

Byron Mallott  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
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Anchorage, Alaska 99501  
907.269.7460  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

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

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** September 27, 2018

**RE:** Filed Permanent Regulations: Board of Nursing  
  
Board of Nursing: Review of Applications and Initial Licensure Requirements (12 AAC 44.321)

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Attorney General File:	2018200678
Regulation Filed:	9/20/2018
Effective Date:	10/20/2018
Print:	228, January 2019

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF THE BOARD OF NURSING

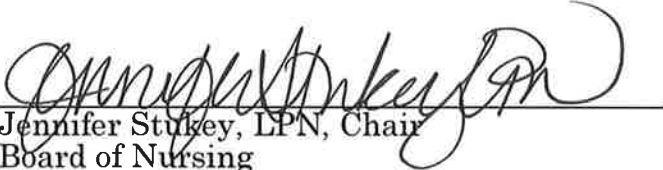
The attached eight pages of regulations, dealing with initial licensure requirements for advanced practice registered nurse and checklists used for review of applications, are hereby certified to be a correct copy of the regulation changes that the Board of Nursing adopted at its August 6-7, 2018 meeting, under the authority of AS 08.68.100, AS 08.68.170, AS 08.68.190, AS 08.68.200, AS 08.68.210, AS 08.68.251, 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: August 6, 2018  
Anchorage, Alaska

  
Jennifer Stuckey, LPN, Chair  
Board of Nursing

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on September 20, 2018 at 11:00 A.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
Byron Mallott, Lieutenant Governor

Effective: October 20, 2018.

Register: 228, January 2019.

**Chapter 44. Board of Nursing.**

12 AAC 44.321(d) is amended to read:

(d) The form titled *Application Checklist for Licensure [AUTHORIZATION] to Practice as an Advanced Practice Registered Nurse [PRACTITIONER] and To Have Prescriptive Authority*, dated August 2018 [JULY 2012], is adopted by reference. This form is established by the board for review by staff of an application for initial licensure [AUTHORIZATION] to practice as an advanced practice registered nurse [PRACTITIONER], including requirements for an advanced practice registered nurse [A NONRENEWABLE PERMIT] to practice as a certified registered nurse anesthetist, certified clinical nurse specialist, certified nurse practitioner, or certified nurse midwife; focus in one or more roles or population foci; [AN ADVANCED NURSE PRACTITIONER] and authority to prescribe and dispense legend drugs or prescribe controlled substances.

12 AAC 44.321(e) is repealed:

(e) Repealed 10 / 20 / 2018. ~~[THE FORM TITLED APPLICATION CHECKLIST FOR AUTHORIZATION TO PRACTICE AS A CERTIFIED REGISTERED NURSE ANESTHETIST OR TO HAVE PRESCRIPTIVE AUTHORITY, DATED JULY 2012, IS ADOPTED BY REFERENCE. THIS FORM IS ESTABLISHED BY THE BOARD FOR REVIEW BY STAFF OF AN APPLICATION FOR INITIAL AUTHORIZATION TO PRACTICE AS A CERTIFIED REGISTERED NURSE ANESTHETIST, INCLUDING A NONRENEWABLE CERTIFIED REGISTERED NURSE ANESTHETIST PERMIT AND AUTHORITY TO PRESCRIBE LEGEND DRUGS OR CONTROLLED SUBSTANCES.]~~

(Eff. 10/8/95, Register 136; am 4/27/97, Register 142; am 6/16/2002, Register 162; am 7/30/2002, Register 163; am 5/2/2004, Register 170; am 2/9/2007, Register 181; am 3/4/2007, Register 181; am 3/28/2008, Register 185; am 12/27/2012, Register 204; am 5/16/2018, Register 226; am 10 / 20 / 2018, Register 228 )

**Authority:** AS 08.68.100 AS 08.68.200 AS 08.68.251  
AS 08.68.170 AS 08.68.210 AS 08.68.850  
AS 08.68.190

**Editor's note:** The application checklist forms listed in 12 AAC 44.321 are available at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing offices in Anchorage and Juneau. *(copied by: No change to editor's Note.))*

(a)(1)(A)  
12 AAC 44.400 is amended to read:

**12 AAC 44.400. Requirements for initial licensure.** (a) Except as provided in (e) and (f) of this section, an applicant for initial licensure to practice as an advanced practice registered nurse (APRN) as defined in AS 08.68.850

(1) must have satisfactorily completed

(A) a formal accredited graduate educational course of study preparing in one of the APRN roles that

(i) is a minimum of one academic year in length;

(ii) prepares registered nurses to perform an expanded role in the delivery of health care;

(iii) includes a combination of classroom instruction and a minimum of 500 separate, non-duplicated hours of supervised clinical practice;

(iv) for nurse practitioners, <sup>a certified</sup> certified nurse midwives, or <sup>a certified</sup>

clinical nurse specialists, if completed on or after January 1, 1998, has distinct course offerings of three graduate credits or more in advanced pathophysiology, advanced pharmacotherapeutics, and advanced physical assessment, as evidenced by an official transcript or other official documentation received directly from a graduate program accredited by a nursing accrediting body that is recognized by the United States Secretary of Education or that is recognized by the Council for Higher Education Accreditation or its successor organization; and

(v) for <sup>a</sup>certified registered nurse anesthetists, if completed on

or after January 1, 2016, has distinct course offerings in advanced pathophysiology, advanced pharmacotherapeutics, and advanced physical assessment, as [IS] evidenced by an official transcript or other official documentation received directly from a graduate program accredited by a nursing accrediting body that is recognized by the United States Secretary of Education or that is recognized by the Council for Higher Education Accreditation or its successor organization;

(B) repealed 4/27/97; <sup>(1) Publisher: No change to 12 AAC 44.400(a)(1)(B))</sup>

<sup>(( Publisher: No change to 12 AAC 400(a)(2)-(b))</sup>

(2) must hold a current license to practice as a registered nurse in this state;

(3) must hold a current certification of advanced practice registered nurse in the population focus of nursing for which the applicant was educated as provided in (a) of this section, granted by a national certification body recognized by the board and as evidenced by official documentation received directly from the certifying body;

(Publisher: No change to  
12 AAC 44.400(a)(2) - (b)(1))

(4) shall, in the absence of a continuing education requirement of the certifying body, submit documented evidence of having obtained 60 contact hours of continuing education in the population focus of the advanced practice registered nurse every two years;

(5) if intending to deliver health care services to the public, must submit with the application for initial licensure a consultation and referral plan; the plan must

(A) describe the applicant's clinical practice;

(B) identify the expected client population focus area, which is within the scope of practice of the applicant;

(C) list the applicant's method of routine consultations and referrals, the method of documenting routine consultations and referrals in the patient record, and the names and titles of health care providers that the applicant will use for routine consultations and referrals;

(D) list the applicant's method for emergency referrals; and

(E) repealed 10/3/2011;

(F) describe the process for quality assurance the applicant will use to evaluate the applicant's practice, including

(i) the use of standards that apply to the area of practice;

(ii) present or past review of the practice;

(iii) use of pre-established criteria; and

(iv) a written evaluation of the quality assurance review with a plan

for corrective action, if indicated, and follow-up;

(6) shall submit a completed application on a form provided by the department;

the completed application must include



((1 Publisher: No change  
b (2 AAC 44.400(c)(2)-(6)))

(A) the names and addresses of three persons who may be contacted as professional references;

(B) one fully completed reference form, that is signed by one of the persons named under (A) of this paragraph who is qualified to verify the applicant's competency to practice as an advanced practice registered nurse, and that indicates that the applicant has demonstrated competency to practice as an advanced practice registered nurse within the two years immediately before the date of application;

(C) the applicant's notarized signature certifying that the information in the application is correct to the best of the applicant's knowledge;

(D) a certified transcript sent directly to the department from the graduate APRN program of study showing the applicant has satisfactorily completed an educational course of study that meets the requirements of (1) of this subsection; and

(E) if the applicant graduated from an advanced practice registered nurse program that was not taught with English as the primary language, English textbooks, and English testing modules, verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

(i) International English Language Testing System (IELTS) academic examination - overall score of 6.5 with a minimum of 6.0 on all modules;

(ii) Test of English as a Foreign Language, paper-based test (TOEFL - PBT) - overall score of 560 with a score on the Test of Spoken English (TSE) of 50;

(iii) Test of English as a Foreign Language, computer-based test

(TOEFL - CBT) - overall score of 220 with a score on the Test of Spoken English (TSE) of 50;

(iv) Test of English as a Foreign Language, Internet-based test (TOEFL - iBT) - overall score of 84 with a speaking score of 26; and

(7) shall submit the initial biennial licensure fee established by 12 AAC 02.280.

