

HOUSE BILL NO. 351

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE FIELDS

Introduced: 2/23/26

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the licensure of nursing professionals; relating to a multistate nurse
2 licensure compact; relating to employment of nurses holding a multistate licensure
3 privilege; relating to nurse staffing committees; relating to the ratio of nurses to patients
4 in hospitals; relating to entities regulated by the Department of Health; and providing
5 for an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * **Section 1.** AS 08.01.065(c) is amended to read:

8 (c) Except as provided in (f) - (l) [(f) - (k)] of this section, the department shall
9 establish fee levels under (a) of this section so that the total amount of fees collected
10 for an occupation approximately equals the actual regulatory costs for the occupation.
11 The department shall annually review each fee level to determine whether the
12 regulatory costs of each occupation are approximately equal to fee collections related
13 to that occupation. If the review indicates that an occupation's fee collections and

1 regulatory costs are not approximately equal, the department shall calculate fee
 2 adjustments and adopt regulations under (a) of this section to implement the
 3 adjustments. In January of each year, the department shall report on all fee levels and
 4 revisions for the previous year under this subsection to the office of management and
 5 budget. If a board regulates an occupation covered by this chapter, the department
 6 shall consider the board's recommendations concerning the occupation's fee levels and
 7 regulatory costs before revising fee schedules to comply with this subsection. In this
 8 subsection, "regulatory costs" means costs of the department that are attributable to
 9 regulation of an occupation plus

10 (1) all expenses of the board that regulates the occupation if the board
 11 regulates only one occupation;

12 (2) the expenses of a board that are attributable to the occupation if the
 13 board regulates more than one occupation.

14 * **Sec. 2.** AS 08.01.065(c), as amended by sec. 1 of this Act, is amended to read:

15 (c) Except as provided in (f) - (k) [(f) - (l)] of this section, the department shall
 16 establish fee levels under (a) of this section so that the total amount of fees collected
 17 for an occupation approximately equals the actual regulatory costs for the occupation.
 18 The department shall annually review each fee level to determine whether the
 19 regulatory costs of each occupation are approximately equal to fee collections related
 20 to that occupation. If the review indicates that an occupation's fee collections and
 21 regulatory costs are not approximately equal, the department shall calculate fee
 22 adjustments and adopt regulations under (a) of this section to implement the
 23 adjustments. In January of each year, the department shall report on all fee levels and
 24 revisions for the previous year under this subsection to the office of management and
 25 budget. If a board regulates an occupation covered by this chapter, the department
 26 shall consider the board's recommendations concerning the occupation's fee levels and
 27 regulatory costs before revising fee schedules to comply with this subsection. In this
 28 subsection, "regulatory costs" means costs of the department that are attributable to
 29 regulation of an occupation plus

30 (1) all expenses of the board that regulates the occupation if the board
 31 regulates only one occupation;

1 (2) the expenses of a board that are attributable to the occupation if the
2 board regulates more than one occupation.

3 * **Sec. 3.** AS 08.01.065 is amended by adding a new subsection to read:

4 (l) Notwithstanding (c) of this section, the department shall establish fee levels
5 under (a) of this section so that the total amount of fees collected by the department
6 for individuals issued a

7 (1) single-state license to practice nursing approximately equals the
8 total regulatory costs to the department and the Board of Nursing for the practice of
9 nursing in the state under that license type; in this paragraph, "single-state license" has
10 the meaning given in AS 08.68.850; and

11 (2) multistate license to practice nursing or practicing under a
12 multistate licensure privilege approximately equals half the total regulatory costs to
13 the department and the Board of Nursing for the practice of nursing under that license
14 type or privilege; in this paragraph,

15 (A) "multistate license" has the meaning given in
16 AS 08.68.850;

17 (B) "multistate licensure privilege" has the meaning given in
18 AS 08.68.850.

19 * **Sec. 4.** AS 08.68.100(a) is amended to read:

20 (a) The board shall

21 (1) adopt regulations necessary to implement this chapter, including
22 regulations

23 (A) pertaining to practice as an advanced practice registered
24 nurse, including requirements for an advanced practice registered nurse to
25 practice as a certified registered nurse anesthetist, certified clinical nurse
26 specialist, certified nurse practitioner, or certified nurse midwife; regulations
27 for an advanced practice registered nurse who holds a valid federal Drug
28 Enforcement Administration registration number must address training in pain
29 management and opioid use and addiction;

30 (B) necessary to implement AS 08.68.331 - 08.68.336 relating
31 to certified nurse aides in order to protect the health, safety, and welfare of

1 clients served by nurse aides;

2 (C) pertaining to retired nurse status;

3 (D) establishing criteria for approval of practical nurse
4 education programs that are not accredited by a national nursing accrediting
5 body; [AND]

6 (E) establishing guidelines for rendering a diagnosis, providing
7 treatment, or prescribing, dispensing, or administering a prescription drug to a
8 person without conducting a physical examination under AS 08.68.710; the
9 guidelines must include a nationally recognized model policy for standards of
10 care of a patient who is at a different location than the advanced practice
11 registered nurse; **and**

12 **(F) necessary to implement the Multistate Nurse Licensure**
13 **Compact under AS 08.68.500;**

14 (2) approve curricula and adopt standards for basic education programs
15 that prepare persons for licensing under **this chapter** [AS 08.68.190];

16 (3) provide for surveys of the basic nursing education programs in the
17 state at the times it considers necessary;

18 (4) approve education programs that meet the requirements of this
19 chapter and of the board, and deny, revoke, or suspend approval of education
20 programs for failure to meet the requirements;

21 (5) examine, license, and renew the licenses of [QUALIFIED]
22 applicants;

23 (6) prescribe requirements for competence before a former registered,
24 advanced practice registered, or [LICENSED] practical nurse **licensed under this**
25 **chapter** may resume the practice of nursing [UNDER THIS CHAPTER];

26 (7) define by regulation the qualifications and duties of the executive
27 administrator and delegate authority to the executive administrator that is necessary to
28 conduct board business;

29 (8) develop reasonable and uniform standards for nursing practice;

30 (9) publish advisory opinions regarding whether nursing practice
31 procedures or policies comply with acceptable standards of nursing practice as defined

1 under this chapter;

2 (10) require applicants under this chapter to submit fingerprints and the
3 fees required by the Department of Public Safety under AS 12.62.160 for criminal
4 justice information and a national criminal history record check; the department shall
5 submit the fingerprints and fees to the Department of Public Safety for a report of
6 criminal justice information under AS 12.62 and a national criminal history record
7 check under AS 12.62.400;

8 (11) require that a licensed advanced practice registered nurse who has
9 a federal Drug Enforcement Administration registration number register with the
10 controlled substance prescription database under AS 17.30.200(n);

11 **(12) submit a report to the legislature if the board determines that**
12 **the requirements for a multistate license or multistate licensure privilege under**
13 **the Multistate Nurse Licensure Compact do not meet or exceed the requirements**
14 **for a single-state license; the board shall submit the report to the senate secretary**
15 **and the chief clerk of the house of representatives and notify the legislature that**
16 **the report is available within 30 days after making the determination.**

