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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Jun Maiquis  
Department of Commerce, Community and Economic Development

**FROM:** Scott Meriwether, Office of the Lieutenant Governor   
465.4081

**DATE:** July 12, 2016

**RE:** Filed Permanent Regulations: Board of Nursing

General regulations update (12 AAC 44.135(b); 12 AAC 44.290(a)(1)(A),(c); 12 AAC 44.300(g); 12 AAC 44.305(a)(1)(F),(3); 12 AAC 44.311; 12 AAC 44.317(a); 12 AAC 44.400(g)(1); 12 AAC 44.440(i); 12 AAC 44.460(b)(2); 12 AAC 44.470(4); 12 AAC 44.510(a); 12 AAC 44.540(4); 12 AAC 44.610(a)(1),(d); 12 AAC 44.620(a)(1),(2)(D); 12 AAC 44.630; 12 AAC 44.810(a)(1)(A); 12 AAC 44.820(a); 12 AAC 44.830(d); 12 AAC 44.870(b)(29); 12 AAC 44.945(b); 12 AAC 44.965(e); 12 AAC 44.970(14); 12 AAC 44.980; 12 AAC 44.990(28))

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Attorney General File: JU2015200956 (Part 1)

Regulation Filed: July 11, 2016

Effective Date: August 10, 2016

Print: 219, October 2016

cc with enclosures: Linda Miller, Department of Law  
Micaela Fowler, Department of Commerce, Community & Economic  
Development  
Dianne Blumer, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF THE BOARD OF NURSING

The attached seventeen pages of regulations, dealing with evaluation of nurse practitioner programs, application by examination, examinations, license by endorsement, retired nurse license status, reinstatement of a lapsed license or retired license, requirements for initial authorization, prescriptive authority, preceptorships, renewal of advanced nurse practitioner and certified registered nurse anesthetist authorizations, scope of practice, continuing competency requirements, certification by examination, certification by endorsement, application for certification, issuance and renewal of certification, lapsed certification, application for training program approval, unprofessional conduct, administration of a non-herbal nutritional supplement, delegation of the administration of medication, delegation of the administration of injectable medication, nursing duties that may not be delegated, executive administrator, and definitions, are hereby certified to be a correct copy of the regulation changes that the Board of Nursing adopted at its January 20-22, 2016 meeting, under the authority of AS 08.01.075, AS 08.01.100, AS 08.68.100, AS 08.68.111, AS 08.68.170, AS 08.68.190, AS 08.68.200, AS 08.68.251, AS 08.68.270, AS 08.68.275, AS 08.68.276, AS 08.68.280, AS 08.68.290, AS 08.68.330, AS 08.68.331, AS 08.68.334, AS 08.68.336, AS 08.68.805, and AS 08.68.850 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Nursing paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 2/19/2016  
Anchorage, Alaska

Denise C Valentine ANP-C  
Denise Valentine, MS, RN, ANP, Chair  
Board of Nursing

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on July 11, 2016 at 3:12 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

Byron Mallott  
Byron Mallott, Lieutenant Governor

Effective: August 10, 2016.

Register: 219, October 2016.

#### Chapter 44. Board of Nursing.

12 AAC 44.135(b) is amended to read:

(b) The criteria contained in the document titled *Criteria for Evaluation of Nurse Practitioner Programs* **2012** [2008], issued by the National Task Force on Quality Nurse Practitioner Education, are adopted by reference as the criteria for approval of a graduate program for nurse practitioners under (a) of this section. (Eff. 7/17/2003, Register 167; am 10/16/2011, Register 200; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.280 AS 08.68.290

**Editor's note:** Copies of the *Criteria for Evaluation of Nurse Practitioner Programs*, prepared by the National Task Force on Quality Nurse Practitioner Education, adopted by reference in 12 AAC 44.135(b) are available from the Division of Corporations, Business and Professional Licensing, Board of Nursing, 550 W. 7th Avenue, Suite 1500, Anchorage, AK 99501-3567, telephone: (907) 269-8161 or the National Organization of Nurse Practitioner Faculties, 900 19th Street, NW, Suite 200B, Washington, DC 20006, telephone: (202) 289-8044, email: nonpf@nonpf.org; Internet address: ~~website:~~ <http://www.aacn.nche.edu/education-resources/evalcriteria2012.pdf>.

