



BILL AND SECTIONAL ANALYSIS FOR SENATE BILL 179

Department: Commerce, Community, and Economic Development

Division: Corporations, Business, and Professional Licensing

Prepared Date: February 5, 2020

Bill Number(s): SB 179, Version A

Bill Sponsor: Rules by Request of the Governor

Bill Short Title: NURSING: LICENSURE; MULTISTATE COMPACT

BILL SUMMARY – WHAT DOES THIS BILL DO?

Now adopted in 34 states, the goal of the Nurse Licensure Compact (NLC) is to streamline the licensure and regulation of nurses by permitting states to join a comprehensive national organization that provides for a multistate license with uniform qualifications and practice expectations. In Alaska, it is anticipated that codifying this compact will reduce barriers to licensure, enhance license mobility, and increase opportunities for nurses to practice here.

Positive impacts include better access to health care, higher public safety, reduced bureaucratic regulation, support of e-health and telemedicine, increased nurse mobility, faster disaster response, decreased costs for interstate hospital organizations, and effective new background checks that are linked to a database.

The general purposes of this compact are to:

- Facilitate the states' responsibility to protect the public's health and safety;
- Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation;
- Facilitate the exchange of information between party states in the areas of nurse regulation, investigation, and adverse actions;
- Promote compliance with the laws governing the practice of nursing in each jurisdiction;
- Invest all party states with the authority to hold a nurse accountable for meeting all practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses;
- Decrease redundancies in the consideration and issuance of nurse licenses; and
- Provide opportunities for interstate practice by nurses who meet uniform licensure requirements.

This bill represents Governor Dunleavy's priorities by getting people to work and right-sizing government.

SB 179 DETAILED SECTIONAL ANALYSIS

Section 1: Amends AS 08.02.010 (Professional Designation Requirements) to add AS 08.69 (the Multistate Nurse Licensure Compact chapter, created by Section 23 of this Act) as a qualification designation requirement for registered nurses.

Section 2: Adds AS 08.69 (created by Section 23 of this Act) to AS 08.11.120 (Audiology Exemptions), to allow a nurse that holds a multistate license to perform hearing sensitivity evaluations.

Section 3: Extends the Board of Nursing's existing authority to govern AS 08.69 (created by Section 23 of this Act), and identifies the executive director of the board as the interstate commission licensure compact administrator.

Section 4: Exempts AS 08.69 (created by Section 23 of this Act) from the Administrative Procedures Act, as nurses licensed under this chapter are subject to the due process provided in the Nurse Licensure Compact.

Section 5: Requires the Registered Nurse (RN) or Licensed Practical Nurse (LPN) offering to practice in this state to submit evidence of qualification to practice and to be licensed under this chapter (AS 08.68) or AS 08.69 (created by Section 23 of this Act).

Section 6: Extends the existing required qualifications in AS 08.68.170 (Qualifications of Registered or Practical Nurse Applicants) to nurse applicants under AS 08.69 (created by Section 23 of this Act).

Section 7: Clarifies that AS 08.68.190(b) (under License by Examination) pertains only to Alaska state nursing licensure.

Section 8: Creates a new subsection (c) under AS 08.68.190 (under License by Examination), which explains that if the qualifications are met for both AS 08.69 (created by Section 23 of this Act) and AS 08.68.170, the Board of Nursing shall issue a multistate license.

Section 9: Amends AS 08.68.200 (Licensure by Endorsement) to pertain only to single state licensure in Alaska.

Section 10: Amends AS 08.68.220 (Fees) to authorize the Department of Commerce Community and Economic Development to set fees for multistate licenses issued by the board.

Section 11: Amends AS 08.68.230(a) (under Use of Title and Abbreviation) to authorize a multistate license holder under AS 08.69 (created by Section 23 of this Act) to use the title Registered Nurse and the abbreviation R.N.

Section 12: Amends AS 08.68.230(b) (under Use of Title and Abbreviation) to authorize a multistate license holder under AS 08.69 (created by Section 23 of this Act) to use the title Licensed Practical Nurse and the abbreviation L.P.N.

Section 13: Amends AS 08.68.230(d) (under Use of Title and Abbreviation) to add single state language to temporary permits and to note that an LPN that holds a temporary permit in the state can use the title Temporary Licensed Practical Nurse and the abbreviation TLPN.

Section 14: Clarifies in AS 08.68.251 (Lapsed Licenses) that single state or multistate nursing licenses may be reinstated if lapsed for fewer than five years.

Sections 15-19: Amend AS 08.68.270 (Grounds for Denial, Suspension, or Revocation) and 08.68.275 (Disciplinary Sanctions) to add the multistate license to the existing types of licenses that may be disciplined by the board.

Section 20: Maintains exemptions in AS 08.68.800 (Exceptions to Application of Chapter) for nurses who are working in limited circumstances under a license issued in another state.

Section 21: Amends AS 08.68.805 (Delegation of Nursing Functions) to include nurses who hold a multistate license under 08.69 (created by Section 23 of this Act).

Section 22: Amends AS 08.68.850(1) (Definition of “advanced practice registered nurse”) to include registered nurses licensed under AS 08.69 (created by Section 23 of this Act).

Section 23: Creates AS 08.69, Multistate Nurse Licensure Compact. It includes the purpose, definitions, provisions, jurisdiction, licensing provisions, authority of state boards, information-sharing, governance and rulemaking authority, due process, enforcement, dispute resolution, withdrawal, severability, and amendment. These articles are uniform to all 34 other states within the compact and are mandatory for participation.

Sections 24-36: Amend statutes to add AS 08.69 (created by Section 23 of this Act) to the definitions of nursing as found throughout state law:

Section 37: Allows the department to adopt regulations necessary to implement the changes made by this Act, to take effect under AS 44.62 on the effective date as noted in Section 38.

Section 38: Makes Section 37 (Transition Regulations) effective immediately once the bill is signed.

Section 39: Makes Sections 1-36 of this Act effective as of July 1, 2021.