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# Notice of Proposed Changes in the Alaska Respiratory Care Practitioners Regulations

## Proposed Regulations - FAQ

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**1. What is the purpose of the proposed regulations? What will this regulation do?**

**12 AAC 80.100. Application requirements**

• The proposed regulations provide guidance and requirements on what is required of an applicant to receive an initial respiratory care practitioner license.

**12 AAC 80.200. License renewal and reinstatement**

• The proposed regulations provide guidance and requirements on how to apply for renewal of a license, specify that the renewal will occur biennially on a date set by the department, and states that continuing education and maintaining active credentials are required in order to renew.

Additionally, this section lays out the instructions for how to apply for reinstatement if a license has been lapsed for less than two years, and instructions on how to apply for a reinstatement if a license has been lapsed for more than two years but less than five years.

**12 AAC 80.210. Continuing education credit hour requirements**

• The proposed regulations state that the required continuing education hours is successful completion of 20 credit hours of continuing respiratory care education, and states who may be exempt from this requirement.

**12 AAC 80.220. Maintenance of current certification**

• The proposed regulations clarify the type of certification that is required to be maintained, which is a certification as a registered respiratory therapist from the National Board of Respiratory Care.

**12 AAC 80.230. Audit of continuing education**

• The proposed regulation explains how compliance with the continuing education requirements will be monitored.

**12 AAC 80.900. Respiratory care standards**

• The proposed regulation adopts the *Statement of Ethics and Professional Conduct* prepared by the American Association for Respiratory Care as the respiratory care standards to be followed under this chapter.

**2. Why are these regulations being created?**

During the 34th legislative session, the Alaska Legislature passed House Bill 110 which created the requirement for a Respiratory Care Practitioner to obtain a professional license from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing. These proposed regulations implement this requirement and make the required license available to apply for.

**3. Why are 20 continuing education (CE) hours required in addition to the national certification in order to qualify for renewal?**

The statutes created by the passage of House Bill 110 set the 20 hour continuing education requirement, as well as the requirement to hold a national certification to qualify for licensure.

**4. What are the positive and negative impacts of these regulation changes?**

The proposed changes will have a positive impact. The legislature has passed statutes which will take effect on January 1, 2027 which will require professionals in this industry to obtain the new Respiratory Care Practitioner license. The license cannot be made available until regulations are in effect. As a result, these regulations will allow Alaskan patients to continue receiving essential respiratory care services, and will allow Alaska's hospitals to continue to employ these practitioners.

No negative impacts are expected.

**5. What are the costs to comply with the proposed regulations?**

The nonrefundable initial application fee will be a one-time fee of $150.
The initial license fee will be $200.
The biennial license renewal fee will be $200.

There will be no cost to a state agency or municipality.

There will be additional costs for continuing education hours and to maintain a national certification, however, these requirements were established in statute. The cost of continuing education is unknown at this time, and the national certification currently costs $190.

**6. What do licensing fees pay for?**

Professional license fees fund all activities required to administer and regulate a profession, including processing applications and renewals, maintaining records and systems, conducting investigations, audits, supporting enforcement and disciplinary actions, and covering board operations such as meetings, travel, legal assistance, and regulatory development. Because licensing programs must be financially self-sustaining, these fees will ensure the full cost of oversight, regulation, and program stability is paid by the licensees themselves.

**7. When will the regulations be effective?**

After the public comment deadline, comments received are compiled and given to the Department for consideration. The Department may adopt the regulations as written/publicly noticed, may amend and adopt them, choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Department action, the adopted regulations go to the Department of Law (DOL) for final review/approval. DOL either approves or disapproves the regulations. Once approved by DOL, it goes to the Lt. Governor for filing. The regulations take effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.