12 AAC 44.290(a)(1)(A) is amended to read:

(A) for identification purposes, an original, passport [TYPE] photograph of the applicant, on photography paper [APPROXIMATELY TWO INCHES BY TWO INCHES OF THE FACE AND SHOULDERS], taken within the six months immediately preceding the date of application, signed and dated by the applicant, and the personal identification information requested on the application form;

12 AAC 44.290(c) is amended to read:

(c) An applicant who is approved to take the licensing examination is eligible for examination for one year after the date the department sends a notice of approval to **take the NCLEX to the testing company** [THE APPLICANT]. An applicant who does not take the examination within that year shall reapply for approval under (a) of this section **and submit the application fee and fingerprint processing fee.**

(Eff. 10/14/72, Register 43; am 4/27/83, Register 86; am 8/2/86, Register 99; am 7/28/95, Register 135; am 4/27/97, Register 142; am 9/25/98, Register 147; am 6/16/2002, Register 162; am 10/9/2002, Register 164; am 11/23/2003, Register 168; am 10/15/2004, Register 172; am 5/18/2006, Register 178; am 3/4/2007, Register 181; am 5/7/2010, Register 194; am 10/3/2011, Register 200; am 8 / 10 / 2016, Register 219 )

**Authority:** AS 08.68.100      AS 08.68.190      AS 08.68.270  
AS 08.68.170

12 AAC 44.300 is amended by adding a new subsection to read:

(g) An applicant who graduated from an accredited nursing program more than two years before ~~prior to~~ an application for licensure by examination must take a remedial nursing course approved by the board before attempting the NCLEX. (Eff. 10/14/72, Register 43; am 4/27/83, Register 86; am 11/12/93, Register 128; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 7/22/2004, Register 171; am 8 / 10 / 2016, Register 219 )

**Authority:** AS 08.68.100      AS 08.68.190

12 AAC 44.305(a)(1)(F) is amended to read:

(F) an original, passport [TYPE] photograph of the applicant, on  
photography paper [APPROXIMATELY TWO INCHES BY TWO INCHES OF THE  
FACE AND SHOULDERS], taken within the six months immediately preceding the date  
of application, and the applicant's notarized signature certifying that the information in  
the application is correct to the best of the applicant's knowledge;

*Re Publisher: Existing introductory language of 12 AAC 44.305(a)(1)(H) is unchanged. )))*

*12 AAC 44.305(a)(1)(H) is amended to read:*

(H) if the applicant is a graduate of a foreign pre-licensure nursing  
program not taught in English or if English is not the individual's native language  
[GRADUATED FROM A REGISTERED NURSE OR PRACTICAL NURSE  
PROGRAM OFFERED BY A SCHOOL OF NURSING OUTSIDE OF THE UNITED  
STATES INCLUDING TERRITORIES OR CANADA, EXCEPT QUEBEC, CANADA,  
WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE OF THE COUNTRY OR A  
SCHOOL IN THE UNITED STATES AND TERRITORIES WHERE ENGLISH IS  
NOT THE PRIMARY LANGUAGE], verification of passing one of the following  
English proficiency examinations, with at least the following minimum scores:

*Withdrawn XCF 7/11/2016*

12 AAC 44.305(a)(3) is amended to read:

(3) verification that the applicant holds a current license, that which is in good  
standing and unencumbered, to practice in another jurisdiction where licensing requirements  
meet the requirements set out in (b) of this section; and

(Eff. 4/27/83, Register 86; am 8/2/86, Register 99; am 4/29/91, Register 118; am 4/27/97, Register 142; am 9/25/98, Register 147; am 11/2/2001, Register 160; am 6/16/2002, Register 162; am 3/4/2007, Register 181; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100      AS 08.68.200      AS 08.68.270  
AS 08.68.170

