

S

B

2

3

8

COMMITTEE REPORT

SENATE

FURTHER: Finance

3/4/81

Date: _____

Mr. President:

HEALTH, EDUCATION AND

The Committee on SOCIAL SERVICES has had SB 238

practice of nursing

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

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

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tom Kelly

John P. ...

...

Chairman

 CHAIRMAN

A M E N D M E N T

OFFERED IN THE SENATE:

By: Senate HESS

To: SB 238 SENATE BILL No. 238

HOUSE BILL No. _____

PAGE: 5

LINE: 23

- 1) delete "AS 08.68.180"
- 2) insert "AS 08.68.170"

<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 ensure 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 anesthetist without mandatory joint promulgation with the State Medical Board.	Reflects how board actually functions and reflects responsibilities 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.

**THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE**

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____ Senate Bill No. 238
 Title "An act relating to the practice of nursing; and providing for an effective date."
 Requested by Commissioner's Office Date March 13, 1981

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services
 Program Category Affected Public Health
 BRU, Program, or Subprogram(s) Affected Nursing
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

IV. DATE March 13, 1981 PREPARED BY Lois M. Bergerson, Chief
 AGENCY Department of Health & Social Services
 Original: Legislative Finance PHONE 465-3150
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) N&B Approval Date 3/13/81

<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	To reflect those the Board regulates.
	Deletes service categories for membership.	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 irman and secret	"Secretary-treasurer" was misleading. Board members have no treasury duties.
Sec. 08.68.080 Meetings	Board i 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 ensure 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 anesthetist without mandatory joint promulgation with the State Medical Board.	Reflects how board actually functions and reflects responsibilities required by Sunset review.
Sec. 09.68.111 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.

Section

Provision

Rationale

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 or
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) substituted for moral
turpitude~~

~~-----~~

Sec. 08.68.276
Continuing Competence
Required

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

Continuing competence is a concern for all professionals today.
The Board is studying various methodologies for ensuring
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-
ture during Sunset Review.

SectionProvisionRationale

3

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
Exemptions

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.

POSITION PAPER

SENATE BILL NO. 238

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

Analysis

Sections 1, 2, 3, 4 and 5 of this bill are being amended; 1) to broaden the membership of the board to include representation from the licensed practical nurse group; 2) to increase the number of at large members who are appointed by the Governor; 3) to provide for removal of board members by the Governor for just cause; 4) to delete the term 'professional nurse' and use terms which identify their practice, i.e., registered nurse and licensed practical nurse. This change is made in all sections that the term 'professional nurse' occurs.

Sections 9 - 16 amendments clarify and outline the process for individuals to become a licensed practical nurse and a registered nurse in Alaska, other states and places the same regulation requirements on graduates from foreign schools of nursing. These regulations are for the protection of the consumer.

Amendments to Section 16 - 18 clarifies the process and the board's responsibility in the denial of licensure which is for the safety and protection of the consumer.

Amendments in Section 21 clearly defines the board's responsibility in the accreditation of nursing education programs.

Department's Position

The Department supports the amendments in the bill as it clarifies the process for different levels of nurses in the state and from other states and countries to become licensed to practice and protects the consumer and the employer.

Recommended by: David Bruce
David Bruce,
Deputy Director
Division of Public
Health

Date: March 1981

Approved by: Helen O. Beirne
Helen O. Beirne
Commissioner

Date: 3-18-81

Beth Ennis
Box 1216
Kodiak, Alaska 99615

April 8, 1981

Senator Charles Parr, Chairman
Senate Health, Education and Social
Services Committee
Room 209 Behrends
Pouch V
Juneau, Alaska 99811

Dear Senator Parr:

I have attached a copy of my oral testimony given at the HESS Committee teleconference April 6, 1981 regarding SB 238. I believe Senator Colletta was not present at the hearing and I would like him to have the opportunity of easy access to the information, as well as providing those who were present with a quick review.

Please review your copies of SB 238, as I detect a typographical or admendment error. In Section 12 AS 08.68.210b. line 23 reads ". . . of AS 08.63.180; I believe this should read ". . . of AS 08.68.170; as 170 has been retained and 180 has been incorporated in 170 and has been recommended for repeal.

I appreciate the opportunity to participate in the hearings of the HESS Committee via the teleconference system, but request that all testimony be aired in future hearings for the benefit of those who are present, but not physically located in Juneau.

Sincerely,

Beth W. Ennis

Beth Ennis
Registered Nurse

cc: Senators:
Terry Stimson
Mike Colletta
Vic Fischer
Tim Kelly
Bob Mulcahy - District : L

My name is Beth Ennis and I have been licensed and have practiced as a Registered Nurse for 15½ years, the past 7 of which have been in the State of Alaska. Therefore SB 238 is of prime importance and relevance to me, in that it pertains directly to my personal and professional existence. In addition, my evaluation and remarks are based on personal experience of a significant degree.

I speak in favor of SB 238 which proposes changes in the statutes referred to as the Nurse Practice Act. As proposed, this bill provides for the control and regulation of nursing practice and education by nursing thru the Board of Nursing. It provides for a continuum approach to nursing practice and education by putting all aspects of regulation from the LPN thru the Advanced Nurse Practitioner and Nurse Anesthetist levels under one Board. Consistency of education content and practice performance can be achieved in this way, with the end result being uniform delivery of service at a designated standard level.

Periodically hospitals and the medical profession across the nation attempt to gain control of self-interest areas of nursing by promoting such means as institutional licensure, institutional education and licensing of advanced practitioners. This serves only to threaten the uniform standard of nursing care as institutions will educate and license nurses to meet their particular needs, as will the medical profession license only those advanced nurse practitioners with the education that meets the medical profession's needs, and in the numbers they desire. Only nursing should define and control its own education and practice, which SB 238 guarantees.

The editing and amending of the Nurse Practice Act makes it a more useful reference guide to nurses and the public. The definition of nursing practice addresses the current and potential scope of nursing practice and the sections on violations are more definitive as to what type of actions are contrary to the profession. Delegation to regulations of the more dynamic portions of the Board's responsibility allows for flexibility in keeping practice, education, and standards current.

I most heartily approve of the language that reserves for the Board the prescription of requirements for competence to continue practice, but which does not stipulate mandatory regulations at this time. I am a firm supporter of the responsibility of each individual to maintain his own competence, but I have many questions as to whether legislating regulations will accomplish the intended result. Leaving the wording as it is will give Alaskan nurses a chance to research what will work best for them.

I thank you for the opportunity to express my views and urge each of you on this committee and your fellow legislators to pass SB 238 in its entirety, without changes.

SB 238 Nurse Practice Act

We the undersigned do support the Nurse Practice Act as revised and presented to the Senate HESS Committee of the Alaskan Legislature. We urge the legislator's to give their support in passing this bill.

NAME	ADDRESS	SIGNATURE
Barbara Carberry RN	Box 2402 Kodiak Alaska	Barbara Carberry RN
Margaret Lantier RN	Box 574 USG Kodiak Alaska	Margaret Lantier RN
Valerie Zellmer RN	P.O. 3377 Kodiak, AK	Valerie Zellmer RN
Angela Smith RN	USG Support Center Box 320 Kodiak AK	Angela Smith RN
Carol A. Brubaker RN	Kodiak Alaska	Carol A. Brubaker RN
H. Elizabeth Hall RN	Box 414 Kodiak AK 99615	H. Elizabeth Hall RN
Christy Kintz RN	Box 1051 Kodiak AK 99615	Christy Kintz RN
Barbara Griffing RN	Box 289 Kodiak AK 99615	Barbara Griffing RN
Patricia Johnson RN	Box 2783 Kodiak, AK 99615	Patricia Johnson RN
BRECKEN SAUCE	Box 1194 Kodiak AK 99615	Brecken Sauce
PAUL G. LEE RN	Box 3133 Kodiak AK 99615	Paul G. Lee RN
Ann Crowell RN	Box 571 Kodiak AK 99615	Ann Crowell RN
Mildred T. Sogata	Box 2191 Kodiak AK 99615	Mildred T. Sogata
Beth W. Emmin RN	Box 1216 Kodiak AK 99615	Beth W. Emmin RN



