



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

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Notice of proposed changes relating to nursing education programs, retired nurse license status requirements, scope of practice for advanced practice registered nurse, education requirements, and continuing competency requirements

Proposed Regulations - FAQ

June 2018

1. What is the purpose of the proposed regulations? What will this regulation do?

- **12 AAC 44.445 and 12 AAC 44.470.** Last year, the Alaska State Legislature enacted Chapter 2 SSSLA 2017 (HB159), to implement new education requirements in pain management and opioid use and addiction. Statute 08.68.276, effective July 1, 2018, require an advanced practice registered nurse (APRN) with a federal Drug Enforcement Administration (DEA) registration to complete not less than two hours of education in pain management and opioid use and addiction in the two years preceding an application for renewal of a license. Initial applicants for APRN licensure and APRN license renewal applicants who holds a valid DEA registration number must meet the new education requirements.

The proposed regulations amends the standards for prescribing controlled substances to comply with HB159, which requires the Board to adopt regulations to implement new opioid education requirements for initial and renewal licensure for APRN who holds DEA registration number. It will require for new applicants and renewal applicants to include completion of at least two hours of education in pain management and opioid use and addiction.

The new education requirement does not increase the number of hours required for renewal. At least two of the total hours that are already required to qualify for renewal must be specific to pain management and opioid use and addiction.

- **12 AAC 44.040.** Amends to add another nursing education program accrediting agency. The Accreditation Commission for Education in Nursing (ACEN) is being recognized by the board as an approved accreditation body for nursing programs.
- **12 AAC 44.311.** Amends the qualifications to apply for retired nurse license status. This requires a nurse to have an unencumbered nursing license and not to be under investigation in order to retire a nursing license. A license may be retired once the investigation is cleared and if no discipline occurred.
- **12 AAC 44.380.** Amends the application deadline for qualifications to apply for an APRN license by extending the date from May 16, 2018 to January 1, 2024. The current language requires an APRN to be currently licensed in specific population foci as of May 16, 2018. The purpose of this regulation

change is to permit certification in the foci and to extend the deadline for the requirement. The ultimate goal is to become in alignment with the APRN consensus model.

- **12 AAC 44.620.** Amends the professional volunteer hours required for maintaining the continuing competency requirements for renewal of a registered nurse license or a practical nurse license from 60 hours to 30 hours for the upcoming biennial renewal period. Per 12 AAC 44.600, the purpose of continuing competency requirements is to ensure that nurses maintain the ability to safely and effectively apply nursing knowledge, principles, and concepts in the practice of registered or practical nursing as defined in AS 08.68.850. The board has determined that 30 hours in two years was inadequate for maintaining competency.

The proposed continuing competency requirements for registered nurse or licensed practical nurse does not change as far as the methods for maintaining continuing competency for renewal. Before a license can be renewed each biennial period, a registered nurse or a licensed practical nurse must document either

- (1) compliance with 12 AAC 44.640; or
- (2) completion of two of the following three methods for maintaining continuing competency:
 - (A) 30 contact hours of continuing education as prescribed under 12 AAC 44.610;
 - (B) 30 hours of participation in professional activities as prescribed under 12 AAC 44.620; and
 - (C) 320 hours of nursing employment as prescribed under 12 AAC 44.630.

2. When will the new continuing competency requirements for renewal apply?

It's to be implemented in time to be effective for the upcoming 2018 biennial license renewal cycle. The purpose of this date change in the proposed regulation is to delay the requirement for the increase in volunteer hours until the 2018-2020 renewal cycle to permit the nurse more time to complete the volunteer hours. The nurse would be required to complete 60 hours of volunteer time between December 1, 2018 and November 30, 2020 in order to renew their license in 2020.

3. What are the costs to comply with the proposed regulations?

None known.

4. When will the regulations be effective?

After public comment deadline, comments received are compiled and given to the Board for consideration. The Board 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 Board 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.