



SECTIONAL ANALYSIS
House Bill 85 Version A
Professional Licensing: Temp Permits

- Section 1:** Repeals and reenacts AS 08.01.062 – *temporary license* – to allow the Department of Commerce, Community, and Economic Development (“department”) to issue a temporary license if the applicant:
- Is licensed in another U.S. jurisdiction or province/territory of Canada that has license requirements substantially equivalent or greater than Alaska’s, or authorizes a scope of practice substantially equivalent to the scope of practice for the license in Alaska;
 - Meets the qualifications and requirements of a license in Alaska and resides in a U.S. jurisdiction or province/territory of Canada that does not license the respective profession; or
 - Meets the qualifications and requirements for the Alaska license through military education, training, and service under AS 08.01.064(a) and doesn’t already hold a license in another jurisdiction.

To qualify for a temporary license, the applicant cannot:

- Be the subject of disciplinary action related to the profession in another jurisdiction or be the subject of an ongoing review or disciplinary proceeding by the profession’s licensing entity in another jurisdiction.
- Have committed an act in another jurisdiction within the 10 years before the application that would have constituted grounds for denial or revocation of a license in Alaska at the time the act was committed.

To qualify for a temporary license, the applicant must:

- Pays all required fees.
- Undergo a criminal history background check if the department or applicable board requires such for the professional license.
 - Disclaimer: The department may consider an application and grant a temporary license before obtaining any resulting report. If the department subsequently receives criminal record information that would authorize the department or board to take disciplinary action, that authority shall be exercised.

Temporary licenses are valid for up to 180 days. Applicants can apply for one 180-day extension, and those will be approved at the department’s discretion. Temporary license holders are authorized to temporarily practice the profession for which the license was granted. The department has the authority to revoke a license issued under this section if the license was secured under deceit, fraud, or intentional misrepresentation.

Temporary license provisions under this section do not apply to AS 08.48 (*Architects, Engineers, Land Surveyors, and Landscape Architects*), AS 08.54 (*Big Game Guides and Related Occupations*), or AS 08.62 (*Marine Pilots*).

- Section 2:** Amends AS 08.01.063(a) – under *military courtesy licenses* – to change the term “temporary courtesy license” to “temporary military courtesy license”, and to refer to a “license or certificate” versus just a license.

- Section 3:** Amends AS 08.01.063(b) – under *military courtesy licenses* – to change the term “temporary license” to “temporary military courtesy license.”
- Section 4:** Amends AS 08.01.063(c) – under *military courtesy licenses* – to change the term “temporary courtesy license” to “temporary military courtesy license.”
- Section 5:** Amends AS 08.01.063(e) – under *military courtesy licenses* – to change the term “temporary courtesy license” to “temporary military courtesy license.”
- Section 6:** Amends AS 08.01.063(g) – under *military courtesy licenses* – to change the term “temporary courtesy license” to “temporary military courtesy license.”

Sections 7-14: Conforming Changes to AS 08.13 – Barbers and Hairdressers

- Section 7:** Amends AS 08.13.070 – *license required* – to make conforming changes by removing the term “temporary permit” and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.
- Section 8:** Amends AS 08.13.120(b) – under *shop license* – to make conforming changes by removing the term “temporary permit” and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.
- Section 9:** Amends AS 08.13.130(a) – under *display of license or permit* – to make conforming changes by removing the term “temporary permit” and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.
- Section 10:** Amends AS 08.13.150 – *disciplinary sanctions and grounds for refusal of a license or permit* – to add reference to make conforming changes by adding reference to a “temporary shop license,” removing the term “temporary permit,” and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.
- Section 11:** Amends AS 08.13.160(d) – under *application of license requirements* – to replace the term “licensed” to “regulated.”
- Section 12:** Amends AS 08.13.175 – *temporary license* – to make conforming changes by removing the listed requirements for a temporary license, adding reference to AS 08.01.062 (Section 1) when referring to a temporary license, but retaining the requirement that a person who receives a temporary license must work under the direct supervision and within the physical presence of a person licensed under AS 08.13.
- Section 13:** Amends AS 08.13.185(a) – under *fees* - to make a conforming change by removing reference to a temporary permit fee.
- Section 14:** Amends AS 08.13.190 – *failure to possess a license or permit* – to make conforming changes by removing the term “temporary permit” and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.

Sections 15-27: Conforming Changes to Other Chapters under AS 08 – Business and Professions

- Section 15:** Amends AS 08.20.180(a) – under *Chiropractors: fees* – to make conforming changes by removing the terms “temporary permit” and “locum tenens permit” and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.
- Section 16:** Amends AS 08.36.100 – *Dentistry: license required* – to make conforming changes by removing reference to AS 08.36.254 (*temporary permit to substitute for an incapacitated dentist*).