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

Name	Address
1. Doris Southall	2-B-7 Dixon Apts 100-1026 9th
2. Dorothy Sugg	330 Thines - FRS
3. Leona Bowler	141 Dunbar, Po Box 79132
4. Christine Wallell	1A4 Dixon
5. Stella S. Peterson	201 st Astor - Fairbanks, ⁹⁹⁷⁰¹ AK
6. Bessie Iney	123- 5th ave. FRS. N
7. Ida Watt	1271 9th ave. Apt 209. FBK 201
8. Florence Wilson	330- 3rd Ave. Unit 316
9. Fern Walburn	330 3rd Ave #119
10. R. L. Jensen m.d.	406 Woodlawn Ave
11. James H. Savage	759- 8th Avenue FRS.
12. Samuel Backlund	1902 Thines, #21
13. Willis J. Cr 727 101	310-3011
14. John G. Dickey	1000 Swift St Fairbanks
15. Jimmie ... 330	3.4th Ave Apt 302
16. Charlie ...	P. Rich Park FRS
17. Maurice S. ...	
18. ...	South 11th Ave 101
19. Gene Everette	202 Birchwood St



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

Name	Address
20. <u>Helma Austin</u>	330 3 rd Ave Apt 512 Fairbanks
21. <u>Helen Beringer</u>	2113 LATHROP ST.
22. <u>Brian Wright</u>	51 Anderson
23. <u>Pauline Waltuch</u>	307 Bentley Dr. East
24. <u>Pauline Bulmer</u>	636 Noyes St Fairb. AK 99701
25. <u>Helena Schuler</u>	1510 College St Fairb. AK 99701
26. <u>Frances ...</u>	1184 ...
27. <u>David ...</u>	5720 ...
28. <u>Edward ...</u>	2032 ...
29. <u>Harry ...</u>	34 ...
30. <u>William ...</u>	1658 ...
31. <u>SBA William ...</u>	51475 ...
32. <u>Emily ...</u>	113 ...
33. <u>Ethel Edwards</u>	
34. <u>Dr. R. ...</u>	1531 ...
35. <u>Mildred ...</u>	P.O. Box 708 Fairb. AK.
36. <u>Kathleen ...</u>	1521 ...
37.	
38.	



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

Name	Address
39 Muriel Swindell	80 Box 1754 Fairbanks, Ak.
40 John M. Murphy	547-33rd St Fairbanks
41 Dick Barry	137 2nd St
42 Estlin + Dorian	1041 2nd Ave Fairbanks, Ak.
43 Lena Evans	SR BOX 20589 Fairbanks
44 Ed Higgins	1424 3rd St
45 Charles D. Morse	#202 Golden Towers
46 Mary Salathur	330 3rd Ave, 515
47 John De	Gen. Del. 96
48 Don Wheat	312 Minnie St.
49 Beverly L. Scott	P.O. Box 73812 Fairbanks 99707
50 Jeanne Scholz	Box 1365 Fairbanks 99707
56 Ray L. Myers	330 Third Ave Fairbanks
57 [unclear]	F7 [unclear]
58	
54	
55	



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

<u>Name</u>	<u>Address</u>
Orlene Orbeck	1735 Budgetway Dr. 46K5, AK. 99701
Carol Johnson	211 East 500th Fairbanks AK 99701
Jennifer Westrich	S.R. # 40579 Fairbanks AK 99701
Donna Dyer Long	4114 Fairbanks II Fairbanks Alaska 99701
Ann Huff	108 East 304th Fairbanks AK 99701
Lillian J. Calver	713 7th Ave Fairbanks AK 99701
Judith Ann Moore	426 5th Ave St. Fairbanks Alaska 99701
Suzette E. Ray	100 East 542nd Fairbanks, AK 99705
Walter Peterson	1009A 30215 (Ch. Summit Loop) Fairbanks, Alaska 99701



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

<u>Name</u>	<u>Address</u>
Eppie Ruppert Patricia Nelson	2352 Broadman Fairbanks 99701 P.O. Box 80893, Fairbanks, AK 99708
Cynthia Lind	2517 River View Dr. Fairbanks, 99701
Rebecca Foss	311 Waldenwood Dr. 37-C Fairbanks, AK 99701
Judi Evans	20 Ave 55019 Fairbanks 99705
Patricia Manning	1404 45th St Fairbanks, AK 99701
Susan Bentley	317-17th St #103 Fairbanks AK 99701
Barbara McCurdy	1554 21st Ave Apt 4 Fairbanks, AK 99701
Karin Criss	926 6th Ave Fairbanks, AK 99701
Judi Flary	156 Poppendine Fairbanks AK 99701
Shirley Johnson	4005 21st Ave S Fairbanks, AK 99705
Marisa K. Hall	5404 11551 F Fairbanks, AK 99701
Patricia A. Rymkiewicz	5281 50th E Fairbanks AK 99701
Cathy Morgan	P.O. Box 2072 Fairbanks, AK 99701

alaska
state
hospital
association

Rocky

members
SB 238

319 Seward St., Juneau, Alaska 99801 (907) 586-1790
REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

President
Sister Barbara Haase
Ketchikan General Hospital
Ketchikan

President Elect
Tom Mangan
Fairbanks Memorial Hospital
Fairbanks

Secretary/Treasurer
Ron Fawcett
Alaska Hospital & Medical
Center
Anchorage

Immediate Past President
Al Cameron
Providence Hospital
Anchorage

Executive Director
Dennis L. Davis
Juneau

MARCH 31, 1981

THE HONORABLE CHARLES PARR
ALASKA STATE SENATE
POUCH V
JUNEAU, ALASKA 99811

DEAR SENATOR PARR:

THE ALASKA STATE HOSPITAL ASSOCIATION HAS REVIEWED SB 238, RELATING TO THE PRACTICE OF NURSING AND WOULD LIKE TO OFFER THE FOLLOWING COMMENTS:

SECTION 8-6B.010 CREATION AND MEMBERSHIP OF BOARD OF NURSING

1. THE MAKE UP OF THE BOARD OUGHT TO BE EXPANDED TO INCLUDE TWO LICENSED PRACTICAL NURSES. WE BELIEVE THAT THE RATIO OF L.P.N.'S TO RN'S OUGHT TO BE 2:4 RATHER THAN 1:4. THIS WOULD PERMIT REAL INPUT FROM LICENSED PRACTICAL NURSES. WITH BUT ONE REPRESENTATIVE ON THE NURSING BOARD, WE BELIEVE THAT THE PRACTICAL NURSES WOULD HAVE DIFFICULTY IN ARTICULATING THEIR CONCERNS.

2. THE REQUIREMENT THAT THE NURSE EDUCATOR MUST BE ENGAGED IN BACCALAUREATE NURSING EDUCATION IS, IN OUR OPINION, INAPPROPRIATE AND UNNECESSARILY PREJUDICES ASSOCIATE DEGREE AND PRACTICAL NURSING PROGRAMS. IT WOULD SEEM THAT THE DESIRE IS TO SECURE THE EXPERTISE OF AN EDUCATOR, NOT TILT THE BOARD TOWARD A SPECIFIC PROGRAM.

3. THE NURSES APPOINTED AT LARGE SHOULD BE REQUIRED TO BE CURRENTLY PRACTICING AND AT LEAST TWO SHOULD BE EMPLOYED IN HEALTH FACILITIES.

