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COMMITTEE REPORT

HOUSE

2/10
Rule

(9)

FURTHER:

1/20/82

Date: 2/9/82

Mr. Speaker:

The Committee on FINANCE has had SB 238am

"An Act relating to the practice of nursing; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached ¹amendments(s) *changes effective date*
- replace with CS for _____ same title
 new title

and recommends _____

- AND attaches a "Letter of Intent" ~~New~~ Fiscal Note
(HIC 5)
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Naugle

R. Bittinworth

Sam Gertz Cotton

David P. Cuddy Cuddy

Joseph P. Chandler Chandler

Russ M. Roberts

Jack Fuller

Alberto. Adams

Joe Montgomery

MEMBERS HAVING
OTHER RECOMMENDATIONS:

(Robert C. King, Mr. Roe)

Alberto. Adams
CHAIRMAN

A M E N D M E N T

OFFERED IN THE HOUSE:

By: Finance Committee

To: _____ HOUSE BILL No. _____

SENATE BILL No. 238 am

PAGE: 13

LINE: 11

DELETE "1981"; INSERT "1982" IN ITS PLACE.

COMMITTEE REPORT
HOUSE

1/20

6/19/81

FURTHER: FINANCE

(5)

Date: 1/18/82

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 238am

"An Act relating to the practice of nursing; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Sally Smith

J Malone

Terry Martin

Mike Beine

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Butte Cate is appropriate amendment

Mike Beine
CHAIRMAN

SB 238am

SB 238, introduced at the request of the Governor, makes a number of changes in the laws governing the practice of nursing. The bill incorporates recommendations made by the Board of Nursing to bring Alaska's laws regarding licensing of nurses into conformity with other states as well as adopts some of the recommendations made to the Board during its sunset review by the legislature.

In general, the bill:

- adds a licensed practical nurse to the Board of Nursing membership;
- clarifies the process for individuals to become a licensed practical nurse and registered nurse;
- clarifies the Board's responsibility in the denial of a license; and
- clarifies the board's responsibility in the accreditation of nursing education programs.

The Division of Occupational Licensing has prepared a fiscal note indicating that 10.5 will be needed for FY 83. Additional costs incurred by the Board of Nursing covered in the fiscal note include travel for the Board ^{to} attend one additional meeting required by the legislation, printing and mailing of new application forms and additional costs for administering nursing examinations throughout the state.

SB 238 TITLE & SPONSOR SUMMARY 12:00 2/11/82 PAGE 1 OF 3
 AMENDED TITLE: SB 238AM
 AN ACT RELATING TO THE PRACTICE OF NURSING; AND PROVIDING
 FOR AN EFFECTIVE DATE

PRIME SPONSOR: SENATE RULES COMMITTEE. GENERAL DOLLARS: \$10,000 (F. NOTE)
 OTHER DOLLARS: \$0

CO-SPONSORS:

CURRENT STATUS: 2/10/82 IN (H) RULES

SB 238 SENATE ACTION 12:01 2/11/82 PAGE 2 OF 3

DATE	SEQ	PAGE	LEGISLATIVE ACTION
03/04/81	01	0367	FIRST READING -- COMMITTEE REPORTS
03/04/81	02	0368	GOV TRANSMITTAL LETTER
03/04/81	03	0368	FISCAL NOTE SEN SUPPL #17
04/14/81	04	0736	HESS -- DP(AM)04
06/18/81	05	1521	FIN -- OTHER05
06/19/81	06	1537	RLS -- OTHER04 TAKEN UP IMMEDIATELY
06/19/81	07	1542	SECOND READING
06/19/81	08	1542	AM01 ADOPTED BY UNAN CONSENT
06/19/81	09	1542	ADVANCED TO 3RD READING BY UNAN CONSENT
06/19/81	10	1542	THIRD READING
06/19/81	11	1543	PASSED BY DIV 19-00-01
06/19/81	12	1543	EFFECTIVE DATE VOTE SAME AS PASSAGE
****	**	**	*** ** *

SB 238 HOUSE ACTION 12:01 2/11/82 PAGE 3 OF 3

DATE	SEQ	PAGE	LEGISLATIVE ACTION
06/19/81	13	2259	FIRST READING -- COMMITTEE REPORTS
01/20/82	14	0098	HESS -- DP04, OTHER01
02/10/82	15	0368	FIN -- DP(AM)09, NR01
02/10/82	16	0369	F/NOTE HSE SUPPL #12 RULES RULES

THE LEGISLATURE OF THE STATE OF ALASKA
THE TWELFTH LEGISLATURE

FISCAL NOTE - Update

SB 238 am

I. REQUEST

Bill/Resolution No. SB 238 am (Page 1 of 3)
 Title An Act relating to the practice of nursing; and providing for an effective
 Requested by House Finance Committee Date 1-29-82 date.

