

Kevin Meyer  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV



530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Debbie Morgan  
Department of Commerce Community and Economic Development

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

A handwritten signature in blue ink, likely belonging to April Simpson, is written over the "FROM:" line.

**DATE:** October 1, 2019

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

Department of Commerce, Community, and Economic Development Regulation re:  
Occupational Licensing fees for professions regulated by the Board of Pharmacy (12  
AAC 02.310)

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Attorney General File:	2019200355
Regulation Filed:	10/1/2019
Effective Date:	10/31/2019
Print:	232, January 2020

cc with enclosures: Harry Hale, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached two pages of regulations, dealing with occupational licensing fees for professions regulated by the Board of Pharmacy, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 08.01.065, AS 08.80.159, and AS 08.80.160 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.

In considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under 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: June 3, 2019  
Juneau, Alaska

  
Sara Chambers, Director  
Division of Corporations, Business and  
Professional Licensing

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on Oct. 1, 2019 at 9:42 Am., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
Kevin Meyer, Lieutenant Governor

Effective: October 31, 2019.

Register: 232, January 2020.

**Chapter 02. General Occupational Licensing Functions.**

12 AAC 02.310 is amended to read:

**12 AAC 02.310. Board of Pharmacy.** (a) The following fees are established for pharmacists, pharmacy interns, pharmacy technicians, pharmacies, wholesale drug distributors, and drug dispensaries:

- (1) **nonrefundable** application fee for initial license, **\$100** [\$60];
- (2) repealed 10/28/2000;
- (3) temporary pharmacist license fee, **\$50** [\$60];
- (4) emergency permit to practice pharmacy fee, **\$100** [\$110];
- (5) pharmacy intern license fee, \$30.

(b) The following license and registration fees for all or part of the initial biennial licensing or registration period and subsequent biennial license and registration renewal fees are established for pharmacists, pharmacy technicians, remote and other pharmacies, and wholesale drug distributors:

- (1) pharmacist, **\$200** [\$240];
- (2) wholesale drug distributor, \$500;
- (3) pharmacy, **\$200** [\$240];
- (4) drug room, **\$200** [\$240];
- (5) registered pharmacy located outside of the state, \$600;
- (6) pharmacy technician, **\$50** [\$60];
- (7) remote pharmacy, **\$200** [\$240];
- (8) non-resident wholesale drug distributor, \$600;**

**(9) outsourcing facility, \$600;**

**(10) third-party logistics provider, \$600.** (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/28/93, Register 126; am 10/19/97, Register 144; am 10/28/2000, Register 156; am 6/13/2002, Register 162; am 6/23/2004, Register 170; am 2/15/2006, Register 177; am 5/18/2006, Register 178; am 6/11/2010, Register 194; am 5/18/2014, Register 210; am 10 / 31 /2019 , Register 232)

**Authority:** AS 08.01.065      **AS 08.80.159**      AS 08.80.160

# MEMORANDUM

## State of Alaska Department of Law

To: The Honorable Kevin Meyer  
Lieutenant Governor

Date: September 6, 2019

File No.: 2019200355

Tel. No.: 465-3600

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

Re: Department of Commerce,  
Community, and Economic  
Development Regulation re: 12 AAC  
02.310: Occupational licensing fees  
for professions regulated by the  
Board of Pharmacy

The Department of Law has reviewed the attached regulations of the Board of Pharmacy 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 revise and establish occupational licensing fees for professions regulated by the Board of Pharmacy. This project should be filed in order to be effective the same day as regulations project 2019200354, Board of Pharmacy regulations to establish new license types.

The regulations were adopted after the close of the public comment period. The April 24, 2019 public notice and the June 3, 2019 adoption order 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.

SRP:hjh

cc: Honorable Julie Anderson, Commissioner  
Department of Commerce, Community, and Economic Development  
Amy Demboski, Assistant Commissioner  
Department of Commerce, Community and Economic Development  
Glenn Hoskinson, Special Assistant to the Commissioner  
Department of Commerce, Community and Economic Development  
Sara Chambers, Division Director  
Department of Commerce, Community and Economic Development  
Jun Maiquis, Regulations Specialist  
Department of Commerce, Community, and Economic Development  
Sher Zinn, Regulations Specialist  
Department of Commerce, Community and Economic Development  
Richard Holt, Chair  
Board of Pharmacy  
(via e-mail through Jun Maiquis)  
Harriet Milks, Assistant Attorney General,  
Department of Law



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,  
and Economic Development

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, Alaska 99811-0800  
Main: 907.465.2500  
Toll free fax: 907.465.2500

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Alcohol and Marijuana Control Office (AMCO), but for the Division of Corporations, Business and Professional Licensing (CBPL), under the Alaska Administrative Procedure Act, is hereby delegated to:

Sara Chambers  
Division Director  
Division of Corporations, Business and Professional Licensing  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2536  
[sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov)

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Alcohol and Marijuana Control Office, under the Alaska Administrative Procedure Act, is hereby delegated to:

Shawn Williams  
Assistant Commissioner  
DCCED  
550 West Seventh Avenue, Suite 1535  
Anchorage, AK 99501  
907-269-8100  
[shawn.williams@alaska.gov](mailto:shawn.williams@alaska.gov)

This Delegation of Authority will remain in effect until modified or revoked by a subsequent delegation. This Delegation supersedes and revokes all delegations preceding it.