SECTION 08.68.251 LAPSED LICENSES

WE STRONGLY SUGGEST THAT SUBSECTION (B) NOT BE AMENDED TO REPLACE "MAY" WITH "SHALL". WHILE WE SHARE THE CONCERN ABOUT NURSES WHO HAVE BEEN OUT OF PRACTICE AND AGREE THAT THEY NEED TO BE BROUGHT "UP TO SPEED", WE ARE NOT AWARE OF A PROPOSED REGULATORY MODEL WHICH WILL IN FACT ACCOMPLISH THE GOAL. A PERMISSIVE STATUTE ALLOWS THE BOARD TO ADDRESS THE PROBLEM AND WORK TOWARDS A SOLUTION. MANDATORY LANGUAGE COULD WELL LEAVE US IN A QUANDRY SHORTLY AFTER PASSAGE OF THIS LEGISLATION. WHAT WOULD A PERSON DO IF THE BOARD HAD NOT DEVELOPED A COURSE OF STUDY OR HAD NOT YET APPROVED A COURSE IN NOME OR KETCHIKAN OR CORDOVA? WOULD THE NURSE AND FACILITY SIMPLY BE OUT OF LUCK? IF THE NURSING BOARD CONSIDERS THIS A PRIORITY AREA, THERE IS NO NEED FOR A MANDATORY LANGUAGE. IF IT IS NOT A PRIORITY THEN THE PROBABILITY OF AN IMPENDING PROBLEM IS HIGH IF SUCH LANGUAGE IS ADOPTED. THUS, WE RECOMMEND THAT THIS SECTION REMAIN PERMISSIVE AND THAT THE LEGISLATURE REVIEW THE ACTIVITIES OF THE BOARD ON THIS ISSUE NEXT YEAR.

SECTION 08.68.265 SCOPE OF PRACTICE OF PRACTICAL NURSES

THIS SECTION, WHILE ITS CONTEXT IS NECESSARY TO MAINTAIN CURRENT LAW, IS OUT OF PLACE, ITS CONTENT OUGHT TO BE WRITTEN INTO PROPOSED SECTION 410. (7) WHERE WE FIND OTHER DEFINITIONAL INFORMATION AND PRACTICE

PARAMETERS OF REGISTERED NURSES. WE ARE CONCERNED THAT THIS PROPOSED CHANGE MIGHT GIVE RISE TO AN INAPPROPRIATE NOTION THAT THE LEGISLATURE, BY CHANGING THE SECTION OF LAW DEALING WITH THE DEFINITION OF PRACTICAL NURSING INTENDED TO ALTER THE SCOPE OF PRACTICE FOR PRACTICAL NURSES.

SECTION 08.68.270 GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION

page 8, line 4.

WE BELIEVE THAT SUBSECTION (6) OUGHT TO BE MODIFIED TO READ "HAS ESTABLISHED A PATTERN OF INTENTIONAL OR NEGLIGENT CONDUCT WHICH HAS RESULTED IN A SIGNIFICANT RISK TO THE HEALTH OR SAFETY OF A PATIENT OR IN INJURY TO A PATIENT". LIABILITY MAY ARISE AS THE RESULT OF AN INTENTIONAL ACT WHICH MIGHT WITHOUT INTENTION INJURE A PATIENT OR AS THE RESULT OF A NEGLIGENT ACT, AN ACCIDENTAL ERROR, WHICH CAUSES INJURY. SUCH CIRCUMSTANCES OUGHT NOT PER SE BE GROUNDS FOR DISCIPLINE.

SECTION 08.68.276 CONTINUING COMPETENCE REQUIRED

WE OPPOSE A MANDATORY CONTINUING EDUCATION REQUIREMENT. THERE ARE FEW WHO CONTENT THAT CONTINUING EDUCATION, AS WE KNOW IT TODAY, IS ANY GUARANTEE OF CONTINUED COMPETENCE. THE NOTION THAT SOMEONE WHO ATTENDS THE SPECIFIED NUMBER OF LECTURE HOURS WHETHER AWAKE OR ASLEEP PROVIDES BETTER PATIENT CARE IS UNSUPPORTABLE. WE WILL CONTINUE IN-SERVICE TRAINING AND ENCOURAGEMENT TO OUR STAFFS TO TAKE ADVANTAGE OF EDUCATIONAL OPPORTUNITIES, HOWEVER, MANDATION IN THIS AREA HAS NO DEMONSTRATED SUCCESS. WE SUGGEST THEREFORE THAT THIS SECTION BE DELETED AND THAT CONTINUING EDUCATION BE DEALT WITH AS A PROFESSIONAL

MARCH 31, 1981
THE HONORABLE CHARLES PARR
PAGE FOUR

RESPONSIBILITY RATHER THAN A MATTER OF LAW.

SECTION 08.68.280 NURSING EDUCATION PROGRAM PROHIBITED UNLESS ACCREDITED

THIS SECTION PRECLUDES THE POSSIBILITY OF DEVELOPING A "DIPLOMA SCHOOL" WHICH COULD BE HOSPITAL BASED. THE SECTION SHOULD BE REWRITTEN SO AS NOT TO PRECLUDE ANY POTENTIAL FOR GOOD QUALITY NURSE TRAINING PROGRAMS. THE QUALITY OF THE PRODUCT OUGHT TO BE THE CONCERN OF THE BOARD, NOT WHETHER IT IS ESTABLISHED THROUGH AN ACCREDITED POST SECONDARY EDUCATIONAL INSTITUTION. ACCREDITATION OUGHT TO BE BASED ON ABILITY TO SATISFY THE CRITERIA FOR ACCREDITATION FOUND IN ARTICLE 3 SECTION 280-330 AND THE QUALITY OF THE PROGRAM, NOT WHAT TYPE OF ORGANIZATION CONDUCTS THE PROGRAM.

SECTION 08.68.340 VIOLATIONS

Pg. 9, line 29

SUBSECTION (3) MAKES IT A VIOLATION TO EMPLOY A PERSON AS A NURSE WHO IS NOT LICENSED AS A NURSE EVEN IF THE PERSON PRESENTS VALID LOOKING FORGED DOCUMENTS. IN SUCH AN INSTANCE, THE EMPLOYER COULD HARDLY BE EXPECTED TO ACT OTHERWISE. BEFORE A VIOLATION COULD OCCUR UNDER THIS SECTION, KNOWLEDGE OF LACK OF LICENSURE MUST EXIST.

SECTION 08.68.410 DEFINITIONS

1) THE SUPERVISION LANGUAGE FOUND IN SECTION 265 SHOULD BE INSERTED IN SUBSECTION (7). THIS WOULD HELP IN UNDERSTANDING THE PARAMETERS OF PRACTICE FOR L.P.N.'S AND WOULD BE MORE CONSISTANT WITH THE GENERAL DRAFTING OF THIS ACT.

2) THE CHANGES IN SUBSECTION (7) "PRACTICE OF PRACTICAL NURSING" ACCOMPLISH LITTLE IF ANYTHING IN OUR JUDGEMENT. WHILE WE BELIEVE THAT FLEXIBILITY OUGHT TO BE GRANTED TO PRACTICAL NURSING IN THE SAME FASHION THE BOARD IS PROPOSING EXPANSION OF REGISTERED NURSING, WE ARE CONTENT AT THIS TIME TO LIVE WITH THE CURRENT DIFINITION. SO AS TO INSURE THAT THERE IS NO MISCONSTRUCTION OF LEGISLATIVE INTENT TO RESTRICT PRACTICAL NURSING, WE SUGGEST THAT THE DEFINITION CURRENTLY FOUND IN SECTION 410 (6) BE MAINTAINED. PERHAPS NEXT YEAR WE CAN TACKLE THE DEFINITION OF PRACTICAL NURSING.

3) WE ARE PREPARED TO SUPPORT THE REDEFINITION OF REGISTERED NURSING AS FOUND IN SUBSECTION (8). WE HOWEVER, DO NOT BELIEVE IT IS AS BROAD AS IT MIGHT BE. WHILE WE ARE NOT PREPARED TO SUGGEST FURTHER EXPANSION THIS YEAR, THE LEGISLATURE SHOULD NOT BE SURPRISED TO SEE A MORE SUBSTANTIVE RECOMMENDATION FROM THE ALASKA STATE HOSPITAL ASSOCIATION WITHIN THE NEXT FEW YEARS.

MARCH 31, 1981
THE HONORABLE CHARLES PARR
PAGE SIX

WITH THE ABOVE MENTIONED AMENDMENTS, THE ALASKA STATE HOSPITAL
ASSOCIATION WOULD BE PREPARED TO CONSIDER SUPPORTING SENATE BILL
238.

SINCERELY,

DENNIS L. DEWITT
EXECUTIVE DIRECTOR

CC: SENATE HESS COMMITTEE MEMBERS

Apt. 2-B-7
Dixon Apartments
100-10th Avenue
Fairbanks, Alaska 99701
January 14, 1981

Senator Parr
Pouch V
Juneau, Alaska 99811

Dear Senator Parr:

The Alaska Board of Nursing will introduce a revised Nurse Practice Act to the 1981 Legislature. It has been submitted through the Governor.

