

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-2450  
LAA.Legal@akleg.gov  
120 4th Street, Room 3

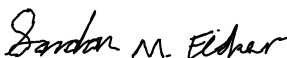
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

September 10, 2021

**SUBJECT:** Nursing licensure compact  
(CSSB 67(HSS); Work Order No. 32-GS1603\B)

**TO:** Senator David Wilson  
Attn: Jody Simpson

**FROM:** Sandon M. Fisher  
Legislative Counsel 

Please find the committee substitute you requested attached. I have the following comments for your consideration.

1. Amendment A.5 and your new request regarding the duty of an employer to report certain information regarding a nurse who is practicing in this state under a multistate license issued under AS 08.69 overlap. I have attempted to merge your current request with amendment A.5. Please review the new language carefully to ensure that it complies with your intent. In particular, this committee substitute does not contain provisions authorizing the Board of Nursing (Board) to adopt regulations necessary to implement the new database, as the Board already has regulation authority. To implement your request that the database be available to the public, this committee substitute requires that information that is not otherwise confidential under law be made public. Your request indicates that fines collected for violations of the new reporting requirements should go to the Department of Commerce, Community, and Economic Development (Department). This committee substitute therefore adds a new paragraph to AS 37.05.146(c) to designate separate accounting within the general fund for fines collected under proposed sec. 08.68.710(e). Note that these receipts may still be appropriated by the legislature for other purposes.

2. Amendment A.7, which is incorporated into this committee substitute, requires that nurses practicing under a multistate license issued by another state must complete additional training before practicing in Alaska. This change could be construed as a material deviation from the terms of the multistate nurse licensure compact. The compact requires that each joining state enact the compact in a form that is "substantially" similar to the model language.<sup>1</sup> If the terms of this committee substitute modify the terms of the compact, it is possible that the enactment of the compact as amended may not be sufficiently similar to the model language to constitute the state joining the compact.

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<sup>1</sup> Proposed sec. 08.69.010.

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If I may be of further assistance, please advise.

SMF:mjt  
21-366.mjt

Attachment