

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



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

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

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, appearing to be "April Simpson".

DATE: March 15, 2021

RE: Filed Permanent Regulations: Board of Pharmacy

Board of Pharmacy emergency regulations made permanent re: emergency permits and emergency courtesy licenses (12 AAC 52.110)

Attorney General File:	2020200682
Regulation Filed:	3/15/2021
Effective Date:	11/19/2020
Print:	238, July 2021

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

CERTIFICATION OF COMPLIANCE

I, Laura Carrillo, Executive Administrator for the Board of Pharmacy, certify that, as required by AS 44.62.260 in order to make the attached two pages of regulations permanent, as of this date a legal opinion of the Department of Law has been requested under AS 44.62.060, a notice conforming to AS 44.62.200 was issued in compliance with AS 44.62.190, and an opportunity for public comment was provided under AS 44.62.210, for the following emergency regulation:

12 AAC 52.110, dealing with emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician.

This regulation originally was filed as an emergency regulation on November 19, 2020.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Board of Pharmacy paid special attention to the cost to private persons of the regulatory action being taken.

DATE: _____
Juneau, Alaska

Laura Carrillo Digitally signed by Laura Carrillo
Date: 2021.02.22 15:06:34 -09'00'

Laura Carrillo, Executive Administrator
Board of Pharmacy

April Simpson, for
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on March 15, 2021 at 11:04 a.m., I filed the attached regulation according to the provisions of AS 44.62.

for
Kevin Meyer

Kevin Meyer, Lieutenant Governor

Register: 238, July 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.



Kevin Meyer

**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 52. Board of Pharmacy.

The emergency amendment of 12 AAC 52.110 is made permanent to read:

12 AAC 52.110. Emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician. (a) If the board determines that an emergency exists requiring the provision of licensed coverage in a pharmacy that is temporarily without the services of a pharmacist due to death, illness, or other emergency circumstances, the board may issue an emergency pharmacist, pharmacy intern, or pharmacy technician permit to an applicant who

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

(2) pays the emergency permit fee required in 12 AAC 02.310;

(3) submits verification on a form provided by the department that the applicant is currently licensed in another licensing jurisdiction and the applicant's license in the other jurisdiction is not suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education requirements;

(4) repealed 10/31/2019; and

(5) has not been convicted of a felony or another crime that affects the applicant's ability to practice pharmacy competently and safely.

(c) Repealed 11/19/2020.

(b) An emergency permit under (a) of this section is nonrenewable, and is valid for 90 days or until the emergency circumstances no longer exist, whichever is shorter.

(d)

(c) In an urgent situation, the board may issue an emergency courtesy license to practice as a pharmacist, pharmacy intern, or pharmacy technician to an applicant who meets the requirements of this section. The board may restrict the license to only those services required to respond to the urgent situation. The licensee may not practice as a pharmacist, pharmacy intern, or pharmacy technician outside the scope of the limited purpose for which the emergency

courtesy license is issued.

(e) An applicant for an emergency courtesy license under this section must submit to the department a completed application on a form provided by the department. A complete application includes the applicable application and licensing fees established in 12 AAC 02.105.

(f) An emergency courtesy license issued under this section is valid for the period specified by the board and may not exceed 120 consecutive days. An emergency courtesy license may be renewed for one additional period specified by the board, not to exceed 120 consecutive days.

(g) The board will not issue, and an emergency courtesy license holder may not use, an emergency courtesy license as a substitute for a temporary license or other license required under AS 08.80.

(h) While practicing under an emergency courtesy license issued under this section, the holder of the emergency courtesy license must comply with the standards of practice set out in AS 08.80 and this chapter.

(i) The board may refuse to issue an emergency courtesy license for the same reasons that it may deny, suspend, or revoke a license under AS 08.80.261.

(j) In this section, "urgent situation" means a health crisis requiring an increased availability of pharmacists, pharmacy interns, or pharmacy technicians. (Eff. 1/16/98, Register 145; am 1/17/2007, Register 181; am 8/12/2007, Register 183; am 10/31/2019, Register 232; am 11/19/2020, Register 236)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.155

Editor's note: Amendments to 12 AAC 52.110 took effect on November 19, 2020, as emergency regulations, and were first published in Register 236 (January 2021). In reviewing the "permanent" regulations in accordance with AS 44.62.060 and 44.62.125(b), the regulations attorney made technical changes to the subsection letterings to reflect that the emergency regulations in effect repealed former 12 AAC 52.110(c). The technical changes appeared in the "permanent" regulations as published in Register 238 (July 2021). The history note for 12 AAC 52.110 does not reflect the changes made by the regulations attorney.


MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: March 12, 2021

File No.: 2020200682

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Tel. No.: 465-3600

From: Steven C. Weaver *SCW*
Senior Assistant Attorney General
Legislation and Regulations Section

Re: Board of Pharmacy emergency
regulations made permanent re:
emergency permits and emergency
courtesy licenses (12 AAC 52.110)

The Department of Law has reviewed, against the statutory standards of the Administrative Procedure Act, the attached emergency regulations that the Board of Pharmacy intends to make permanent. Based upon our review, we find no legal problems. The emergency regulations were adopted on November 6, 2020, and were filed and took effect on November 19, 2020. The Board of Pharmacy action to make the regulations permanent occurred on February 18, 2021, after the state legislative session began. *The emergency regulations will expire on March 18, 2021 unless made permanent.*

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 emergency regulations were approved by the Board of Pharmacy, after the close of the public comment period, as permanent regulations. To increase the availability of pharmacy personnel during the COVID-19 pandemic and future health crises--for example, to prevent delays in the administration of COVID-19 vaccines--the regulations streamline requirements for obtaining emergency permits and provide for emergency courtesy licenses in urgent situations.

The November 19, 2020 certification of adoption order, the November 22, 2020 public notice, and the February 22, 2021 certification of compliance all 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.

SCW

cc w/enc: Richard Holt, D.Ph., Chair
Board of Pharmacy
(via e-mail through Jun Maiquis)

Amy Demboski, Regulations Contact
Department of Commerce, Community, and Economic Development

Laura Carrillo, Executive Administrator
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Harriet Dinegar Milks, Senior Assistant Attorney General
Commercial, Fair Business, and Child Support Section

**NOTICE OF ADOPTION OF EMERGENCY REGULATION ON EMERGENCY PERMITS
AND COURTESY LICENSES IN THE REGULATIONS OF THE
ALASKA BOARD OF PHARMACY**

BRIEF DESCRIPTION: The Board of Pharmacy proposes to make permanent regulation changes made by emergency regulation regarding emergency permits and courtesy licenses for pharmacists, pharmacy interns, and pharmacy technicians.

On **November 6, 2020**, the Board of Pharmacy (Board) adopted, as an emergency regulation, changes in 12 AAC 52 of the Alaska Administrative Code dealing with emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician, including the following:

12 AAC 52.110. Emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician, is proposed to expand the emergency permit applications to include pharmacists, pharmacist interns, and pharmacy technicians; and to establish a new subsection to allow for emergency courtesy licenses, which pharmacists, technicians, and interns can apply for as non-residents in an urgent situation due to public health emergency or crisis caused by the COVID-19 pandemic.

The emergency regulation took effect on **November 19, 2020**, and will expire **March 18, 2021** unless made permanent. The Board intends to make the emergency regulation permanent.

You may comment on the regulation changes, including the potential costs to private persons of complying with the 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 Board 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/200218>, and using the comment link. **The comments must be received not later than 4:30 p.m. on December 29, 2020.** Comments received after this deadline will not be considered by the Board.

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. **The questions must be received at least 10 days before the end of the public comment period.** The Board 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 Board 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 not later than December 22, 2020 to ensure that any necessary accommodation can be provided.

A copy of the emergency regulation is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/PHA-EmergencyReg-1120.pdf>.

The language of the permanent regulation may be different from that of the original emergency regulation and may include other provisions dealing with the same subject. **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 08.80.005; AS 08.80.030; AS 08.80.155

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.80.005; AS 08.80.030; AS

Fiscal Information: The regulations are not expected to require an increased appropriation.

DATE: 11/20/2020


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:** Board of Pharmacy – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
- 2. **General subject of regulation:** Emergency permits and courtesy license.
- 3. **Citation of regulation:** 12 AAC 52.110.
- 4. **Department of Law file number:** 2020200682.
- 5. **Reason for the proposed action:** Emergency regulation due to COVID-19.
- 6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
- 7. **Estimated annual cost to comply with the proposed action to:**
A private person: \$50 courtesy license application fee; \$100 courtesy license fee; \$100 emergency permit fee.
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 2021 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 emergency regulation action:** Board of Pharmacy.

11. **Date:** 11/20/2020

Prepared by: 
Jun Maiquis
Regulations Specialist

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 268972 ST OF AK/DEC/OCCU
Attention To: ATTN TO: JUN MAIQUIS
PO BOX 110806, JUNEAU, AK 99811

Order #: W0019126

Cost: \$478.12

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that 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

11/22/2020

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 _____

Subscribed and sworn to before me
this 24th day of November 2020.