12 AAC 44 is amended by adding a new section to read:

**12 AAC 44.311. Retired nurse license status.** (a) An individual holding an active unencumbered nursing license with the board may apply for the conversion of a nursing license to a retired nurse license status. An individual holding a retired nurse license status may use the title “advanced practice registered nurse-retired (APRN, Retired)”, “registered nurse-retired (RN, Retired)”, or “licensed practical nurse-retired (LPN, Retired)”, as appropriate, but may not as an advanced practice registered nurse, registered nurse, or licensed practical nurse practice, or indicate that the individual is practicing or soliciting to practice ~~APRN, RN, or LPN~~ in the state. A retired nurse license status is valid for the life of the holder and does not require renewal.

(b) The board will issue a retired nurse status to an individual who meets the requirements of (a) of this section if the applicant

- (1) submits a completed application on a form provided by the department; and
- (2) pays the retired nurse status one-time fee specified in 12 AAC 02.280.

(c) An individual who holds a retired nurse license status who wishes to return to the practice of nursing may request a change from retired nurse status to active licensure by meeting the requirements of 12 AAC 44.317. (Eff. 8 / 10 / 2016, Register 219)

Authority: AS 08.01.100 AS 08.68.100

*2*  
The section title and the introductory language of 12 AAC 44.317(a) is amended to read:

*≡ Cap*  
**12 AAC 44.317. Reinstatement of a lapsed or retired license.** (a) The board will  
*status*  
reinstate a license to practice as a registered or practical nurse, that has lapsed or been on a  
retired status less than one year, if the applicant

...

(Eff. 11/2/2001, Register 160; am 10/15/2004, Register 172; am 3/4/2007, Register 181; am  
3/28/2008, Register 185; am 11/19/2008, Register 188; am 12/23/2009, Register 192; am  
10/3/2011, Register 200; am 12/27/2012, Register 204; am 8/10/2016, Register 219)

Authority: AS 08.01.100 AS 08.68.251 AS 08.68.276

AS 08.68.100

*at Publisher: Existing introductory language of 12 AAC 44.400(a)(6)(E) is unchanged.))*

*2*  
~~12 AAC 44.400(a)(6)(E) is amended to read:~~

(E) if the applicant is a graduate of an [A FOREIGN] advanced nurse  
practitioner program not taught in English or if English is not the individual's native  
language [OUTSIDE OF THE UNITED STATES INCLUDING TERRITORIES OR  
CANADA, EXCEPT QUEBEC, CANADA, WHERE ENGLISH IS NOT THE  
PRIMARY LANGUAGE OF THE COUNTRY OR A PROGRAM IN THE UNITED  
STATES AND TERRITORIES WHERE ENGLISH IS NOT THE PRIMARY  
LANGUAGE], verification of passing one of the following English proficiency  
examinations, with at least the following minimum scores:

*Withdrawn. XCR 7/11/2016*

12 AAC 44.400(g)(1) is amended to read:

(1) "accredited" means approved by a national nursing accrediting

organization such as the Commission on Collegiate Nursing Education (CCNE) <sup>or</sup> the

or another national nursing accrediting organization <sup>or</sup> the Accrediting Commission for Education in Nursing (ACEN) [NATIONAL LEAGUE OF

NURSING ACCREDITING COMMISSION (NLNAC)] at the time the applicant attended the program;

~~12 AAC 44.400 is amended by adding new subsections to read:~~

(h) An applicant who has had no clinical practice as an advanced nurse practitioner,

(1) for a period of two years or more before the date of the application for authorization, but less than five years, must complete 200 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed advanced nurse practitioner or licensed physician, and who is practicing in the same population focus area as that of the applicant;

(2) for a period of five years or more before the date of the reinstatement application, but less than 10 years, must complete 300 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed advanced nurse practitioner or licensed physician, and who is practicing in the same population focus area as that of the applicant; or

(3) for a period of 10 years or more must complete 500 hours of advanced nursing practice under the direct supervision of preceptor who is a licensed advanced nurse practitioner or licensed physician, and who is practicing in the same population focus area as that of the applicant.