17 * Sec. 5. AS 08.68.100(a), as amended by sec. 4 of this Act, is amended to read:

18 (a) The board shall

19 (1) adopt regulations necessary to implement this chapter, including
20 regulations

21 (A) pertaining to practice as an advanced practice registered
22 nurse, including requirements for an advanced practice registered nurse to
23 practice as a certified registered nurse anesthetist, certified clinical nurse
24 specialist, certified nurse practitioner, or certified nurse midwife; regulations
25 for an advanced practice registered nurse who holds a valid federal Drug
26 Enforcement Administration registration number must address training in pain
27 management and opioid use and addiction;

28 (B) necessary to implement AS 08.68.331 - 08.68.336 relating
29 to certified nurse aides in order to protect the health, safety, and welfare of
30 clients served by nurse aides;

31 (C) pertaining to retired nurse status;

1 (D) establishing criteria for approval of practical nurse
 2 education programs that are not accredited by a national nursing accrediting
 3 body; **and**

4 (E) establishing guidelines for rendering a diagnosis, providing
 5 treatment, or prescribing, dispensing, or administering a prescription drug to a
 6 person without conducting a physical examination under AS 08.68.710; the
 7 guidelines must include a nationally recognized model policy for standards of
 8 care of a patient who is at a different location than the advanced practice
 9 registered nurse; [AND

10 (F) NECESSARY TO IMPLEMENT THE MULTISTATE
 11 NURSE LICENSURE COMPACT UNDER AS 08.68.500;]

12 (2) approve curricula and adopt standards for basic education programs
 13 that prepare persons for licensing under AS **08.68.190** [THIS CHAPTER];

14 (3) provide for surveys of the basic nursing education programs in the
 15 state at the times it considers necessary;

16 (4) approve education programs that meet the requirements of this
 17 chapter and of the board, and deny, revoke, or suspend approval of education
 18 programs for failure to meet the requirements;

19 (5) examine, license, and renew the licenses of **qualified** applicants;

20 (6) prescribe requirements for competence before a former registered,
 21 advanced practice registered, or practical nurse licensed under this chapter may
 22 resume the practice of nursing;

23 (7) define by regulation the qualifications and duties of the executive
 24 administrator and delegate authority to the executive administrator that is necessary to
 25 conduct board business;

26 (8) develop reasonable and uniform standards for nursing practice;

27 (9) publish advisory opinions regarding whether nursing practice
 28 procedures or policies comply with acceptable standards of nursing practice as defined
 29 under this chapter;

30 (10) require applicants under this chapter to submit fingerprints and the
 31 fees required by the Department of Public Safety under AS 12.62.160 for criminal

1 justice information and a national criminal history record check; the department shall
 2 submit the fingerprints and fees to the Department of Public Safety for a report of
 3 criminal justice information under AS 12.62 and a national criminal history record
 4 check under AS 12.62.400;

5 (11) require that a licensed advanced practice registered nurse who has
 6 a federal Drug Enforcement Administration registration number register with the
 7 controlled substance prescription database under AS 17.30.200(n) [;

8 (12) SUBMIT A REPORT TO THE LEGISLATURE IF THE
 9 BOARD DETERMINES THAT THE REQUIREMENTS FOR A MULTISTATE
 10 LICENSE OR MULTISTATE LICENSURE PRIVILEGE UNDER THE
 11 MULTISTATE NURSE LICENSURE COMPACT DO NOT MEET OR EXCEED
 12 THE REQUIREMENTS FOR A SINGLE-STATE LICENSE; THE BOARD SHALL
 13 SUBMIT THE REPORT TO THE SENATE SECRETARY AND THE CHIEF
 14 CLERK OF THE HOUSE OF REPRESENTATIVES AND NOTIFY THE
 15 LEGISLATURE THAT THE REPORT IS AVAILABLE WITHIN 30 DAYS AFTER
 16 MAKING THE DETERMINATION].

17 * **Sec. 6.** AS 08.68.220 is amended to read:

18 **Sec. 08.68.220. Fees.** The Department of Commerce, Community, and
 19 Economic Development shall set fees under AS 08.01.065 for each of the following:

20 (1) registered nursing **single-state license**:

- 21 (A) application;
- 22 (B) license by examination;
- 23 (C) license by endorsement;
- 24 (D) license renewal;
- 25 (E) temporary permit;

26 (2) practical nursing **single-state license**:

- 27 (A) application;
- 28 (B) license by examination;
- 29 (C) license by endorsement;
- 30 (D) license renewal;
- 31 (E) temporary permit;

1 (3) advanced practice registered nursing:

2 (A) application;

3 (B) license by certification examination;

4 (C) license by endorsement;

5 (D) license renewal;

6 (E) temporary permit;

7 **(4) registered nursing multistate license:**

8 **(A) application;**

9 **(B) license;**

10 **(C) license renewal;**

11 **(5) practical nursing multistate license:**

12 **(A) application;**

13 **(B) license;**

14 **(C) license renewal.**

15 * **Sec. 7.** AS 08.68.220, as amended by sec. 6 of this Act, is amended to read:

16 **Sec. 08.68.220. Fees.** The Department of Commerce, Community, and
17 Economic Development shall set fees under AS 08.01.065 for each of the following:

18 (1) registered nursing [SINGLE-STATE LICENSE]:

19 (A) application;

20 (B) license by examination;

21 (C) license by endorsement;

22 (D) license renewal;

23 (E) temporary permit;

24 (2) practical nursing [SINGLE-STATE LICENSE]:

25 (A) application;

26 (B) license by examination;

27 (C) license by endorsement;

28 (D) license renewal;

29 (E) temporary permit;

30 (3) advanced practice registered nursing:

31 (A) application;

1 (B) license by certification examination;

2 (C) license by endorsement;

3 (D) license renewal;

4 (E) temporary permit [;

5 (4) REGISTERED NURSING MULTISTATE LICENSE:

6 (A) APPLICATION;

7 (B) LICENSE;

8 (C) LICENSE RENEWAL;

9 (5) PRACTICAL NURSING MULTISTATE LICENSE:

10 (A) APPLICATION;

11 (B) LICENSE;

12 (C) LICENSE RENEWAL].

13 * **Sec. 8.** AS 08.68 is amended by adding new sections to read:

14 **Article 5A. Multistate Nurse Licensure Compact.**

15 **Sec. 08.68.500. Compact enacted.** The Multistate Nurse Licensure Compact
16 as contained in this section is enacted into law and entered into on behalf of the state
17 with all other states and jurisdictions legally joining it in a form substantially as
18 follows:

19 ARTICLE I

20 Findings and Declaration of Purpose

21 (a) The legislature finds that:

22 (1) The health and safety of the public are affected by the degree of
23 compliance with and the effectiveness of enforcement activities related to state nurse
24 licensure laws;

25 (2) Violations of nurse licensure and other laws regulating the practice
26 of nursing may result in injury or harm to the public;

27 (3) The expanded mobility of nurses and the use of advanced
28 communication technologies as part of our nation's health care delivery system require
29 greater coordination and cooperation among states in the areas of nurse licensure and
30 regulation;

31 (4) New practice modalities and technology make compliance with

1 individual state nurse licensure laws difficult and complex;

2 (5) The current system of duplicative licensure for nurses practicing in
3 multiple states is cumbersome and redundant for both nurses and states; and

4 (6) Uniformity of nurse licensure requirements throughout the states
5 promotes public safety and public health benefits.