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

MY COMMISSION EXPIRES

4/14/21
ANGELA M SIMMONS
NOTARY PUBLIC
State of Alaska
My Commission Expires Apr. 14, 2021

NOTICE OF ADOPTION OF EMERGENCY REGULATIONS ON EMERGENCY PERMITS AND COURTESY LICENSES IN THE REGULATIONS OF THE ALASKA BOARD OF PHARMACY

On November 6, 2020, the Board of Pharmacy (Board) adopted, as an emergency regulation, changes in 12 AAC 52 of the Alaska Administrative Code dealing with emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician, including the following:

12 AAC 52.110. Emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician, is proposed to expand the emergency permit applications to include pharmacists, pharmacist interns, and pharmacy technicians; and to establish a new subsection to allow for emergency courtesy licenses, which pharmacists, technicians, and interns can apply for as non-residents in an urgent situation due to public health emergency or crisis caused by the COVID-19 pandemic.

The emergency regulation took effect on November 19, 2020, and will expire March 18, 2021 unless made permanent. The Board intends to make the emergency regulation permanent.

You may comment on the regulation changes, including the potential costs to private persons of complying with the 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 Board 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/200218>, and using the comment link. The comments must be received not later than 4:30 p.m. on December 29, 2020. Comments received after this deadline will not be considered by the Board.

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. The questions must be received at least 10 days before the end of the public comment period. The Board 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 Board 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 not later than December 22, 2020 to ensure that any necessary accommodation can be provided.

A copy of the emergency regulation is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/PHA-EmergencyReg-1120.pdf>.

The language of the permanent regulation may be different from that of the original emergency regulation and may include other provisions dealing with the same subject. 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 08.80.005; AS 08.80.030; AS 08.80.155
Statutes Being Implemented, Interpreted, or Made Specific: AS 08.80.005; AS 08.80.030; AS 08.80.155

Fiscal Information: The regulations are not expected to require an increased appropriation.

DATE: 11/20/2020
/s/ 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.

Published: November 22, 2020

**AFFIDAVIT OF NOTICE OF ADOPTION OF EMERGENCY 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 44.62.250, notice of the November 19, 2020 emergency changes to 12 AAC 52.110, dealing with emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician, has been given under AS 44.62.190(a) 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 regulation;
6. electronically transmitted 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 November 19, 2020 emergency changes to the regulation described above has been furnished to interested persons and furnished to 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.

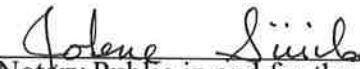
DATE: 3/1/21
Juneau, Alaska



Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 1 day of March, 2021.





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

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 Board of Pharmacy 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 Board of Pharmacy regulations on dealing with emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician.

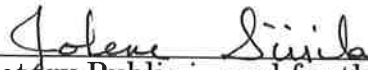
DATE: 3/1/21
Juneau, Alaska



Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 1 day of March, 2021.





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

AFFIDAVIT OF BOARD ACTION

I, Laura Carrillo, Executive Administrator for the Board of Pharmacy, being duly sworn, state the following:

The attached motion dealing with emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician was passed by the Board of Pharmacy during its February 18-19, 2021 teleconference meeting.

There is no notary public or other official empowered to administer oaths available to notarize this document as a result of social distancing requirements implemented statewide.

I certify under penalty of perjury that the foregoing is true.

Date: _____

Laura Carrillo

Digitally signed by Laura Carrillo
Date: 2021.02.22 15:06:05 -09'00'

Laura Carrillo, Executive Administrator

State of Alaska
Juneau

Excerpt from the Draft Minutes of the
February 18-19, 2021 Teleconference Meeting of the
Alaska Board of Pharmacy

Emergency regulations 12 AAC 52.110

The Board reviewed the changes made to 12 AAC 52.110 expanding the existing emergency permit for pharmacists to include technicians and interns. A new section was also created for emergency courtesy licenses for pharmacists, technicians, and interns. Ms. Carrillo noted there were no public comments received by the deadline, December 29, 2020. The board's intent was to make these regulations permanent.

On a motion duly made by Justin Ruffridge to adopt the emergency regulations in 12 AAC 52.110 as permanent, seconded by Sharon Long and approved unanimously, it was:

RESOLVED to adopt the emergency regulations for 12 AAC 52.110 concerning emergency permits and courtesy licenses as permanent.

	APPROVE	DENY	ABSTAIN	ABSENT
Leif Holm	x			
Richard Holt	x			
Justin Ruffridge	x			
Lana Bell	x			
Tammy Lindemuth				x
James Henderson				x
Sharon Long	x			

The motion passed with no further discussion.