Withdrawn. XCR 7/11/2016

~~(i) At the completion of the supervised practice under (h) of this section, the preceptor must submit a statement assessing the applicant's knowledge and advanced practice ability.~~ (Eff. 7/11/2016) *Withdrawn XCD*

1/13/80, Register 73; am 5/16/81, Register 78; am 12/1/84, Register 91; am 11/7/87, Register 104; am 4/27/97, Register 142; am 11/2/2001, Register 160; am 11/16/2002, Register 164; am 3/28/2008, Register 185; am 11/19/2008, Register 188; am 4/16/2010, Register 194; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.850

12 AAC 44.440(i) is amended to read:

(i) Contact hours used for initial authorization as an ANP may not be used again for renewal of the authorization unless the **initial authorization** [RENEWAL] is within 180 days of the renewal deadline. (Eff. 1/13/80, Register 73; am 12/1/84, Register 91; am 11/7/87, Register 104; am 8/9/92, Register 123; am 4/9/94, Register 130; am 4/27/97, Register 142; am 7/17/2003, Register 167; am 5/29/2005, Register 174; am 3/28/2008, Register 185; am 12/23/2009, Register 192; am 4/16/2010, Register 194; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.850

12 AAC 44.460(b)(2) is repealed:

(2) repealed 8 / 10 / 2016;

(Eff. 1/13/80, Register 73; am 11/12/93, Register 128; am 11/19/2008, Register 188; am 4/16/2010, Register 194; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.01.075 AS 08.68.270 AS 08.68.850

AS 08.68.100 AS 08.68.275

*cc Publisher: To reflect the addition of new 12 AAC 44.470(4), please relocate the "and" connector so that it follows 12 AAC 44.470(3) rather than 12 AAC 44.470(2)(B). )))*

12 AAC 44.470 is amended by adding a new paragraph to read:

*to practice as a registered nurse in this state*

(4) evidence of a current ~~Alaska RN~~ license in good standing.

(Eff. 1/13/80, Register 73; am 12/1/84, Register 91; am 11/7/87, Register 104; am 6/22/96,

Register 138; am 11/2/2001, Register 160; am 12/23/2009, Register 192; am 4/16/2010, Register

194; am 10/3/2011, Register 200; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100

~~12 AAC 44.500 is amended by adding new subsections to read:~~

(c) An applicant who has had no clinical practice as a certified registered nurse anesthetist for a period of two years or more before the date of the application for authorization, but less than five years, must complete 200 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed certified registered nurse anesthetist or licensed physician, and who is practicing in the same population focus area as that of the applicant.

(d) An applicant who has had no clinical practice as a certified registered nurse anesthetist for a period of five years or more before the date of the reinstatement application, but less than 10 years, must complete 300 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed certified registered nurse anesthetist or licensed physician, and who is practicing in the same population focus area as that of the applicant.

(e) An applicant who has had no clinical practice as a certified registered nurse anesthetist for a period of 10 years or more must complete 500 hours of advanced nursing

*Withdrawn. XCH 7/11/2016*

~~practice under the direct supervision of preceptor who is a licensed certified registered nurse anesthetist or licensed physician, and who is practicing in the same population focus area as that of the applicant.~~

~~(f) At the completion of the supervised practice under (c) – (e) of this section, the preceptor must submit a statement assessing the applicant's knowledge and advanced practice ability. (Eff. 10/8/81, Register 80; am 8/2/86, Register 99; am 11/7/87, Register 104; am 4/27/97, Register 142; am 3/28/2008, Register 185; am 11/19/2008, Register 188; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am \_\_\_\_ / \_\_\_\_ / \_\_\_\_, Register \_\_\_\_)~~

~~Authority: AS 08.68.100 AS 08.68.850~~

Withdrawn. ACP 7/11/2016

12 AAC 44.510(a) is amended to read:

(a) A certified registered nurse anesthetist may perform, within the scope of the person's educational preparation, procedures set out in the American Association of Nurse Anesthetists' *Scope of [AND STANDARDS FOR] Nurse Anesthesia Practice*, revised as of **2013** [2010] and adopted by reference.