(b) Repealed 12/1/84.

(c) Repealed 4/27/97.

(Publisher: No change to 12 AAC 400 (b), (c), (d), (e), (f), or (g).))

(d) To meet the requirements of (a)(3) of this section, an applicant for licensure to practice as an adult or family psychiatric mental health nurse practitioner must submit

(1) certification issued by the American Nurses Credentialing Center before January 1, 2003 certifying that the applicant has passed the examination administered by the American Nurses Credentialing Center for

(A) psychiatric mental health clinical nurse specialist; or

(B) adult or family psychiatric mental health nurse practitioner; or

(2) certification issued by the American Nurses Credentialing Center on or after January 1, 2003 certifying that the applicant has passed the examination administered by the American Nurses Credentialing Center for adult or family psychiatric mental health nurse practitioner or clinical nurse specialist.

(e) Notwithstanding the requirements of this section, an applicant for initial authorization to practice as an advanced practice registered nurse who is a graduate of a foreign advanced practice registered nurse program may satisfy the requirements of (a) of this section by graduation from a foreign graduate level advanced practice registered nurse program that is equivalent to an accredited advanced practice registered nurse education program in the United



States. The applicant must submit an official transcript, mailed directly to the department from the foreign advanced practice registered nurse program, and accompanied by certified English translations if the original documents are not in English. The applicant must also submit a credentials evaluation from the Commission on Graduates of Foreign Nursing Schools verifying that the foreign advanced practice registered nurse education program from which the applicant graduated is equivalent to an accredited advanced practice registered nurse education program in the United States.

(f) Notwithstanding the requirements of this section, the graduate degree requirements of (a) of this section are satisfied by a

(1) certificate-prepared women's health care nurse practitioner, neonatal nurse practitioner, or nurse midwife who completed the individual's advanced nurse practitioner program before January 1, 2006;

(2) certificate-prepared nurse practitioner in a population focus recognized by the board, other than a population focus listed in (1) of this subsection, who completed the individual's advanced practice registered nurse program before January 1, 2003; or

(3) certificate-prepared certified registered nurse anesthetist who completed an accredited program before January 1, 2001.

(g) In this section,

(1) "accredited" means approved by the Commission on Collegiate Nursing Education (CCNE), the Accrediting Commission for Education in Nursing (ACEN), the National League of Nursing Accrediting Commission (NLNAC), the Council on Accreditation of Nurse Anesthesia Program (COA), the Accreditation Commission for Midwifery Education, or another national nursing accrediting organization at the time the applicant attended the program;

(2) "certificate-prepared" means an advanced practice registered nurse who graduated from an advanced practice registered nurse program that awarded a certificate. (Eff. 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; am 5/16/2018, Register 226; am 10/20/2018, Register 228 )

Authority: AS 08.68.100 AS 08.68.850

**Editor's note:** Information on the Psychiatric Mental Health Clinical Nurse Specialist examination and the Adult or Family Psychiatric Mental Health Nurse Practitioner examination referred to in 12 AAC 44.400 may be obtained from the American Nurses Credentialing Center, 8515 Georgia Avenue, Suite 400, Silver Spring, MD 20910-3492; telephone: (800) 284-2378.

