

Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 02.010(b) is amended to read:

(b) **Except as provided in (f) of this section, the** [THE] department will not issue a license or renew a license unless the applicable fees established in AS 08 or this chapter have been collected.

12 AAC 02.010 is amended by adding new subsections to read:

(f) Except as otherwise provided in this title, and notwithstanding (b) of this section, an applicant for an initial license may enter into an agreement with the department to establish a payment plan for the total amount of the initial license fee. Failure of the applicant to submit payments required by the agreement may result in the department issuing a cease and desist order, or the licensee may be subject to disciplinary sanctions including suspension or revocation of the license.

(g) An applicant whose license application has been approved pending receipt of the license fee must submit the license fee to the department within twelve months after being notified that the license application was approved. Except as provided in (f) of this section, an applicant who does not submit the license fee to the department within twelve months after being notified that the license application was approved must reapply for licensure. (Eff. 10/2/81, Register 80; am 12/5/84, Register 92; am 3/6/86, Register 97; am 5/4/90, Register 114; am 2/13/94, Register 129; am 12/28/97, Register 144; am ____/____/____, Register ____)

Authority: AS 08.01.050 AS 08.01.065 AS 08.01.100

AS 08.01.060

AS 08.01.080

12 AAC 02.102(a) is amended to read:

12 AAC 02.102. Fees for a temporary license issued under [AS 14.43.148 OR] AS 25.27.244; waivers; refunds. (a) When the division issues a temporary license under [AS 14.43.148 OR] AS 25.27.244, the division will collect the annual or biennial license fee for the trade or profession for which the temporary license is issued, subject to the refund and waiver provisions set out in this section. The temporary license fee is the amount paid to the division under this section from the annual or biennial license fee that is not refunded or waived under this section.

12 AAC 02.102(b) is repealed:

(b) Repealed ____ / ____ / _____. [WHEN AN INDIVIDUAL WHO HOLDS A TEMPORARY LICENSE ISSUED UNDER AS 14.43.148 IS

(1) ISSUED A NOTICE OF RELEASE BY THE ALASKA COMMISSION ON POSTSECONDARY EDUCATION AND TAKES THE ACTION NECESSARY, ON OR BEFORE THE EXPIRATION DATE OF THE TEMPORARY LICENSE, TO CONVERT THE TEMPORARY LICENSE TO AN ANNUAL OR BIENNIAL LICENSE UNDER AS 05.10, AS 08, OR AS 46.03.375, THE DIVISION WILL WAIVE ONE-HALF OF THE ANNUAL OR BIENNIAL LICENSE FEE FOR THE TRADE OR PROFESSION FOR WHICH THE INDIVIDUAL IS RECEIVING AN ANNUAL OR BIENNIAL LICENSE;

(2) NOT ISSUED A NOTICE OF RELEASE BY THE ALASKA COMMISSION ON POSTSECONDARY EDUCATION ON OR BEFORE THE EXPIRATION

DATE OF THE TEMPORARY LICENSE, THE DEPARTMENT WILL

(A) REFUND ONE-HALF OF THE ANNUAL OR BIENNIAL
LICENSE FEE PAID UNDER (A) OF THIS SECTION; AND

(B) NOT REFUND A BOND, CASH DEPOSIT, NEGOTIABLE
INSTRUMENT, OR OTHER MECHANISM TO PROVIDE PROOF OF FINANCIAL
RESPONSIBILITY THAT WAS DEPOSITED FOR CLAIMS UNDER AS 05.10.090,
AS 08, OR THIS CHAPTER, EXCEPT AS REQUIRED BY LAW.]

12 AAC 02.102(c)(1) is amended to read:

(1) issued a release by the child support services agency and takes the action necessary, on or before the expiration date of the temporary license, to convert the temporary license to an annual or biennial license under [AS 05.10,] AS 08[,] or AS 46.03.375, the division will waive one-half of the annual or biennial license fee for the trade or profession for which the individual is receiving an annual or biennial license;

12 AAC 02.102(c)(2)(B) is amended to read:

(B) not refund a bond, cash deposit, negotiable instrument, or other mechanism to provide proof of financial responsibility that was deposited for claims under [AS 05.10.090,] AS 08[,] or this chapter, except as required by law.

12 AAC 02.102(d)(1) is amended to read:

(1) [AS 05.10.120 OR] this chapter for a licensing category included under the trades and professions listed in AS 08.01.010; and

(Eff. 11/20/96, Register 140; am 9/11/97, Register 143; am 12/2/99, Register 152; am
____/____/____, Register ____)

Authority: AS 08.01.050 [AS 14.43.148] AS 25.27.244
AS 08.01.065

12 AAC 02.105(16) is amended to read:

(16) examination review fee, \$50; [.]

