

The Facts: Why Alaska Needs to Join the Nurse Licensure Compact

By the Alaska Division of Corporations, Business, and Professional Licensing
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- **This affects all Alaskans, not just nurses.**

While this sounds like a licensing issue, it's much bigger. Alaska currently has 1,500 registered nurse vacancies and that number is projected to grow past 5,000 by 2030. Nurse vacancies result in less access to care for Alaskans, clinic or facility closures, and potentially longer wait times at hospitals and ERs.

Just one example is the recent Juneau hospice and nursing home closures. On December 21, 2022, KTOO reported the Catholic Community Services' hospice and home health division closed because it couldn't afford to keep nursing staff. The director said she'd long struggled to staff the program, and the pandemic made the market for nurses even tighter. Bartlett Regional Hospital has taken over hospice and home health, as well as the local nursing home, but they've forewarned there will be a wait for the same reason. The article notes that roughly a quarter of all nursing positions in Alaska are vacant. Read more here: www.ktoo.org/2022/12/21/juneau-hospice-and-nursing-home-closures-are-the-latest-symptom-of-the-nations-nursing-shortage/

- **What is the NLC?**

The NLC is an instrumentality between all participating U.S. jurisdictions (or "party states"). The NLC allows registered nurses (RNs) and licensed practical nurses (LPNs) to have one multistate license, with the privilege to practice in their home state and other participating NLC states without obtaining additional licenses. While it was created by the National Council of State Boards of Nursing (NCSBN), it's governed by the NLC Commission which is made up of one administrator from each party state who each gets one vote. Per Article VII of the Compact language, the oversight and accountability of the NLC is the Commission.

To join the NLC, a state must adopt the standard compact language exactly as adopted by all other party states into their statutes through the passage of a bill by that state's Legislature. Article III of the compact language establishes the requirements for a nurse to qualify for a multistate license, no matter which state they live in, which are standards equal to or higher than Alaska's (*see figure A*). This means those requirements cannot change unless and until the change is enacted into the laws of all party states.

39 U.S. jurisdictions have joined the NLC to date. Another nine (9) have pending legislation to join, including Alaska. You can see the map on the NLC website: <https://www.nursecompact.com/>

- **What does the NLC do?**

Joining the NLC will allow for Alaska nurses holding a multistate license to practice in any of the party states without applying, paying, and waiting for a license in that state; and for multistate licensed nurses from party states to come to Alaska without the burden, cost, or wait time to obtain an Alaska-specific license. This reduces regulatory burden and cost for the nurses, and allows hospitals, health care facilities, and nursing schools to fill nursing vacancies easier and quicker.

- **Alaska's nurses support joining the NLC!**

In late 2019, the Alaska Board of Nursing sent to a survey all 16,000+ nurses who held an active registered nurse (RN) or licensed practical nurse (LPN) license in Alaska as of November 2019. 3,573 responses were

received. The results showed 92% (3,259) voted in favor of Alaska joining the NLC, only 3% (119) opposed, and 4% (149) had no opinion.

Of the 56% (2,018) of the respondents who had primary residency in Alaska, 89% (1,773) voted in favor of joining the NLC, 6% (121) had no opinion, and only 5% (105) opposed. Of the 22% (749) were members of a union during employment, 87% (643) voted in favor of joining the NLC, 8% (57) opposed, and 6% (43) had no opinion. Even the majority of the 39% (1,379) respondents who do not hold a license outside of Alaska voted in favor: 87% (1,201) voted in favor, 5% (75) opposed, and 7% (103) had no opinion.

Why are Alaska's nurses supportive of joining the NLC? Keep reading!

- **Alaska will retain state sovereignty under the NLC.**

It's literally written into the NLC language that will be enacted into law! Article VII(a)(3) and III(d)-(e) confirm Alaska will retain state sovereignty and all regulatory authority of nursing practice in the state, regardless of whether the nurses is practicing under a license issued by the Alaska Board of Nursing or a multistate license issued by a party state. All nurses are required to comply with the nursing laws in the state their patient is located, regardless of where the nurse is located, or which state the nurse was licensed by.

As noted under "What is the NLC", the Alaska legislature must adopt the NLC language into state law in order for Alaska to join the NLC. This means that no primary functions or licensure requirements of the NLC can change without the Alaska Legislature adopting those changes. The only way changes can occur is if the NLC Commission, which Alaska will be a voting member of, votes in favor of a change. It also means that if changes occur that Alaska does not agree with, all our Legislature has to do is opt not to adopt the changes into law. If all other party state legislatures do adopt the change, then Alaska would automatically be out of the Compact.

- **The NLC poses no threat to public health or safety in Alaska.**

The Alaska Board of Nursing ("board") – which is responsible for the licensure and oversight of all nurses in the state – would not have voted unanimously in support of joining the NLC if it posed a threat. The requirements to qualify for a multistate license in any state are more stringent than Alaska's (*see figure A*). Nurses cannot qualify for a multistate license if they have not passed the national nursing examination, if they have an encumbered license (i.e., their license has been disciplined), if they've ever been convicted of a felony, or if they've ever been convicted of a misdemeanor related to nursing practice. Nurses that do not meet these requirements still have the option to apply for a single-state license, which will be evaluated by the board on a case-by-case basis.

