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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 17, 2020

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

Board of Marital and Family Therapy - Emergency Regulations re: notarized signatures and emergency courtesy license (12 AAC 19.110 - 12 AAC 19.210)

Attorney General File:	Emergency Regulations
Regulation Filed:	11/17/2020
Effective Date:	11/17/2020
Expiration Date:	March 16, 2021 unless made permanent by the adopting agency
Print:	236, January 2021

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

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 changes are 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
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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
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**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

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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

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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 234)

Authority: AS 08.63.050 AS 08.63.110 AS 08.63.120

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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