

Kevin Meyer
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
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530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Debbie Morgan
Department of Commerce Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: November 25, 2019

RE: Filed Permanent Regulations: Department of Commerce Community and Economic Development

Department of Commerce, Community, and Economic Development Regulation re:
Acupuncture License Program (12 AAC 05.100 - .990)

Attorney General File:	2019200506
Regulation Filed:	11/25/2019
Effective Date:	12/25/2019
Print:	232, January 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Sher Zinn, Regulations Specialist

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

The attached four pages of regulations, dealing with license requirements, continuing competency requirements, and repeal of outdated regulations, for acupuncturists regulated by the Department of Commerce, Community, and Economic Development, are adopted and certified to be a correct copy of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 08.01.100, AS 08.06.020, AS 08.06.030, AS 08.06.040, AS 08.06.100, 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.

Although no public comments were received, 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 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: 26 July 2019
Juneau, Alaska


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

April Simpson for

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on November 25, 2019 at 3:08 p..m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

April Simpson
for Kevin Meyer, Lieutenant Governor

Effective: December 25, 2019.

Register: 232, January 2020.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**




.....

**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 05. Acupuncture.

12 AAC 05.100(b)(3) is amended to read:

(3) official verification of a license sent directly to the department from [IN] each jurisdiction where the applicant holds or has ever held a license to practice acupuncture; the verification must include information on any disciplinary proceedings or unresolved complaints against the applicant;

12 AAC 05.100(b)(4) is amended to read:

(4) a certified copy of the applicant's diplomate of acupuncture certificate issued by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) [NATIONAL COMMISSION FOR CERTIFICATION OF ACUPUNCTURISTS (NCCA)] or a letter from the NCCAOM [NCCA] verifying that the applicant is qualified for a diplomate of acupuncture certificate. (Eff. 2/8/95, Register 133; am 12 / 25 / 2019, Register 232)

Authority: AS 08.06.020 AS 08.06.030 AS 08.06.100

12 AAC 05.110 is amended to read:

12 AAC 05.110. Approved school of acupuncture. To be approved by the department, a school of acupuncture must be recognized by the Council of Colleges of Acupuncture and Oriental Medicine (CCAOM) [NATIONAL COUNCIL OF ACUPUNCTURE SCHOOLS AND COLLEGES] or the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM). (Eff. 2/8/95, Register 133; am 12/2/99, Register 152; am 12 / 25 / 2019, Register 232)

Register 232, January 20²⁰~~19~~ PROFESSIONAL REGULATIONS

Authority: AS 08.06.030 AS 08.06.100

12 AAC 05.200(b)(3) is repealed:

(3) repealed 12 / 25 / 2019 ;

(Eff. 2/8/95, Register 133; am 12 / 25 / 2019, Register 232)

Authority: AS 08.01.100 AS 08.06.040 AS 08.06.100

12 AAC 05.210(a) is amended to read:

(a) An applicant for renewal of a license to practice acupuncture shall document completion of **one of the following**: [15 CONTACT HOURS OF CONTINUING COMPETENCY ACTIVITIES ACCEPTABLE TO THE DEPARTMENT THAT WAS EARNED DURING THE CONCLUDING LICENSING PERIOD]

(1) certification as a diplomate in acupuncture by the ~~National Certification Commission for Acupuncture and Oriental Medicine~~ (NCCAOM) during the entire concluding licensing period; or

(2) 15 Professional Development Activity (PDA) points earned solely in ~~Core~~ Competency activities in acupuncture as defined by the NCCAOM during the concluding licensing period.

