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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Victoria Caltagirone
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: December 21, 2022

RE: Filed Permanent Regulations: Board of Certified Direct-Entry Midwives

Board of Certified Direct-Entry Midwives - Temporary Military Licenses or
Certifications (12 AAC 14.135)

Attorney General File:	2022200169
Regulation Filed:	12/21/2022
Effective Date:	1/20/2023
Print:	245, April 2023

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF THE
BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES

The attached two pages of regulations, dealing with temporary military courtesy license or certification, are certified to be a correct copy of the regulation changes that the Board of Certified Direct-Entry Midwives adopted at its June 1, 2022 meeting, under the authority of AS 08.01.062, AS 08.01.063, and AS 08.65.030, 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 Board of Certified Direct-Entry Midwives 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: July 15, 2022

Sara Chambers

Digitally signed by Sara
Chambers
Date: 2022.07.15 11:22:28 -08'00'

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

*April Simpson for
Nancy Dahlstrom*

FILING CERTIFICATION

I, ~~Kevin Meyer~~, Lieutenant Governor for the State of Alaska, certify that on December 21, 2022 at 4:23 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

for 
Kevin Meyer, Lieutenant Governor
Nancy Dahlstrom

Effective: January 20, 2023

Register: 245, April 2023

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, 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, 2022.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Chapter 14. Board of Certified Direct-Entry Midwives.

12 AAC 14 is amended by adding a new section to read:

12 AAC 14.135. Temporary military courtesy certificate or permit. (a) The board will issue a temporary military courtesy certificate or permit to an active duty military member or spouse of an active duty military member of the armed forces of the United States to practice as a direct-entry midwife or apprentice direct-entry midwife to an applicant who meets the requirements of AS 08.01.063 and this section not later than 30 days after the board receives a completed application.

(b) An applicant for a temporary military courtesy certificate or permit under this section

(1) must submit an application on a form provided by the department;

(2) must pay the temporary license application fee and fee for a temporary license set out under 12 AAC 02.105;

(3) must submit a copy of

(A) the applicant's current active duty military orders showing assignment to a duty station in this state; or

(B) if the applicant is the spouse of an active duty military member, the applicant's spouse's current active duty military orders showing assignment to a duty station in this state;

(4) must submit documentation showing the applicant is currently licensed, certified, or permitted, and in good standing in another licensing, certifying, or permitting jurisdiction and the applicant's license, certificate, or permit 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;

(5) must demonstrate that the jurisdiction of current licensure or certification required the education in 12 AAC 14.200 as a condition of licensure or certification;

(6) must demonstrate that the jurisdiction of current licensure or certification required a passing score on the examination in AS 08.65.060, as a condition of licensure or certification; and

(7) may not have been convicted of a crime that affects the applicant's ability to practice as a direct-entry midwife competently and safely, as determined by the board.

(c) A temporary military courtesy certificate or permit issued to an active duty military member or spouse of an active duty military member under this section will be issued for a period of 180 days and may be renewed for one additional 180-day period, at the discretion of the board.

(d) While practicing under a temporary military courtesy certificate or permit issued under this section, the holder of the temporary military courtesy certificate or permit must comply with the standards of practice set out in AS 08.65 and this chapter.

(e) The board may refuse to issue a temporary military courtesy certificate or permit for the same reasons that it may deny, suspend, or revoke a certificate or permit under AS 08.65.110 and 08.65.120. (Eff. 1 / 20 / 2023, Register 245)

Authority: AS 08.01.062 AS 08.01.063 AS 08.65.030



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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December 14, 2022

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110001
Juneau, AK 99581-0001

Re: *12 AAC 14.135: Board of Certified Direct-Entry Midwives - Temp. Military
Licenses or Certifications*
Our file: 2022200169

Dear Lt. Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Certified Direct-Entry Midwives against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter 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 Board of Certified Direct-Entry Midwives after the close of the public comment period.

The regulations concern the proposal to establish temporary military courtesy licenses or certifications for an active duty military member or their spouse.

The April 13, 2022 public notice and the July 15, 2022 order certifying the changes 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 incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By:

Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

RCP/ehp

CC w/enclosure: Jun Maiquis, Regulations Specialist
Department of Commerce, Community and Economic Development

Harriet Milks, Assistant Attorney General
Department of Law

Steven C. Weaver, Senior Assistant Attorney General
Department of Law