #2: The Office of the Governor and BMFT should work together to fill vacant board seats in a timely manner.</p>
<p>Action taken: The Office of the Governor has quickly responded to the request that they fill vacancies and/or renew terms.</p>
<p>Next Steps: There are currently no vacancies and the terms expiring at the end of this term have been renewed. No further action needs to be taken.</p>
<p>Date completed: March 2014.</p>

<p>Audit Recommendation #3: The Division of Corporations, Business and Professional Licensing’s director should continue efforts to improve the investigative case management system’s integrity and confidentiality.</p>
<p>Action taken: The BMFT has actively cooperated with the investigation office, which has resulted in reduced expenses. However by failure of HB-187 we are not protected from the possibility that if an LMFT investigation were to be had, this could incur the BMFT considerable funds. The funds that may be used could in turn put the BMFT at risk for raising cost again for LMFTs.</p>
<p>Next Steps: N/A</p>
<p>Date completed: The process began shortly after the investigation.</p>

FISCAL YEAR 20____ STATISTICAL OVERVIEW

Program: _____

AS 08. _____

12 AAC _____

Name of Individual Completing Report: _____

Date: _____

FY14 LICENSEES	NEW-ISSUED FY 20____	TOTAL AS OF 6/30/____

A. Current Active Licenses, Endorsements, Permits

List type and if issued by examination or credential, as applicable.

LICENSE TYPE & PROGRAM CODE	Lic. Type Code	Status Code	NEW-ISSUED FY 20____	TOTAL AS OF 6/30/____	LICENSURE BASIS
Example: Civil Engineer - AEL	C	AA	10	250	Exam: 6 Credentials: 4
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
TOTAL					

B. Temporary Licenses

LICENSE TYPE & PROGRAM CODE	Lic. Type Code	Status Code	NEW-ISSUED FY 20____	TOTAL AS OF 6/30/____	NOTES
Example: Physical Therapist - PHY	R	AA	4	24	
1.					
2.					
3.					
4.					
TOTAL					

C. Current Licenses Issued as Inactive (not lapsed licenses)
 (Only Medical, Chiropractic, CPA, and Real Estate)

LICENSE TYPE & PROGRAM CODE	Lic. Type Code	Status Code	TOTAL AS OF 6/30/____
Example: Salesperson - REC	S	II	64
1.			
2.			
3.			
4.			
TOTAL			

D. Retired Licenses

CATEGORY & PROGRAM CODE	Lic. Type Code	Status Code	RETIRED DURING FY 20____	TOTAL AS OF 6/30/____	NOTES
Example: Osteopath - MED	O	RR	1	8	
1.					
2.					
3.					
TOTAL					

E. Examination Detail

(List each examination administration separately. Write "See Attached" and attach a separate sheet if necessary.)

EXAM TYPE	LOCATION	DATE	CANDIDATES	NO. PASSED	NO. FAILED
Number of Postponed Exams					
Number of Exam Reviews					

F. Miscellaneous Program Activity

List all instances of fee-related work performed under Centralized Regulations per 12 AAC 02.105 (tracked by each program's fee ticker)

DESCRIPTION	TOTAL
Example: License Verification	62

G. Miscellaneous Program Activity

List all instances of fee-related work performed under the licensing program's regulations that is not included above

DECSRIPTION	TOTAL
Example: Course Approval	16

H. Board Meetings and Teleconferences

DATE	LOCATION (<i>indicate if teleconference</i>)