12 AAC 05.210(c) is repealed:

(c) Repealed 12 / 25 / 2019. (Eff. 2/8/95, Register 133; am 12 / 25 / 2019,

Register 232)

Authority: AS 08.06.040 AS 08.06.100

12 AAC 05.220 is repealed and readopted to read:

12 AAC 05.220. Approved continuing competency activities. To be accepted by the department, continuing competency activities under 12 AAC 05.210(a)(2) must be designated a Core Competency Professional Development Activity in acupuncture by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM). (Eff. 2/8/95,

Register 133; am 12 / 25 / 2019, Register 232)

Authority: AS 08.06.040 AS 08.06.100

→ [11 CANAL CENTER PLAZA, SUITE 300, ALEXANDRIA, VIRGINIA, 22314]

Editor's note: The National Certification Commission for Acupuncture and Oriental Medicine may be contacted at 2025 M Street North West, Suite 800, Washington, DC 20036;

telephone: (888)381-1140; website: www.nccaom.org. CC Publisher: Remainder of editor's note unchanged.))

12 AAC 05.230 is repealed and readopted to read:

12 AAC 05.230. Audit of continuing competency requirements. (a) The department will audit renewal applications in accordance with 12 AAC 02.960, to monitor compliance with the continuing competency requirements of 12 AAC 05.210 and 12 AAC 05.220. (Eff. 2/8/95,

Register 133; am 12 / 25 / 2019, Register 232)

Authority: AS 08.06.040 AS 08.06.100

12 AAC 05.990(2) is repealed. and readopted to read

(2) repealed _____; "NCCAOM" means the National Certification Commission For Acupuncture and Oriental Medicine.

Register 232, January²⁰ 2019 PROFESSIONAL REGULATIONS

12 AAC 05.990(3) is repealed:

(3) repealed 12 / 25 / 2019. (Eff. 2/8/95, Register 133; am 12 / 25 / 2019,

Register 232

Authority: AS 08.06.100

MEMORANDUM

State of Alaska

Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: November 22, 2019

File No.: 2019200506

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 05.100-.990: Acupuncture
License Program

The Department of Law has reviewed the attached regulations of the Department of Commerce, Community and Economic Development 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 department after the close of the public comment period. The regulations concern standards for acupuncture licenses.

The public notice and the 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.

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:nlw

cc: Julie Anderson, Commissioner
Department of Commerce, Community & Economic Development
Amy Demboski, Assistant Commissioner
Department of Commerce, Community & Economic Development
Glenn Hoskinson, Special Assistant to the Commissioner
Department of Commerce, Community & Economic Development
Deborah Morgan, Administrative Specialist
Department of Commerce, Community & Economic Development
Sher Zinn, Regulations Specialist
Department of Commerce, Community & Economic Development
Ashley Brown, 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 110806
Juneau, Alaska 99811-0806
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

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

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 30th day of April, 2019

A handwritten signature in black ink, appearing to read "Julie Anderson".

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

**NOTICE OF PROPOSED CHANGES TO THE ACUPUNCTURE REGULATIONS
OF THE DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT**

BRIEF DESCRIPTION: The Department of Commerce, Community, and Economic Development proposes to adopt changes to the acupuncture regulations regarding licensing, continuing competency requirements for renewal, and repeal of certain regulations.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 05 of the Alaska Administrative Code, dealing with license requirements, continuing competency requirements for license renewal, and repeal of certain regulations involving outdated regulations and definitions, including the following:

12 AAC 05.100. Application requirements, is being amended to clarify the requirements of a verification of licensure from another state and to update the name of the certifying agency to the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM).

12 AAC 05.110. Approved school of acupuncture, is being amended to update the name of the accrediting agency for acupuncture schools.

12 AAC 05.200. License renewal, is being amended by repealing the requirement for current proof of certification for license renewal.

12 AAC 05.210. Continuing competency requirements, is amended by updating the continuing competency requirements by allowing current certification or completion of specific competency activities, and repeal of the description of continuing competency contact hours and credits.

12 AAC 05.220. Approved continuing competency activities, is being repealed and readopted to update the requirements for approved continuing competency activities, and update the information in the editor's note.

12 AAC 05.230. Audit of continuing competency requirements, is being repealed and readopted to update the requirements for continuing competency audits.

12 AAC 05.990. Definitions, is being updated by repealing two definitions no longer needed.

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 Sher Zinn, 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. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/194589>, and using the comment link. **The comments must be received not later than 4:30 p.m. on July 22, 2019.** Comments received after this deadline will not be considered by the Department.

