

**ALASKA STATE LEGISLATURE**  
**SENATE LABOR AND COMMERCE STANDING COMMITTEE**

February 10, 2023

1:32 p.m.

**MEMBERS PRESENT**

Senator Jesse Bjorkman, Chair  
Senator Click Bishop, Vice Chair  
Senator Elvi Gray-Jackson  
Senator Forrest Dunbar  
Senator Kelly Merrick (via teleconference)

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

PRESENTATION(S): WORKFORCE OVERVIEW FROM THE DIVISION OF CORPORATIONS~ BUSINESS AND PROFESSIONAL LICENSING PERSPECTIVE

- HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

SYLVAN ROBB, Director  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community and Economic Development  
Juneau, Alaska

**POSITION STATEMENT:** Delivered a workforce overview from the perspective of the Division of Corporations, Business and Professional Licensing.

GLENN SAVIERS, Deputy Director  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community and Economic Development  
Juneau, Alaska

**POSITION STATEMENT:** Participated in the workforce overview from the perspective of the Division of Corporations, Business and Professional Licensing.

## **ACTION NARRATIVE**

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**CHAIR JESSE BJORKMAN** called the Senate Labor and Commerce Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Merrick (via teleconference), Dunbar, Bishop, Gray-Jackson, and Chair Bjorkman.

### **WORKFORCE OVERVIEW FROM THE DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING PERSPECTIVE**

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CHAIR BJORKMAN announced the committee would hear a workforce overview from the Division of Corporations, Business and Professional Licensing perspective.

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SYLVAN ROBB, Director, Division of Corporations, Business and Professional Licensing (CBPL), Department of Commerce, Community and Economic Development, Juneau, Alaska, introduced herself.

MS. ROBB began the presentation on slide 2, and reviewed the following:

#### CORPORATIONS

- Maintains a registry of corporations doing business in Alaska
- Assists corporations with registrations
- Registers trademarks
- Maintains corporate reporting records

#### BUSINESS LICENSING

- Answers questions about applications
- Registers business licenses
- Grants endorsements to sell nicotine products

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#### PROFESSIONAL LICENSING

- Licenses qualified professionals under 45 programs per AS 08
- Provides administrative support for 21 professional licensing board

#### INVESTIGATIONS

- Enforce licensing statutes and regulations

- Investigate public complaints regarding violations of licensing law
- Assist boards, commissions, and the division director when considering license discipline

ADMINISTRATIVE SUPPORT

- Provide front-line customer service
- Support division's clerical and fiscal functions

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MS. ROBB turned to the bar graph on slide 3 to discuss increased workload volume in CBPL from FY2019 - FY2022. The division experienced substantial growth in the number of registered corporations and licenses issued. The division had a 21 percent increase in registered corporations since FY19, bringing the total number of registered corporations to 92,000. Business licenses and endorsements increased by 36 percent. Alaska is just shy of having 100,000 licensed businesses. There has been a 24 percent increase in professional licensing since FY19, bringing the total number of professional licenses in the state to over 104,000. The number of professional licenses issued grew 64 percent in the last ten years. None of these numbers include the number of applications submitted, processed, and later abandoned or withdrawn before a license was issued. CBPL is a volume business, and the increase in volume comes with more concurrent phone calls, faxes, and emails. The volume is intensified because the world operates in an age where people expect quick responses. The increased workload in these sections affected the investigations and administrative teams. She mentioned that the division did not charge for business licenses during the pandemic; however, the fee was reinstated on February 1, 2023.

MS. ROBB said that the remainder of the presentation focuses on professional licensing since that is the committee's main interest.