6 (b) The general purposes of this Compact are to:

7 (1) Facilitate the states' responsibility to protect the public's health and
8 safety;

9 (2) Ensure and encourage the cooperation of party states in the areas of
10 nurse licensure and regulation;

11 (3) Facilitate the exchange of information between party states in the
12 areas of nurse regulation, investigation and adverse actions;

13 (4) Promote compliance with the laws governing the practice of
14 nursing in each jurisdiction;

15 (5) Invest all party states with the authority to hold a nurse accountable
16 for meeting all state practice laws in the state in which the patient is located at the time
17 care is rendered through the mutual recognition of party state licenses;

18 (6) Decrease redundancies in the consideration and issuance of nurse
19 licenses; and

20 (7) Provide opportunities for interstate practice by nurses who meet
21 uniform licensure requirements.

22 ARTICLE II

23 Definitions

24 As used in this compact, unless the context clearly requires a different construction,

25 (a) "Adverse action" means any administrative, civil, equitable or criminal
26 action permitted by a state's laws which is imposed by a licensing board or other
27 authority against a nurse, including actions against an individual's license or multistate
28 licensure privilege such as revocation, suspension, probation, monitoring of the
29 licensee, limitation on the licensee's practice, or any other encumbrance on licensure
30 affecting a nurse's authorization to practice, including issuance of a cease and desist
31 action.

1 (b) "Alternative program" means a non-disciplinary monitoring program
2 approved by a licensing board.

3 (c) "Coordinated licensure information system" means an integrated process
4 for collecting, storing and sharing information on nurse licensure and enforcement
5 activities related to nurse licensure laws that is administered by a nonprofit
6 organization composed of and controlled by licensing boards.

7 (d) "Current significant investigative information" means:

8 (1) Investigative information that a licensing board, after a preliminary
9 inquiry that includes notification and an opportunity for the nurse to respond, if
10 required by state law, has reason to believe is not groundless and, if proved true,
11 would indicate more than a minor infraction; or

12 (2) Investigative information that indicates that the nurse represents an
13 immediate threat to public health and safety regardless of whether the nurse has been
14 notified and had an opportunity to respond.

15 (e) "Encumbrance" means a revocation or suspension of, or any limitation on,
16 the full and unrestricted practice of nursing imposed by a licensing board.

17 (f) "Home state" means the party state which is the nurse's primary state of
18 residence.

19 (g) "Licensing board" means a party state's regulatory body responsible for
20 issuing nurse licenses.

21 (h) "Multistate license" means a license to practice as a registered or a
22 licensed practical/vocational nurse (LPN/VN) issued by a home state licensing board
23 that authorizes the licensed nurse to practice in all party states under a multistate
24 licensure privilege.

25 (i) "Multistate licensure privilege" means a legal authorization associated with
26 a multistate license permitting the practice of nursing as either a registered nurse (RN)
27 or LPN/VN in a remote state.

28 (j) "Nurse" means RN or LPN/VN, as those terms are defined by each party
29 state's practice laws.

30 (k) "Party state" means any state that has adopted this Compact.

31 (l) "Remote state" means a party state, other than the home state.

1 (m) "Single-state license" means a nurse license issued by a party state that
2 authorizes practice only within the issuing state and does not include a multistate
3 licensure privilege to practice in any other party state.

4 (n) "State" means a state, territory or possession of the United States and the
5 District of Columbia.

6 (o) "State practice laws" means a party state's laws, rules and regulations that
7 govern the practice of nursing, define the scope of nursing practice, and create the
8 methods and grounds for imposing discipline. "State practice laws" do not include
9 requirements necessary to obtain and retain a license, except for qualifications or
10 requirements of the home state.

11 ARTICLE III

12 General Provisions and Jurisdiction

13 (a) A multistate license to practice registered or licensed practical/vocational
14 nursing issued by a home state to a resident in that state will be recognized by each
15 party state as authorizing a nurse to practice as a registered nurse (RN) or as a licensed
16 practical/vocational nurse (LPN/VN), under a multistate licensure privilege, in each
17 party state.

18 (b) A state must implement procedures for considering the criminal history
19 records of applicants for initial multistate license or licensure by endorsement. Such
20 procedures shall include the submission of fingerprints or other biometric-based
21 information by applicants for the purpose of obtaining an applicant's criminal history
22 record information from the Federal Bureau of Investigation and the agency
23 responsible for retaining that state's criminal records.

24 (c) Each party state shall require the following for an applicant to obtain or
25 retain a multistate license in the home state:

26 (1) Meets the home state's qualifications for licensure or renewal of
27 licensure, as well as, all other applicable state laws;

28 (2) Has graduated or is eligible to graduate from a licensing board-
29 approved RN or LPN/VN prelicensure education program; or has graduated from a
30 foreign RN or LPN/VN prelicensure education program that (a) has been approved by
31 the authorized accrediting body in the applicable country and (b) has been verified by

1 an independent credentials review agency to be comparable to a licensing board-
2 approved prelicensure education program;

3 (3) Has, if a graduate of a foreign prelicensure education program not
4 taught in English or if English is not the individual's native language, successfully
5 passed an English proficiency examination that includes the components of reading,
6 speaking, writing and listening;

7 (4) Has successfully passed an NCLEX-RN or NCLEX-PN
8 Examination or recognized predecessor, as applicable;

9 (5) Is eligible for or holds an active, unencumbered license;

10 (6) Has submitted, in connection with an application for initial
11 licensure or licensure by endorsement, fingerprints or other biometric data for the
12 purpose of obtaining criminal history record information from the Federal Bureau of
13 Investigation and the agency responsible for retaining that state's criminal records;

14 (7) Has not been convicted or found guilty, or has entered into an
15 agreed disposition, of a felony offense under applicable state or federal criminal law;

16 (8) Has not been convicted or found guilty, or has entered into an
17 agreed disposition, of a misdemeanor offense related to the practice of nursing as
18 determined on a case-by-case basis;

19 (9) Is not currently enrolled in an alternative program;

20 (10) Is subject to self-disclosure requirements regarding current
21 participation in an alternative program; and

22 (11) Has a valid United States Social Security number.

23 (d) All party states shall be authorized, in accordance with existing state due
24 process law, to take adverse action against a nurse's multistate licensure privilege such
25 as revocation, suspension, probation or any other action that affects a nurse's
26 authorization to practice under a multistate licensure privilege, including cease and
27 desist actions. If a party state takes such action, it shall promptly notify the
28 administrator of the coordinated licensure information system. The administrator of
29 the coordinated licensure information system shall promptly notify the home state of
30 any such actions by remote states.