(Eff. 10/8/81, Register 80; am 8/2/86, Register 99; am 11/7/87, Register 104; am 12/27/2012, Register 204; am 8 / 10 / 2016, Register 219)

Authority: AS 08.68.100 AS 08.68.850

**Editor's note:** A copy of the *Scope of [AND STANDARDS FOR] Nurse Anesthesia Practice*, adopted by reference in 12 AAC 44.510(a), can be obtained from the American

Association of Nurse Anesthetists, 222 South Prospect Avenue, Park Ridge, Illinois 60068-4001,

[www.aana.com/resources2/professionalpractice/Documents/PPM Scope of Nurse Anesthesia Practice.pdf](http://www.aana.com/resources2/professionalpractice/Documents/PPM%20Scope%20of%20Nurse%20Anesthesia%20Practice.pdf)  
or at the association's website at

<http://www.learninghouse.com/?scope+and+standards+for+nurse+anesthesia+practice>

12 AAC 44.540 is amended by adding a new paragraph to read:

to practice as a registered nurse in this state.

(4) evidence of a current ~~Alaska RN~~ license in good standing ~~valid for the~~

~~renewal period being sought~~: (Eff. 10/8/81, Register 80; am 8/2/86, Register 99; am 11/7/87,

Register 104; am 11/2/2001, Register 160; am 10/3/2011, Register 200; am 12/27/2012, Register

204; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100

((( Publisher: To reflect the addition of new 12 AAC 44.540(4), please relocate the "and" connector so that it follows 12 AAC 44.540(3) rather than 12 AAC 44.540(2)(B). )))

The introductory language of

12 AAC 44.610(a)(1) is amended to read:

(1) completion of at least 30 contact hours of continuing education for renewal of

a license, during the two years before the licensing period for which the applicant seeks

renewal; the applicant shall earn at least 20 of the contact hours in a continuing education

program provided

...

12 AAC 44.610(d) is amended to read:

(d) The board will not accept continuing education contact hours or in-service hours for the completion of courses in cardiopulmonary resuscitation (CPR) or basic life support (BLS).

(Eff. 1/1/87, Register 97; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 3/28/2008,

Register 185; am 11/19/2008, Register 188; am 3/19/2014, Register 209; am 8 / 10 / 2016,

Register 219)

**Authority:** AS 08.68.100

AS 08.68.276

AS 08.68.330

12 AAC 44.620(a)(1) is amended to read:

(1) completion of at least 30 hours of participation in uncompensated professional activities for renewal of a license, during the two years before the licensing period for which the applicant seeks renewal; and

12 AAC 44.620(a)(2)(D) is amended to read:

(D) <sup>the</sup> design and conduct <sup>of</sup> a research study relating to nursing and health care;

(Eff. 1/1/87, Register 97; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 10/15/2004, Register 172; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.276 AS 08.68.330

12 AAC 44.630 is amended to read:

**12 AAC 44.630. Nursing employment requirement.** The board will accept nursing employment toward fulfillment of the continuing competency requirements set out in 12 AAC 44.600 if the applicant documents at least 320 hours of practice of practical nursing or registered nursing, as defined in AS 08.68.850, during the two years before the licensing period for which the applicant seeks renewal. The applicant shall document those hours on a [RENEWAL SURVEY] form provided by the board and shall include the name of the nurse's employer. (Eff. 1/1/87, Register 97; am 7/28/95, Register 135; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.276

*« Publisher: Existing introductory text of 12 AAC 44.800(a)(2) is unchanged. »*

~~12 AAC 44.800(a)(2) is amended to read:~~

~~(2) submits verification of passing one of the following English proficiency~~

*Withdrawn*  
*ACR*  
*7/11/2016*

*(((Publisher: Existing introductory text of 12 AAC 44.800(a)(2) is unchanged.)))*  
~~examinations, with at least the following minimum scores, if the applicant applies under (1)(A),~~