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MS. ROBB turned to slide 4 to give a Professional Licensing Overview:

PROFESSIONAL LICENSING PROGRAM REGULATION

- 21 programs are regulated by licensing boards; these 21 programs offer 180 different license types
- 24 programs are regulated by the division; these 24 programs offer 81 different license types

- 261 license, permit, certification, and endorsement types within the 45 programs
- Over 400 pathways to initial licensure within the 45 programs

MS. ROBB said a pathway is how a person qualifies for a license. For example, a person can qualify by having been a petitioner in another state, already having had a license. She described the dentist program. The dental program can license a dentist by:

- examination level III - a dentist who has never been licensed
- examination level II - a dentist who has been licensed between 90 days and 5 years
- by credential - a license who has been licensed elsewhere over 5 years

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MR. ROBB said the dental hygienist license is obtained through those same three pathways. Dentists may obtain a permit to administer moderate or minimal sedation, a permit to administer deep sedation or general anesthesia, and both types of permits are obtainable through multiple pathways. Dental hygienists may obtain a certificate to administer local anesthetic agents, a certificate to provide nitric oxide, endorsements to perform restorative functions, and two are obtainable through multiple pathways. The Board of Dental Examiners does not regulate dental assistants, but if the dental assistant performs coronal polishing or restorative functions, they must obtain a certificate from the dental board. There is also a temporary dentist permit, a courtesy dentist license, a courtesy dental hygienist license, a military temporary courtesy license for both dentists and hygienists, and collaborative agreements between dentists and dental hygienists. CBPL will have specialty dentist licenses and advanced dental hygienist permits soon. All of these items require separate allocations. This program example illustrates a great deal is contained within each of the 45 programs. Furthermore, the Board of Dental Examiners approves many course types, coronal polishing courses, continuing education courses for dental licenses, continuing education courses for moderate sedation permits, and so on. She said each has its individual requirements, pathways, approval applications and requires different supporting documents. She said staff requires significant knowledge for one program, many licenses and permit types, and many applications and forms.

- Each program has its own statutes and regulations, and therefore has its own processes and requirements

- Each program may differ slightly on its requirements for licensure compared to its counterparts in other states due to statutes or regulations adopted by the Alaska Legislature and Alaska board or the department (as applicable)

MR. ROBB said that staff requires a good knowledge of statutes and regulations. Some of the programs have regulations that exceed 50 pages. There is a lot to know.

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STAFFING

- Most of our programs are handled by one staff member, who not only handles all licensing duties but also in some cases staffs a board
- Many staff members take on more than one program -usually one boarded program and then one or more smaller, department-regulated program
- Programs with significantly larger license numbers -such as nursing, construction contractors, pharmacy, and medical - are staffed by bare bone teams (i.e., as few staff members as needed to get the job done to keep program costs down per AS 08.01.065)

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SENATOR BISHOP asked what solutions she has to reduce the 2.5-month license processing time.

MS. ROBB replied the best solution is the nurse licensure compact. An upcoming slide describes the remedy for long processing times.

SENATOR BISHOP asked about other solutions for getting it done.

MS. ROBB replied the biggest challenge is a lack of staff and an extremely high turnover rate. She said that staff turnover slows processing speed down because of the breadth of knowledge required to do the job, which she just described, and the learning curve. In addition to the institutional knowledge lost as employees leave, there are also efficiencies with staff who have processed a license application 50 times as opposed to one time.

SENATOR BISHOP asked what exit surveys show, and he sought confirmation that positions processing Board of Nursing license applications are a range 14.

MS. ROBB answered that the occupational license examiner positions are a range 14.

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SENATOR DUNBAR dovetailed off Senator Bishop. He asked whether the department considered increasing the range and what the process is to do so.

MS. ROBB replied that ideas to improve compensation are addressed later in the presentation. Under consideration is reclassifying the position, the method used to change ranges. The department is working with the classification unit in the Division of Personnel and Labor Relations, Department of Administration (DOA), to ensure the position aligns with the merit system for State of Alaska employees. The department is considering a broader class study to create better pathways. This will encourage upwardly mobile employees with more knowledge to stay in the division for advancement opportunities.

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SENATOR GRAY-JACKSON asked what the salary is for a range 14.

MS. ROBB responded that she did not have that information but would follow up with the committee.

MS. ROBB noted that the division is receipt supported, including the cost of processing documents and applications, answering calls and emails, staffing board meetings, and investigating complaints. Per statute, the fees are set based on the cost of running each licensing programs.