12 AAC 02.105 is amended by adding new paragraphs to read:

(17) temporary license application fee, \$100;

(18) fee for a temporary license issued under AS 08.01.063 or

AS 08.01.064, \$100. (Eff. 9/27/86, Register 99; am 11/20/86, Register 100; am 4/3/88, Register
105; am 5/28/93, Register 126; am 2/13/94, Register 129; am 12/28/97, Register 144; am
11/27/98, Register 148; am 6/13/2002, Register 162; am 3/25/2004, Register 169; am
____/____/____, Register ____)

Authority: AS 08.01.062 AS 08.01.065 AS 08.01.100

12 AAC 02.155(b) is repealed

(b) Repealed ____/____/____. [NOTWITHSTANDING 12 AAC 02.020 AND 12 AAC
02.030, THE INITIAL LICENSE RENEWAL FEE FOR A CLINICAL SOCIAL WORKER,
MASTER SOCIAL WORKER, OR BACCALAUREATE SOCIAL WORKER IN (a)(5) – (7)
OF THIS SECTION WILL NOT BE PRORATED, EXCEPT AS PROVIDED IN 12 AAC
02.030(a)(1).]

Register _____, _____ 2021 **PROFESSIONAL REGULATIONS**

(Eff. 5/4/90, Register 114; am 5/28/93, Register 126; am 4/20/96, Register 138; am 4/11/98, Register 146; am 5/5/99, Register 150; am 10/28/2000, Register 156; am 8/12/2001, Register 159; am 6/13/2002, Register 162; am 6/1/2006, Register 178; am 6/11/2010, Register 194; am 5/18/2014, Register 210; am 4/24/2016, Register 218; am 5/26/2018, Register 226; am ____ / ____ / _____, Register _____)

Authority: AS 08.01.065 AS 08.95.110 AS 08.95.125
AS 08.95.030 AS 08.95.120

12 AAC 02.255 is repealed:

12 AAC 02.255. Mobile Home Dealers. Repealed. [(a) THE FOLLOWING FEES ARE ESTABLISHED FOR MOBILE HOME DEALERS:

(1) NONREFUNDABLE APPLICATION FEE FOR INITIAL REGISTRATION, \$50;

(2) REGISTRATION FEE FOR ALL OR PART OF THE INITIAL BIENNIAL REGISTRATION PERIOD, \$510;

(3) BIENNIAL REGISTRATION RENEWAL FEE, \$510;

(b) A REGISTRATION AS A MOBILE HOME DEALER EXPIRES ON AUGUST 31 OF ODD-NUMBERED YEARS.] (Eff. 8/2/97, Register 143; repealed ____ / ____ / _____, Register _____)

12 AAC 02 is amended by adding a new section to read:

12 AAC 02.915. Application form and verifications for licensure. (a) Except as otherwise provided in this title for a board, commission, or occupation, if upon receipt by the

division of the last document required to complete an application file, the file contains an application form, authorization for release of records form, or verification that is older than twelve months from the date the document was received by the division, the document will be considered to be stale and the applicant must resubmit the document or cause the document to be resubmitted as appropriate before the application will be considered by the division or a licensing board.

(b) In this section

(1) “application form” means an application for a license as defined in 12 AAC 02.990;

(2) “verification” means a verification of licensure from an appropriate licensing authority in a state, territory, province, or other country. (Eff. ____/____/____, Register ____)

Authority: AS 08.01.050 AS 08.01.080

12 AAC 02.930 is amended to read:

12 AAC 02.930. Date of license lapse. For the purposes of AS 08.01.100, if a person licensed by the department or by one of the boards or commissions under AS 08.01.010 was issued a temporary license under [AS 14.43.148 OR] AS 25.27.244 and the temporary license was not converted to an annual or biennial license under [AS 05.10, OR] AS 08[,] or AS 46.03.375, the lapsed period begins from the date that the temporary license expired. (Eff. 12/2/99, Register 152; am ____/____/____, Register ____)

Authority: AS 08.01.050 AS 08.01.080 AS 08.01.100

12 AAC 02.935(a) is repealed:

(a) Repealed ____/____/____. [WHEN THE ALASKA COMMISSION ON POSTSECONDARY EDUCATION ISSUES A NOTICE OF RELEASE, ON OR BEFORE THE EXPIRATION DATE OF THE TEMPORARY LICENSE ISSUED BY THE DIVISION UNDER AS 14.43.148, THE DIVISION WILL ISSUE THE INITIAL LICENSE OR RENEWAL UNDER AS 08 OR AS 46.03.375. THE EFFECTIVE DATE OF THE LICENSE IS THE DATE THAT THE LICENSE IS ISSUED UNDER AS 08 OR AS 46.03.375, EXCEPT AS PROVIDED IN 12 AAC 02.940(B).]

(Eff. 9/29/2005, Register 175; am ____/____/____, Register _____)

Authority: AS 08.01.050 AS 08.01.080 AS 08.01.100

12 AAC 02.955(c)(2) is amended to read:

(2) the **applicable fees** [FEE] established in 12 AAC 02.105 for a courtesy license;

(Eff. 12/28/97, Register 144; am ____/____/____, Register _____)

Authority: AS 08.01.050 AS 08.01.080 AS 08.02.030

12 AAC 02 is amended by adding new sections to read:

12 AAC 02.956. Temporary license for spouses of military personnel. (a) The department will issue a temporary license to the spouse of an active duty military member of the armed forces of the United States who meets the requirements of AS 08.01.063 and this section, authorizing the holder to practice a profession that is regulated by the department under AS 08.01.010 and this title.

