

SENATE FINANCE COMMITTEE  
April 14, 2015  
9:17 a.m.

[9:17:35 AM](#)

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 9:17 a.m.

MEMBERS PRESENT

Senator Anna MacKinnon, Co-Chair  
Senator Pete Kelly, Co-Chair  
Senator Peter Micciche, Vice-Chair  
Senator Click Bishop  
Senator Mike Dunleavy  
Senator Lyman Hoffman  
Senator Donny Olson

MEMBERS ABSENT

None

ALSO PRESENT

Senator Lesil McGuire, sponsor; Senator Cathy Giessel, Sponsor; Jane Conway, Staff to Senator Cathy Giessel; Senator Cathy Munoz, sponsor; Edra Morledge, Staff to Senator Kevin Meyer; Terry Harvey, Staff to Representative Cathy Munoz.

PRESENT VIA TELECONFERENCE

Laura Sarcone, Co-Chair, APRN Alliance, Anchorage; Carrie Doyle, AK Clinical Nurse Specialist Association, Anchorage; Gabe Layman, General Counsel, Cook Inlet Housing, Anchorage; Chuck Homan, President, Alaska State Home Building Association, Eagle River; Ron Brown, State Assessor, Department of Commerce, Community and Economic Development, Anchorage.

SUMMARY

SB 53           ADVANCED PRACTICE REGISTERED NURSES

SB 53 was HEARD and HELD in committee for further consideration.

SB 82 ALCOHOL/SUBST ABUSE PROGRAM MITIGATION

SB 82 was REPORTED out of committee with a "do pass" recommendation and with two previously published fiscal notes: FN1 (DHS), FN2 (AJS).

CSHB 146(CRA)  
MUNICIPAL TAX EXEMPTION

CSHB 146(CRA) was HEARD and HELD in committee for further consideration.

#sb82

SENATE BILL NO. 82

"An Act relating to mitigating factors at sentencing."

9:18:27 AM

SENATOR LESIL MCGUIRE, SPONSOR, hoped the legislation could work toward reducing prison costs in the state.

Co-Chair MacKinnon noted that public testimony had been held on April 13, 2015.

9:19:04 AM

Vice-Chair Micciche discussed Fiscal Note 1 (FN1) from the Department of Health and Social Services division of Behavioral Health for the Alcohol Safety Action Program; the fiscal note was zero.

9:19:38 AM

Vice-Chair Micciche discussed FN2 from the Alaska Judiciary System division of the Alaska Court System for Trial Courts; the fiscal note was zero.

9:20:16 AM

Vice-Chair Micciche MOVED to report SB 82 out of Committee with individual recommendations and the accompanying fiscal notes. There being NO OBJECTION, it was so ordered.

SB 82 was REPORTED out of committee with a "do pass" recommendation and with two previously published zero fiscal notes: FN 1 (DHS), FN2 (AJS).

[9:20:35 AM](#)

AT EASE

[9:22:25 AM](#)

RECONVENED

#sb53

SENATE BILL NO. 53

"An Act relating to advanced practice registered nursing; relating to certified direct-entry midwifery; and providing for an effective date."

[9:22:36 AM](#)

AT EASE

[9:22:43 AM](#)

RECONVENED

Co-Chair MacKinnon introduced SB 53.

[9:23:09 AM](#)

SENATOR CATHY GIESSEL, SPONSOR, directed the committee to a chart from the Advanced Practice Registered Nurse (APRN) Alliance (copy on file). She said that over the past 34 years that the state had authorized the practice for advanced nurse practitioners and nurse anesthetists additional nursing specialties in advance practice had evolved. She said that the advanced categories of Advanced Nurse Practitioner (ANP); Nurse Anesthetist (NA); Certified Nurse Midwife (CNM); and Clinical Nurse Specialist (CNS), had been brought under the single title of APRN. She shared that 11 states had completed the transition to the single title and 13 were working on the transition. She relayed that there were approximately 1000 APRN's in the state.

[9:26:24 AM](#)

Senator Giessel addressed the fiscal note, which reflected a cost of \$7,500 in FY 16. She spoke to the analysis on Page 2:

SB 53 was requested by the advanced practice registered nurses (APRN) in Alaska through the APRN Alliance to reduce confusion about titling for consumers and payers. It brings Alaska into alignment with the APRN Consensus Model, a national best practices act.

It is anticipated that the Board of Nursing, Medical Board, and Board of Professional Counselors would each need to replace outdated terminology that conforms to this statutory change. The division estimates that the cost to each of these licensing programs could be up to \$2.5 per program for attorney review, regulations specialist time, printing, and postage to affected licensees. As required by AS 08.01.065, the cost of promulgating regulations will be recovered through license fee receipts.