~~(B), (C), or (E) of this subsection, and if the school or program was outside of the United States including territories of [OR] Canada, except Quebec, Canada, [WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE OF THE COUNTRY OR A SCHOOL OR PROGRAM IN THE UNITED STATES AND TERRITORIES WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE]:~~

~~...~~

~~(Eff. 2/14/99, Register 149; am 5/29/99, Register 150; am 5/29/2005, Register 174; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)~~

~~Authority: AS 08.68.100 AS 08.68.331 AS 08.68.334~~

Withdrawn. XCH 7/11/2016

*(((Publisher: Existing introductory text of 12 AAC 44.805(4) is unchanged.)))*

~~12 AAC 44.805(4) is amended to read:~~

~~(4) if the nurse aide program was taken outside of the United States including territories of [OR] Canada, except Quebec, Canada, [WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE OF THE COUNTRY OR AT A SCHOOL IN THE UNITED STATES AND TERRITORIES WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE,] verification of passing one of the following English proficiency examinations, with at least the following minimum scores:~~

~~...~~

~~(Eff. 2/14/99, Register 149; am 3/28/2008, Register 185; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)~~

~~Authority: AS 08.68.100 AS 08.68.331~~

Withdrawn. XCH 7/11/2016

*((( Publisher: Aside from the amendment to 12 AAC 44.810(a)(1)(A), existing 12 AAC 44.810(a) is amended to read: 12 AAC 44.810(a) is unchanged. )))*

(a) An applicant for certification as a nurse aide must submit

(1) a completed application, on a form provided by the department, verifying that the applicant meets the requirements of 12 AAC 44.800(a) or 12 AAC 44.805; the completed application must include, for identification purposes,

(A) a **passport** photograph of the applicant;

(B) a signature of the applicant; and

(C) personal identification information;

(2) the applicable fees established in 12 AAC 02.282; *AND*

(3) ~~if the submitted application has remained dormant for over one year~~

~~from the original date of application, an additional application fee and fingerprint~~

~~processing fee shall be required; and~~

~~(4)~~ the applicant's fingerprint information required by 12 AAC 44.812.

(Eff. 2/14/99, Register 149; am 6/16/2002, Register 162; am 10/9/2002, Register 164; am

8/10/2016, Register 219)

Authority: AS 08.68.100 AS 08.68.331

*((( Publisher: Existing 12 AAC 44.815(c) is unchanged. )))*  
12 AAC 44.815(c) is amended to read:

(c) A nurse aide certification will be renewed if the applicant was employed in a state or territory of the United States, or in a province or territory of Canada as a certified nurse aide for monetary compensation for 160 hours or more during the concluding certification period. **To**

~~renew, the CNA has to be able to verify performing CNA duties.~~

*This new text is withdrawn.  
XCH 7/11/2016*

~~(Eff. 2/14/99, Register 149; am 12/14/99, Register 153; am 4/9/2000, Register 154; am~~

~~11/2/2001, Register 160; am 7/22/2004, Register 171; am 5/29/2005, Register 174; am~~

~~12/23/2009, Register 192; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am~~

~~\_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)~~

Authority: AS 08.01.100

AS 08.68.331

AS 08.68.336

~~AS 08.68.100~~

The introductory language of

12 AAC 44.820(a) is amended to read:

(a) The board will reinstate a nurse aide certification that has been lapsed for one day

[YEAR], but less than two years, if the applicant submits

...

(Eff. 2/14/99, Register 149; am 12/14/99, Register 153; am 4/9/2000, Register 154; am

11/2/2001, Register 160; am 10/15/2004, Register 172; am 12/23/2009, Register 192; am

10/3/2011, Register 200; am 12/27/2012, Register 204; am 8 / 10 / 2016, Register 219)

Authority: AS 08.01.100

AS 08.68.100

AS 08.68.331

«Publisher: Existing 12 AAC 44.830 (b) is unchanged.»