31 (e) A nurse practicing in a party state must comply with the state practice laws

1 of the state in which the client is located at the time service is provided. The practice
 2 of nursing is not limited to patient care, but shall include all nursing practice as
 3 defined by the state practice laws of the party state in which the client is located. The
 4 practice of nursing in a party state under a multistate licensure privilege will subject a
 5 nurse to the jurisdiction of the licensing board, the courts and the laws of the party
 6 state in which the client is located at the time service is provided.

7 (f) Individuals not residing in a party state shall continue to be able to apply
 8 for a party state's single-state license as provided under the laws of each party state.
 9 However, the single-state license granted to these individuals will not be recognized as
 10 granting the privilege to practice nursing in any other party state. Nothing in this
 11 Compact shall affect the requirements established by a party state for the issuance of a
 12 single-state license.

13 (g) Any nurse holding a home state multistate license, on the effective date of
 14 this Compact, may retain and renew the multistate license issued by the nurse's then-
 15 current home state, provided that:

16 (1) A nurse, who changes primary state of residence after this
 17 Compact's effective date, must meet all applicable Article III(c) requirements to obtain
 18 a multistate license from a new home state.

19 (2) A nurse who fails to satisfy the multistate licensure requirements in
 20 Article III(c) due to a disqualifying event occurring after this Compact's effective date
 21 shall be ineligible to retain or renew a multistate license, and the nurse's multistate
 22 license shall be revoked or deactivated in accordance with applicable rules adopted by
 23 the Interstate Commission of Nurse Licensure Compact Administrators
 24 ("Commission").

25 ARTICLE IV

26 Applications for Licensure in a Party State

27 (a) Upon application for a multistate license, the licensing board in the issuing
 28 party state shall ascertain, through the coordinated licensure information system,
 29 whether the applicant has ever held, or is the holder of, a license issued by any other
 30 state, whether there are any encumbrances on any license or multistate licensure
 31 privilege held by the applicant, whether any adverse action has been taken against any

1 license or multistate licensure privilege held by the applicant and whether the
2 applicant is currently participating in an alternative program.

3 (b) A nurse may hold a multistate license, issued by the home state, in only
4 one party state at a time.

5 (c) If a nurse changes primary state of residence by moving between two party
6 states, the nurse must apply for licensure in the new home state, and the multistate
7 license issued by the prior home state will be deactivated in accordance with
8 applicable rules adopted by the Commission.

9 (1) The nurse may apply for licensure in advance of a change in
10 primary state of residence.

11 (2) A multistate license shall not be issued by the new home state until
12 the nurse provides satisfactory evidence of a change in primary state of residence to
13 the new home state and satisfies all applicable requirements to obtain a multistate
14 license from the new home state.

15 (d) If a nurse changes primary state of residence by moving from a party state
16 to a non-party state, the multistate license issued by the prior home state will convert
17 to a single-state license, valid only in the former home state.

18 ARTICLE V

19 Additional Authorities Invested in Party State Licensing Boards

20 (a) In addition to the other powers conferred by state law, a licensing board
21 shall have the authority to:

22 (1) Take adverse action against a nurse's multistate licensure privilege
23 to practice within that party state.

24 (A) Only the home state shall have the power to take adverse
25 action against a nurse's license issued by the home state.

26 (B) For purposes of taking adverse action, the home state
27 licensing board shall give the same priority and effect to reported conduct
28 received from a remote state as it would if such conduct had occurred within
29 the home state. In so doing, the home state shall apply its own state laws to
30 determine appropriate action.

31 (2) Issue cease and desist orders or impose an encumbrance on a

1 nurse's authority to practice within that party state.

2 (3) Complete any pending investigations of a nurse who changes
3 primary state of residence during the course of such investigations. The licensing
4 board shall also have the authority to take appropriate action(s) and shall promptly
5 report the conclusions of such investigations to the administrator of the coordinated
6 licensure information system. The administrator of the coordinated licensure
7 information system shall promptly notify the new home state of any such actions.

8 (4) Issue subpoenas for both hearings and investigations that require
9 the attendance and testimony of witnesses, as well as, the production of evidence.
10 Subpoenas issued by a licensing board in a party state for the attendance and
11 testimony of witnesses or the production of evidence from another party state shall be
12 enforced in the latter state by any court of competent jurisdiction, according to the
13 practice and procedure of that court applicable to subpoenas issued in proceedings
14 pending before it. The issuing authority shall pay any witness fees, travel expenses,
15 mileage and other fees required by the service statutes of the state in which the
16 witnesses or evidence are located.

17 (5) Obtain and submit, for each nurse licensure applicant, fingerprint
18 or other biometric-based information to the Federal Bureau of Investigation for
19 criminal background checks, receive the results of the Federal Bureau of Investigation
20 record search on criminal background checks and use the results in making licensure
21 decisions.

22 (6) If otherwise permitted by state law, recover from the affected nurse
23 the costs of investigations and disposition of cases resulting from any adverse action
24 taken against that nurse.

25 (7) Take adverse action based on the factual findings of the remote
26 state, provided that the licensing board follows its own procedures for taking such
27 adverse action.

28 (b) If adverse action is taken by the home state against a nurse's multistate
29 license, the nurse's multistate licensure privilege to practice in all other party states
30 shall be deactivated until all encumbrances have been removed from the multistate
31 license. All home state disciplinary orders that impose adverse action against a nurse's

1 multistate license shall include a statement that the nurse's multistate licensure
2 privilege is deactivated in all party states during the pendency of the order. Nothing in
3 this Compact shall override a party state's decision that participation in an alternative
4 program may be used in lieu of adverse action. The home state licensing board shall
5 deactivate the multistate licensure privilege under the multistate license of any nurse
6 for the duration of the nurse's participation in an alternative program.

7 ARTICLE VI

8 Coordinated Licensure Information System and Exchange of Information

9 (a) All party states shall participate in a coordinated licensure information
10 system of all licensed registered nurses (RNs) and licensed practical/vocational nurses
11 (LPNs/VNs). This system will include information on the licensure and disciplinary
12 history of each nurse, as submitted by party states, to assist in the coordination of
13 nurse licensure and enforcement efforts.

14 (b) The Commission, in consultation with the administrator of the coordinated
15 licensure information system, shall formulate necessary and proper procedures for the
16 identification, collection and exchange of information under this Compact.

17 (c) All licensing boards shall promptly report to the coordinated licensure
18 information system any adverse action, any current significant investigative
19 information, denials of applications (with the reasons for such denials) and nurse
20 participation in alternative programs known to the licensing board regardless of
21 whether such participation is deemed nonpublic or confidential under state law.

22 (d) Current significant investigative information and participation in nonpublic
23 or confidential alternative programs shall be transmitted through the coordinated
24 licensure information system only to party state licensing boards.