If the bill passes the division will require \$7.5 to cover legal costs to amend regulations, printing, and postage.

Professional licensing programs within the Division of Corporations, Business and Professional Licensing are funded by Receipt Supported Services, fund source 1156 Rcpt Svcs (DGF). Licensing fees for each occupation are set per AS 08.01.065 so the total amount of revenue collected approximately equals the occupation's actual regulatory costs.

[9:27:08 AM](#)

JANE CONWAY, STAFF TO SENATOR CATHY GIESSEL, gave an overview of the sectional summary (copy on file). She explained that 12 sections in the bill were related to conforming amendments:

**Section 1** amends AS 08.02.010 by adding advanced practice registered nurses to the list of professions required to use their professional titles or initials on stationery, signs, or other advertising.

**Sections 2 - 4** are conforming amendments that change a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse" and make other related technical amendments.

**Section 5** amends AS 08.68.1 00(a) by requiring that the Board of Nursing's regulations pertaining to advanced practice registered nursing include the practices of advanced practice registered nurses who practice as certified registered nurse anesthetists, certified clinical nurse specialists, certified nurse practitioners, or certified nurse midwives and makes conforming amendments.

**Section 6** amends AS 08.68.160 by adding advanced practice registered nursing to the licenses issued under AS 08.68 and changes the term "professional nursing" to "registered nursing."

**Section 7** adds a new subsection to AS 08.68.170 that sets out the qualifications for an advanced practice registered nursing license.

**Section 8** repeals and reenacts AS 08.68.190 concerning license examinations and adds an advanced practice registered nursing examination to the licensing examinations conducted under AS 08.68.

**Section 9** is a conforming amendment that changes a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse."

**Section 10** amends AS 08.68.220 by adding a paragraph requiring the Department of Commerce, Community and Economic Development to set fees related to advanced practice registered nursing and deletes "vocational" nursing.

**Section 11** amends AS 08.68.230(a) by removing "licensed professional nurse" from the titles authorized for persons licensed under AS 08.68.

**Section 12** amends AS 08.68.230 by adding new subsections authorizing the use of the titles "advanced practice registered nurse", "certified registered nurse anesthetist", "certified clinical nurse specialist", "certified nurse practitioner", or "certified nurse midwife" and associated initials.

**Section 13** amends AS 08.68.265 to add advanced practice registered nurses to the persons authorized to supervise a practical nurse.

**Section 14** adds impersonation of an advanced practice registered nurse as a grounds for denial, suspension, or revocation of a nursing license.

**Section 15** requires institutions that are applying for accreditation of advanced practice registered nurse training to provide certain information to the Board of Nursing.

**Section 16** adds impersonation of an advanced practice registered nurse as a grounds for denial, suspension, or revocation of a certificate to practice as a nurse aide.

[9:30:40 AM](#)

Ms. Conway continued:

**Sections 17 - 19** add advanced practice registered nursing to the licenses issued by the board, and change the term "professional nursing" to "registered nursing" in AS 08.68.360 - 08.68.390, which declare the unlicensed practice of nursing a public nuisance and provide for injunctive relief.

**Section 20** adds advanced practice registered nurses to the licensees who may delegate certain nursing duties.

**Section 21** is a conforming amendment that changes a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse" and makes a related technical change.

**Section 22** defines the practice of advanced practice registered nursing.

[9:30:59 AM](#)

Co-Chair MacKinnon asked whether the definition in Section 22 was a new or existing definition.

[9:31:24 AM](#)

AT EASE

[9:32:00 AM](#)

RECONVENED

Co-Chair MacKinnon repeated her question.

Senator Giessel related that the legislation corrected the title of advanced practice registered nurse. She noted that the scope of practice would remain the same.

[9:32:50 AM](#)

Ms. Conway continued with the sectional analysis:

**Sections 23 - 25** are conforming amendments that change a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse" and make other related technical amendments.

**Section 26** adds advanced practice registered nurses to persons who are considered justified in conduct that would otherwise be considered the use of force when delivering emergency medical care.

**Sections 27 and 28** are conforming amendments that change a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse."

**Section 29** adds advanced practice registered nurses to those licensees immune from civil liability for an act or omission in delivering patient case services while escorting an injured or sick person whose life is in danger in a conveyance that is not an ambulance.

**Section 30** is a conforming amendment that changes a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse."

**Section 31** adds advanced practice registered nurses to those practitioners authorized to draw blood for tests of persons charged with sex offenses.