~~12 AAC 44.830(b) is amended by adding a new paragraph to read:~~

~~(9) copies of signed memorandums of understanding for clinical training.~~

*Withdrawn*

*7/11/2016*

*XCR*

The introductory language of

12 AAC 44.830(d) is amended to read:

A registered nurse

(d) An RN that is either a member of the [THE] board or board staff will conduct an

on-site review of the training facilities and personnel of a provisionally approved program during

the first training offered by that program. After the on-site review the board will notify the program provider whether the board has determined that

...

(Eff. 2/14/99, Register 149; am 3/19/2014, Register 209; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.331

*"Publisher: To reflect the addition of 12 AAC 44.870(b)(29), please relocate the "and" connector so that it follows 12 AAC 44.870(b)(28) rather than 12 AAC 44.870(b)(27). )"*

12 AAC 44.870(b) is amended by adding a new paragraph to read:

(29) recording any part of the administration of the nurse aide certification examination or removing copies or photographs of any of the testing documents from the testing environment.

(Eff. 2/14/99, Register 149; am 5/29/2005, Register 174; am 5/7/2010, Register 194; am

8 / 10 / 2016, Register 219)

**Authority:** AS 08.01.075 AS 08.68.331 AS 08.68.334

AS 08.68.100

12 AAC 44.945(b) is repealed.

(b) Repealed 8 / 10 / 2016.

(Eff. 8/30/2007, Register 183; am 11/19/2008, Register 188; am 5/7/2010, Register 194; am

8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100

The introductory language of 12 AAC 44.965(e) is amended to read:

(e) The administration of PRN medication, other than controlled substances, may be delegated under this section if a nurse is not available on-site. Before the administration of PRN medications may be delegated, the nurse shall first assess the patient to determine whether on-site patient assessment will be required before [THE ONGOING] administration of each dose of PRN medication. The written instructions provided to the person under 12 AAC 44.950(a)(7) must meet the requirements of (d) of this section, and must also include

...

(Eff. 10/14/2004, Register 172; am 11/4/2004, Register 172; am 12/23/2009, Register 192; am 12/27/2012, Register 204; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.805 AS 08.68.850

*@@ Publisher: Existing 12 AAC 44.966 is unchanged. @@*

~~12 AAC 44.966(h)(3) is repealed?~~

~~(3) repealed \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_. (Eff. 5/7/2010, Register 194; am 3/19/2014,~~

~~Register 209; am \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_, Register \_\_\_\_\_) ?~~

~~**Authority:** AS 08.68.100 AS 08.68.805 AS 08.68.850 ?~~

*Hithobawa.  
XCD 7/11/2016*

12 AAC 44.970(14) is repealed:

(14) repealed 8 / 10 / 2016. (Eff. 10/14/2004, Register 172; am 8/30/2007, Register 183; am 5/7/2010, Register 194; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.805 AS 08.68.850

The section title and the introductory language of 12 AAC 44.980(a) is amended to read:

*or lowercase*



**12 AAC 44.980. Executive Administrator [SECRETARY].** (a) The duties and responsibilities of the executive administrator [SECRETARY] include

...

12 AAC 44.980(b) is repealed:

(b) Repealed 8 / 10 / 2016. (Eff. 2/9/2007, Register 181; am 8 / 10 / 2016,

Register 219)

**Authority:** AS 08.68.100 AS 08.68.111

12 AAC 44.990(28) is repealed:

(28) repealed 8 / 10 / 2016;

(Eff. 1/13/80, Register 73; am 10/8/81, Register 80; am 12/1/84, Register 91; am 4/2/86, Register 97; am 4/29/91, Register 118; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 6/16/2002, Register 162; am 11/10/2002, Register 164; am 10/14/2004, Register 172; am 2/9/2007, Register 181; am 11/19/2008, Register 188; am 12/27/2012, Register 204; am 8 / 10 / 2016, Register 219)

**Authority:** AS 08.68.100 AS 08.68.275 AS 08.68.805