FINDING OF EMERGENCY

The Board of Pharmacy finds that an emergency exists under AS 44.62.250 requiring an immediate expansion of emergency permits and licenses, and that an emergency regulation change is necessary to 12 AAC 52.110, dealing with emergency permit and emergency courtesy license, for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

- Pharmacists are using emergency permits to assist in the state of Alaska COVID-19 emergency response
- There is a complexity of obtaining licensure;
- A large-scale vaccination release related to COVID-19 is upcoming;
- Facilitate licensees being able to further assist Alaskans in the ongoing emergency response

ORDER CERTIFYING ADOPTION

I certify that the Board of Pharmacy, under the authority of AS 08.80.005, AS 08.80.030, and AS 08.80.155, adopted at its November 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: 11/19/2020
Juneau, Alaska

Laura Carrillo

Laura Carrillo, Executive Administrator
Board of Pharmacy

April Simpson for FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on November 19, 2020 at 4:47 p.m., I filed the attached regulation according to the provisions of AS 44.62.

Kevin Meyer

for _____
Kevin Meyer, Lieutenant Governor

Effective: November 19, 2020

Register: 236, January 2021

Expires March 18, 2021
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.



Kevin Meyer

**KEVIN MEYER
LIEUTENANT GOVERNOR**

EMERGENCY REGULATION

Register 236, January 2021 PROFESSIONAL REGULATIONS

Chapter 52. Board of Pharmacy.

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

12 AAC 52.110 is amended to read:

12 AAC 52.110. Emergency licensure to practice as a pharmacist, pharmacy intern, or pharmacy technician [PHARMACIST PERMIT]. (a) If the board determines that an emergency exists requiring the provision of licensed coverage in a pharmacy [THE BOARD WILL ISSUE AN EMERGENCY PHARMACIST PERMIT FOR THE PURPOSE OF PROVIDING COVERAGE IN A PHARMACY] that is temporarily without the services of a pharmacist due to death, illness, or other emergency circumstances, the board may issue an emergency pharmacist, pharmacy intern, or pharmacy technician permit to an applicant who

- (1) submits a completed application on a form provided by the department [FOR A PHARMACIST LICENSE];
- (2) pays the emergency permit fee required in 12 AAC 02.310;
- (3) submits verification on a form provided by the department that the applicant is currently licensed [CERTIFIED TRUE COPY OF A CURRENT PHARMACIST LICENSE IN GOOD STANDING] in another licensing jurisdiction and the applicant's license in the other jurisdiction is not suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education requirements [STATE];
- (4) repealed 10/31/2019; and
- (5) has not been convicted of a felony or another crime that affects the applicant's

EMERGENCY REGULATION

Register 236, January 2021 PROFESSIONAL REGULATIONS

ability to practice pharmacy competently and safely.

(b) An emergency permit under (a) of this section is nonrenewable, and is valid for 90 [60] days or until the emergency circumstances no longer exist, whichever is shorter.

(c) In an urgent situation, the board may issue an emergency courtesy license to practice as a pharmacist, pharmacy intern, or pharmacy technician to an applicant who meets the requirements of this section. The board may restrict the license to only those services required to respond to the urgent situation. The licensee may not practice as a pharmacist, pharmacy intern, or pharmacy technician outside the scope of the limited purpose for which the emergency courtesy license is issued.

(d) An applicant for an emergency courtesy license under this section must submit to the department a completed application on a form provided by the department. A complete application includes the applicable application and licensing fees established in 12 AAC 02.105.

(e) An emergency courtesy license issued under this section is valid for the period specified by the board and may not exceed 120 consecutive days. An emergency courtesy license may be renewed for one additional period specified by the board, not to exceed 120 consecutive days.

(f) The board will not issue, and an emergency courtesy license holder may not use, an emergency courtesy license as a substitute for a temporary license or other license required under AS 08.80.

(g) While practicing under an emergency courtesy license issued under this section, the holder of the emergency courtesy license must comply with the standards of practice set out in AS 08.80 and this chapter.

EMERGENCY REGULATION

Register 236, January 2021 PROFESSIONAL REGULATIONS

(h) The board may refuse to issue an emergency courtesy license for the same reasons that it may deny, suspend, or revoke a license under AS 08.80.261.

(i) In this section, "urgent situation" means a health crisis requiring an increased availability of pharmacists, pharmacy interns, or pharmacy technicians. (Eff. 1/16/98,

Register 145; am 1/17/2007, Register 181; am 8/12/2007, Register 183; am 10/31/2019, Register 232; am 11 / 19 / 2020, Register 236)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.155