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MS. ROBB turned to slide 5 to discuss board-regulated programs; the total number of boards is 21 and the total number of seats is 121. She thanked all the Alaskans who serve on these boards; it is a big commitment. Boards are required to meet four times per year, but some boards meet weekly to get their work done. She discussed the separation of work between the board and the division; each board is structured slightly differently. She said that, in general, boards set regulations governing the practice of the profession and the required continuing education. Boards sometimes approve each new licensee, review issues requiring discipline, and impose sanctions. Some boards review and approve continuing education courses. She described how the division serves board-regulated programs; the division's duties include noticing public meetings, arranging space and travel for meetings, distributing board materials, taking

minutes and recording meetings and ensuring minutes are posted for public access, acting as an advisor to the board, and obtaining, reviewing, and processing completed applicant packets. The board gives each packet the final review. The division investigates complaints and reports of misconduct for individuals operating without a license and forwards substantiated complaints to the board for sanction. The division maintains forms and regulations, keeping the website up-to-date. CBPL collects fees and reviews expenses to set fees, processes renewal applications, creates new forms and processes as regulations and statutes change and new license types are created. The division assists prospective and current applicants and licensees with questions.

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MS. ROBB said the simplest way to differentiate the work between boards and the division is that boards regulate their respective professions, and the division handles the day-to-day administrative functions.

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MS. ROBB advised that a range 14 earns just under \$50,000 annually.

MS. ROBB noted each program includes a number of different license types within each profession, and these numbers do not include military, temporary, and courtesy licenses. Slide 5 reads:

#### 21 Programs Regulated by Boards

- Board of Registration for Architects, Engineers, and Land Surveyors (22 license types)
- Board of Barbers and Hairdressers (22 license types)
- Big Game Commercial Services Board (6 license types)
- Board of Chiropractic Examiners (4 license types)
- Board of Dental Examiners (15 license types)
- Board of Marine Pilots (3 license types)
- State Medical Board (11 license types)
- Board of Marital and Family Therapy (4 license types)
- Board of Massage Therapists (3 license types)
- Board of Certified Direct-Entry Midwives (4 license types)
- Board of Nursing (8 license types)
- Board of Examiners in Optometry (2 license types)

- Board of Professional Counselors (3 license types)
- Board of Pharmacy (18 license types)
- Board of Physical Therapy and Occupational Therapy (12 license types)
- Board of Psychologist and Psychological Associate Examiners (4 license types)
- Board of Public Accountancy (8 license types)
- Board of Certified Real Estate Appraisers (10 license types)
- Real Estate Commission (10 license types)
- Board of Social Work Examiners (6 license types)
- Board of Veterinary Examiners (5 license types)

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MS. ROBB displayed a list showing 24 programs the division regulates. She noted that the number of license types does not include military, temporary, or courtesy licenses. She pointed out that the Prescription Drug Monitoring Program (PDMP) falls under the Board of Pharmacy's purview but is listed under division-regulated programs, the reason being PDMP requires its own staff, independent from that of the Board of Pharmacy, and it requires a hands-on approach that volunteer board members cannot provide. PDMP interfaces with six regulatory boards. She noted that the Telemedicine Business Registry is a registry for businesses that provides telehealth services in Alaska; the business must be registered whether located in or out of state.

#### **24 Programs Regulated by Division**

- Acupuncture (2 license types)
- Animal Euthanasia Permits (2 license types)
- Athletic Training (2 license types)
- Audiology (2 license types)
- Behavior Analysts (4 license types)
- Collection Agencies (6 license types)
- Concert Promoters (2 license types)
- Construction Contractors and Residential Endorsements (6 license types)
- Dietitians (2 license types)
- Dispensing Opticians (4 license types)
- Electrical Administrators (2 license types)
- Geologists (2 license types)
- Guardians and Conservators (10 license types)
- Hearing Aid Dealers (2 license types)

- Home Inspectors (6 license types)
- Mechanical Administrators (2 license types)
- Morticians (12 license types)
- Naturopaths (2 license types)
- Nursing Home Administrators (3 license types)
- Nutritionists (2 license types)
- Pawnbrokers (2 license types)
- Prescription Drug Monitoring Program (N/A)
- Speech-Language Pathology (4 license types)
- Telemedicine Business Registry (N/A)
- Underground Storage Tank Workers (2 license types)

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SENATOR DUNBAR asked how many professional boards are outside the division's purview. He provided the example of the Police Standards Council.

