



The Honorable Jesse Sumner
Chairman
House Labor & Commerce Committee
120 Fourth Street, Room 3
State Capitol
Juneau, AK 99801-1182

RE: Letter of Opposition - HB 149, Nurse Licensure Compact

The Honorable Jesse Sumner:

MNA is the nonprofit professional association representing the voice of nearly 18,000 Registered Nurses (RNs) in Montana including more than 1000 licensed as Advanced Practice Registered Nurses (APRNs). MNA is the recognized professional organization, which lobbies for nursing practice issues to protect the practice of professional nurses and also protect the public in all areas of health care. I am writing on behalf of the Montana Nurses Association (MNA) to strongly encourage Alaska to reject HB 149, the “Multistate Nurse Licensure Compact”.

After careful review and based on experience, we believe the risks of joining the Nurse Licensure Compact (NLC) are too great for the State of Alaska. MNA has been a compact state since 2015 and the nurse licensure compact has not staffed our state, further, compliance with obtaining new state home licensure is unable to be monitored or enforced. Additional risks include a loss of state sovereignty, threats to public safety, erosion of quality patient care and weakened standards for the practice of nursing, and a loss of state revenue.

Since enactment of the compact, here are a few unintended and ongoing consequences for Montana:

- No way to monitor compact nurses working in the state of MT nor ensure new home state license is obtained, adding to lost revenue.
- MT Legislators were sold this bill as a “progressive” alternative to state licensing that would address the nurse shortage by bringing in more nurses. The compact has NOT helped nurse staffing shortages.
- **There is No data (from our BON or Facilities)** that more nurses come into the state due to multistate licensure, further, it is NOT being tracked.
- As long as a nurse, working and living in Montana on a compact license, renews their license in another home state, the nurse’s employer is the only entity that will know that the nurse is practicing and living in Montana. The employer only has to verify a multistate license or a MT nurse license and employment continues.
- Compact Nurses (those that are non-agency/travel nurses) are not complying with obtaining their new home state licenses, the compact requires they obtain a new MT home state license when they move to our state, however, many just renew their original home state. (no tracking=loose revenue)



- Under the NLC, there is no designated time frame to obtain a MT nursing license under the law and nurses may work and are working in Montana under a license issued from another compact state, without ever notifying the Board of Nursing or obtaining a Montana nursing license. (loss of revenue)
- Under the NLC, nurses can work in Montana under a license issued by another party state that participates within the Compact, and, even after working and living in Montana for months or years, they may choose not to obtain a Montana license and, thereby, avoid complying with Montana's minimum nurse licensure/re-licensure continuing education requirements and avoid paying MT licensure fees that contributes to the BON regulatory functions and ability to discipline. The discipline of compact nurses falls on the backs of the MT nurses paying their licensure fees.
- **It is deceiving to state that due to the NLC, compact nurses will staff the rural areas in the state or staff any nursing shortage in your state. The nurse chooses where they will practice and if they move to a new state, the compact license is moot point as they MUST obtain a new home state license.**
- The **NLC DOES NOT** create this pool of nurses that can be dispatched across the states to staff their hospitals and facilities, the nurse get to choose where they practice. The NLC does not staff critical access hospitals and clinics. It forces **no nurse** to go to any rural area, or any area for that matter, which is short staffed, to provide nursing care.
- Travel nurse or agency nurse businesses are thrilled with nurse licensure compact as they cover the nurses' licensure fees to the destination the nurse chooses to work, therefore, big travel agencies save a lot of money on licensure fees if they deploy their nurses to compact states (buy one license per year rather than perhaps 3-4).
- NLC caters to an elite few nurses (travel agency or case management big business), moreover, the majority of nurses in the state are acute care and long-term care nurses, far outnumbering the elite few nurses.
- Military spouses (part of the elite few) are a poor argument as they have adequate deployment notice.
- The Commission, which is formed under NCSBN, is said to be public governmental agency, this is false, they report to NCSBN.
- Revenue loss due to loss of licensure fees.
- Disasters are covered by governor emergency declaration (ex. Montana during covid allowed 50 state reciprocity, if your license in good standing from any state, you can work in Montana)
- Loss of state sovereignty
- They claim they can work right away because of NLC, however your regulatory agency can address that process and issue rapid licensure until a new application can be processed.
- Nurses in general are misinformed and state that they like the compact because you only need one license and can move and work anywhere in the US (compact states) not realizing, when you move, the NLC is a moot point because you must **obtain and purchase** a new home state license anyway.



A major argument by proponents of the Compact is the change will help Alaska deal with its nursing shortage. This is simply not true and unfortunately, there is no meaningful evidence to suggest that joining the NLC would help. The nursing shortage exists nationwide, and joining the Compact will not suddenly nor magically bring a flood of nurses to Alaska to fill vacancies at needy facilities. Furthermore, the Compact is a door that swings both ways—joining the Compact will likely contribute to a nurse shortage when Alaska resident nurses decide to leave the state and become travelers.

Fortunate for Alaska, you all currently enjoy complete autonomy and sovereignty over the regulation of the profession of nursing, allowing local experts to make local decisions that are best for your state. Created by a private Chicago-based, independent not for profit, non-governmental, non-regulatory agency, the Nurse Licensure Compact is administered by a powerful “Interstate Commission” with the sole authority to adopt binding rules and assess payments from the states. **If Alaska adopts the NLC, Alaska will cede it’s right to determine and enforce nurse licensing standards that your state’s policymakers have determined are necessary to protect the public.** In many cases, it also undermines local control over practice decisions such as adhering to Alaska’s continuing education requirements for nurses.

Currently, in our 2023 Montana Legislative session, our Governor has tasked his administration to decrease red tape. With this said, there is legislation moving forward that will grant a “50 state reciprocity” process for registered nurses and if this passes (it is currently on track to do so) will actually make the current NLC null and void.

Thank you for your time and please don’t hesitate to reach out if you have any questions or need clarification.

Sincerely,

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