25 (e) Notwithstanding any other provision of law, all party state licensing boards
26 contributing information to the coordinated licensure information system may
27 designate information that may not be shared with non-party states or disclosed to
28 other entities or individuals without the express permission of the contributing state.

29 (f) Any personally identifiable information obtained from the coordinated
30 licensure information system by a party state licensing board shall not be shared with
31 non-party states or disclosed to other entities or individuals except to the extent

1 permitted by the laws of the party state contributing the information.

2 (g) Any information contributed to the coordinated licensure information
3 system that is subsequently required to be expunged by the laws of the party state
4 contributing that information shall also be expunged from the coordinated licensure
5 information system.

6 (h) The Compact administrator of each party state shall furnish a uniform data
7 set to the Compact administrator of each other party state, which shall include, at a
8 minimum:

9 (1) Identifying information;

10 (2) Licensure data;

11 (3) Information related to alternative program participation; and

12 (4) Other information that may facilitate the administration of this
13 Compact, as determined by Commission rules.

14 (i) The Compact administrator of a party state shall provide all investigative
15 documents and information requested by another party state.

16 ARTICLE VII

17 Establishment of the Interstate Commission of Nurse Licensure Compact Administrators

18 (a) The party states hereby create and establish a joint public entity known as
19 the Interstate Commission of Nurse Licensure Compact Administrators.

20 (1) The Commission is an instrumentality of the party states.

21 (2) Venue is proper, and judicial proceedings by or against the
22 Commission shall be brought solely and exclusively, in a court of competent
23 jurisdiction where the principal office of the Commission is located. The Commission
24 may waive venue and jurisdictional defenses to the extent it adopts or consents to
25 participate in alternative dispute resolution proceedings.

26 (3) Nothing in this Compact shall be construed to be a waiver of
27 sovereign immunity.

28 (b) Membership, Voting and Meetings

29 (1) Each party state shall have and be limited to one administrator. The
30 head of the state licensing board or designee shall be the administrator of this Compact
31 for each party state. Any administrator may be removed or suspended from office as

1 provided by the law of the state from which the Administrator is appointed. Any
2 vacancy occurring in the Commission shall be filled in accordance with the laws of the
3 party state in which the vacancy exists.

4 (2) Each administrator shall be entitled to one (1) vote with regard to
5 the promulgation of rules and creation of bylaws and shall otherwise have an
6 opportunity to participate in the business and affairs of the Commission. An
7 administrator shall vote in person or by such other means as provided in the bylaws.
8 The bylaws may provide for an administrator's participation in meetings by telephone
9 or other means of communication.

10 (3) The Commission shall meet at least once during each calendar
11 year. Additional meetings shall be held as set forth in the bylaws or rules of the
12 commission.

13 (4) All meetings shall be open to the public, and public notice of
14 meetings shall be given in the same manner as required under the rulemaking
15 provisions in Article VIII.

16 (5) The Commission may convene in a closed, nonpublic meeting if
17 the Commission must discuss:

18 (A) Noncompliance of a party state with its obligations under
19 this Compact;

20 (B) The employment, compensation, discipline or other
21 personnel matters, practices or procedures related to specific employees or
22 other matters related to the Commission's internal personnel practices and
23 procedures;

24 (C) Current, threatened or reasonably anticipated litigation;

25 (D) Negotiation of contracts for the purchase or sale of goods,
26 services or real estate;

27 (E) Accusing any person of a crime or formally censuring any
28 person;

29 (F) Disclosure of trade secrets or commercial or financial
30 information that is privileged or confidential;

31 (G) Disclosure of information of a personal nature where

1 disclosure would constitute a clearly unwarranted invasion of personal privacy;

2 (H) Disclosure of investigatory records compiled for law
3 enforcement purposes;

4 (I) Disclosure of information related to any reports prepared by
5 or on behalf of the Commission for the purpose of investigation of compliance
6 with this Compact; or

7 (J) Matters specifically exempted from disclosure by federal or
8 state statute.

9 (6) If a meeting, or portion of a meeting, is closed pursuant to this
10 provision, the Commission's legal counsel or designee shall certify that the meeting
11 may be closed and shall reference each relevant exempting provision. The
12 Commission shall keep minutes that fully and clearly describe all matters discussed in
13 a meeting and shall provide a full and accurate summary of actions taken, and the
14 reasons therefor, including a description of the views expressed. All documents
15 considered in connection with an action shall be identified in such minutes. All
16 minutes and documents of a closed meeting shall remain under seal, subject to release
17 by a majority vote of the Commission or order of a court of competent jurisdiction.

18 (c) The Commission shall, by a majority vote of the administrators, prescribe
19 bylaws or rules to govern its conduct as may be necessary or appropriate to carry out
20 the purposes and exercise the powers of this Compact, including but not limited to:

21 (1) Establishing the fiscal year of the Commission;

22 (2) Providing reasonable standards and procedures:

23 (A) For the establishment and meetings of other committees;
24 and

25 (B) Governing any general or specific delegation of any
26 authority or function of the Commission;

27 (3) Providing reasonable procedures for calling and conducting
28 meetings of the Commission, ensuring reasonable advance notice of all meetings and
29 providing an opportunity for attendance of such meetings by interested parties, with
30 enumerated exceptions designed to protect the public's interest, the privacy of
31 individuals, and proprietary information, including trade secrets. The Commission

1 may meet in closed session only after a majority of the administrators vote to close a
2 meeting in whole or in part. As soon as practicable, the Commission must make public
3 a copy of the vote to close the meeting revealing the vote of each administrator, with
4 no proxy votes allowed;

5 (4) Establishing the titles, duties and authority and reasonable
6 procedures for the election of the officers of the Commission;

7 (5) Providing reasonable standards and procedures for the
8 establishment of the personnel policies and programs of the Commission.
9 Notwithstanding any civil service or other similar laws of any party state, the bylaws
10 shall exclusively govern the personnel policies and programs of the Commission; and

11 (6) Providing a mechanism for winding up the operations of the
12 Commission and the equitable disposition of any surplus funds that may exist after the
13 termination of this Compact after the payment or reserving of all of its debts and
14 obligations;

15 (d) The Commission shall publish its bylaws and rules, and any amendments
16 thereto, in a convenient form on the website of the Commission.

17 (e) The Commission shall maintain its financial records in accordance with the
18 bylaws.

19 (f) The Commission shall meet and take such actions as are consistent with the
20 provisions of this Compact and the bylaws.