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development
 Program Category Affected Public Protection
 BRU, Program, Or Subprogram(s) Affected Regulation & Licensing of Professions: admin
 (Note: If more than one budget component is affected, separate line-item & Board amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL		4.5	4.9	5.4	5.9	6.5
300 CONTRACTUAL		6.0	1.1	1.2	1.3	1.4
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		10.5	6.0	6.6	7.2	7.9

FUNDING (Thousands of Dollars)

See page 3 of Fiscal Note

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		10.5	6.0	6.6	7.2	7.9
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Travel - 10% inflation factor projected.

Costs for one additional meeting in Anchorage area; 3 days @ \$80 per diem/day & travel, 7 members, 1 executive secretary, and 1 licensing examiner. (New practice act mandates four meetings per year. Nursing Board presently budgeted for three meetings per year). \$ 3,300.00

Travel and per diem costs for executive secretary to meet with nursing community and the public to discuss the new practice act, educational programs, and other public relation projects to be prescribed by regulation of the Nursing Board.

Average 3 trips/year (1 Fbks area, 1 Southeast, 1 Kodiak or Nome areas);
 avg. costs: \$230/trip and 2 days per diem @ \$80/day. 1,170.00
Total \$ 4,470.00

Revised 2/9/82--see page 3

IV. DATE 1-29-82 PREPARED BY Mariorie Odland, Regulations Specialist
 AGENCY Occupational Licensing

Original: Legislative Finance PHONE 765-2575
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

CONTRACTUAL - 9% inflation factor projected.

In FY'83, one time cost associated with printing and mailing of new practice act and amended application forms. \$ 5,000.00

Examinations - costs for head proctors and monitors administering nursing examinations throughout the State projected through 1987:

Head Proctor @ \$50/day (avg. 3 days), 4 locations*	600.00
Monitor @ \$35/day (avg. 3 days), 4 locations*	<u>420.00</u>

Total \$ 6,020.00

* Examination Location: Juneau, Fairbanks, Ketchikan, Kodiak

Projected increase in revenue for Board of Nursing, 08-53-5-035, due to increase of application, renewal, and examination fees in Sec.08.68.220.

RENEWAL FEE INCREASE

Based on license renewal year 1982. Renewal fees are the same for RN and LPN licenses.

3,954	-	licenses renewed in FY'80
<u>+ 1,625</u>	-	new licenses issued in FY'81 and to date
5,579	-	licenses expected to be renewed in 1982
<u>X \$20</u>	-	new renewal fee in SB 238 am
\$ 111,580		
5,579		
<u>X \$15</u>	-	old renewal fee
\$ 83,685		

\$111,580 - \$83,685 = \$27,895 expected increase in revenue from nursing license renewals.

APPLICATION AND LICENSE FEES

The license-by-examination fee or license-by-endorsement fee accompanies the application fee when received by the department.

Approximately 1,000 applications filed with the department per year:

- 600 - RN applications
- 400 - LPN applications

The increase for RN licensure occurs only in the application fee with an increase of \$10.

600 X \$10 = \$6,000 increase in revenue

The increase of the LPN application fee by \$5 is offset by the decrease of \$5 of the LPN license-by-examination fee and license-by-endorsement fee. No change in revenue.

EXAMINATION FEES

The National League for Nursing, Inc., charges the State \$25.95 for each RN examination provided and graded, and charges \$10.50 for each LPN examination provided and graded.

Average 55 RN examination applicants per year in Alaska.
Average 30 LPN examination applicants per year in Alaska.

Examination costs to the State for nursing examinations/yr =	\$ 1,427.25	RN exam
	<u>315.00</u>	LPN exam
	\$ 1,742.25	Total

Revenue from examination fees charged to applicants/yr =	\$ 1,100.00	RN exam
	<u>300.00</u>	LPN exam
	\$ 1,400.00	Total

Revenue	Expenditure	Deficit
\$1,400	- \$1,742.25	= (-\$342.25)

** Total revenue for the Board of Nursing in FY'80 was 71.7 (Included majority of 1980-81 renewal fees, application, examination and license fees).