**Sections 32 and 33** are conforming amendments that change a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse."

**Section 34** clarifies that nurse-midwives and direct entry midwives are certified.

**Sections 35 - 38** are conforming amendments that change a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse" and make other related technical amendments.

**Section 39** changes the term "registered professional nursing" to "registered nursing."

**Section 40** clarifies that nurse-midwives must be certified to be a provider under AS21.87.

**Section 41** is a conforming amendment that changes a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse."

**Sections 42 - 43** clarifies that nurse-midwives are certified and makes other technical amendments.

**Sections 44 - 46** are conforming amendments that change a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse."

**Section 47** adds advanced practice registered nurses to the definition of health care provider in statutory provisions concerning prisons.

**Section 48** is a conforming amendment that changes a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse."

**Section 49** adds advanced practice registered nurses to licensees with particular training who may assess a child with respect to the waiver under a statutory provision concerning home and community based medical assistance.

[9:35:25 AM](#)

Ms. Conway continued to Section 50 of the sectional analysis:

**Section 50** is a conforming amendment that changes a statutory reference from "advanced nurse practitioner" to "advance practice registered nurse" and makes a related technical change.

**Sections 51** adds advanced practice registered nurses to practitioners who are not liable for providing information to the Department of Health and Social Services for the purpose of providing services to certain children and makes a related technical change.

[9:35:52 AM](#)

Co-Chair MacKinnon asked for further explanation of Section 51.

Senator Giessel elucidated that newborns were assessed for hearing loss; the section clarified that not only registered nurses could administer the test, but also advanced practice registered nurses.

[9:36:32 AM](#)

Ms. Conway continued with the sectional analysis:

**Sections 52 - 54** add advanced practice registered nurses to practitioners who may under statutory provisions concerning mental health commitment, determine if a person may be administered psychotropic medication without the person's consent, and add advanced practice registered nurses with particular training to the definition of mental health professional for those statutory provisions.

[9:37:00 AM](#)

AT EASE

[9:37:52 AM](#)

RECONVENED

Ms. Conway continued with the sectional analysis:

**Sections 55** adds advanced practice registered nurses to practitioners who may review a health care plan for an assisted living home resident.

**Sections 56 - 59** are conforming amendments that change a statutory reference from "advanced nurse practitioner" to "advanced practice registered nurse."

**Section 60** repeals specific statutes.

**Section 61** sets July 1, 2015, as the effective date for the bill.

[9:38:49 AM](#)

Vice-Chair Micciche asked why the nurse anesthetists had been outside of the supervised practical nurse structure.

Senator Giessel explained that a licensed practical nurse had a two year degree; certified registered nurse anesthetists had their own section in nursing statute, which the bill would correct.

[9:39:54 AM](#)

Senator Olson interjected that nurse anesthetists operated under the supervision of an anesthesiologist.

[9:40:18 AM](#)

Vice-Chair Micciche repeated his question.

Senator Giessel contended that it had been decades since nurse anesthetists had been under the supervision of anesthesiologists.

[9:41:03 AM](#)

Co-Chair MacKinnon OPENED public testimony.

LAURA SARCONI, CO-CHAIR, APRN ALLIANCE, ANCHORAGE (via teleconference), testified in support of SB 53. She relayed that the APRN consensus model was a National Best Practice Act that put consumers, employers, APRNs, the Board of Nursing, insurance companies and the legislature on the same page by standardizing licensing, accreditation, certification and educational requirements for APRNs. She said that the APRN Alliance had reviewed the fiscal note and was comfortable with the cost, which would be recovered through licensing fees.

[9:42:56 AM](#)

CARRIE DOYLE, AK CLINICAL NURSE SPECIALIST ASSOCIATION, ANCHORAGE (via teleconference), testified in support of SB 53. She gave a brief history of the consensus model. She stated that the uniformity would expedite insurance

reimbursement by eliminating confusion about service providers and would allow APRN's from other states to more easily obtain Alaska licensure. She said that under the legislation, advance nurse practitioners and anesthetists would still provide high quality, safe, accessible care, but under a new title.

[9:44:40 AM](#)

Co-Chair MacKinnon CLOSED public testimony.

[9:45:02 AM](#)

Senator Bishop felt that anything that could be done to expedite payments to hospitals and medical providers was a good idea. He asked whether an individual would more easily find reciprocity when seeking nursing licensure in Alaska under the legislation.

Senator Giessel answered in the affirmative.

[9:47:01 AM](#)

Senator Olson asked about Section 29, he wondered who was on the current list of licensees that were immune from civil liability.

Senator Giessel replied registered nurses and licensed practical nurses were on the list.

Senator Olson asked whether health corporations supported the legislation.

