

# SB 124: Nursing Licensure Compact (NLC)



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DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

Senate Labor & Commerce

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# Compact Structure of the NLC

## **Multistate (mutual recognition) licensure structure:**

- Only applicable to registered nurse (RN) and practical nurse (LPN) license types
- Nurse must qualify for multistate license in home state (state of primary residency)
- Once issued, nurse can practice in any member state
- The nurse does not have to declare which state(s) they plan to practice in
- If the nurse changes their primary state of residency, they must obtain a multistate license in the new home state within 60 days



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# Requirements: Multistate license vs. Alaska license currently

NLC Requirement (Article III)	Alaska Requirement	Citation
1. Meets the home state's licensure qualifications	N/A	
2. Meets educational requirements: <ul style="list-style-type: none"> <li>a. Has graduated from a board-approved education program; or</li> <li>b. Has graduated from an accredited international education program</li> </ul>	Yes	AS 08.68.170, .190, .200, .210
3. Has passed an English proficiency examination (if using 2b)	Yes—in regulation	12 AAC 44.290, 305
4. Has passed an NCLEX-RN or NCLEX-PN examination or recognized predecessor exam	Yes—in regulation	12 AAC 44.300
5. Is eligible for or holds an active, unencumbered license	N/A	
6. Has submitted to state and federal background checks	Yes—in regulation	12 AAC 44.290, .305, .310, .317, .320
7. Has not been convicted or found guilty, or has entered into an agreed disposition, of a felony offense under applicable state or federal criminal law	No—at board's discretion	12 AAC 44.705-720
8. Has not been convicted or found guilty, or has entered into an agreed disposition, of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis	No—at board's discretion	12 AAC 44.705-720
9. Is not currently enrolled in an alternative program	No—at board's discretion	12 AAC 44.740
10. Is required to self-disclose participation in an alternative program	No—at board's discretion	12 AAC 44.740
11. Has a valid United States Social Security Number	No—foreign citizens unable to obtain a U.S. Social Security Number may receive an exemption.	AS 08.01.060, .100; federal law

Standard set by the Alaska State Legislature
Standard set by the Alaska Board of Nursing without legislative concurrence
Standard set by the Alaska State Legislature; interpreted through federal law

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DCCED, CBPL



## SB 124: Nurse Licensure Compact

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

# Improved Communications Between States under the NLC

## Collaboration Between States:

- All member states participate in a coordinated licensure information system that includes information on the licensure and disciplinary history of each nurse to assist in the coordination of licensure and enforcement efforts
- All licensing boards must promptly report adverse actions, current significant investigative information, denials of application (with the reasons), and nurse participation in alternative programs
  - Investigative information and participation in nonpublic or confidential alternative programs must be transmitted through the system and only to member states
  - Member states may designate information that cannot be disclosed to non-member states or other entities or individuals
- Member states *may* take adverse action based on factual findings of another member state, but the state must follow its own state laws and procedures for taking such action



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DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

# Member State's Disciplinary Authority under the NLC

## Investigations & Discipline:

- All member states are authorized – under their own state laws – to take adverse action against a nurse's multistate licensure privilege
  - If a party state takes such action, it must promptly notify the coordinated licensure information system
  - The administrator of the system must then promptly notify the home state.
- Only the home state can take adverse action against the license itself
- All member states can issue cease and desist orders or impose encumbrances on a nurse's authority to practice within that state
- A home state must give the same priority and effect to reported conduct received from another member state as it would if such conduct had occurred within the home state
- The home state applies its own state laws to determine appropriate action



## SB 124: Nurse Licensure Compact

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

# Who Has Jurisdiction?

## **Jurisdiction over the practice of nursing in Alaska:**

- The state's legislature and nursing board retain full authority over the laws governing nursing practice in that state, regardless of the type of license a nurse is practicing under or the state that issued it
- Nurses must comply with the state practice laws of the state in which the client is located at the time service is provided

## **Jurisdiction over the NLC:**

- The Interstate Commission of Nurse Licensure Compact Administrator (“commission”) has full jurisdiction over the NLC
- The commission is made up of one administrator from each member state – who must be the head of the licensing board or designee
- Each administrator is entitled to one vote when promulgating rules or creating bylaws.
- No other agencies or organizations hold seats on the commission



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DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

# Costs Associated with the NLC

## Costs to Licensees:

- Each state sets their own fees for single-state and multi-state licenses
- The NLC does not collect any fees from licensees
- SB 124 ensures the multistate license fee is twice the cost of the single-state license fee (*Section 2*) which ensures an Alaska single-state license is more cost effective for those who only practice in Alaska, while a multi-state license is still more cost-effective for multistate licensed nurses than paying for individual licenses in multiple states

## Costs to the Division:

- Each member state pays a \$6,000 annual fee for the operations of the NLC



## SB 124: Nurse Licensure Compact

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

## Costs Associated with Not Joining the NLC?

- **Rural Health Transformation Program (RHTP) funding loss:** Alaska committed to joining the NLC as part of its Rural Health Transformation grant application:
  - Failure to join the NLC by the end of 2027 will result in funding being taken back by the Centers for Medicare and Medicaid Services (CMS)
  - The amount of the funding that will be lost is not yet known
- **Incentivizing nurses to move to a compact state:**
  - A nurse moving to Alaska from a compact state will lose their multistate license when they establish residency here.
  - Graduates of Alaska nursing schools who want to travel, must move to a compact state to obtain a multistate license (and will lose that license if they move back)
- **Keeps cost of an Alaska nurse license higher than it needs to be:**
  - Requires large team for processing applications which pushes up license costs