MS. ROBB said in terms of occupational licensing, that is correct and a good point. CBPL does not license everything; it does not license officers, teachers, or attorneys for example. Those are housed elsewhere. CBPL licensure programs are listed above.

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MS. ROBB advanced to slide 7 to advise the committee on the division's struggle to keep up with its volume of work. She reiterated that the division's primary challenges are a lack of staff and staff turnover. The high staff turnover rate, with its corresponding loss of institutional knowledge, has been a huge loss. She reviewed slide 7:

### **CBPL Staffing Issues**

#### Increases in Corporations and Licenses

- 20.6% increase in registered corporations since FY19
- 35.5% increase in business licenses & endorsements since FY19
- 23.6% increase in professional licenses since FY19

#### Staff Numbers

- 103 division positions (6 non-permanent) as of the end of FY19

- 115 division positions (13 non-permanent) as of the end of FY22
- 110 division positions (7 non-permanent) as of end of CY22 (6.8% increase since FY19)

#### Issues

- PCNs have not kept up with increased volume

MS. ROBB said the volume increase equates to 61,000 additional corporate registrations, business licenses or endorsements, or professional licenses since FY19.

- Around a 35% vacancy rate in professional licensing staff during COVID
- That decreased to 20% at the end of FY22, and is now down to 14%
- Current division-wide vacancy rate is 12%
- Around a 55% turnover rate in the professional licensing staff during COVID
- 40% turnover rate in FY22.

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SENATOR BISHOP asked whether the division does exit surveys and whether there is a trend. He wondered whether the employees who stayed were interviewed and, if so, how many have a defined benefit plan.

MS. ROBB said the State of Alaska does voluntary exit surveys. She said that in her one month on the job, she had yet to have a chance to review the exit surveys. She thanked Senator Bishop for the suggestion.

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GLENN SAVIERS, Deputy Director, Division of Corporations, Business and Professional Licensing (CBPL), Department of Commerce, Community and Economic Development (DCCED), Juneau, Alaska, said she would follow up with specifics to those questions.

SENATOR BISHOP expressed curiosity to know why staff chose to stay.

MS. ROBB said that is a great suggestion.

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MS. ROBB advanced to slide 8 to discuss the division's staff numbers, job titles, and ranges:

**CBPL PROFESSIONAL LICENSING STAFF**

<b>Job Title</b>	<b>Range</b>	<b>PCNs</b>
Occupational License Examiner	14	30
Executive Administrator	Varies	8
Administrative Assistant 1	12	4
Program Coordinator 2	18	3
Records and Licensing Supervisor	16	3
Program Coordinator 1	16	2
Project Assistant	14	2
Nurse Consultant 1	24	1

MS. ROBB said this chart does not reflect the administrative support team that handles mail, phone calls, faxes, and emails.

MS. ROBB compared two charts on slide 9, occupational licensing examiner vacancies against the CBPL as a whole. The occupational examiner job class is critical within the division. It has 36 employees and is the largest job class in the division. The occupational examiner group dropped to a 36.7 percent vacancy rate in 2021. Both the corporations, business, and professional licensing and occupational licensing charts show a trend toward standard vacancy rates.

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MS. ROBB advanced to slide 10 to discuss division efforts and successes:

**Success Stories and Ongoing Efforts by CBPL**

- All renewal applications are available online now

MS. ROBB reported that applicants started 46 percent of all initial application events online. The Board of Nursing has its initial applications available online and licenses 28,000 individuals, the biggest licensing pool. One hundred percent of renewal applications are available online.

