

Nancy Dahlstrom
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**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

A handwritten signature in blue ink, likely belonging to April Simpson, the Alaska Administrative Code Coordinator.

DATE: August 29, 2025

RE: Filed Permanent Regulations: Board of Nursing

Board of Nursing regulations re: Temporary Permits: Alternative Probation (12 AAC 44.320, 44.740)

Attorney General File:	2024200439
Regulation Filed:	8/29/2025
Effective Date:	9/28/2025
Print:	255, October 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 and Economic Development

Stefanie Davis, Regulations Specialist
Department of Commerce, Community and Economic Development



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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August 29, 2025

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

Re: 12 AAC 44.320, 44.740: *Board of Nursing - Temporary Permits;
Alternative Probation*
Our file: 2024200439

Dear Lieutenant Governor Dahlstrom:

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

The regulations concern temporary permits and alternative probation.

The May 21, 2025 public notice and the August 19, 2025 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

STEPHEN J. COX
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: 2025.08.29
13:29:26 -08'00'

RCP/REF/bhp

CC w/enclosure: Stefanie Davis, Regulations Specialist
Department of Commerce, Community and Economic Development

Harriet D. Milks, Assistant Attorney General
Department of Law

Ryan E. Farnsworth, Assistant Attorney General
Department of Law

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF NURSING

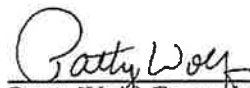
The attached two pages of regulations, dealing with temporary permits and alternative probation programs, are certified to be a correct copy of the regulation changes that the Board of Nursing adopted at its August 5-6, 2025 meeting, under the authority of AS 08.01.075, AS 08.68.100, AS 08.68.170, AS 08.68.200, and AS 08.68.251, 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: 8/19/2025



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 August 29, 2025 at 2:03 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 

Nancy Dahlstrom, Lieutenant Governor

Effective: September 28, 2025.

Register: 255, October 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**

12 AAC 44.320 is amended by adding new subsections to read:

(g) The board may issue a temporary nonrenewable permit to an applicant for reinstatement who

(1) submits a completed application for reinstatement on a form provided by the department that includes the information required under 12 AAC 44.317(a)(1)(A) - (F);

(2) pays the biennial license renewal fee, the penalty fee, and the temporary permit fee established under 12 AAC 02.280;

(3) submits verification of licensure, in good standing and unencumbered, for each jurisdiction where the applicant held a license to practice nursing during the time period in which the applicant's license was lapsed in this state; verification of licensure must be submitted in accordance with 12 AAC 44.317(a)(5); and

(4) if an applicant's license has been lapsed for a period of over one year, submits a fingerprint card in accordance with 12 AAC 44.319(a).

(h) A temporary nonrenewable permit issued under (g) of this section is valid for six months from the date of issuance or until a permanent license is issued or denied, whichever occurs first. Only one temporary nonrenewable permit may be issued during each period a license is on a lapsed or retired status. (Eff. 10/14/72, Register 43; am 6/27/76, Register 58; am 4/27/83, Register 86; am 8/2/86, Register 99; am 7/28/95, Register 135; am 4/27/97, Register 142; am 9/25/98, Register 147; am 6/16/2002, Register 162; am 11/23/2003, Register 168; am 3/4/2007, Register 181; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am 4/12/2022, Register 242; am 9 / 28 / 2025, Register 255)

Authority: AS 08.68.100 AS 08.68.200 AS 08.68.210

AS 08.68.170

The section heading of 12 AAC 44.740 is changed to read:

12 AAC 44.740. Use of alcohol or drugs and alternative probation.

12 AAC 44.740(c) is amended to read:

(c) A [THE BOARD MAY OFFER A] licensee **may request** [SUBJECT TO THIS SECTION] the opportunity to **voluntarily** participate in an alternative probation program. Whether a licensee may participate in an alternative probation program is at the discretion of the board. **If a** [A] licensee **is allowed by the board to participate** [PARTICIPATING] in an alternative probation program, **the licensee** shall meet the terms of [THE] probation required by the board **to remain in** [UNDER] the alternative probation program. The board will keep **the** [A] licensee's participation in **the** [AN] alternative probation program confidential, except as required by law. **To participate in the alternative probation program, the licensee shall submit**

(1) a voluntary disclosure of information relating to the licensee's use of alcohol or controlled substances; and

(2) a written request to participate in the alternative probation program.

(Eff. 8/6/87, Register 103; am 8/25/2023, Register 247; am 9 / 28 / 2025, Register 255)

Authority: AS 08.01.075 AS 08.68.270 AS 08.68.275

AS 08.68.100