The revised Nurse Practice Act accomplishes the following:

1. Changes the composition of the Board to include a licensed practical nurse
2. Updates the definition of the practice of nursing
3. Adds, under duties and powers of the Board, "The board may prescribe requirements for competence to continue practice."
4. Enables foreign graduates to obtain a temporary permit by passing the newly developed examination administered by the Commission on Graduates of Foreign Nursing Schools
5. More explicitly defines grounds for denial, suspension or revocation of a license
6. Enables the Board to define unprofessional conduct by regulation
7. Describes violations and classifies them according to class A or class B misdemeanors in compliance with the new criminal code
8. Affirms the Board's responsibility to promulgate regulations for the advanced nurse practitioner and the nurse anesthetist without mandatory joint promulgation with the State Medical Board

Last year this act, in similar form, was introduced to the House HESS Committee where it was placed on low priority status, and died in committee. The Board was also concerned with the many changes the committee wanted to make. It was particularly concerned for the consumer when the committee wished to delete the Board's power to prescribe requirements for competence to continue practice. Another area the committee did not approve of was continuing to enable the Board to deny, suspend or revoke a license if a nurse was addicted to narcotics. The rationale for each of these is fairly obvious.

Continuing competence is a concern for all professionals 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 power to address ongoing competency.

Some legislators objected to the Board's power to deny, suspend or revoke a license of a nurse addicted to narcotics. They felt that the nurse's individual rights could be violated if the narcotic addiction did not interfere with her nursing duties. The Board remains adamant that any nurse addicted to narcotics is a very real threat to her clients. In most cases, the desperate narcotic addict will eventually take medication intended for patients. This usually means substituting water for narcotic injections. This can be quite cleverly done to escape notice and can persist for a long time before detected. Even if detected, it often goes unreported. Several states who have recently revised their Nurse Practice Acts have continued to include this provision, and the Alaskan legislature should weigh this heavily before attempting to delete it.

Because I am a consumer, as well as a nurse, I do agree with this new proposed legislation. I am hopeful that you will give it your utmost support when it comes before the legislature.

Sincerely,

Doris Southall R.N.

Doris Southall, R.N.



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

Name	Address
1. Doris Southell	2-B-7 Dixon apto 100-10th Flk
2. Dorothy Sugg	330 Fairview - Flks
3. Leina Baulea	141 Summit, P.O. Box 73132
4. Christine Waldell	1A4 Dixon
5. Stella S. Peterson	901 ⁹⁹⁷⁰¹ Admiral Fairbanks, AK
6. Bessie Swaney	923-5th ave FBRS. Ak
7. Edna Matt	12713th ave apt 209, FBRS. Ak
8. Blanche Wilson	330-3rd Ave apt 316
9. Fern Walburn	330 3rd ave #119
10. R. Thomas	206 Woodlawn
11. James H. Savage	759-8th Avenue FBRS.
12. Samuel Baskant	1902 Mercier #21
13. Willis J. Crumley	310-3rd Ave
14. John H. Packer	1011 Smyth St Fairbanks
15. Jimmie M. Hunter	330 G. Ave Apt 302
16. Charles L. Lister	P. Lister Park Fls -
17. Maurice S. B. G.	
18. Marie E. Carlson	Soldier Field Fls
19. Gene E. Smith	202 Bentley Fls. AK



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

Name	Address
20. <u>Zelma Sexton</u>	330 3 rd Ave Apt 512 Fairbanks
21. <u>Stellen Bawinger</u>	2113 LATROOP ST.
22. <u>Richard Wright</u>	51 Anderson
23. <u>Pauline Valtuch</u>	307 Bentley Dr. East
24. <u>Pauline Bullock</u>	636 Meyer St Fairb. AK 99701
25. <u>Liliana Schultz</u> 511	1540 College Hill Fairb. AK 99701
26. <u>Lucas</u> Johnson	1189 Winne
27. <u>Harold W. Dwyer</u>	2720 Pinner Dr
28. <u>Edward P. Minkler</u>	1/4 N. Hwy 2032 Fairb. AK
29. <u>Fanny Reinson</u>	Box 10111 - Fairb. AK 99701
30. <u>Wilma M. Anderson</u>	1658 Bridgeway Fairb.
31. <u>SRA William E. Helleberg</u>	5147F Kuyuk Eirikson Dr Fairb.
32. <u>Emma E. ...</u>	113 Road 21 Fairb. AK
33. <u>Ethel Edwards</u>	
34. <u>Jack F. Ferguson</u>	1537 Curtis St Fairb.
35. <u>Bledys Coston</u>	P.O. Box 708 Fairb. AK.
36. <u>William F. Ferguson</u>	1521 Hill St Fairb. AK
37.	
38.	



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

Name	Address
39 Muriel Swindell	30 Box 1754 Ft. Reliance
40 John M. Murphy	527-3rd St Fairbanks
41 Dick Berg	137 1st St
42 Estelle J. Hansen	1241 1st St Fairbanks
43 Lena Evans	SR BOX 20589 Ft. Reliance
44 Ed Wilgen	1126 3rd St
45 Charles D. Myse	#202 Golden Towers
46 Mary Salisbury	330 8th Ave. S15
47 John De...	Ham. Val. 90
48 Don Wheat	312 Minnie St.
49 Beverly L. Scott	P.O. Box 73812 Ft. Reliance
50 Gianni Scholz	Box 1305, Ft. Reliance 99707
51 Ray L. Myers	330 Theid Ave Fairbanks
52 [unclear]	F7 South Fork
53	
54	
55	



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

<u>Name</u>	<u>Address</u>
Orlene Orbell	1735 Bridgewater Dr. Fairbanks, AK. 99701
Ann LeFevre	1134 V. St. 693 Fairbanks, AK. 99701
Jennifer Westwick	S.R. #40579 Fairbanks AK 99701
Ann Jorgensen	414 Fairbanks St. Fairbanks, Alaska 99701
Ann Swift	SR Box 30448 Fairbanks, AK 99701
LSusan J. Palmer	913 4th Ave. Fairbanks, Ak. 99701
Judith Ann Prosser	426 Jennie St. Fairbanks Alaska 99701
Loralee E. Ray	PO Box 51924 Fairbanks, AK. 99708
Ruth Wilson	Box 30218 (6 mi. Farmers Loop) Fairbanks, Alaska 99701



Fairbanks District IV Alaska Nurses' Association

Post Office Box 2836 • Fairbanks, Alaska 99707

We the undersigned urge your support of the revised Nurse Practice Act, which is to be introduced to the legislature this session:

Name	Address
Joan Ruppert Patricia Nelson	2352 Broadman FBKS 99701 P.O. Box 80893, Fairbanks, AK 99708
Eileen Link	2817 River View Dr. FBKS, 99701
Rebecca Foss	311 Westwood Dr 37-C FBKS AK 99701
Judi Evans	PO Box 50019 Fairbanks, AK 99705
Susan Bentley	40566-2 Fairbanks, AK 99701 817-17th Ave #103 FBKS AK 99701
Barbara McCurdy	1554 21st Ave Apt 4 FBKS, AK 99701
Karen Christ	928 6th Ave FBKS, AK 99701
Judi Flary	156 Peppering Fairbanks AK. 99701
Shelley J. Algood	4008-2 Spruce St. Fairbanks, AK 99701
Marianne K. Hall	5004 11551-F FBKS, AK 99701
Patricia A. Rymshaw	P.O. Box 50611-F Fairbanks AK 99701
Cathy Morgan	P.O. Box 2672 Fairbanks AK 99701

SB 238 Nurse Practice Act

We the undersigned do support the Nurse Practice Act as revised and presented to the Senate HESS Committee of the Alaskan Legislature. We urge the legislators to give their support in passing this bill.