- Made additional services available online
- Updates and enhancements to internal licensing database

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- Reclassifying positions to better support applicants, licensees, staff, and boards
- Commissioner's Office created a board advisor to assist with:
  - Training and advising boards about their roles and duties; and
  - Training and advising staff that work with boards about their roles and responsibilities
- Management stepped up and filled staffing gaps to get licenses issued
- Reviewing options to improve how exams are offered
- Amending regulations under the division's authority
- Pushing boards to amend regulations that are hard to understand or create overly burdensome requirements

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SENATOR DUNBAR asked about the length of time positions stayed vacant, on average. He expressed his belief that the legislature passed recruitment incentives last year and wondered if those were vetoed. He asked for more information about what happened with that legislation.

MS. ROBB said it is difficult to give an average vacancy rate, but some positions have been vacant for over a year. It depends on the type of position. She requested specific parameters so that she could collect that information. As to recruitment incentives, there were no division recruitment incentives last year.

SENATOR DUNBAR redirected the inquiry to the chair for future exploration. He wondered whether the body had funded retirement incentives and why they were vetoed.

MS. ROBB described division improvements pertaining to the last three bullets on slide 10.

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MS. SAVIERS supplemented the response to Senator Bishop's question. The Board of Nursing and the State Medical Board amended their regulations last year, so a temporary permit was an automatic part of obtaining a permanent license. Once the applicant submits the necessary pieces, the division will issue a temporary license while it finalizes the permanent one. This regulation change streamlined processing by reducing the number of applications for temporary licensure and getting healthcare workers into the workplace faster.

CHAIR BJORKMAN sought confirmation that the state has nurse licensure reciprocity for temporary nursing permits.

MS. SAVIERS replied that it is not that simple. The state still requires a handful of documents before issuing a temporary license. She offered to follow up with the documents needed for the temporary permit versus the permanent license.

CHAIR BJORKMAN said that would be helpful. He said if the goal is a nursing compact, the temporary permit is a good stop-gap measure until the goal can be achieved.

CHAIR BJORKMAN wondered about the onboarding process for examiners, asking specifically about changes to the process over the past ten years and training for entry-level, range 14 positions.

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MS. SAVIERS responded that she was not involved with training until last year. It is in transition. The division utilizes feedback from trainee examiners to discover what works. The division relies on AspireAlaska, which provides EXCEL, ADOBE, and Outlook training. The operations manager offers guidance on organizing the work desk and interpreting statutes and regulations. Management is creating checklists for new examiners to use as verification tools. The division takes the "I do it, we do it, you do it" approach, meaning the trainee shadows the supervisor, then they do it together, and finally, the trainee does it under supervision. The plan is to have more training sessions; the division will fly in licensing examiners for a week or two for in-person training.

CHAIR BJORKMAN asked whether the shifts in training are more online or in-person.

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MR. SAVIERS replied that training sessions are shifting towards online using Teams. Sessions are recorded so everyone can access them. Because of the vacancy rate, the division expanded recruitment to include Juneau, Anchorage, and occasionally Fairbanks. In-person training sessions depend on the location of supervisors and trainees. The division still does more one-on-one training but is shifting to online.

CHAIR BJORKMAN said it would be interesting to see the reception trainees give online training and its effectiveness with quality

of service and turning licenses around. He said that his experience with online learning in his profession has not been great.

MS. SAVIERS clarified that the online portion is used for general training, like how to use the database. More one-on-one training is done for processing applications.

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MS. ROBB read slide 11 to discuss the biggest question CBPL receives from the legislature:

### **What More Can We Do? Compacts!**

#### **Interstate Licensing Compacts**

- Contracts between two or more states
- State-based approach to multi-state licensure that uses a vehicle for interstate collaboration
- Most powerful, durable, and adaptive tools for ensuring cooperative action among states
- Reciprocal professional licensing practices between states while **ensuring the quality and safety** of services and **safeguarding state sovereignty**
  
- Compacts are **not** a takeover of state licensing, but rather a way to preserve state control over professional licensure:
  - State licensure processes remain in place
  - Licensees voluntarily become part of a compact
  - State practice acts are not impacted; compacts don't mean delegating scope of practice
  - Compacts are **not** owned or controlled by any organization
  
- Compacts allow for:
  - Significant improvements in the time it takes to get licensed professionals into vacant Alaska positions
  - Freedom of movement across states
  
- To date, over 40 states and territories have adopted occupational compacts

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SENATOR DUNBAR sought clarification on state sovereignty. He expressed his understanding that adopting the compact meant it would be codified into state law. He sought confirmation that Alaska would be dropped from the compact if the state modified it.