Total revenue for the Board of Nursing in FY'81 was 46.7 (Included some late-renewal fees, application, examination and license fees).

By: Department of Commerce & Economic Development
Occupational Licensing - Marjorie Odland
465-2535

Marjorie Odland

FROM: ANNIE IN FAIRBANKS
TARGET: LJH2 SUBJ: POMS

TO: JUNEAU INFO.

PAGE 00

TO: REPS. BROWN, FANNING, RANDOLPH, ROGERS, AND SMITH
REPS. ADAMS, MONTGOMERY, HURLBERT, CHUCKWUK, FULLER, BETTISWORTH,
CUDDY, HAUGEN, COTTEN, MEEKINS, AND CARNEY

RE: SENATE BILL 238 (PRACTICE OF NURSING)

(ALL OF THE FOLLOWING MESSAGES GO TO THE ABOVE REPRESENTATIVES.)

MSG 82-00007181 PRTY 1 02/09/82 21:30:14 ORIG: LF01 IN= 0012 OUT= 0161
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.
TARGET: LJH2 SUBJ: POMS PAGE 0004

(S. B. 238 CONTINUED)

FROM: ELIZ WALDHAUS, 1006 10TH AVE., FAIRBANKS 99701

PLEASE CONSIDER THE PASSAGE OF THE NURSE PRACTICE ACT.

FROM: CATHY E. MORGAN, BOX 2672, FAIRBANKS 99707 456-6182

I URGE YOUR SUPPORT OF S.B. 238. NURSES NEED PASSAGE OF THIS BILL THIS YEAR.

MSG 82-00007181 PRTY 1 02/09/82 21:30:14 ORIG: LF01 IN= 0012 OUT= 0161
FROM: ANNIE IN FAIRBANKS TO: JUNEAU INFO.
TARGET: LJH2 SUBJ: POMS PAGE 0004

(S. B. 238 CONTINUED)

FROM: PHYLLIS HUNSUCKER, NURSES ASSOCIATION, S.R. BOX 30168, FAIRBANKS 9970

PLEASE PRESENT S.B. 238 FOR VOTE, AND VOTE TO PASS IT IN FAVOR OF ALL THE NURSES WITHIN THE STATE. WE NEED PASSAGE OF THIS BILL FOR LEGAL REPRESENTATION AS A PROFESSION, AND PROTECTION FOR PRACTICE. THANK YOU.

56238

March 4, 1981

The Honorable Jalmar Kerttula
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to qualifications for nursing practice in the state, and to the powers and duties of the Board of Nursing.

The bill would revise and clarify the powers and duties of the board and the qualifications required for service on the board. The bill would also require the board to conduct examinations in each region of the state.

In addition, the bill would clarify the requirements and procedures to be followed by applicants for licensing to engage in nursing practice and would clarify the status of nurse anesthetists. The bill would also add a requirement of continuing competence, which was recommended by the legislature during its sunset review of the board, and would bring criminal penalty provisions into conformity with the new criminal code. The bill also would amend the provisions which set out grounds for denial, suspension, or revocation of a license. The amendment deletes vague language and makes more specific the grounds for this type of disciplinary action.

The references in the bill to practical nurses do not reflect substantive changes in the regulation of these nurses, but only housekeeping amendments. The repeal of AS 08.68.270 and 08.68.275(b) which require compliance by the board with AS 44.62 (The Administrative Procedure Act) is also a technical amendment because the board is required by AS 08.18.140 and by AS 44.62.040, 44.62.310, and 44.62.330 to comply fully with the Administrative Procedure Act.

The bill would also repeal a provision which allows a nurse to be licensed as an inactive nurse rather than have his or her license lapse while the nurse does not

practice. I am proposing this repeal because I think that maintaining competence is more important in the provision of health care than the right to inactive status.