You may submit written questions relevant to the proposed action to Sher Zinn, 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. **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 Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/Acupuncturists.aspx>, or on the Alaska Online Public Notice System. 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 Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov not later than July 15, 2019, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/ACU-0619.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 08.01.100; AS 08.06.020; AS 08.06.030; AS 08.06.040; AS 08.06.100

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.100; AS 08.06.020; AS 08.06.030; AS 08.06.040; AS 08.06.100

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

DATE: 6/17/19


Sher Zinn, 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:** Updating regulations regarding license and renewal requirements for the acupuncture occupational licensing program.
3. **Citation of regulation:** 12 AAC 05.100; 12 AAC 05.110; 12 AAC 05.200; 12 AAC 05.210; 12 AAC 05.220; 12 AAC 05.230; 12 AAC 05.990.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations.
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 2020 or in subsequent years.

9. The name of the contact person for the regulation:

Deborah Roesch, Occupational Licensing Examiner

Division of Corporations, Business and Professional Licensing

Department of Commerce, Community, and Economic Development

Telephone: (907) 465-3142

E-mail: deborah.roesch@alaska.gov

10. The origin of the proposed action: Division of Corporations, Business and Professional Licensing.

11. Date: 6/17/19

Prepared by: 

Sher Zinn

Regulations Specialist

(907) 465-1049

ANCHORAGE DAILY NEWS

RECEIVED
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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

June 17, 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
Joleesa Stepetin

Subscribed and sworn to before me
this 19th day of June, 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 THE ACUPUNCTURE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 05 of the Alaska Administrative Code, dealing with license requirements, continuing competency requirements for license renewal, and repeal of certain regulations involving outdated regulations and definitions, including the following:

12 AAC 05.100. Application requirements, is being amended to clarify the requirements of a verification of licensure from another state and to update the name of the certifying agency to the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM).

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to experience the beauty of Southeast Alaska.
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service, multiple daily (737's) jets, and hundreds of annual
extraordinary quality of life. With weekly marine ferry
approximately 650 miles north of Seattle and offers an
one of "America's top 100 small art communities". Located
to tourism, fishing, and the arts. Ketchikan has been named
Ketchikan is a welcoming island community with strong ties
to tourism, fishing, and the arts. Ketchikan has been named
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approximately 650 miles north of Seattle and offers an
extraordinary quality of life. With weekly marine ferry
service, multiple daily (737's) jets, and hundreds of annual
cruise ship visitations - over 1,000,000 people visit each year
to experience the beauty of Southeast Alaska.
LIBRARIAN will join a dedicated and collaborative team.
increasingly responsible library experience. The new Senior
an accredited college or university and have two years of
possess a Bachelor's degree, (MLS or MLIS preferred) from
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winning library building opened in 2013 and serves a
coordination and maintenance of all services. The award
the activities of the division by overseeing the operations,
of Ketchikan, Alaska. This position develops and administers
SENIOR LIBRARIAN, CHILDREN'S DIVISION for the City



Website
http://arcticslope.org
Submit Application
apply@arcticslope.org
Linda Stanford, HR Director
Phone: 907.852.9391
Fax: 907.852.6217
Linda.Stanford@arcticslope.org

Applications will be accepted from June 10, 2019,
through July 10, 2019.

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ASNA offers a generous compensation package: annual
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STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS
AND FURNISHING OF ADDITIONAL INFORMATION

I, Sher Zinn, 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 05.100-990, dealing with licensing and continuing competency for acupuncturists, regulated by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing 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 interested persons and those 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: 7/26/19

Sher Zinn
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, Ak on 7-26-19.

(date)



Jean Bennett
Notary Public in and for the State of Alaska
My commission expires w/office

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

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

The Department of Commerce, Community, and Economic Development did not receive any 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 licensing and continuing competency of acupuncturists regulated by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.

Date: 7/26/19

Sher Zinn
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, AK on

7-26-19

(date)



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