MS. ROBB replied yes, that is correct. The legislature must adopt the compact language without change. This prevents states from raising or lowering compact standards. A state would remove itself from the compact by modifying it. She said if the compact moved in a direction the state was not comfortable with, the state could drop out.

SENATOR DUNBAR recalled that she mentioned licensure fees fund the division. He wondered if CBPL would lose revenue if out-of-state compact-licensed nurses, who paid their license fees elsewhere, practiced in Alaska. He asked if there is a mechanism to compensate CBPL for a loss of revenue and if the division is concerned.

MS. ROBB replied that the professional license fees are based on the cost of processing the license. The division would only incur work costs once the applicant renewed; at that time, the state would charge a renewal fee.

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SENATOR DUNBAR followed up, stating the division has other functions like disciplinary functions and staffing boards. He asked whether licensure fees cover the costs of those periphery functions, and if so, it seems the division would be reducing its revenue but not as quickly reducing its workload.

MS. ROBB replied that the department fully vetted the nurse licensure compact from every angle. She explained if the nursing compact passed, the division would offer applicants the option of an Alaska nursing license or a compact nursing license. Each license is distinctly different with its individual fees, qualifying criteria, and investigation procedures.

SENATOR DUNBAR followed up, asking who investigates compact nurses.

MS. ROBB replied state investigators conduct investigations for violations that occur in Alaska.

SENATOR DUNBAR sought clarification that compact nurses would pay a fee.

MS. ROBB answered that is correct. Compact nurses have their own compact license fee. She likened it to the Division of Motor Vehicles (DMV), which issues Alaska driver's and Real ID licenses; each has an individual fee. The same is true with nursing licenses. The Alaska-only nursing license has a fee separate and different from the compact nurse. Each nurse category has its unique fees that cover its particular and individual investigations.

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MS. SAVIERS added that CBPL questioned the national organization that connects nurse licensure compact states. The division asked about the percentage of compact licensed nurses involved with an investigation and corresponding license fee increases. She reported that of the 39 nurse licensure compact states, there had been zero investigations. She explained that compact license standards are higher than most states nationwide. Applicants cannot have felonies, nursing practice-related misdemeanors, or any disciplinary actions on their license. Compact licensees have squeaky-clean records. She reiterated the earlier point that the multi-state nurse licensure compact is written under a different statutory chapter than the single state Alaska nurse license, ensuring operation costs for each program remain separate.

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MS. ROBB showed the states nationwide that participate in any of the six occupational licensure compacts listed on slide 12:

- Advanced Practice Nursing (APRN) Compact
- Physical Therapy (PT) Compact
- Psychology Interjurisdictional Compact (PsyPact)
- Nurse Licensure Compact (NLC)
- Interstate Medical Licensure Compact (IMLC)
- Emergency Medical Technician Compact (REPLICA)

She indicated that over 40 states and territories have adopted compacts. Alaska is one of nine states that has not adopted an occupational licensing compact. Alaska participates in 28 compacts, but none relating to occupational licensing. It is especially difficult for the division to get qualified professionals who want to work in Alaska temporarily or permanently; compacts would improve the situation without compromising quality of service, safety, or state sovereignty. She said the division supports compacts in general but acknowledged that not all licensing compacts are equal.

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MS. ROBB advanced to slide 13 to discuss the nurse licensure compact:

**Enhanced Nurse Licensure Compact (eNLC)**

- **NLC license standards are higher** than Alaska's nurse license standards

MS. ROBB said Alaska-qualified nurses would choose between a single-state license to practice only in Alaska or a multi-state one. She reiterated that the multi-state license standards are higher than the single-state Alaska license. There is no risk to standards of care or public safety. The financial pools are maintained separately.