21 (g) The Commission shall have the following powers:

22 (1) To promulgate uniform rules to facilitate and coordinate
23 implementation and administration of this Compact. The rules shall have the force and
24 effect of law and shall be binding in all party states;

25 (2) To bring and prosecute legal proceedings or actions in the name of
26 the Commission, provided that the standing of any licensing board to sue or be sued
27 under applicable law shall not be affected;

28 (3) To purchase and maintain insurance and bonds;

29 (4) To borrow, accept or contract for services of personnel, including,
30 but not limited to, employees of a party state or nonprofit organizations;

31 (5) To cooperate with other organizations that administer state

1 compacts related to the regulation of nursing, including but not limited to sharing
2 administrative or staff expenses, office space or other resources;

3 (6) To hire employees, elect or appoint officers, fix compensation,
4 define duties, grant such individuals appropriate authority to carry out the purposes of
5 this Compact, and to establish the Commission's personnel policies and programs
6 relating to conflicts of interest, qualifications of personnel and other related personnel
7 matters;

8 (7) To accept any and all appropriate donations, grants and gifts of
9 money, equipment, supplies, materials and services, and to receive, utilize and dispose
10 of the same; provided that at all times the Commission shall avoid any appearance of
11 impropriety or conflict of interest;

12 (8) To lease, purchase, accept appropriate gifts or donations of, or
13 otherwise to own, hold, improve or use, any property, whether real, personal or mixed;
14 provided that at all times the Commission shall avoid any appearance of impropriety;

15 (9) To sell, convey, mortgage, pledge, lease, exchange, abandon or
16 otherwise dispose of any property, whether real, personal or mixed;

17 (10) To establish a budget and make expenditures;

18 (11) To borrow money;

19 (12) To appoint committees, including advisory committees comprised
20 of administrators, state nursing regulators, state legislators or their representatives, and
21 consumer representatives, and other such interested persons;

22 (13) To provide and receive information from, and to cooperate with,
23 law enforcement agencies;

24 (14) To adopt and use an official seal; and

25 (15) To perform such other functions as may be necessary or
26 appropriate to achieve the purposes of this Compact consistent with the state
27 regulation of nurse licensure and practice.

28 (h) Financing of the Commission

29 (1) The Commission shall pay, or provide for the payment of, the
30 reasonable expenses of its establishment, organization and ongoing activities.

31 (2) The Commission may also levy on and collect an annual

1 assessment from each party state to cover the cost of its operations, activities and staff
2 in its annual budget as approved each year. The aggregate annual assessment amount,
3 if any, shall be allocated based upon a formula to be determined by the Commission,
4 which shall promulgate a rule that is binding upon all party states.

5 (3) The Commission shall not incur obligations of any kind prior to
6 securing the funds adequate to meet the same; nor shall the Commission pledge the
7 credit of any of the party states, except by, and with the authority of, such party state.

8 (4) The Commission shall keep accurate accounts of all receipts and
9 disbursements. The receipts and disbursements of the Commission shall be subject to
10 the audit and accounting procedures established under its bylaws. However, all
11 receipts and disbursements of funds handled by the Commission shall be audited
12 yearly by a certified or licensed public accountant, and the report of the audit shall be
13 included in and become part of the annual report of the Commission.

14 (i) Qualified Immunity, Defense and Indemnification

15 (1) The administrators, officers, executive director, employees and
16 representatives of the Commission shall be immune from suit and liability, either
17 personally or in their official capacity, for any claim for damage to or loss of property
18 or personal injury or other civil liability caused by or arising out of any actual or
19 alleged act, error or omission that occurred, or that the person against whom the claim
20 is made had a reasonable basis for believing occurred, within the scope of
21 Commission employment, duties or responsibilities; provided that nothing in this
22 paragraph shall be construed to protect any such person from suit or liability for any
23 damage, loss, injury or liability caused by the intentional, willful or wanton
24 misconduct of that person.

25 (2) The Commission shall defend any administrator, officer, executive
26 director, employee or representative of the Commission in any civil action seeking to
27 impose liability arising out of any actual or alleged act, error or omission that occurred
28 within the scope of Commission employment, duties or responsibilities, or that the
29 person against whom the claim is made had a reasonable basis for believing occurred
30 within the scope of Commission employment, duties or responsibilities; provided that
31 nothing herein shall be construed to prohibit that person from retaining his or her own

1 counsel; and provided further that the actual or alleged act, error or omission did not
2 result from that person's intentional, willful or wanton misconduct.

3 (3) The Commission shall indemnify and hold harmless any
4 administrator, officer, executive director, employee or representative of the
5 Commission for the amount of any settlement or judgment obtained against that
6 person arising out of any actual or alleged act, error or omission that occurred within
7 the scope of Commission employment, duties or responsibilities, or that such person
8 had a reasonable basis for believing occurred within the scope of Commission
9 employment, duties or responsibilities, provided that the actual or alleged act, error or
10 omission did not result from the intentional, willful or wanton misconduct of that
11 person.

12 ARTICLE VIII

13 Rulemaking

14 (a) The Commission shall exercise its rulemaking powers pursuant to the
15 criteria set forth in this Article and the rules adopted thereunder. Rules and
16 amendments shall become binding as of the date specified in each rule or amendment
17 and shall have the same force and effect as provisions of this Compact.

18 (b) Rules or amendments to the rules shall be adopted at a regular or special
19 meeting of the Commission.

20 (c) Prior to promulgation and adoption of a final rule or rules by the
21 Commission, and at least sixty (60) days in advance of the meeting at which the rule
22 will be considered and voted upon, the Commission shall file a notice of proposed
23 rulemaking:

24 (1) On the website of the Commission; and

25 (2) On the website of each licensing board or the publication in which
26 each state would otherwise publish proposed rules.

27 (d) The notice of proposed rulemaking shall include:

28 (1) The proposed time, date and location of the meeting in which the
29 rule will be considered and voted upon;

30 (2) The text of the proposed rule or amendment, and the reason for the
31 proposed rule;

1 (3) A request for comments on the proposed rule from any interested
2 person; and

3 (4) The manner in which interested persons may submit notice to the
4 Commission of their intention to attend the public hearing and any written comments.

5 (e) Prior to adoption of a proposed rule, the Commission shall allow persons
6 to submit written data, facts, opinions and arguments, which shall be made available to
7 the public.

8 (f) The Commission shall grant an opportunity for a public hearing before it
9 adopts a rule or amendment.

10 (g) The Commission shall publish the place, time and date of the scheduled
11 public hearing.

12 (1) Hearings shall be conducted in a manner providing each person
13 who wishes to comment a fair and reasonable opportunity to comment orally or in
14 writing. All hearings will be recorded, and a copy will be made available upon request.

15 (2) Nothing in this section shall be construed as requiring a separate
16 hearing on each rule. Rules may be grouped for the convenience of the Commission at
17 hearings required by this section.

18 (h) If no one appears at the public hearing, the Commission may proceed with
19 promulgation of the proposed rule.

20 (i) Following the scheduled hearing date, or by the close of business on the
21 scheduled hearing date if the hearing was not held, the Commission shall consider all
22 written and oral comments received.

23 (j) The Commission shall, by majority vote of all administrators, take final
24 action on the proposed rule and shall determine the effective date of the rule, if any,
25 based on the rulemaking record and the full text of the rule.

26 (k) Upon determination that an emergency exists, the Commission may
27 consider and adopt an emergency rule without prior notice, opportunity for comment
28 or hearing, provided that the usual rulemaking procedures provided in this Compact
29 and in this section shall be retroactively applied to the rule as soon as reasonably
30 possible, in no event later than ninety (90) days after the effective date of the rule. For
31 the purposes of this provision, an emergency rule is one that must be adopted

1 immediately in order to:

2 (1) Meet an imminent threat to public health, safety or welfare;

3 (2) Prevent a loss of Commission or party state funds; or

4 (3) Meet a deadline for the promulgation of an administrative rule that
5 is required by federal law or rule.