NAME	ADDRESS	SIGNATURE
Edith Carlson RN	Box 2402 - Kodiak Alaska	Edith Carlson RN
Margaret Lantier	Box 57 UUSC Kodiak Alaska	Margaret Lantier RN
Valerie Thelma	P.O. 337 Kodiak, AK	Valerie Thelma RN
Angie Smith	USG Support Center Box 320 Kodiak AK	Angie Smith RN
Carol G. Brubaker	Kodiak AK	Carol G. Brubaker
Elizabeth Hall	Box 614 Kodiak AK 99615	Elizabeth Hall RN
Christy King RN	Box 1051 Kodiak AK 99615	Christy King RN
Barbara Guffing RN	Box 289 Kodiak AK 99615	Barbara Guffing RN
Patricia Johnson	Box 2983 Kodiak, AK 99615	Patricia Johnson RN
RETCHEN SAUCE	Box 1194 Kodiak AK 99615	Retchen Saucel
PAUL G. LEE ^{LPN}	Box 3133 Kodiak AK 99615	Paul G. Lee LPN
Ann Crowell	Box 571 Kodiak AK 99615	Ann Crowell RN
Mildred T. Sugita	Box 2141 Kodiak AK 99615	Mildred T. Sugita RN
Beth W. Ennis RN	Box 1216 Kodiak AK 99615	Beth W. Ennis RN

alaska
state
hospital
association

memoriz
SB 238

319 Seward St., Juneau, Alaska 99801 (907) 586-1790
REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

President
Sister Barbara Hease
Ketchikan General Hospital
Ketchikan

President Elect
Tom Mingen
Fairbanks Memorial Hospital
Fairbanks

Secretary/Treasurer
Ron Pavellas
Alaska Hospital & Medical
Center
Anchorage

Immediate Past President
Al Cameron
Providence Hospital
Anchorage

Executive Director
Dennis L. DeWitt
Juneau

MARCH 31, 1981

THE HONORABLE CHARLES PARR
ALASKA STATE SENATE
POUCH V
JUNEAU, ALASKA 99811

DEAR SENATOR PARR:

THE ALASKA STATE HOSPITAL ASSOCIATION HAS REVIEWED SB 238, RELATING TO THE PRACTICE OF NURSING AND WOULD LIKE TO OFFER THE FOLLOWING COMMENTS:

SECTION 8-68.010 CREATION AND MEMBERSHIP OF BOARD OF NURSING

1. THE MAKE UP OF THE BOARD OUGHT TO BE EXPANDED TO INCLUDE TWO LICENSED PRACTICAL NURSES. WE BELIEVE THAT THE RATIO OF L.P.N.'S TO RN'S OUGHT TO BE 2:4 RATHER THAN 1:4. THIS WOULD PERMIT REAL INPUT FROM LICENSED PRACTICAL NURSES. WITH BUT ONE REPRESENTATIVE ON THE NURSING BOARD, WE BELIEVE THAT THE PRACTICAL NURSES WOULD HAVE DIFFICULTY IN ARTICULATING THEIR CONCERNS.

2. THE REQUIREMENT THAT THE NURSE EDUCATOR MUST BE ENGAGED IN BACEALAUREATE NURSING EDUCATION IS, IN OUR OPINION, INAPPROPRIATE AND UNNECESSARIALY PREJUDICES ASSOCIATE DLGREE AND PRACTICAL NURSING PR RAMS. IT WOULD SEEM THAT THE DESIRE IS TO SECURE THE EXPERTISE OF AN EDUCATOR, NOT TILT THE BOARD TOWARD A SPECIFIC PROGRAM.

3. THE NURSES APPOINTED AT LARGE SHOULD BE REQUIRED TO BE CURRENTLY PRACTICING AND AT LEAST TWO SHOULD BE EMPLOYED IN HEALTH FACILITIES.

SECTION 08.68.251 LAPSED LICENSES

WE STRONGLY SUGGEST THAT SUBSECTION (B) NOT BE AMENDED TO REPLACE "MAY" WITH "SHALL". WHILE WE SHARE THE CONCERN ABOUT NURSES WHO HAVE BEEN OUT OF PRACTICE AND AGREE THAT THEY NEED TO BE BROUGHT "UP TO SPEED", WE ARE NOT AWARE OF A PROPOSED REGULATORY MODEL WHICH WILL IN FACT ACCOMPLISH THE GOAL. A PERMISSIVE STATUTE ALLOWS THE BOARD TO ADDRESS THE PROBLEM AND WORK TOWARDS A SOLUTION. MANDATORY LANGUAGE COULD WELL LEAVE US IN A QUANDRY SHORTLY AFTER PASSAGE OF THIS LEGISLATION. WHAT WOULD A PERSON DO IF THE BOARD HAD NOT DEVELOPED A COURSE OF STUDY OR HAD NOT YET APPROVED A COURSE IN NOME OR KETCHIKAN OR CORDOVA? WOULD THE NURSE AND FACILITY SIMPLY BE OUT OF LUCK? IF THE NURSING BOARD CONSIDERS THIS A PRIORITY AREA, THERE IS NO NEED FOR A MANDATORY LANGUAGE. IF IT IS NOT A PRIORITY THEN THE PROBABILITY OF AN IMPENDING PROBLEM IS HIGH IF SUCH LANGUAGE IS ADOPTED. THUS, WE RECOMMEND THAT THIS SECTION REMAIN PERMISSIVE AND THAT THE LEGISLATURE REVIEW THE ACTIVITIES OF THE BOARD ON THIS ISSUE NEXT YEAR.

SECTION 08.68.265 SCOPE OF PRACTICE OF PRACTICAL NURSES

THIS SECTION, WHILE ITS CONTENT IS NECESSARY TO MAINTAIN CURRENT LAW, IS OUT OF PLACE, ITS CONTENT OUGHT TO BE WRITTEN INTO PROPOSED SECTION 410. (7) WHERE WE FIND OTHER DEFINITIONAL INFORMATION AND PRACTICE

MARCH 31, 1981
THE HONORABLE CHARLES PARR
PAGE THREE

PARAMETERS OF REGISTERED NURSES. WE ARE CONCERNED THAT THIS PROPOSED CHANGE MIGHT GIVE RISE TO AN INAPPROPRIATE NOTION THAT THE LEGISLATURE, BY CHANGING THE SECTION OF LAW DEALING WITH THE DEFINITION OF PRACTICAL NURSING INTENDED TO ALTER THE SCOPE OF PRACTICE FOR PRACTICAL NURSES.

SECTION 08.68.270 GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION

WE BELIEVE THAT SUBSECTION (6) OUGHT TO BE MODIFIED TO READ "HAS ESTABLISHED A PATTERN OF INTENTIONAL OR NEGLIGENT CONDUCT WHICH HAS RESULTED IN A SIGNIFICANT RISK TO THE HEALTH OR SAFETY OF A PATIENT OR IN INJURY TO A PATIENT". LIABILITY MAY ARISE AS THE RESULT OF AN INTENTIONAL ACT WHICH MIGHT WITHOUT INTENTION INJURE A PATIENT OR AS THE RESULT OF A NEGLIGENT ACT, AN ACCIDENTAL ERROR, WHICH CAUSES INJURY. SUCH CIRCUMSTANCES OUGHT NOT PER SE BE GROUNDS FOR DISCIPLINE.

SECTION 08.68.276 CONTINUING COMPETENCE REQUIRED

WE OPPOSE A MANDATORY CONTINUING EDUCATION REQUIREMENT. THERE ARE FEW WHO CONTEND THAT CONTINUING EDUCATION, AS WE KNOW IT TODAY, IS ANY GUARANTEE OF CONTINUED COMPETENCE. THE NOTION THAT SOMEONE WHO ATTENDS THE SPECIFIED NUMBER OF LECTURE HOURS WHETHER AWAKE OR ASLEEP PROVIDES BETTER PATIENT CARE IS UNSUPPORTABLE. WE WILL CONTINUE IN-SERVICE TRAINING AND ENCOURAGEMENT TO OUR STAFFS TO TAKE ADVANTAGE OF EDUCATIONAL OPPORTUNITIES, HOWEVER, MANDATION IN THIS AREA HAS NO DEMONSTRATED SUCCESS. WE SUGGEST THEREFORE THAT THIS SECTION BE DELETED AND THAT CONTINUING EDUCATION BE DEALT WITH AS A PROFESSIONAL

MARCH 31, 1981
THE HONORABLE CHARLES PARR
PAGE FOUR

RESPONSIBILITY RATHER THAN A MATTER OF LAW.

