



BILL AND SECTIONAL ANALYSIS FOR SENATE BILL 67

Department: Commerce, Community, and Economic Development

Division: Corporations, Business, and Professional Licensing

Prepared Date: February 5, 2021

Bill Number(s): SB 67, Version A

Bill Sponsor: Rules by Request of the Governor

Bill Short Title: NURSING: LICENSURE; MULTISTATE COMPACT

BILL SUMMARY – WHAT DOES THIS BILL DO?

SB 67 would allow Alaska to adopt the Multistate Nurse Licensure Compact (NLC) which would strengthen the state's healthcare delivery system by reducing barriers to licensure for registered and licensed practice nurses and by increasing opportunities for nurses from other states to practice in the state.

Since Governor Dunleavy last introduced this legislation in early 2020, we have faced one of the greatest public health emergencies in recent history – and our healthcare workforce was in short supply. Had the NLC been in effect last year, the cost to healthcare facilities, individual health care providers, and state government could have been reduced, and treatment could have been provided more quickly to the areas in greatest need.

The NLC will allow registered and practical nurses in any of the 34 participating states to practice in Alaska without having to go through a time-consuming, redundant licensing process. It would reciprocate the privilege, providing Alaska nurses with a multistate license to practice in any participating state as well. This legislation will not affect certified nurse aides, advanced practice registered nurses, or any nurse who wishes to practice under an Alaska-only nursing license.

SB 67 would codify the NLC as a new Chapter: AS 08.69 and would make conforming changes to the existing nursing statute (AS 08.68) to accommodate the compact's requirements. The compact's requirements for multi-state licensure are rigorous, exceeding current standards under Alaska law and supporting high quality care for all Alaskans.

Alaska would become a member of the compact commission with rulemaking, enforcement, and financial assessment provisions. However, the commission does not in any way dilute or detract from the Alaska Board of Nursing's ability to oversee and enforce nursing practice in Alaska.

The single-state and multi-state nurse licensing programs would have separate receipt support funding, which means the multistate licensing program will not impact the costs for the single-state licensees.

SB 67 is a win-win, maintaining our current licensure options while increasing access to quality health care across Alaska's communities, helping fill the hundreds of nursing vacancies across the state. This legislation is strongly supported by health care facilities and nurses across Alaska, as well as the U.S. Department of Defense.

SB 67 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, 2022.