# MEMORANDUM

## State of Alaska Department of Law

To: The Honorable Byron Mallott  
Lieutenant Governor

Date: September 20, 2018

File No.: 2018200678

Tel. No.: 465-3600

From: Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

Re: Board of Nursing Regulation re: 12  
AAC 44.321, .400: Board of Nursing:  
Review of Applications and Initial  
Licensure Requirements

The Department of Law has reviewed the attached regulations of the Board of Nursing against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Nursing after the close of the public comment period. The regulations concern review of applications and requirements for initial licensure. The board requests these be filed as soon as possible

The public notice and the certification of adoption both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SRP:srp

cc: (*via e-mail*)

Sara Chambers, Operations Manager  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Sher Zinn, Regulations Specialist  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Hon. Byron Mallott, Lieutenant Governor  
Our file: 2018200678

September 20, 2018

Gail Bernth, Executive Administrator  
Board of Nursing  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Megyn Weigand, Assistant Attorney General  
Commercial and Fair Business Section  
Department of Law

**NOTICE OF PROPOSED CHANGES RELATING TO INITIAL LICENSURE REQUIREMENTS  
FOR ADVANCED PRACTICE REGISTERED NURSE AND CHECKLISTS USED FOR  
REVIEW OF APPLICATIONS IN THE REGULATIONS OF THE BOARD OF NURSING**

**BRIEF DESCRIPTION:** The Board of Nursing proposes to update regulations regarding initial licensure requirements for advanced practice registered nurse (APRN) and to update the checklists used for review of applications.

The Board of Nursing (Board) proposes to adopt regulation changes in Title 12, Chapter 44 of the Alaska Administrative Code including the following:

1. **12 AAC 44.321. Review of applications**, is proposed to be changed to adopt by reference the updated checklists used for review of applications.
2. **12 AAC 44.400. Requirements for initial licensure**, is proposed to be changed to amend the initial licensure requirements to practice as an advanced practice registered nurse (APRN).

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/190591>, and using the comment link. **The comments must be received not later than 5:00 p.m. on August 1, 2018.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofNursing.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov) not later than July 25, 2018 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/NUR-0618.pdf>.

A copy of the material proposed for adoption by reference may be viewed at the Board's office at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Atwood Building, 550 West 7th Avenue, Suite 1500, Anchorage, AK.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

**Statutory Authority:** AS 08.68.100; AS 08.68.170; AS 08.68.190; AS 08.68.200; AS 08.68.210; AS 08.68.251; AS 08.68.850

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.68.100; AS 08.68.170; AS 08.68.190; AS 08.68.200; AS 08.68.210; AS 08.68.251; AS 08.68.850

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 7/2/18

  
\_\_\_\_\_  
Jun Maiquis, Regulations Specialist  
Division of Corporations, Business and  
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.



**ADDITIONAL REGULATION NOTICE INFORMATION**  
**(AS 44.62.190(d))**

1. **Adopting agency:** Board of Nursing – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Review of applications and requirements for initial licensure.
3. **Citation of regulation:** 12 AAC 44.321 and 12 AAC 44.400.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations; compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**  
A private person: None known.  
Another state agency: None known.  
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**  
No costs are expected in FY 2019 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Gail Bernth, Executive Administrator  
Alaska Board of Nursing  
Division of Corporations, Business and Professional Licensing  
Telephone: (907) 269-8161  
E-mail: gail.bernth@alaska.gov
10. **The origin of the proposed action:** Board of Nursing.
11. **Date:** 7/2/18

Prepared by: \_\_\_\_\_

  
Jun Maiquis  
Regulations Specialist  
(907) 465-2537

## FIRST JUDICIAL DISTRICT

**AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION**

I, Jun Maiquis, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 44.321 and 12 AAC 44.400, dealing with checklists used for review of applications and initial licensure requirements for advanced practice registered nurse, has been given by being

1. published in a newspaper or trade publication;
2. furnished to every person who has filed a request for notice of proposed action with the state agency;
3. furnished to appropriate state officials;
4. furnished to interested persons;
5. furnished to the Department of Law, along with a copy of the proposed regulation;
6. furnished electronically to incumbent State of Alaska legislators;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to persons in (2), (4), and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

System.

DATE: 8/14/18  
Juneau, Alaska

  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 19 day of August, 2018.



Notary Public in and for the  
State of Alaska  
My commission expires: 6

My commission expires: 09/01/16

**FIRST JUDICIAL DISTRICT**

## AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

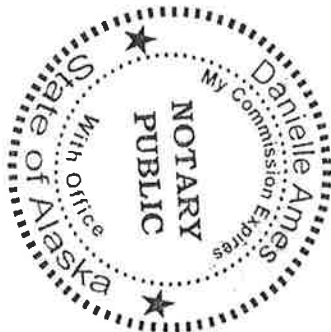
I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

In compliance with AS 44.62.215, the Board of Nursing has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Board of Nursing regulations on dealing with checklists used for review of applications and initial licensure requirements for advanced practice registered nurse.