Senator Giessel replied that she had not heard from any health corporations.

[9:48:07 AM](#)

Senator Dunleavy reminded the sponsor of the state's fiscal situation. He requested justification for the fiscal impact of the fiscal note attached to the bill.

Senator Giessel responded that the fiscal note reflected that the fiscal impact of the note would be paid for by licensees.

Senator Dunleavy understood that no general funds would be used for the legislation.

Senator Giessel replied in the affirmative.

[9:49:12 AM](#)

SB 53 was HEARD and HELD in committee for further consideration.

#hb146

CS FOR HOUSE BILL NO. 146(CRA)

"An Act relating to a municipal tax exemption for certain subdivided property."

[9:49:37 AM](#)

SENATOR CATHY MUNOZ, SPONSOR, explained that HB 146 would give municipalities the option of exempting the increase value of a new subdivision until the lot started to sell, or until a certain time period was met. She related that the legislation came as a result of a request from the City and Borough of Juneau to look at ways to encourage new housing development, especially affordable housing. She furthered that the legislation would incentivize developers to develop lands while keeping down the costs of developments. She explained that currently when a subdivision plot map was finalized and certified, the property assessment rose considerably. She stated that the legislation was a tool that would allow municipalities in communities with housing shortages to work with the developer to exempt a portion, or all, of the increased valuation for a certain time period.

[9:51:41 AM](#)

EDRA MORLEDGE, STAFF TO SENATOR KEVIN MEYER, explained that the amendment to the bill made in the Senate Regional Affairs Committee would allow for a partial or total exemption, or deferral of property tax for deteriorated properties. The amendment clarified that the 8 unit requirement currently in statute for the rehabilitation of deteriorated properties could be required at the time of application for the tax exemption or deferral, or at the completion of the project. The amendment also allowed for multiple properties in a designated deteriorated property

area to be considered collectively for the 8 unit minimum. Finally, the amendment made a technical fix, inserting the word "not" where it had be omitted prior on Page 2, line 27.

[9:53:40 AM](#)

Co-Chair MacKinnon OPENED public testimony.

[9:54:25 AM](#)

GABE LAYMAN, GENERAL COUNSEL, COOK INLET HOUSING, ANCHORAGE (via teleconference), testified in support of the bill. He asserted the legislation would empower municipalities to offer certain property tax incentives that would encourage private developers to proceed with developments in Alaska's challenging real estate market. He spoke to the positive impact of the provisions in the bill that pertained to optional municipal property tax incentives for the redevelopment of deteriorated properties. He believed that HB 146 would clarify ambiguous provisions of the existing state statute, improving its usefulness. He pointed out that municipalities would need to opt into the program in order to offer the tool to developers. He shared that once a municipality opted in, it retained the ability to evaluate project applications on a case by case basis. He concluded that the legislation would promote economic development, further empower municipalities to address blight and deterioration in a locally controlled manner without costing the state any money.

[9:56:01 AM](#)

CHUCK HOMAN, PRESIDENT, ALASKA STATE HOME BUILDING ASSOCIATION, EAGLE RIVER (via teleconference), testified in support of the bill. He noted that his organization had sent a letter of support (copy on file).

[9:56:43 AM](#)

Co-Chair MacKinnon CLOSED public testimony.

[9:57:05 AM](#)

Co-Chair MacKinnon asked how the bill might affect the values across the state in comparison to the state treasury.

RON BROWN, STATE ASSESSOR, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, ANCHORAGE (via teleconference), stated that there exemption was optional. He explained that if a municipality were to adopt the legislation there would be zero impact to the full value determination, as an optional exemption the property would be appraised and reported by the local municipality and added back into the full value for the community.

Co-Chair MacKinnon asked how the foundation formula would be effected by the legislation.

Mr. Brown explained that for optional exemptions, the full value of determination and local school contribution would be returned to the local community.

[9:59:10 AM](#)

Co-Chair MacKinnon asked if whether it would positively or negatively affect the amount of funding that municipalities would receive for schools.

Mr. Brown responded that the effect would be neutral.

Co-Chair MacKinnon thought that the committee would need to hear from the Department of Education on how the bill would affect the foundation formula.

[10:00:03 AM](#)

TERRY HARVEY, STAFF TO REPRESENTATIVE CATHY MUNOZ, assured the committee that the information concerning the bills effect on formula funding for education would be provided to the committee.

CSHB 146(CRA) was HEARD and HELD in committee for further consideration.

[10:00:14 AM](#)

Co-Chair MacKinnon discussed housekeeping.

#

ADJOURNMENT

[10:01:14 AM](#)

The meeting was adjourned at 10:01 a.m.