You'll hear that joining the NLC means we won't know when nurses are working in Alaska. The fact is that we don't know this now. Nurses do not notify the board of if/where they are employed, if they're located in the state, or if they're even practicing. You'll also hear that the NLC will allow out-of-state nurses to circumvent Alaska's education requirements. However, the Alaska Board of Nursing already has a licensure pathway for nurses licensed in other states (license by endorsement), which trusts another state's evaluation of their education; there is no requirement for nurses applying for an Alaska license by endorsement to verify their education, just their licensure in another state and their recent work experience.

- **The NLC will make it easier for Alaska's hospitals and health care facilities to fill nurse vacancies.**

Joining the NLC allows high quality multistate licensed nurses to bypass the licensure process in Alaska, allowing our hospitals and healthcare facilities to more competitively recruit and more quickly employ nurses. Over 10% of Alaska's nursing positions are filled by travel nurses already, and Alaska currently has

a 1,500 RN vacancy rate (projected to grow to 5,400 by 2030). Making Alaska a friendly environment for nurses who meet the high standards required to qualify for and retain a multistate license is essential, now more than ever. See the *States with the Largest Nursing Shortages* article here:

<https://www.registerednursing.org/articles/largest-nursing-shortages/>

- **The NLC will reduce the burden for Alaska nurses and nurses coming to Alaska.**

As noted, joining the NLC will allow nurses who meet the stringent requirements to obtain a multistate license to cross state lines and practice in all party states without applying for nurse licenses in each of those states. This current process is redundant, costly, and time-consuming. Allowing a nurse to obtain and renew one license to work in 39+ U.S. jurisdictions, rather than requiring them to obtain a license in each state they want to practice in, reduces burden for the nurses – whether they’re Alaskan nurses interested in offering services elsewhere, or travel nurses Alaska needs to keep our health facilities operating – and allows them to get to work quicker.

- **The NLC will make it easier for Alaska’s nursing schools to recruit instructors.**

To teach or instruct in a nursing school, a nurse must be licensed in the state where the school is located (regardless of where the nurse is). Currently, Alaska training programs graduate around 325 nursing graduates per year. For Alaska to “grow its own”, we need to give our nursing schools better access to teaching staff.

- **The NLC will encourage nursing graduates who leave the state to come back, and out-of-state nurses to make Alaska their long-term home.**

We’ve heard anecdotally from Alaska’s nursing schools that many graduates leave the state to obtain a multistate license to allow for mobility. This means the graduates leave Alaska and establish residency in one of the party states, as you can only qualify for a multistate license if you are a resident of a party state. This also discourages those graduates from coming back to Alaska, as they would have to apply, pay, and wait for an Alaska-specific license, and re-establishing residency in a non-party state would result in a loss of the multistate license. Travel nurses who have come to Alaska and love it are also discouraged from establishing residency here for the same reason.

- **What if an Alaska nurse doesn’t want a multistate license?**

That’s okay, they get to choose! A nurse can decide whether they want a multistate license, or a single-state license, based on their need and where they desire to provide services.

- **License fees and regulatory costs for Alaska-only nurses will be kept separate from Alaska-multistate nurses and nurses with multistate licensure privilege in Alaska.**

Thanks to the way the legislation has been drafted, licensure and regulatory costs for nurses with multistate licenses or multistate licensure privilege will be kept separate from the licensure and regulatory costs for nurses with single-state licenses. This means that activities or investigations related to multistate licensed nurses will have no impact on the licensure costs for single-state nurses.

In fact, we think joining the NLC could result in *reduced* nurse licensure fees. Alaska’s licensure fees are based on the cost to run that professional program. Joining the NLC will reduce the number of applications the Alaska Board of Nursing staff must process. A reduction in workload will result in a reduction of the staff needed for the program, which will result in lower costs to operate the program. (*Of note, the division needs more staff for other professional licensing programs, so those individuals would not be laid off, but simply reassigned.*)

- **Joining the NLC demonstrates Alaska’s support for military families.**

The U.S. Department of Defense (DoD) has identified licensure compacts as the “gold standard”. It allows active-duty military members and their spouses easier transitions between states due to military orders as they no longer have to apply, pay, and wait for a state-specific license in each state they move to. Nursing is a very common profession held by military spouses. The DoD has stated that military expansion decisions will include consideration of which states have demonstrated support for military families through license mobility laws and provisions.

- **What happens if Alaska does not join the NLC soon?**

Do we know if joining the NLC will be the “silver bullet” that fixes our nursing vacancy issues? No. However, we know that if we continue to be one of the only U.S. jurisdictions that is not part of the NLC, it will become even harder for Alaska to bring in the traveling nurses we rely on so heavily, retain our nursing graduates, and encourage nurses from other states to make Alaska their home. The time for Alaska to become a more friendly environment for nurses is *now!* Further, Alaska is one of only seven (7) states projected to have a nursing deficit by 2030, while all other states are projected to have more nurses than nursing positions. Ensuring we make it easy for nurses from other states to come and work in Alaska, whether temporarily or permanently, is essential for Alaska.

NLC Requirement (Article III)	Alaska Requirement	Citation
1. Meets the home state’s licensure qualifications	N/A	
2. Meets educational requirements: a. Has graduated from a board-approved education program; or b. Has graduated from an accredited international education program	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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Figure A: Comparison of NLC agreement requirements for nurse licensure and Alaska nursing requirements.