Juneau, Alaska

Jun/Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 14 day of August, 2018.



My commission expires:



# ANCHORAGE DAILY NEWS

RECEIVED  
Juneau

## AFFIDAVIT OF PUBLICATION

JUL 09 2018

Account #: 268972

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PO BOX 110806

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Order#

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Cost

\$463.16

Product

ANC-Anchorage Daily News

Placement

0300

Position

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CBPL

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin

being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

July 03, 2018

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

Joleesa Stepetin

Subscribed and sworn to before me  
this 3rd day of July, 2018

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

2/23/2019

Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
My Commission Expires Feb 23, 2019

### NOTICE OF PROPOSED CHANGES RELATING TO INITIAL LICENSURE REQUIREMENTS FOR ADVANCED PRACTICE REGISTERED NURSE AND CHECKLISTS USED FOR REVIEW OF APPLICATIONS IN THE REGULATIONS OF THE BOARD OF NURSING

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A copy of the material proposed for adoption by reference may be viewed at the Board's office at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Atwood Building, 550 West 7th Avenue, Suite 1500, Anchorage, Alaska 99501.

DATED this 2nd day of July, 2018  
Judicial District, State of Alaska  
Anchorage Recording District, Third  
bank having a branch in the  
orders, or cashier's checks from a  
United States Post Office money  
currency of the United States,  
States of America" means coin or  
money of the United  
in this notice,  
to start at \$80,000.00.  
Anchorage, Alaska 99501. Bidding  
located at 825 West 4th Avenue,  
Nesbitt Memorial Courthouse  
hour of 1:00 p.m. in the lobby of the  
be held on August 16, 2018, at the  
closing bids. The public auction will  
payable at the time of sale upon  
of the United States of America,

Call 907-632-9033  
\$2,000.00  
Pristine Condition  
9,406 miles  
Original Owner  
XVS35  
95 Yamaha Virago

called in Eagle River.  
Text Alyssa at (907) 250-1536. Lo-  
16,380 miles with Clean Title. Call/  
2013 Triumph Street Triple R-

STATE OF ALASKA

### THIRD JUDICIAL DISTRICT

)  
) **SS.**  
)

## AFFIDAVIT OF BOARD ACTION

I, Gail Bernth, Executive Administrator for the Board of Nursing, being duly sworn,  
state the following:

The attached motion dealing with initial licensure requirements for advanced practice registered nurse and checklists used for review of applications was passed by the Board of Nursing during its August 6-7, 2018 meeting.

Date: 8-6-18  
Anchorage, Alaska

  
Gail Bernth, Executive Administrator

SUBSCRIBED AND SWORN TO before me this 6<sup>th</sup> day of August, 2018.



Michael A. Jones  
Notary Public in and for the  
State of Alaska  
My commission expires: 9-11-2020

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING

Atwood Building  
550 West Seventh Ave. Room 1270  
Anchorage, AK

BOARD OF NURSING

Board of Nursing Minutes  
August 6-7, 2018

By authority of AS 08.01.070(2) and in compliance with the professions of AS 44.62, Article 6, a meeting of the Board of Nursing was held in the Atwood Building 550 W. 7<sup>th</sup> Ave., Ste. 1270 Anchorage, AK 99501

**Monday August 6, 2018**

**CALL TO ORDER**

Called the meeting to order at 9:00

**Agenda Item 1**

**Roll Call**

Those present, constituting a quorum were:

- Chair: Jennifer Stukey LPN, Wasilla
- Secretary: Wendy Thon, MSN, APRN, FNP-C, FAANP, Eagle River
- Educator: Joe Lefleur, MSN Ed, RN, Ketchikan
- RN Member: Starla Fox, RN, Dillingham
- RN Member: Sharyl Toscano PhD, MS, RN-CPN, Anchorage
- Public Member: Linda Hutchings, Soldotna
- Public Member: Note this seat is currently vacant