Dated the 30<sup>th</sup> day of April, 2019

A handwritten signature in black ink, appearing to read "Julie Anderson", written over a horizontal line.

Julie Anderson  
Commissioner  
Department of Commerce, Community,  
and Economic Development

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR  
PROFESSIONS REGULATED BY THE BOARD OF PHARMACY IN THE  
REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND  
ECONOMIC DEVELOPMENT**

**BRIEF DESCRIPTION:** The Department of Commerce, Community, and Economic Development proposes to change occupational license fees charged to pharmacists, pharmacy interns, pharmacy technicians, remote and other pharmacies, wholesale drug distributors, and drug dispensaries; and to add three new license types – non-resident wholesale drug distributor, outsourcing facility, and third-party logistics provider, to implement changes made in Chapter 66 SLA 2018 (SB 37).

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code including the following:

**12 AAC 02.310. Board of Pharmacy**, is proposed to be changed to amend the application, permit, license, registration, and renewal fees for pharmacists, pharmacy technicians, remote and other pharmacies, wholesale drug distributors, and drug rooms; and to add three new licensing categories and fees: non-resident wholesale drug distributor, outsourcing facility, and third party logistics provider.

Under AS 08.01.065, the Department must establish fee levels so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The Department has reviewed the income and expenses for the occupational licensing program for the Board of Pharmacy and proposes fee changes that reflect, to the extent possible, the actual costs of the activities related to the program.

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 Department 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/193978>, and using the comment link. **The comments must be received not later than 4:30 p.m. on May 24, 2019.** Comments received after this deadline will not be considered by the Department.

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 Department 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/BoardofPharmacy.aspx>. The Department 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 May 17, 2019 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/PHA-Fees-0419.pdf>.

After the public comment period ends, the Department 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 08.01.065; AS 08.80.159; AS 08.80.160

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.80.159; AS 08.80.160

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

DATE: \_\_\_\_\_

4/24/19




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:** Department of Commerce, Community, and Economic Development – Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Occupational licensing fees.
3. **Citation of regulation:** 12 AAC 02.310.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** 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:** Decrease will range from \$10 to \$40 depending on type of license; \$40 increase for initial application fee. For three new licensing categories: third-party logistics provider, outsourcing facility, and non-resident wholesale drug distributor – \$100 initial application, \$600 initial biennial license, and \$600 biennial license renewal fees.
  - 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:**  
Laura Carrillo, Executive Administrator  
Alaska Board of Pharmacy  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
Telephone: (907) 465-1073  
E-mail: laura.carrillo@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 4/24/19      **Prepared by:**   
Jun Maiquis  
Regulations Specialist  
(907) 465-2537

STATE OF ALASKA

## FIRST JUDICIAL DISTRICT

) ss.

**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 02.310, dealing with occupational licensing fees for professions regulated by the Board of Pharmacy, 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.

DATE: 7/10/19  
Juneau, Alaska

  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 16 day of July, 2019.



Notary Public in and for the  
State of Alaska  
My commission expires: w/o office

STATE OF ALASKA

**FIRST JUDICIAL DISTRICT**

$$\left. \begin{array}{l} ) \\ ) \\ ) \end{array} \right\} \text{ss.}$$

## 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 Department of Commerce, Community, and Economic Development 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 Department of Commerce, Community, and Economic Development regulations on dealing with occupational licensing fees for professions regulated by the Board of Pharmacy.

DATE: 2/10/19  
Juneau, Alaska

  
Jun Maiquis, Regulations

Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 10 day of July, 2019.



Notary Public in and for the  
State of Alaska

My commission expires: 12/01/16


STATE OF ALASKA  
FIRST JUDICIAL DISTRICT } ss.

AFFIDAVIT OF DEPARTMENT CONSIDERATION OF  
BOARD RECOMMENDATIONS

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:


As required by AS 08.01.065(c), the Department of Commerce, Community, and Economic Development has considered the recommendations of the Board of Pharmacy before adopting changes to the fees in 12 AAC 02.310.

DATE: 7/10/19  
Juneau, Alaska

  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 10 day of July, 2019.



  
Notary Public in and for the  
State of Alaska  
My commission expires: 4/01/20



MAY 01 2019

CBPL

## ANCHORAGE DAILY NEWS

## AFFIDAVIT OF PUBLICATION

Account #: 268972

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Product

ADN-Anchorage Daily News

Placement

0300

Position

0301

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

April 25, 2019

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 29th day of April, 2019

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

MY COMMISSION EXPIRES

STATE OF ALASKA  
NOTARY

PUBLIC

Jada L. Nowling

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL  
LICENSING FEES FOR PROFESSIONS REGULATED BY THE  
BOARD OF PHARMACY IN THE REGULATIONS OF THE  
DEPARTMENT OF COMMERCE, COMMUNITY, AND  
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03/02/1917, died 07/11/2017  
Case # 3AN-18-00692 PR  
Bruce Edward Arndt  
Notice to Creditors  
302  
Notice To Creditors  
Legals  
300  
Call us to place your  
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257-4444  
massagetherapy14@outlook.c  
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