- Section 17:** Amends AS 08.64.279 – *Medicine: interview for permits* becoming *interview for permit or temporary license* – to make conforming changes by removing reference to resident permits or temporary locum tenens permits and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.
- Section 18:** Amends AS 08.64.315 – *Medicine: fees* – to make conforming changes by removing reference to a temporary permit or locum tenens permit fee and adding reference to a fee for a temporary license under AS 08.01.062 (Section 1).
- Section 19:** Amends AS 08.68.220 – *Nursing: fees* – to make conforming changes by replacing the term “temporary permit” with “temporary license under AS 08.01.062” (Section 1).
- Section 20:** Amends AS 08.68.230(d) – under *Nursing: use of title and abbreviations* – to make conforming changes by replacing the term “temporary permit” with “temporary license under AS 08.01.062” (Section 1).
- Section 21:** Amends AS 08.84.010(b) – under *Physical Therapists and Occupational Therapists: creation and membership of board* – to make conforming changes by removing the term “temporary permits.”
- Section 22:** Amends AS 08.84.050 – *Physical Therapists and Occupational Therapists: fees* – to make conforming changes by replacing the term “temporary permit” with “temporary license under AS 08.01.062” (Section 1) and removing the term “limited permit.”
- Section 23:** Amends AS 08.84.150 – *Physical Therapists and Occupational Therapists: license required; exceptions* – to make conforming changes by replacing the term “limited permit under AS 08.84.075” with “temporary license under AS 08.01.062” (Section 1).
- Section 24:** Amends AS 08.98.120(a) – under *Veterinarians: license required; prohibitions; penalty* – to make conforming changes by replacing the term “temporary permit issued under AS 08.98.186” with “temporary license under AS 08.01.062” (Section 1).
- Section 25:** Amends AS 08.98.180 – *Veterinarians: temporary license* – to make conforming changes by removing the listed requirements for a temporary license, adding reference to AS 08.01.062 (Section 1) when referring to a temporary license, but retaining the requirement that a person who receives a temporary license must work under the supervision of a veterinarian licensed under AS 08.98.
- Section 26:** Amends AS 08.98.190 – *Veterinarians: fees* – to make conforming changes by removing the term “temporary permit” and adding reference to AS 08.01.062 (Section 1) when referring to a temporary license.
- Section 27:** Makes conforming changes by repealing the following statutes:
- AS 08.01.064(b) – under *Centralized Licensing: military courtesy licenses* – which requires the department or applicable board to issue a temporary license to a person who meets the requirements under (a) within 30 days after the application is received.
 - AS 08.01.064(c) – under *Centralized Licensing: military courtesy licenses* – which states a military temporary courtesy license is valid for 180-days with an extension option of one additional 180-days.
 - AS 08.01.064(d) – under *Centralized Licensing: military courtesy licenses* – which states this section does not apply to the practice of law or the regulation of attorneys under AS 08.08.
 - AS 08.11.020 – *Audiologists and Speech-Language Pathologists: temporary license to practice audiology as an audiologist.*
 - AS 08.11.025 – *Audiologists and Speech-Language Pathologists: temporary license to practice speech-language pathology as a speech-language pathologist.*
 - AS 08.13.170 – *Barbers and Hairdressers: temporary permits.*
 - AS 08.15.030 – *Behavior Analysts: temporary license.*
 - AS 08.20.160 – *Chiropractors: temporary permits.*
 - AS 08.20.163 – *Chiropractors: temporary permit for locum tenens practice.*

- AS 08.26.050 – *Private Professional Conservators and Guardians: temporary license.*
- AS 08.36.254 – *Dentistry: temporary permit to substitute for an incapacitated dentist.*
- AS 08.45.035(a)-(b) – under *Naturopaths: temporary licenses.* Subsection (c) is retained, which states that a temporary license holder may practice only in the office of an Alaska-licensed naturopath.
- AS 08.63.130 – *Marital and Family Therapy: temporary license for the practice of marital and family therapy.*
- AS 08.64.101(b)(2) – under *Medicine: duties* – which allows the State Medical Board to adopt regulations authorizing a member of the board, the executive secretary, or a designated person to issue a temporary permit under sections repealed in this section.
- AS 08.64.270 – *Medicine: temporary permits.*
- AS 08.64.275 – *Medicine: temporary permit for locum tenens practice.*
- AS 08.68.210 – *Nursing: temporary permits.*
- AS 08.70.130 – *Nursing Home Administrators: provisional licenses.*
- AS 08.80.150 – *Pharmacists and Pharmacies: temporary license.*
- AS 08.80.155 – *Pharmacists and Pharmacies: emergency permit.*
- AS 08.84.065 – *Physical Therapists and Occupational Therapists: temporary permit.*
- AS 08.84.075 – *Physical Therapists and Occupational Therapists: limited permit.*
- AS 08.86.135 – *Psychologists and Psychological Associates: temporary license [for psychologists].*
- AS 08.86.166 – *Psychologists and Psychological Associates: temporary license [for psychological associates].*
- AS 08.95.125 – *Social Workers: temporary license to practice social work.*
- AS 08.98.186 – *Veterinarians: temporary permit.*

Section 28: Adds a TRANSITION: REGULATIONS section under the uncodified law to allow DCCED to adopt regulations necessary to implement the changes made by this Act.

Section 29: Adds a TRANSITION: SAVINGS CLAUSE section under the uncodified law to:

- Provide for litigation, hearings, investigations, appeals, and other proceedings pending under a law amended or repealed by this Act to continue and completed notwithstanding a transfer or amendment or repeal provided in the Act.
- Allow certificates, orders, permits, licenses, and regulations issued or adopted under the authority of a law amended or repealed by this Act to remain in effect for the term issued or until revoked, vacated, or otherwise modified under the Act’s provisions.
- Allow contracts, rights, liabilities, and obligations created by or under a law amended or repealed by this Act – and in effect as of the date of the Act – to remain in effect.

Section 30: Provides for an immediate effective date for Sections 28-29.

Section 31: Provides for a July 1, 2024, effective date for Sections 1-27.