(b) An applicant for a temporary license under this section must submit

(1) a completed application, on a form provided by the department;

(2) the applicable fees established in 12 AAC 02.105 for a temporary license;

(3) a copy of the applicant's military dependent identification card and a copy of the spouse's current active duty military orders showing assignment to a duty station in this state;

(4) verification of licensure from each jurisdiction where the applicant holds or has ever held a license to practice the profession for which the temporary license is requested, one of which must be a current license in good standing and meet the requirements of AS 08.01.063(a)(2); the verifications must meet the requirements of AS 08.01.063(a)(4) and (5); and

(5) if the profession for which the applicant is seeking a temporary license requires a criminal history background check, a completed fingerprint card and the fee required by the Department of Public Safety to obtain state and national criminal justice information required under AS 08.01.063(a)(3).

(c) The department will expedite the issuance of the license under this section as required by AS 08.01.063(b).

(d) A temporary license issued under this section is valid for 180 days, and may be extended for an additional 180-day period by applying on a form provided by the department, and submitting the temporary license fee established in 12 AAC 02.105. (Eff. ____/____/____, Register ____)

Authority: AS 08.01.050 AS 08.01.063 AS 08.01.065

12 AAC 02.957. Temporary license for military personnel. (a) The department will issue a temporary license to a member of the armed forces of the United States who meets the

requirements of AS 08.01.064 and this section, authorizing the holder to practice a profession that is regulated by the department under AS 08.01.010 and this title.

(b) An applicant for a temporary license under this section must submit

(1) a completed application, on a form provided by the department;

(2) the applicable fees established in 12 AAC 02.105 for a temporary license;

(3) verification of licensure from each jurisdiction where the applicant

holds or has ever held a license to practice the profession for which the temporary license is requested; the verifications must meet the requirements of AS 08.01.063(a)(4) and (5);

(4) evidence satisfactory to the department of meeting the requirements of AS 08.01.064(b)(3) as follows:

(A) verification of a current license or certificate issued by another jurisdiction that provides proof of licensure during the time the applicant provided the practice in the area of the license or certificate while in the military, and proof that the applicant practiced the profession, as described in AS 08.01.064(b)(3)(A); or

(B) documentation of receiving education, training, or service as a member of the armed forces and was awarded a degree, diploma, or certificate by a branch of the armed forces of the United States or any state, that meets the requirements of AS 08.01.064(b)(3)(B); and

(5) if the profession for which the applicant is seeking a temporary license requires a criminal history background check, a completed fingerprint card and the fee required by the Department of Public Safety to obtain state and national criminal justice information required under AS 08.01.063(a)(3).

(e) The department will expedite the issuance of the license under this section for an

applicant who is on active duty as required by AS 08.01.064(c).

(f) A temporary license issued under this section is valid for 180 days, and may be extended for an additional 180-day period by applying on a form provided by the department, and submitting the temporary license fee established in 12 AAC 02.105. (Eff. ____/____/____, Register ____)

Authority: AS 08.01.050 AS 08.01.064 AS 08.01.065

12 AAC 02.960(e)(5) is amended to read:

(5) the name and mailing address [AND SIGNATURE] of the instructor, sponsor, or other verifier; [.]

12 AAC 02.960(e) is amended by adding a new paragraph to read:

(6) the Internet address of an online provider that can verify individual student attendance.

12 AAC 02.960 is amended by adding a new subsection to read:

(k) If individual student attendance cannot be verified upon attempt by the department, the continuing education credit may be deemed as invalid and will not be awarded. (Eff. 12/28/97, Register 144; am 9/29/2005, Register 175; am ____/____/____, Register ____)

Authority: AS 08.01.050 AS 08.01.087 AS 08.01.100
AS 08.01.080

12 AAC 02.965(a) is amended to read:

(a) Except as otherwise provided in AS 08 or this title, a license issued under AS 08 will not be renewed or reinstated if the applicant for renewal or reinstatement has not earned the required number of continuing education credits **during the concluding licensing period. With the appropriate board or department approval, an** [THE] applicant **for renewal or reinstatement of a lapsed license** may earn the required number of credits after the expiration date of the license. Continuing education credits earned to reinstate or renew **a lapsed** [AN EXPIRED] license may not be used to satisfy the continuing education requirements for a future renewal or reinstatement. Credits submitted to satisfy the continuing education requirements under this section must be approved under AS 08 and this title by the department or the applicable board.

12 AAC 02.965 is amended by adding a new subsection to read:

(c) The department or applicable board will consider the licensee’s failure to comply with the continuing education audit under this section as grounds for imposition of disciplinary sanctions to the extent allowed under AS 08 and this title. (Eff. 3/14/2001, Register 157; am _____/_____/_____, Register _____)

Authority: AS 08.01.050 AS 08.01.080 AS 08.01.100