Sincerely,

Jay S. Hammond
Governor

<u>Section</u>	<u>Provision</u>	<u>Rationale</u>
Sec. 08.63.010 Creation & Membership of the Board	Composition of Board is changed to include a licensed practical nurse Deletes service categories for membership.	To reflect those the Board regulates. In the past this has proved cumbersome in appointing or maintain- ing members on the Board (existing members often changed from one category to another while serving their terms). Leaving these categories open affords needed flexibility in appointing members whose expertise can be best utilized to deal with nursing issues.
Sec. 08.68.060 Qualifications of Registered Nurse & LPN Board Members	States nurses appointed to Board must be involved in nursing for three years within 5 years of appointment.	Ensures currency and awareness of issues
Sec. 08.68.070 Election of Officers	Elects a chairman and secretary	"Secretary-treasurer" was misleading. Board members have no treasury duties.
Sec. 08.68.080 Meetings	Board shall have 4 meetings/ year.	The board has always needed 4 meetings/year to accomplish the large volume of work for which it is responsible. (This will ensu that the Division of Occupational Licensing's budget will reflect this need.) It will assure completion of the goals and objectives for the required performance report.
Sec. 08.68.100 Duties & Powers of the Board	Affirms the Board's responsi- bility to promulgate regulations for the advanced nurse practitioner and the nurse anethetist without mandatory joint promulgation with the State Medical Board.	Reflects how board actually functions and reflects responsibility required by Sunset review.
Sec. 08.68.111 Executive Secretary of Board	"Executive Officer" changed to "Executive Secretary"	The use of the word "Secretary" instead of "Officer" in the Title, "Executive Officer" more accurately describes the responsibilities and functions of the position as prescribed by the Board.

provided by State Board
of Nursing re: SB 238

SectionProvisionRationale

2

Sec. 08.68.170
Qualifications of
Registered or Practical
Nurse Applicants

When referring to Registered
Nurses the word professional is
deleted throughout the bill.

The term "professional" is unnecessary in identifying "Registered
Nurse." Includes both R.N. and L.P.N. in same section

Sec. 08.68.190
License by Examination

Provides for examination in
different areas of state

Demanded by public because of the expense of traveling to
Anchorage (~~each region of state needs defining?~~)

Sec. 08.68.200
License by Endorsement

Specifically names CNATS
(Canadian Nurses Association
Testing Service Exam) as being
able to be considered by the Board
as an acceptable licensing exam-
ination.

Updates statute to reflect current Board policy in accepting
this examination which is comparable to the recognized American
exam.

Section AS 08.68.210
Temporary Permits

Recognizes COGFNs (Commission on
Graduates of Foreign Nursing
Schools)

This will allow foreign nurse graduates to be granted a temporary
permit, (as recommended by the Sunset Review committee) until
they complete the required nursing exam.

Sec. 08.68.0220

Raises fees

Fee schedule was last revised 1970

Sec. 08.68.270
Grounds for Denial
Suspension or Revocation

(2) substituted for moral
turpitude

Explicitly delineates grounds for suspension, denial or
revocation of a license as requested by Sunset Review
"The Board of Nursing, in conjunction with the Attorney General,
should compose formal regulations which define and list examples
of license violations." The Board will find this most
helpful in substantiating its decisions on violations.

Sunset view committee recommended clarification of moral
turpitude

~~(4) needs revision before final
form~~

~~"which impairs ability to practice safely."~~

Sec. 08.68.276
Continuing Competence
Required

Continuing Competence requirements
which may be established by the
Board by regulation

Continuing competence is a concern for all professional today.
The Board is studying various methodologies for assuring
competence. These include recent work experience, continuing
education, and testing. Each of these areas are being researched
in terms of impact on health care in the State, cost to the
consumer, availability, and overall relation to the ongoing
competency of the nurse to provide quality of care. While
the Board is not ready to make a statement in relation to the
best method(s) for insuring the competency of the Alaskan nurse,
and much more time needs to be devoted to researching this area,
it does feel it should have the authority to address ongoing
competency. The Board was asked to address this by the legisla-

SectionProvisionRationale

Sec. 08.68.340 Violations	Violations	Classifies violations according to the new criminal code
Sec. 08.68.400 (a) (4)	Exempts inactive nurses enrolled in an approved "refresher" program from licensure	Added to enable nurses to gain clinical experience in an approved program to satisfy requirements for licensure and re-enter the work force
Sec. 08.68.400 ceptions	Exempts consultants from licensure requirements	Allows nursing consultants to visit Alaska and provide consultative service or education without having to obtain Alaska licensure
Sec. 08.68.410 Definitions	Definitions	Updates the definition of the practice of registered nursing
Sec. 28	Merely clarifies the legal status of regulations adopted jointly by the Board of Nursing and the State Medical Board.	

re: practice of nursing; e.d.

SB 238 am

1. ok on notice

2. votes

3. need to amend ~~to~~ e.d. to 1982

4. attendance

5. fiscal note 10.5

6. who wants: Governor

7. does senate leadership want:

8. carrier: have him out