6 (l) The Commission may direct revisions to a previously adopted rule or
7 amendment for purposes of correcting typographical errors, errors in format, errors in
8 consistency or grammatical errors. Public notice of any revisions shall be posted on
9 the website of the Commission. The revision shall be subject to challenge by any
10 person for a period of thirty (30) days after posting. The revision may be challenged
11 only on grounds that the revision results in a material change to a rule. A challenge
12 shall be made in writing, and delivered to the Commission, prior to the end of the
13 notice period. If no challenge is made, the revision will take effect without further
14 action. If the revision is challenged, the revision may not take effect without the
15 approval of the Commission.

16 ARTICLE IX

17 Oversight, Dispute Resolution and Enforcement

18 (a) Oversight

19 (1) Each party state shall enforce this Compact and take all actions
20 necessary and appropriate to effectuate this Compact's purposes and intent.

21 (2) The Commission shall be entitled to receive service of process in
22 any proceeding that may affect the powers, responsibilities or actions of the
23 Commission, and shall have standing to intervene in such a proceeding for all
24 purposes. Failure to provide service of process in such proceeding to the Commission
25 shall render a judgment or order void as to the Commission, this Compact or
26 promulgated rules.

27 (b) Default, Technical Assistance and Termination

28 (1) If the Commission determines that a party state has defaulted in the
29 performance of its obligations or responsibilities under this Compact or the
30 promulgated rules, the Commission shall:

31 (A) Provide written notice to the defaulting state and other

1 party states of the nature of the default, the proposed means of curing the
2 default or any other action to be taken by the Commission; and

3 (B) Provide remedial training and specific technical assistance
4 regarding the default.

5 (2) If a state in default fails to cure the default, the defaulting state's
6 membership in this Compact may be terminated upon an affirmative vote of a majority
7 of the administrators, and all rights, privileges and benefits conferred by this Compact
8 may be terminated on the effective date of termination. A cure of the default does not
9 relieve the offending state of obligations or liabilities incurred during the period of
10 default.

11 (3) Termination of membership in this Compact shall be imposed only
12 after all other means of securing compliance have been exhausted. Notice of intent to
13 suspend or terminate shall be given by the Commission to the governor of the
14 defaulting state and to the executive officer of the defaulting state's licensing board
15 and each of the party states.

16 (4) A state whose membership in this Compact has been terminated is
17 responsible for all assessments, obligations and liabilities incurred through the
18 effective date of termination, including obligations that extend beyond the effective
19 date of termination.

20 (5) The Commission shall not bear any costs related to a state that is
21 found to be in default or whose membership in this Compact has been terminated
22 unless agreed upon in writing between the Commission and the defaulting state.

23 (6) The defaulting state may appeal the action of the Commission by
24 petitioning the U.S. District Court for the District of Columbia or the federal district in
25 which the Commission has its principal offices. The prevailing party shall be awarded
26 all costs of such litigation, including reasonable attorneys' fees.

27 (c) Dispute Resolution

28 (1) Upon request by a party state, the Commission shall attempt to
29 resolve disputes related to the Compact that arise among party states and between
30 party and non-party states.

31 (2) The Commission shall promulgate a rule providing for both

1 mediation and binding dispute resolution for disputes, as appropriate.

2 (3) In the event the Commission cannot resolve disputes among party
3 states arising under this Compact:

4 (A) The party states may submit the issues in dispute to an
5 arbitration panel, which will be comprised of individuals appointed by the
6 Compact administrator in each of the affected party states and an individual
7 mutually agreed upon by the Compact administrators of all the party states
8 involved in the dispute.

9 (B) The decision of a majority of the arbitrators shall be final
10 and binding.

11 (d) Enforcement

12 (1) The Commission, in the reasonable exercise of its discretion, shall
13 enforce the provisions and rules of this Compact.

14 (2) By majority vote, the Commission may initiate legal action in the
15 U.S. District Court for the District of Columbia or the federal district in which the
16 Commission has its principal offices against a party state that is in default to enforce
17 compliance with the provisions of this Compact and its promulgated rules and bylaws.
18 The relief sought may include both injunctive relief and damages. In the event judicial
19 enforcement is necessary, the prevailing party shall be awarded all costs of such
20 litigation, including reasonable attorneys' fees.

21 (3) The remedies herein shall not be the exclusive remedies of the
22 Commission. The Commission may pursue any other remedies available under federal
23 or state law.

24 ARTICLE X

25 Effective Date, Withdrawal and Amendment

26 (a) This Compact shall become effective and binding on the earlier of the date
27 of legislative enactment of this Compact into law by no less than twenty-six (26) states
28 or December 31, 2018. All party states to this Compact, that also were parties to the
29 prior Nurse Licensure Compact, superseded by this Compact, ("Prior Compact"), shall
30 be deemed to have withdrawn from said Prior Compact within six (6) months after the
31 effective date of this Compact.

1 (b) Each party state to this Compact shall continue to recognize a nurse's
2 multistate licensure privilege to practice in that party state issued under the Prior
3 Compact until such party state has withdrawn from the Prior Compact.

4 (c) Any party state may withdraw from this Compact by enacting a statute
5 repealing the same. A party state's withdrawal shall not take effect until six (6) months
6 after enactment of the repealing statute.

7 (d) A party state's withdrawal or termination shall not affect the continuing
8 requirement of the withdrawing or terminated state's licensing board to report adverse
9 actions and significant investigations occurring prior to the effective date of such
10 withdrawal or termination.

11 (e) Nothing contained in this Compact shall be construed to invalidate or
12 prevent any nurse licensure agreement or other cooperative arrangement between a
13 party state and a non-party state that is made in accordance with the other provisions
14 of this Compact.

15 (f) This Compact may be amended by the party states. No amendment to this
16 Compact shall become effective and binding upon the party states unless and until it is
17 enacted into the laws of all party states.

18 (g) Representatives of non-party states to this Compact shall be invited to
19 participate in the activities of the Commission, on a nonvoting basis, prior to the
20 adoption of this Compact by all states.

21 ARTICLE XI

22 Construction and Severability

23 This Compact shall be liberally construed so as to effectuate the purposes
24 thereof. The provisions of this Compact shall be severable, and if any phrase, clause,
25 sentence or provision of this Compact is declared to be contrary to the constitution of
26 any party state or of the United States, or if the applicability thereof to any
27 government, agency, person or circumstance is held invalid, the validity of the
28 remainder of this Compact and the applicability thereof to any government, agency,
29 person or circumstance shall not be affected thereby. If this Compact shall be held to
30 be contrary to the constitution of any party state, this Compact shall remain in full
31 force and effect as to the remaining party states and in full force and effect as to the

1 party state affected as to all severable matters.