- **39 U.S. states and territories have joined the NLC:** Another 7 have legislation pending to join
- **Alaska is projected to have 5,000 RN vacancies by 2030.** We only produce ~324 RN graduates per year
- **Retains State Sovereignty:** Alaska Board of Nursing retains the right to govern nursing practice in Alaska and revoke practice privileges in the state, regardless of the type of license held
- **Fills nursing vacancies quicker:** Skip the in-state licensure process; facilities still perform background checks
- **Alaska nurse licensing staff is the biggest team:** More than double the size of any other licensing team in the division, they work lots of overtime, and they still have 2-3-month processing times
- **No other option!** The Alaska Board of Nursing has streamlined licensure requirements and processes as much as possible without reducing public safety. At this point, the NLC is the only immediate solution to Alaska's nursing shortage

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SENATOR DUNBAR commented that the legislature wants to increase the number of nurses in Alaska. He noted that she said nursing students have indicated they will leave the state to obtain a multi-state nurse license. He asked whether she has statistical evidence that eNLC participating states retain a larger number of their in-state nurses.

MS. ROBB replied that she has no statistical evidence, but 39 states have already joined, and seven more are considering it. She said that Alaska is one of the last holdouts, and it is concerning that the ease of working in a multi-license state could affect the state's ability to attract nurses. She clarified that joining the eNLC does not guarantee attracting nurses; however, joining the compact makes practicing in Alaska an easier choice for nurses.

SENATOR DUNBAR asked to see data from analogous, rural states to compare the before and after numbers of those states that joined the compact.

MS. ROBB replied that she would provide that information to the committee.

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MS. ROBB noted that the Alaska Board of Nursing initially did not support the compact. It was not until 2018, after introducing an enhanced, higher standard, that the Board of Nursing supported the compact. She pointed out the division ensured there were no compact standards preventing currently licensed nurses from continuing to practice in Alaska.

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SENATOR GRAY-JACKSON recalled several years ago, the Board of Nursing opposed the nurse licensure compact.

MS. ROBB commented that the Board of Nursing supports the compact now that it is enhanced.

SENATOR GRAY-JACKSON asked when the Board of Nursing changed its support for the compact.

MS. ROBB replied after the compact was enhanced in 2018.

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MS. SAVIERS clarified that the Alaska Nurses Association opposes the nurse licensure compact.

MS. ROBB said that elected officials from each member state decided upon the compact enhancements, and each member state's legislature had to adopt the changes and include them in statute. States that did not adopt the changes were removed from the compact. She emphasized that the compact does not have a grandfather clause. She explained that a state failing to adopt changes would not be grandfathered in as a member state because

of previous membership. States must adopt compact changes to retain their membership. New Jersey was the only state that did not adopt the enhancement changes, and it exited the compact. Later, however, New Jersey adopted the changes and rejoined the compact. States have the option to exit the compact by repealing the compact statutes, and in so doing, Alaska would return to single-state nurse licensure.

MS. ROBB stated that the Alaska Nurses Association is the only health organization in the state that opposes joining eNLC. Over 75 Alaska organizations support it, including all hospitals, healthcare facilities, and the Advanced Practice Registered Nurse (APRN) Alliance. She said the division met with the Alaska Hospital and Healthcare Association (AHHA) and the Alaska Nurses Association (AaNA) to explore alternative options. Since AaNA did not support eNLC, it was set aside, and other ideas were encouraged. She said the group was unable to come up with solutions that streamlined and accelerated processing time. She said that brought the division back around to the Enhanced Nurse Licensure Compact. She recapped the division's hurdles, the benefits of adopting eNLC, and the Board of Nursing's support for the compact.

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CHAIR BJORKMAN stated two facts. Alaska has a nursing shortage, and the demand for nurse licensure has skyrocketed. He said those facts are incompatible. He asked why Alaska has a nursing shortage when applications are abundant.

MS. ROBB replied that the division does not track where licensees work or if they are working. She said that she could not speculate on an answer.

