

Nancy Dahlstrom
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**

M E M O R A N D U M

TO: Sara Chambers, Boards and Regulations Advisor
Department of Commerce, Community and Economic Development

FROM: April Simpson, Alaska Administrative Code Coordinator 
Office of the Lieutenant Governor

DATE: April 8, 2025

RE: Filed Permanent Regulations: Board of Nursing
Board of Nursing regulations re: Nurse Aide Competency Evaluation (12 AAC 44.850)

Attorney General File:	2024102222
Regulation Filed:	4/8/2025
Effective Date:	5/8/2025
Print:	254, July 2025

cc with enclosures:

Beth Parsons, Paralegal 2
Department of Law

Bob Dame, Alaska Legal Analyst
LexisNexis

Sylvan Robb, Division Director
Department of Commerce, Community & Economic Development

Alison Osborne, Regulations Specialist
Department of Commerce, Community & Economic Development



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

P.O. Box 110300
Juneau, Alaska 99811
Main: 907.465.3600
Fax: 907.465.2520

April 4, 2025

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *12 AAC 44.850: Bd. of Nursing - Nurse Aide Competency Evaluation*
Our file: 2024102222

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulation of the Board of Nursing 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 regulation. The regulation was adopted by the Board of Nursing after the close of the public comment period.

The regulation amends 12 AAC 44.850 to replace experience restrictions for a proctor of a nurse aid competency examination with the requirement that the examination be administered and evaluated by a nationally-recognized credentialing service approved by the Board of Nursing.

The October 30, 2024 public notice and the March 25, 2025 order certifying changes state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

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

Digitally signed by
Rebecca C. Polizzotto
Date: 2025.04.04
10:32:02 -08'00'

RCP/BWS

CC w/enclosure: Alison Osborne, Regulations Specialist 2
Department of Commerce, Community and Economic Development

Harriet Milks, Assistant Attorney General
Department of Law

Brad Sharp, Assistant Attorney General
Department of Law

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF NURSING

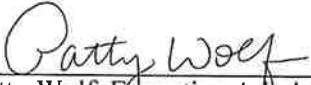
The attached one page of regulations, dealing with updating the Nurse Aide Competency evaluation, is certified to be a correct copy of the regulation changes that the Board of Nursing adopted at its February, 5-6, 2025 meeting, under the authority of AS 08.68.100 and AS 08.68.331, and after compliance 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 Board of Nursing 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: 3/25/25



Patty Wolf, Executive Administrator
Alaska Board of Nursing

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that _____ on _____
April 8, 2025 at 10:21 a.m., I filed the attached regulations
according to the provisions of AS 44.62.040 – 44.62.120.

for 

Nancy Dahlstrom, Lieutenant Governor

Effective: May 8, 2025

Register: 254, July 2025

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:

April Simpson, Regulations and Initiatives Specialist

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on May 15th, 2023.**



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

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 254, July 2025 PROFESSIONAL REGULATIONS

12 AAC 44.850(b) is amended to read:

(b) A competency evaluation must be administered and evaluated **by a nationally recognized nurse aide credentialing service approved by the board** [BY A REGISTERED NURSE APPROVED BY THE BOARD WHO HAS AT LEAST ONE YEAR'S EXPERIENCE IN PROVIDING CARE FOR THE ELDERLY OR THE CHRONICALLY ILL OF ANY AGE].

(Eff. 2/14/99, Register 149; am 5/29/99, Register 150; am 10/3/2011, Register 200; am 2/26/2021, Register 238; am 7/18/2021, Register 239; am 8/25/2023, Register 247; am 5 / 8 / 2025, Register 254)

Authority: AS 08.68.100 AS 08.68.331