## SB 124: Nurse Licensure Compact

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

# Savings Associated with the NLC

## Joining the NLC will *lower* licensing fees, at least for single-state nurses:

- Licensing fees are set based on the cost to regulate the program (AS 08.01.065)
- Joining the NLC will significantly reduce the number of applications we receive
- The nurse licensing team currently consists of 13 positions – including eight (8) licensing examiners
- Between FY2020-FY2025, non-investigative expenditures made up 38%-43% of the total annual expenditures for the nurse licensing program
- No member state has ever reported an increase in investigations or licensing fees as a result of joining the NLC
- Though we may pay \$6,000 per year toward the NLC's operation, the licensing program will save significantly more with the reorganization of staff and elimination of no-longer-needed licensing examiner PCN(s)



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DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

# Do Alaska's nurses want us to join the NLC?

- **Survey results:** Alaska Board of Nursing and National Counsel of State Boards of Nursing sent a survey to all nurses actively licensed in Alaska in 2023:
  - The survey was sent to almost 21,000 nurses and received almost 4,600 responses
  - **92% (4,199) voted in favor of joining the NLC**, and only 5% (247) opposed
- **Letters of support:** The division has seen more public engagement on the NLC than any other licensing bill in the last decade:
  - The Board of Nursing has been copied on 99 letters of support from individuals + 12 from organizations/entities so far in the 34<sup>th</sup> Legislative Session
  - The Board of Nursing was copied on **137 letters of support from individuals & 86 from organizations/entities** in the 33<sup>rd</sup> Legislative Session



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# Organizations Supportive of Alaska Joining the NLC

## A Coalition of Support

**Over 75 organizations representing every facet of Alaska's healthcare system want legislation passed to join the NLC!**

AARP | Airlift Northwest | Alaska APRN Alliance | Alaska Association on Developmental Disabilities | Alaska Behavioral Health Association | Alaska Behavioral Health Services | Alaska Board of Nursing | Alaska Chamber of Commerce | Alaska Department of Commerce | Alaska Municipal League | Alaska Native Health Board | Alaska Native Medical Center | Alaska Native Tribal Health Consortium | Alaska Pacific University School of Nursing | Alaska Primary Care Association | Alaska Psychiatric Institute | Alaska Public Health Association | Alaska Regional Hospital | Alaska State Medical Association | Alzheimer's Resource of Alaska | American Academy of Ambulatory Care Nursing | American Association of Colleges of Nursing | American Association of Occupational Health Nurses | Anchorage Chamber of Commerce | Asian American/ Pacific Islander Nurses Association | Bartlett Regional Hospital | Bristol Bay Area Health Corporation | Central Peninsula Hospital | Charter College School of Nursing | City of Seward | Cordova Community Medical Center | Denali Center Fairbanks | Emergency Nurses Association | Fairbanks Memorial Hospital | Foundation Health Partners | Fresenius Medical Care | Heritage Place | Kodiak Island Borough | Maniilaq Health Center | Maple Springs Palmer | Maple Springs Wasilla | Mat-Su Health Foundation | Mat-Su Regional Medical Center | Moda | National Council of State Boards of Nursing | National Governor's Association Center for Best Practices | National League for Nursing | National Military Family Association | National Patient Safety Foundation | National Student Nurses' Association | North Star Behavioral Health | Norton Sound Health Corporation | PeaceHealth Ketchikan Medical Center | Petersburg Medical Center | Population Health Alliance | Premera Blue Cross Blue Shield Alaska | Prestige Care and Rehabilitation of Anchorage | Providence Alaska Medical Center | Providence Extended Care | Providence Horizon House | Providence Kodiak Island Medical Center | Providence Seward Medical Center | Providence St. Elias Specialty Hospital | Providence Transitional Care Center | Providence Valdez Medical Center | Quyanna Care Center | Southeast Alaska Regional Health Consortium (SEARHC) | SEARHC Mt. Edgecumbe Hospital | SEARHC Sitka Long-Term Care | SEARHC Wrangell Medical Center | South Peninsula Hospital | Tanana Valley Clinic Fairbanks | U.S. Department of Commerce | U.S. Department of Defense | UAA School of Nursing | Wildflower Court | Yukon-Kuskokwim Health Corporation

[alaskahha.org](http://alaskahha.org)



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# Why is the NLC Important for Alaska?

- Addressing the state's nursing shortage:
  - In 2025, 20% vacancy rate for RNs in hospitals & 29% vacancy rate in long-term care
    - Average of 143 days to fill a vacant hospital RN position
    - Average of 194 days to fill a vacant long-term care facility RN position
  - Alaska projected to have the worst nursing shortage in the country by 2030; while at least seven states are projected to have a nursing surplus.
- Making it easier for “squeaky clean” nurses to try Alaska and/or become a resident:
  - 25% of traveling healthcare professionals become Alaska residents
  - Currently a nurse will lose their multistate license if they become an Alaska resident.
- Rural Health Transformation Program funds
- Reducing unnecessary redundancies in licensure
- Makes transfers to Alaska easier for many military families



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