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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Amy Demboski
Department of Commerce Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: April 10, 2020

RE: Filed Emergency Regulations: Board of Nursing
Board of Nursing Emergency Regulation re: courtesy license (12 AAC 44.318)

Attorney General File:	Emergency Regulations
Regulation Filed:	4/10/2020
Effective Date:	4/10/2020
Expiration Date:	August 7, 2020 unless made permanent by the adopting agency
Print:	234, July 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

FINDING OF EMERGENCY

The Board of Nursing finds that an emergency exists under AS 44.62.250 and that an emergency regulation change is necessary to 12 AAC 44.318, dealing with courtesy license, for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

The restrictive nature of this regulation could negatively impact the health of the public by decreasing healthcare worker availability during this public health emergency cause by the COVID-19 pandemic.

ORDER CERTIFYING ADOPTION

I certify that the Board of Nursing, under the authority of AS 08.01.062, AS 08.68.100, AS 08.68.170, AS 08.68.270, and AS 08.68.275, adopted at its April 6, 2020 teleconference meeting the attached three pages of regulation changes as an emergency regulation to take effect immediately upon filing by the lieutenant governor, as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

DATE: 4.8.2020
Anchorage, Alaska

Marianne Murray, DNP, MSN, RN
Marianne Murray, Executive Administrator
Board of Nursing

April Simpson for FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on April 10th, 2020 at 9:07 a.m., I filed the attached regulation according to the provisions of AS 44.62.

April Simpson
for Kevin Meyer, Lieutenant Governor

Effective: April 10, 2020

Register: 234, July 2020

Expires August 7, 2020
unless made "permanent"
by the adopting agency

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.**



A handwritten signature in blue ink, appearing to read "K. Meyer", is written over a horizontal dotted line.

**KEVIN MEYER
LIEUTENANT GOVERNOR**

EMERGENCY REGULATION

Register 234, July 2020 PROFESSIONAL REGULATIONS

Chapter 44. Board of Nursing.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 44.318 is amended to read:

12 AAC 44.318. Courtesy license. (a) In an urgent situation, the board will issue a courtesy license to practice nursing to an applicant who meets the requirements of this section. The board may restrict the license to only those nursing services required to respond to the urgent situation. The licensee may not practice nursing outside the scope of the limited purpose for which the courtesy license is issued.

(b) An applicant for a courtesy license under this section must submit to the department a completed [, NOTARIZED] application on a form provided by the department. A complete application includes

(1) the applicable application and licensing fees established in 12 AAC 02.280;

(2) the personal identification information requested on the form **and, unless the form is notarized, two forms of government issued identification;**

(3) **repealed 4 / 10 / 2020** [CERTIFICATION FROM THE APPLICANT THAT THE APPLICANT IS NOT A RESIDENT OF THIS STATE];

(4) information on the applicant's physical and mental health related to the grounds for license denial, suspension, or revocation in AS 08.68.270;

(5) information on any criminal convictions related to the grounds for license denial, suspension, or revocation in AS 08.68.270;

(6) **repealed 4 / 10 / 2020** [A DESCRIPTION OF THE URGENT

EMERGENCY REGULATION

Register 234, July 2020 **PROFESSIONAL REGULATIONS**

SITUATION FOR WHICH THE COURTESY LICENSE IS NEEDED, THE SCOPE OF PRACTICE OF NURSING REQUIRED TO RESPOND TO THE URGENT SITUATION, AND THE REQUESTED PRACTICE LOCATION AND DURATION OF PRACTICE]; and

(7) a verification of a current license in good standing to practice nursing in another state or other jurisdiction [WITH LICENSING REQUIREMENTS AT LEAST EQUIVALENT TO THOSE OF THIS STATE] at the time of application under this section, and that the applicant is not under investigation in the state or other jurisdiction in which the applicant is licensed;

(8) repealed 5/16/2018.

(c) The board may issue one courtesy license to an individual within a consecutive 18-month period. A courtesy license issued under this section is valid for the period specified by the board and may not exceed **180** [30 CONSECUTIVE] days. A courtesy license may be renewed for one additional period specified by the board, not to exceed **180** [30 CONSECUTIVE] days.

(d) The board will not issue, and a courtesy license holder may not use, a courtesy license

(1) **repealed 4 / 10 / 2020** [FOR LOCUM TENENS COVERAGE];

(2) as a substitute for a temporary license or other license required under AS 08.68; or

(3) to evaluate employment opportunities.

(e) While practicing under a courtesy license issued under this section, the holder of the courtesy license must comply with the standards of practice set out in AS 08.68 and this chapter, and is subject to discipline for actions taken or omitted while practicing under the courtesy license.

EMERGENCY REGULATION

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(f) The board may refuse to issue a courtesy license for the same reasons that it may deny, suspend, or revoke a license under AS 08.68.270.

(g) In this section, "urgent situation" means a health crisis affecting all or part of the state that requires an immediate supply of additional nurses or nurses with specialized education. (Eff.

11/19/2008, Register 188; am 5/16/2018, Register 226; em am 4 / 10 / 2020 –

8 / 7 / 2020, Register 234)

Authority: AS 08.01.062 AS 08.68.170 AS 08.68.275
AS 08.68.100 AS 08.68.270