Staff present from the Division of Corporations, Business and Professional Licensing:

- Gail Bernth MSN, APRN, Executive Administrator
- Lisa Maroney, Licensing Supervisor
- Madeleine Henderson, Licensing Examiner

Members of the Public in attendance:

- Beth Farnstrom, AaNA
- Lynn Hartz ,APRN Alliance
- Jessica Hubbard, RN Fairbanks
- Stephanie Wrightsman-Birch President Elect APRN Alliance
- Dennis Murray, ASHNHA
- Sonia Lipker, Senior Investigator
- Greg Francois, Chief Investigator



### **Agenda Item 7: Review of Written Public Comment from Proposed Regulations**

Board members reviewed the public comment received from proposed regulation changes to 12 AAC 44.400 requirements pertaining to initial licensure of APRNs and repealing 12 AAC 44.321(3) pertaining to the checklist for CRNAs and placing them under the proposed APRN application and checklist. The comments received were mostly favorable. The board noted continued confusion in the public regarding the continuing education requirements.

On a motion made by Linda Hutchings and seconded by Wendy Thon and carried with 6 ayes,

**RESOLVED that the Board of Nursing reviewed public comment and approves the following proposed regulations. This action is not expected to require an increased appropriation.**

- **12 AAC 44.321 Review of Applications**  
The intent of this regulation change is to adopt by reference the updated checklists used for review of applications.
- **12 AAC 44.400 Requirements for Initial Licensure**  
The intent of this regulation is to amend the initial licensure requirements to practice as an advanced practice registered nurse and to require CRNAs to have pathophysiology, pharmacology, and physical assessment after January 1, 2016.
- **AND that the Board of Nursing adopt checklist form 08-4260 dated 8/2018 pertaining to APRN initial licensure for final formatting and use by the licensing examiners to issue licenses.**

The board adopts form 08-4260 dated 8/2018 as the checklist for APRN initial applications. The intent and items reviewed have not changed; only formatting and clarification changes exist between the 6/2018 and 8/2018 versions

On a motion made by Wendy Thon, seconded by Starla Fox and carried with 5 ayes, 1 abstention, it was

**RESOLVED to adopt checklist form 08-4260 dated 8/2018 pertaining to APRN initial application for final formatting and use by licensing examiners to issue licenses.**

On a motion made by Linda Hutchings, seconded by Wendy Thon and carried with 6 ayes, it was

**RESOLVED to adopt 12 AAC 44.400 as written/publicly noticed.**



# APPLICATION CHECKLIST FOR LICENSURE TO PRACTICE AS AN ADVANCED PRACTICE REGISTERED NURSE AND FOR PRESCRIPTIVE AUTHORITY

In accordance with AS 08.68 and 12 AAC 44.380 – .450, the Board of Nursing authorizes that a license to practice as an Advanced Practice Registered Nurse and/or to have prescriptive authority be issued to an applicant whose application meets the qualifications listed below. An application that does not meet the qualifications listed below must be reviewed further by the board to determine if the applicant is qualified for authorization to practice as an advanced practice registered nurse and to have prescriptive authority.

Name of Applicant: \_\_\_\_\_ Record # \_\_\_\_\_

Applying for:

- \_\_\_\_\_ licensure as an advanced practice registered nurse (receipt # \_\_\_\_\_)
- \_\_\_\_\_ temporary permit to practice as an advanced practice registered nurse
- \_\_\_\_\_ prescriptive authority for legend drugs
- \_\_\_\_\_ prescriptive authority for controlled substances
- \_\_\_\_\_ HIPDB/NPDB discipline check

## PART I. TEMPORARY PERMIT TO PRACTICE AS AN ADVANCED PRACTICE REGISTERED NURSE

An applicant is qualified to receive temporary permit to practice as an advanced practice registered nurse if the applicant

- \_\_\_\_\_ (1) has met the qualifications in (1), (2), (4), (5), (6), and (7) of the list in part II below;
- \_\_\_\_\_ (2) has been accepted to take the next specialty board examination, is awaiting certification results, or is currently licensed as an advanced practice registered nurse in another state or jurisdiction (state and license # \_\_\_\_\_);
- \_\_\_\_\_ (3) holds a current license as a registered nurse in this state (license # \_\_\_\_\_).

