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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

A handwritten signature in blue ink, likely belonging to April Simpson, the author of the memorandum.

DATE: February 5, 2021

RE: Filed Permanent Regulations: State Medical Board

State Medical Board regulations re: registration of physicians and physician assistants with the prescription drug monitoring program (PDMP) controlled substance prescription database (12 AAC 40.450(a); 12 AAC 40.976)

Attorney General File:	2020200525
Regulation Filed:	2/5/2021
Effective Date:	3/7/2021
Print:	237, April 2021

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

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE STATE MEDICAL BOARD

The attached two pages of regulations, dealing with registration and reporting with the prescription drug monitoring program controlled substance prescription database, are hereby certified to be a correct copy of the regulation changes that the State Medical Board adopted at its November 20, 2020 teleconference meeting, under the authority of AS 08.64.100, AS 08.64.107, AS 08.64.326, AS 08.64.363, AS 08.64.380, and AS 17.30.200, 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 State Medical Board 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.

12/4/2020

DATE:

Sitka, Alaska

DocuSigned by:

Richard J. Wein, M.D.

Richard J. Wein, M.D., Chair
State Medical Board

April Simpson for
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on February 5th, ²⁰²¹~~2020~~ at 4:12 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

for Kevin Meyer

Kevin Meyer, Lieutenant Governor

Effective: March 7, 2021

Register: 237, April 2021

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.**



K. Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 40. State Medical Board.

12 AAC 40.450(a) is amended to read:

(a) A physician assistant who prescribes, orders, administers, or dispenses controlled substances must

(1) have a current Drug Enforcement Administration (DEA) registration number, valid for that handling of that controlled substance on file with the department; **and**

(2) **comply with 12 AAC 40.976.** (Eff. 1/13/80, Register 73; am 3/12/89, Register 109; am 4/27/97, Register 142; am 6/28/97, Register 142; am 3/16/98, Register 146; am 12/16/99, Register 152; am 10/14/2006, Register 180; am 9/1/2007, Register 183; am 3 / 7 / 2021, Register 237)

Authority: AS 08.64.100 AS 08.64.107 AS 17.30.200

12 AAC 40 is amended by adding a new section to read:

12 AAC 40.976. Registration and reporting with the prescription drug monitoring program controlled substance prescription database. A physician or physician assistant licensed under this chapter who holds a federal Drug Enforcement Administration (DEA) registration number must

(1) register and comply with the prescription drug monitoring program (PDMP) controlled substance prescription database (not later than) (after) within 30 days of initial licensure or registration with the DEA, whichever is later; and

(2) comply with the requirements of AS 17.30.200 and 12 AAC 52.865. (Eff.

3 / 7 / 2021, Register 237)

Authority:	AS 08.64.100	AS 08.64.326	AS 08.64.380
	AS 08.64.107	AS 08.64.363	AS 17.30.200