SECTION 08.68.280 NURSING EDUCATION PROGRAM PROHIBITED UNLESS ACCREDITED

THIS SECTION PRECLUDES THE POSSIBILITY OF DEVELOPING A "DIPLOMA SCHOOL" WHICH COULD BE HOSPITAL BASED. THE SECTION SHOULD BE REWRITTEN SO AS NOT TO PRECLUDE ANY POTENTIAL FOR GOOD QUALITY NURSE TRAINING PROGRAMS. THE QUALITY OF THE PRODUCT OUGHT TO BE THE CONCERN OF THE BOARD, NOT WHETHER IT IS ESTABLISHED THROUGH AN ACCREDITED POST SECONDARY EDUCATIONAL INSTITUTION. ACCREDITATION OUGHT TO BE BASED ON ABILITY TO SATISFY THE CRITERIA FOR ACCREDITATION FOUND IN ARTICLE 3 SECTION 280-330 AND THE QUALITY OF THE PROGRAM, NOT WHAT TYPE OF ORGANIZATION CONDUCTS THE PROGRAM.

SECTION 08 68.340 VIOLATIONS

SUBSECTION (3) MAKES IT A VIOLATION TO EMPLOY A PERSON AS A NURSE WHO IS NOT LICENSED AS A NURSE EVEN IF THE PERSON PRESENTS VALID LOOKING FORGED DOCUMENTS. IN SUCH AN INSTANCE, THE EMPLOYER COULD HARDLY BE EXPECTED TO ACT OTHERWISE. BEFORE A VIOLATION COULD OCCUR UNDER THIS SECTION, KNOWLEDGE OF LACK OF LICENSURE MUST EXIST.

SECTION 08.68.410 DEFINITIONS

1) THE SUPERVISION LANGUAGE FOUND IN SECTION 265 SHOULD BE INSERTED IN SUBSECTION (7). THIS WOULD HELP IN UNDERSTANDING THE PARAMETERS OF PRACTICE FOR L.P.N.'S AND WOULD BE MORE CONSISTANT WITH THE GENERAL DRAFTING OF THIS ACT.

2) THE CHANGES IN SUBSECTION (7) "PRACTICE OF PRACTICAL NURSING" ACCOMPLISH LITTLE IF ANYTHING IN OUR JUDGEMENT. WHILE WE BELIEVE THAT FLEXIBILITY OUGHT TO BE GRANTED TO PRACTICAL NURSING IN THE SAME FASHION THE BOARD IS PROPOSING EXPANSION OF REGISTERED NURSING, WE ARE CONTENT AT THIS TIME TO LIVE WITH THE CURRENT DIFINITION. SO AS TO INSURE THAT THERE IS NO MISCONSTRUCTION OF LEGISLATIVE INTENT TO RESTRICT PRACTICAL NURSING, WE SUGGEST THAT THE DEFINITION CURRENTLY FOUND IN SECTION 410 (6) BE MAINTAINED. PERHAPS NEXT YEAR WE CAN TACKLE THE DEFINITION OF PRACTICAL NURSING.

3) WE ARE PREPARED TO SUPPORT THE REDEFINITION OF REGISTERED NURSING AS FOUND IN SUBSECTION (8). WE HOWEVER, DO NOT BELIEVE IT IS AS BROAD AS IT MIGHT BE. WHILE WE ARE NOT PREPARED TO SUGGEST FURTHER EXPANSION THIS YEAR, THE LEGISLATURE SHOULD NOT BE SURPRISED TO SEE A MORE SUBSTANTIVE RECOMMENDATION FROM THE ALASKA STATE HOSPITAL ASSOCIATION WITHIN THE NEXT FEW YEARS.

MARCH 31, 1981
THE HONORABLE CHARLES PARR
PAGE SIX

WITH THE ABOVE MENTIONED AMENDMENTS, THE ALASKA STATE HOSPITAL
ASSOCIATION WOULD BE PREPARED TO CONSIDER SUPPORTING SENATE BILL
238.

SINCERELY,

DENNIS L. DEWITT
EXECUTIVE DIRECTOR

CC: SENATE HESS COMMITTEE MEMBERS

NOTE REGARDING THE FOLLOWING FRAME ON MICROFILM:

COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES
IN ALASKA STATE ARCHIVES. TITLE PAGE ONLY HAS
BEEN FILMED.

STATE OF ALASKA



BOARD OF NURSING

CENTRALIZED LICENSING STATUTE, AS 08.01.
MISCELLANEOUS PROVISIONS, AS 08.02.
REESTABLISHMENT OF REGULATORY BOARDS, AS 08.03.
NURSING STATUTES CHAPTER AS 08.68.
NURSING REGULATIONS 12 AAC 44.

DEPARTMENT OF COMMERCE
AND ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
POUCH D
JUNEAU, ALASKA 99811

PRINTED: SEPTEMBER, 1980

Sara Kavashov -

1) pattern - not
acceptable because
it could mean a life!

has to be a full
hearing (Admin. Procedure
44.62. act)

2) D.A. wait
do anything unless
flagrant -

due process is
protected!!!

Sarah Co.

AGS office

3600

ref Nurse practice
act

Introduced: 3/4/81
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 238

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of nursing; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.08.010 is amended to read:

10 Sec. 08.68.010. CREATION AND MEMBERSHIP OF BOARD OF NURSING.

11 There is created a Board of Nursing, consisting of seven members ap
12 pointed by the governor. One member shall be a licensed practical nurse
13 currently involved in institutional nursing service, one member shall be
14 a registered nurse engaged in baccalaureate nursing education, and three
15 members shall be registered nurses [ONE MEMBER IN COMMUNITY OR PUBLIC
16 HEALTH NURSING AND TWO MEMBERS IN BASIC OR CONTINUING NURSING EDUCA
17 TION, ONE NURSE] at large, and two members shall be persons who have no
18 direct financial interest in the health care industry.

19 * Sec. 2. AS 08.68.050 is amended to read:

20 Sec. 08.68.050. REMOVAL OF BOARD MEMBERS [FROM OFFICE]. A mem-
21 ber of the board may be removed from office by the governor for cause.
22 The board may by regulation provide that unexcused absences from meet-
23 ings is cause for removal [THE GOVERNOR MAY REMOVE ANY BOARD MEMBER FOR
24 NEGLECT OF DUTY REQUIRED BY LAW, OR FOR UNPROFESSIONAL OR DISHONORABLE
25 CONDUCT AFTER A FAIR AND IMPARTIAL HEARING].

26 * Sec. 3. AS 08.68.060 is amended to read:

27 Sec. 08.68.060. QUALIFICATIONS OF REGISTERED NURSE AND LICENSED
28 PRACTICAL NURSE BOARD MEMBERS. The five members of the board who are
29 nurses shall be licensed [PROFESSIONAL NURSES] in the state, and shall

1 have been actively engaged in nursing for not less than four years
2 before appointment, three [TWO] years of which were within the five
3 years immediately preceding appointment.

4 * Sec. 4. AS 08.68.070 is amended to read:

5 Sec. 08.68.070. ELECTION OF OFFICERS. The board shall annually
6 elect a chairman and secretary [SECRETARY - TREASURER] from among its
7 members.

8 * Sec. 5. AS 08.68.080 is amended to read:

9 Sec. 08.68.080. MEETINGS. The board shall meet at least four
10 times [ONCE] a year.

11 * Sec. 6. AS 08.68.100 is repealed and reenacted to read:

12 Sec. 08.68.100. DUTIES AND POWERS OF BOARD. (a) The board shall

13 (1) adopt regulations necessary to implement this chapter,
14 including regulations pertaining to practice as an advanced nurse
15 practitioner and a nurse anesthetist;

16 (2) approve curricula and adopt standards for basic educa-
17 tion programs which prepare persons for licensing under AS 08.68.190;

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

20 (4) accredit education programs which meet the requirements
21 of this chapter and of the board, and deny, revoke, or suspend accredi-
22 tation of education programs for failure to meet the requirements;

23 (5) examine, license, and renew the licenses of qualified
24 applicants;

25 (6) prescribe requirements for competence before a former
26 nurse may resume the practice of nursing under this chapter;

27 (7) keep a record of its proceedings, and submit annual
28 reports to the governor and legislature;

29 (8) define by regulation the qualifications and duties of

1 the executive secretary and delegate authority to the executive secre-
2 tary which is necessary to conduct board business.