Comments: \_\_\_\_\_

\_\_\_\_\_  
Authorized Representative, Board of Nursing

\_\_\_\_\_  
Date Reviewed

APRN Permit Number: \_\_\_\_\_ Issue Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

## PART II. LICENSE TO PRACTICE AS AN ADVANCED PRACTICE REGISTERED NURSE

An applicant is qualified to practice as an advanced practice registered nurse if the applicant has met the following requirements:

- \_\_\_\_\_ (1) provided an official transcript sent directly from the school of nursing showing the applicant has satisfactorily completed an education course that meets the requirements of 12 AAC 44.400(a)(1)(A);
- \_\_\_\_\_ (2) is currently licensed as a registered nurse in this state (license # \_\_\_\_\_);
- \_\_\_\_\_ (3) provided evidence of a current certificate as an APRN in a specialty area of nursing granted by a national certification body recognized by the board directly from the certifying body;
- \_\_\_\_\_ (4) in the absence of a continuing education requirement of the certifying body, submit documented evidence of having obtained 60 contact hours of continuing education in the population foci of the advanced practice nurse every two years;

(5) submitted a written plan that

- \_\_\_\_\_ (A) describes the applicant's clinical practice;
- \_\_\_\_\_ (B) identifies the expected category of clients, which is within the scope of practice of the applicant;
- \_\_\_\_\_ (C) lists the applicant's method of routine consultations and referrals, the method of documenting routine consultations and referrals in the patient record; and the names and titles of health care providers that the applicant will use for routine consultations and referrals;
- \_\_\_\_\_ (D) lists the applicant's method for emergency referrals;
- \_\_\_\_\_ (E) describes the process for quality assurance the applicant will use to evaluate the applicant's practice, including
  - \_\_\_\_\_ (i) the use of national standards that apply to the area of practice;
  - \_\_\_\_\_ (ii) present or past review of the practice;
  - \_\_\_\_\_ (iii) use of preestablished criteria; and
  - \_\_\_\_\_ (iv) a written evaluation of the quality assurance review with a plan for corrective action, if indicated, and follow up;

\_\_\_\_\_ (6) submitted a fully completed application form including

- \_\_\_\_\_ (i) the names and addresses of three professionals who may be contacted as references;
- \_\_\_\_\_ (ii) one fully completed and signed reference form that indicates the applicant is competent; and
- \_\_\_\_\_ (iii) the applicant's notarized signature certifying that the information on the form is correct to the best of the applicant's knowledge;
- \_\_\_\_\_ (iv) a certified copy of CGFNS Credential Evaluation/Course by Course Evaluation if the applicant is a graduate of a foreign school of nursing;
- \_\_\_\_\_ (v) if a foreign graduate: proof of attaining the minimum scores on the English language tests in 12 AAC 44.400(a)(6)(E);

\_\_\_\_\_ (7) paid the application fee and initial biennial licensure fee required in 12 AAC 02.280.

### **PART III. PRESCRIPTIVE AUTHORITY FOR LEGEND DRUGS AND SCHEDULE II - V CONTROLLED SUBSTANCES**

An applicant is qualified to receive authorization to prescribe legend drugs and controlled substances if the applicant

- \_\_\_\_\_ (1) is currently licensed or holds temporary license as an advanced practice registered nurse in the state;
- \_\_\_\_\_ (2) provides evidence of completion of 15 contact hours of education in advanced pharmacology and clinical management of drug therapy within the two year period immediately before the date of application;
- \_\_\_\_\_ (3) submits a completed, notarized application as required in (6) of the list in part II above;
- \_\_\_\_\_ (4) pays the legend drug authority fee required in 12 AAC 02.280;
- \_\_\_\_\_ (5) pays the controlled substance application fee required in 12 AAC 02.280.

Comments: \_\_\_\_\_

Approved for:

APRN LICENSE

Legend Drug Authority

Controlled Substance Prescriptive Authority

E-mail DEA

Yes

No

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_  
Authorized Representative, Board of Nursing

\_\_\_\_\_  
Date Reviewed