CHAIR BJORKMAN remarked on the surge in nurse license applications and its effects on production. He explored whether the root cause of the rising workload has to do with the way the health industry operates. He wondered whether market forces within the industry that necessitate the need for traveling nurses create higher demand for licensure nationwide. He considered whether the industry should take steps or whether the legislature should encourage the industry to address the problem's root cause. He explained that his district's local hospital employs over 20 traveling nurses. Seven additional positions were open to traveling nurses at that time. The hospital offered these nurses upwards of \$150 per hour, substantially more than a range 14 licensing examiner earns. He

wondered whether the root cause of CBPL's issue is that people making \$150 per hour only need to work a little.

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MS. ROBB commented that misinformation is circulating about the nursing compact, which has created some opposition. She asked that legislators consider the compact with an open mind and contact the division when they hear something concerning or have questions. She said neither the division, the Alaska Board of Nursing, nor the administration would support anything adversely affected Alaska's nurses, Alaskans, or state sovereignty.

MS. ROBB said that joining the nurse licensure compact is more than a licensing issue; it is a healthcare issue that licensing plays a part in supporting. The state has watched hospice clinics close, seen understaffed hospitals and nurses working two and three consecutive shifts, causing early burnout. The compact is not a fix-all, but it will accelerate licensing and make it easier for nurses to work in Alaska.

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SENATOR GRAY-JACKSON wondered what the Alaska Board of Nursing's concerns are about joining the compact. She asked whether the division had discussed those concerns with the board.

MS. ROBB clarified that the Alaska Board of Nursing supports joining the compact. However, it is confusing that the Alaska Nurses Association opposes it, especially since a 2019 survey of nurses strongly supported the nurse licensure compact.

[2:56:32 PM](#)

MS. SAVIERS added that she could not speak for AaNA, especially since the division has differing opinions, and it would be a disservice to talk for the association. She said the administration surveyed over 16,000 Alaska licensed nurses at the end of 2019. Of the 3,527 nurses that responded, 92 percent favored the compact, 3 percent opposed it, and 4 percent had no opinion. The survey asked whether the nurses were union members during their nursing appointment, and of those that were, 87 percent wanted to join the compact, 8 percent did not want to join, and 6 percent had no opinion either way. The data shows that nurses want this, not just the board, the hospitals, and the administration. The division has kept its door open to the association for continued clarification and conversation.

[2:57:53 PM](#)

SENATOR DUNBAR suggested that sunset language might be preferable to repeal language to exit the compact. He asked about the appropriate length of time for a sunset date.

MS. ROBB replied this is a great suggestion. The division would need at least two years to assess the compact.

SENATOR DUNBAR said if the legislature were to draft a bill, that information would be helpful.

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MS. ROBB advanced to slide 14 to explore what else could be done.

#### **What Else Can We Do (Besides Compacts)?**

- **Clean up statutes:** See Governor Dunleavy's Professional Licensing Reform introduced in the 31st Legislative Session as a great example (HB 216 / SB 157)
- **Allow for Universal Temporary Licensure:** While this will result in more applications for staff to process and potentially longer licensing times, it will at least allow people to get to work in Alaska quicker while awaiting their permanent licenses
- **Involve the division:**
  - When introducing new licensing program, loop the division in early. Decide if needs a regulatory board, advisory board, or no board at all
  - When working on licensing legislation, use the division to vet prior to introduction
- **Help us promote recruitments** through your newsletters to constituents
- **Suggest ideas!**

[3:03:06 PM](#)

SENATOR GRAY-JACKSON thanked the presenters.

CHAIR BJORKMAN asked whether universal temporary licensure requires a statute change.

MS. ROBB replied that it would require a statute change.

CHAIR BJORKMAN pointed out that the division's workload increased 64 percent, but the division only added seven long-term non-permanent positions. That is a tremendous workload increase, especially considering the recent and current vacancy

factors in the division. He recognized the division for their work. He thanked those that stuck around and stuck it out. The committee looks forward to supporting CBPL. He said that AaNA has expressed there are other things that the board and the division can do besides compacting. He encouraged the division to meet with AaNA and configure a mutual agreement about what those issues are and what has been tried; this will better inform legislators in making decisions about compacting going forward.

[3:05:44 PM](#)

There being no further business to come before the committee, Chair Bjorkman adjourned the Senate Labor and Commerce Standing Committee meeting at 3:05 p.m.