3 (b) The board may:

4 (1) conduct hearings upon charges of alleged violations of
5 this chapter or regulations adopted under it;

6 (2) invoke, or request the department to invoke, disciplin-
7 ary action against a licensee;

8 (3) prescribe requirements for competence to continue prac-
9 tice.

10 * Sec. 7. AS 08.68.111(a) and (b) are amended to read:

11 Sec. 08.68.111. EXECUTIVE SECRETARY [OFFICER] OF BOARD. (a) The
12 Department of Commerce and Economic Development, in consultation with
13 the Board of Nursing, shall employ a licensed, registered nurse, who is
14 not a member of the board, to serve as executive secretary [OFFICER] of
15 the board.

16 (b) The executive secretary [OFFICER] shall perform duties as
17 prescribed by the board. [BE A NURSE HAVING A BACHELOR'S DEGREE OR
18 HIGHER, CURRENTLY LICENSED IN THE STATE AND WITH NOT LESS THAN FIVE
19 YEARS OF ACTIVE NURSING EXPERIENCE, OF WHICH NOT LESS THAN TWO YEARS
20 WITHIN THE PRECEDING FIVE YEARS HAS BEEN IN AN ADMINISTRATIVE OR A
21 TEACHING CAPACITY IN AN ACCREDITED INSTITUTION ACCEPTABLE TO THE BOARD.
22 IF A LICENSED PROFESSIONAL NURSE HOLDING A BACHELOR'S DEGREE IS NOT
23 AVAILABLE TO FILL THE POSITION OF EXECUTIVE OFFICER, THE BOARD MAY
24 WAIVE THE REQUIREMENT FOR A BACHELOR'S DEGREE AND APPOINT A LICENSED
25 PROFESSIONAL NURSE POSSESSING OTHER QUALIFICATIONS IN EDUCATION AND
26 ADMINISTRATIVE EXPERIENCE WHICH THE BOARD CONSIDERS ACCEPTABLE. HOW-
27 EVER, THE APPOINTEE SHALL COMPLETE THE REQUIREMENTS FOR THE AWARD OF A
28 BACHELOR'S DEGREE IN FOUR YEARS AFTER APPOINTMENT TO THE POSITION OF
29 EXECUTIVE OFFICER. ANNUALLY, THE APPOINTEE SHALL OFFER THE BOARD

1 EVIDENCE OF SATISFACTORY PROGRESS TOWARD AWARD OF A BACHELOR'S DEGREE.
2 IF AFTER THE ANNUAL REVIEW THE BOARD BELIEVES THAT THE APPOINTEE HAS
3 NOT MADE SATISFACTORY PROGRESS TOWARD AWARD OF A BACHELOR'S DEGREE, THE
4 DEPARTMENT MAY DISMISS THE APPOINTEE, NOTWITHSTANDING THE PROVISIONS OF
5 AS 39.25.170.]

6 * Sec. 8. AS 08.68.170 is amended to read:

7 Sec. 08.68.170. QUALIFICATIONS OF REGISTERED OR PRACTICAL [PROFES-
8 SIONAL] NURSE APPLICANTS. An applicant for a license to practice regis-
9 tered or practical [PROFESSIONAL] nursing shall submit to the board on
10 forms and in the manner prescribed by the board, written evidence, veri-
11 fied by oath, that the applicant has [COMPLETED AN APPROVED FOUR YEAR
12 HIGH SCHOOL COURSE OF STUDY OR THE EQUIVALENT AS DETERMINED BY THE AP-
13 PROPRIATE EDUCATIONAL AGENCY, AND HAS] successfully completed (1) a re-
14 gistered or practical [PROFESSIONAL] nursing education program accredi-
15 ted by the board; or (2) a registered or practical [PROFESSIONAL] nurs-
16 ing education program outside the state which, in the opinion of the
17 board, meets the minimum requirements of the board for an accredited
18 program of study in this state at the time the applicant graduated; or
19 (3) a registered or practical [PROFESSIONAL] nursing education program
20 accredited by the National League for Nursing at the time the applicant
21 graduated.

22 * Sec. 9. AS 08.68.190 is amended to read:

23 Sec. 08.68.190. LICENSE BY EXAMINATION. The applicant shall pass
24 a written examination as prescribed by [IN THE SUBJECTS WHICH] the board
25 [PRESCRIBES]. The board shall issue a license to an applicant who pas-
26 ses the examination to practice registered [PROFESSIONAL NURSING] or
27 practical nursing provided the other qualifications outlined in AS 08.-
28 68.170 and 08.68.180 are also met. The board shall conduct examinations
29 annually and as often as it considers necessary in each region of the

1 state.

2 * Sec. 10. AS 08.68.200 is amended to read:

3 Sec. 08.68.200. LICENSE BY ENDORSEMENT. The board may issue a
4 license by endorsement to practice as a registered or practical nurse
5 [PROFESSIONAL NURSING OR TO PRACTICE PRACTICAL NURSING], whichever is
6 appropriate, to an applicant who

7 (1) is licensed as either a registered or [PROFESSIONAL
8 NURSE OR A] practical nurse under the laws of another state or terri-
9 tory, if in the opinion of the board the applicant meets the qualifica-
10 tions required for licensing in the state, and meets the requirements
11 of AS 08.68.170; or

12 (2) meets the requirements of AS 08.68.170 and has success-
13 fully completed the Canadian Nurses' Association Testing Service exami-
14 nation if the board determines it is comparable to the examination ad-
15 ministered by this state [EITHER § AS 08.68.170 OR § 08.68.180. WHICH-
16 EVER IS APPLICABLE].

17 * Sec. 11. AS 08.68.210(a)(2) is amended to read:

18 (2) meets the requirements of [EITHER] AS 08.68.170 [OR OR
19 08.68.180, WHICHEVER IS APPLICABLE], and

20 * Sec. 12. AS 08.68.210(b) is amended to read:

21 (b) The board may issue a nonrenewable permit to an applicant for
22 license by examination if (1) the applicant [HE] meets the qualifica-
23 tions of AS 08.68.180; or (2) the applicant is a graduate of a foreign
24 school of nursing and has successfully completed the examination ad-
25 ministered by the Commission on Graduates of Foreign Nursing Schools
26 [AS 08.68.170 OR 08.68.180, WHICHEVER IS APPLICABLE, AND PAYS THE
27 REQUIRED FEE]. The permit will be valid for a period not extending
28 beyond the time when the results are published of the first examination
29 the applicant is eligible to take after the permit is issued.

1 * Sec. 13. AS 08.68.220 is amended to read:

2 Sec. 08.68.220. FEES. The following fees shall be imposed under
3 this chapter when applicable:

4 (1) for registered nurses: [PROFESSIONAL OR REGISTERED
5 NURSING]

6 (A) application fee \$30 [\$20]

7 (B) license-by-examination fee 20

8 (C) license-by-endorsement fee 20

9 (D) biennial license renewal fee . . 20 [15]

10 (2) for practical or vocational nurses: [NURSING]

11 (A) application fee \$20 [\$15]

12 (B) license-by-examination fee . . . 10 [15]

13 (C) license-by-endorsement fee . . . 10 [15]

14 (D) biennial license renewal fee . . 20 [15]

15 * Sec. 14. AS 08.68.230(a) is amended to read:

16 (a) A person licensed to practice registered [PROFESSIONAL]
17 nursing in the state may use the title "licensed professional nurse,"
18 "registered nurse," and the abbreviation "R.N."

19 * Sec. 15. AS 08.68.240 is amended to read:

20 Sec. 08.68.240. NURSES LICENSED OR HOLDING TEMPORARY PERMITS
21 UNDER PREVIOUS LAW. A person holding a license to practice registered
22 [PROFESSIONAL] or practical nursing in the state under prior law is
23 considered licensed as a registered [PROFESSIONAL] or practical nurse.