2 **Sec. 08.68.510. Compact fees.** In addition to the fees established under
 3 AS 08.01.065(l)(2), the Department of Commerce, Community, and Economic
 4 Development shall establish a fee to be collected from entities licensed under
 5 AS 47.32 so that the total amount of fees collected by the department from licensed
 6 entities approximately equals half the total regulatory costs to the department and the
 7 board for the practice of nursing under multistate licenses and multistate licensure
 8 privileges. The Department of Commerce, Community, and Economic Development
 9 shall deposit the funds into the general fund. The legislature may appropriate the funds
 10 to pay the costs associated with regulating the practice of nursing under multistate
 11 licenses and multistate licensure privileges.

12 * **Sec. 9.** AS 08.68 is amended by adding a new section to article 6 to read:

13 **Sec. 08.68.720. Registry of nurses practicing under a multistate licensure**
 14 **privilege.** (a) A person who employs a nurse practicing in this state under a multistate
 15 licensure privilege shall, before the nurse practices in the state, submit to the board the
 16 name and date of hire of the nurse and notify the board when the nurse's employment
 17 terminates.

18 (b) A nurse who holds a multistate licensure privilege may submit the nurse's
 19 address and other workforce-related data to the board.

20 (c) The board shall develop a reporting system to collect information
 21 submitted under this section and shall maintain a registry of the information, including
 22 the number of nurses practicing in the state under a multistate licensure privilege and
 23 the state in which each nurse is a resident.

24 (d) The failure of a nurse or a person who employs a nurse to provide
 25 information under this section may not be the basis for disciplinary action against the
 26 nurse or the nurse's licensure privilege, and does not prohibit the nurse from practicing
 27 in the state.

28 * **Sec. 10.** AS 08.68.800(a) is amended to read:

29 (a) This chapter does not apply to

30 (1) a qualified nurse licensed in another state employed by the United
 31 States government or a bureau, or agency, or division of the United States government

1 while in the discharge of official duties;

2 (2) nursing service given temporarily in the event of a public
3 emergency, epidemic, or disaster;

4 (3) the practice of nursing by a student enrolled in a nursing education
5 program accredited by the board when the practice is in connection with the student's
6 course of study;

7 (4) the practice of nursing by an individual enrolled in an approved
8 program or course of study approved by the board to satisfy the requirements of
9 AS 08.68.251;

10 (5) the practice of nursing by a nurse licensed in another state **who**
11 **does not hold a multistate licensure privilege to practice in this state and** who
12 engages in nursing education or nursing consultation activities, if these activities and
13 contact with clients do not exceed 20 working days within a licensing period; or

14 (6) the practice of nursing by a nurse licensed in another state **who**
15 **does not hold a multistate licensure privilege to practice in this state and** whose
16 employment responsibilities include transporting patients into, out of, or through this
17 state; however, this exception is valid for a period not to exceed 48 hours for each
18 transport.

19 * **Sec. 11.** AS 08.68.800(a), as amended by sec. 10 of this Act, is amended to read:

20 (a) This chapter does not apply to

21 (1) a qualified nurse licensed in another state employed by the United
22 States government or a bureau, or agency, or division of the United States government
23 while in the discharge of official duties;

24 (2) nursing service given temporarily in the event of a public
25 emergency, epidemic, or disaster;

26 (3) the practice of nursing by a student enrolled in a nursing education
27 program accredited by the board when the practice is in connection with the student's
28 course of study;

29 (4) the practice of nursing by an individual enrolled in an approved
30 program or course of study approved by the board to satisfy the requirements of
31 AS 08.68.251;

1 (5) the practice of nursing by a nurse licensed in another state [WHO
2 DOES NOT HOLD A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN
3 THIS STATE AND] who engages in nursing education or nursing consultation
4 activities, if these activities and contact with clients do not exceed 20 working days
5 within a licensing period; or

6 (6) the practice of nursing by a nurse licensed in another state [WHO
7 DOES NOT HOLD A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN
8 THIS STATE AND] whose employment responsibilities include transporting patients
9 into, out of, or through this state; however, this exception is valid for a period not to
10 exceed 48 hours for each transport.

11 * **Sec. 12.** AS 08.68.850 is amended by adding new paragraphs to read:

12 (13) "multistate license" means a license issued by the board under
13 AS 08.68.500 to practice registered nursing or practical nursing in another state that is
14 a party to the Multistate Nurse Licensure Compact enacted under AS 08.68.500;

15 (14) "multistate licensure privilege" means a legal authorization for a
16 person holding a multistate license issued by another state to practice registered
17 nursing or practical nursing in this state under the terms of the Multistate Nurse
18 Licensure Compact enacted under AS 08.68.500;

19 (15) "single-state license" means a license issued under this chapter to
20 practice registered nursing or practical nursing in the state and does not authorize
21 practice in another state.

22 * **Sec. 13.** AS 18.20 is amended by adding a new section to read:

23 **Sec. 18.20.087. Nurse staffing committees.** (a) Each hospital shall establish a
24 nurse staffing committee. At least 50 percent of the members of the committee shall be
25 registered nurses and licensed practical nurses currently employed in non-management
26 positions by the hospital.

27 (b) Each nurse staffing committee shall

28 (1) adopt minimum ratios of nurses to patients and certified nurse aides
29 to patients for all units within the hospital; and

30 (2) report annually to the Board of Nursing the rate of compliance by
31 the hospital with each staffing ratio under (1) of this subsection.

1 * **Sec. 14.** AS 37.05.146(c) is amended by adding a new paragraph to read:

2 (87) fees collected by the Department of Commerce, Community, and
3 Economic Development under AS 08.01.065(l)(2) and AS 08.68.510.

4 * **Sec. 15.** AS 47.32 is amended by adding a new section to read:

5 **Sec. 47.32.210. Restrictions on hiring during a nursing strike.** (a) Upon
6 receiving a notice to strike involving nurses, and during a strike involving nurses, an
7 entity may only hire a nurse who

8 (1) is licensed to practice nursing in the state under a single-state
9 license; or

10 (2) was employed in the state under a multistate licensure privilege on
11 the day before the entity received the notice to strike.

12 (b) After withdrawal of a notice to strike involving nurses, or upon conclusion
13 of a strike involving nurses, an entity may resume hiring nurses holding a multistate
14 licensure privilege under this chapter.

15 (c) In this section,

16 (1) "multistate licensure privilege" has the meaning given in
17 AS 08.68.850;

18 (2) "single-state license" has the meaning given in AS 08.68.850.

19 * **Sec. 16.** AS 08.01.065(l); AS 08.68.500, 08.68.510, 08.68.720, 08.68.850(13),
20 08.68.850(14), 08.68.850(15); AS 18.20.087; AS 37.05.146(c)(87); and AS 47.32.210 are
21 repealed.

22 * **Sec. 17.** Sections 2, 5, 7, 11, and 16 of this Act take effect July 1, 2032.

23 * **Sec. 18.** Except as provided in sec. 17 of this Act, this Act takes effect July 1, 2026.