24 * Sec. 16 AS 08.68.251 is amended to read:

25 Sec. 08.68.251. LAPSED LICENSES. (a) A lapsed license may be
26 reinstated if it has not remained lapsed for more than five years by
27 payment of the license fees for the period during which the license
28 has lapsed.

29 (b) If a [THE] license is lapsed for more than five years;

1 (1) [AND THE BOARD HAS REASON TO BELIEVE THAT THE PERSON
2 APPLYING FOR REINSTATEMENT OF HIS LICENSE NO LONGER HAS SUFFICIENT
3 KNOWLEDGE TO CARRY OUT THE DUTIES OF A LICENSED NURSE,] the board shall
4 [MAY] require the applicant to [TAKE AND PASS THE EXAMINATION GIVEN
5 UNDER AS 08.68.190 OR] complete a course of study [REFRESHER COURSE]
6 approved by the board or to pass an examination prescribed by the board,
7 and to pay the fees prescribed by this chapter; or

8 (2) if the board determines that the person applying for re-
9 instatement was actively employed in nursing in another state during the
10 time that the license has lapsed in this state, the license which has
11 lapsed may be reinstated by payment of fees as required by AS 08.01.-
12 100(b).

13 * Sec. 17. AS 08.68 is amended by adding a new section to read:

14 Sec. 08.68.265. SCOPE OF PRACTICE OF PRACTICAL NURSES. A prac-
15 tical nurse shall work under the supervision of a licensed registered
16 nurse, a licensed physician, or a licensed dentist.

17 * Sec. 18. AS 08.68.270 is amended to read:

18 Sec. 08.68.270. GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION.
19 The board [, AFTER COMPLIANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (AS
20 44.62),] may deny, suspend or revoke the license of a person who

21 (1) has obtained or attempted to obtain a license to prac-
22 tice nursing by fraud or deceit;

23 (2) has been convicted of a felony or other crime if the
24 felony or other crime is substantially related to the qualifications,
25 functions or duties of the licensee;

26 [(3) HAS BEEN CONVICTED OF A CRIME INVOLVING MORAL TURPITUDE];

27 (4) [IS] habitually abuses alcoholic beverages, or illegal-
28 ly uses hallucinogenic or stimulant drugs as defined by AS 17.12.150(3)
29 or narcotic drugs as defined by AS 17.10.230(13) [INTOXICATED OR IS

5-2 to the degree it
interferes with nursing performance
SB 238

1 ADDICTED TO THE USE OF NARCOTICS];

2 (5) has impersonated a registered [PROFESSIONAL] or prac-
3 tical nurse;

4 (6) has intentionally or negligently engaged in conduct
5 which has resulted in a significant risk to the health or safety of a
6 client or in injury to a client [IS GUILTY, IN THE OPINION OF THE
7 BOARD, OF NEGLIGENCE WHICH HAS RESULTED IN SERIOUS INJURY TO A PATIENT];

8 (7) practices or attempts to practice nursing while afflic-
9 ted with physical or mental illness, deterioration, or disability
10 which interferes with the individual's performance of nursing functions
11 [IS MENTALLY ILL OR MENTALLY INCOMPETENT];

12 (8) is guilty of unprofessional conduct as defined by regu-
13 lations adopted by the board;

14 (9) has wilfully or repeatedly violated any of the pro-
15 visions of this chapter or regulations adopted under it;

16 (10) is [CONSIDERED BY THE BOARD TO BE] professionally in-
17 competent;

18 (11) denies care or treatment to a patient or person seeking
19 assistance if the sole reason for the denial is the failure or refusal
20 of the patient or person seeking assistance to agree to arbitrate
21 [EXECUTE AN AGREEMENT TO ARBITRATE A DISPUTE, CONTROVERSY, OR ISSUE
22 ARISING OUT OF THE CARE OR TREATMENT,] as provided in AS 09.55.535(a).

23 * Sec. 19 AS 08.68.275 is amended by adding a new subsection to read:

24 (c) The board shall seek consistency in the application of dis-
25 ciplinary sanctions. A significant departure from earlier disciplinary
26 decisions of the board which involve similar situations shall be ex-
27 plained in findings of fact or orders made by the board.

28 * Sec. 20. AS 08.68 is amended by adding a new section to read:

29 Sec. 08 68.276. CONTINUING COMPETENCE REQUIRED. A license to

SB 238

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

practice nursing may not be renewed unless the nurse has complied with continuing competence requirements established by the board by regulation.

* Sec. 21. AS 08.68.280 is amended to read:

Sec. 08.68.280. NURSING EDUCATION PROGRAM PROHIBITED UNLESS ACCREDITED. No person, institution or agency may conduct a nursing education program which prepares persons for examination, licensing, authorization for specialized practice, or a graduate degree [FOR PROFESSIONAL OR PRACTICAL NURSES] unless the program is accredited by the board. A program may be accredited by the board only if it is established through an accredited postsecondary educational institution.

* Sec. 22. AS 08.68.290 is amended to read:

Sec. 08.68.290. APPLICATION FOR ACCREDITATION. An institution desiring to conduct a nursing education program to prepare registered [PROFESSIONAL] or practical nurses shall apply to the board and submit evidence that (1) it is prepared to carry out the curriculum approved by the board for registered [PROFESSIONAL] nursing or for practical nursing, [AS THE CASE MAY BE,] and that (2) it is prepared to meet other standards established by law and by the board.

* Sec. 23. AS 08.68.340 is repealed and reenacted to read:

Sec. 08.68.340. VIOLATIONS. (a) It is a class B misdemeanor for a person to:

- (1) practice nursing under a diploma, license, or record which is unlawfully obtained, signed, or issued;
- (2) practice or offer to practice nursing without a license, unless the person gives necessary aid to the ill, injured, or infirm in an emergency;
- (3) employ as a nurse a person who is not licensed to prac-

reckless
strict liability - negligently

-9- SB 238

to make sure people are careful

modify after state

1 tice nursing,

2 (4) use in connection with the person's name a designation
3 which implies that the person is a licensed nurse unless the person is
4 licensed;

5 (5) practice nursing during the time that the person's
6 license is suspended or revoked;

7 (6) practice nursing with knowledge that the person's li-
8 cense has lapsed;

9 (7) conduct a nursing education program and represent or
10 imply that it is accredited by the board, unless the program has been
11 accredited by the board.

12 (b) It is a class A misdemeanor for a person to knowingly or in-
13 entionally do any of the acts described in (a)(1) -- (5) and (7) of
14 this section.

15 (c) It is a violation for a person to practice nursing during the
16 time that the person's license has lapsed if the person does not know
17 that his license has lapsed.

18 * Sec. 24. AS 08.68.400 is amended to read:

19 (a) This chapter does not apply to

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

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

25 (3) the practice of nursing by a student enrolled in a nur-
26 sing education program accredited by the board when the practice is in
27 connection with the student's course of study; [OR]

28 (4) the practice of nursing by an individual [A NURSE] en-
29 rolled in an approved program or course of study approved by the board

1 to satisfy the requirements of AS 08.68.251 [REFRESHER COURSE]; or

2 (5) the practice of nursing by a nurse licensed in another
3 state who engages in nursing education or nursing consultation activi-
4 ties, if these activities and contact with clients do not exceed 20
5 working days within a licensing period.

6 (b) For purposes of this section the word "nurses" includes
7 registered [PROFESSIONAL] and practical nurses, and "nursing" means
8 registered [PROFESSIONAL] and practical nursing.

9 * Sec. 25. AS 08.68.410 is repealed and reenacted to read:

10 Sec. 08.68.410. DEFINITIONS. In this chapter,

11 (1) "advanced nurse practitioner" means a registered nurse
12 authorized to practice in the state who, because of specialized edu-
13 cation and experience, is certified to perform acts of medical diag-
14 nosis and the prescription of medical, therapeutic, or corrective
15 measures under regulations adopted by the board;

16 (2) "board" means the Board of Nursing;

17 (3) "incompetent" means that a nurse does not possess the
18 skills, knowledge, and awareness of his limitations and abilities to
19 safely practice nursing;

20 (4) "licensed practical nurse" is equivalent to the title
21 "licensed vocational nurse" and to the name suffix abbreviations L.P.N.
22 and L.V.N.;

23 (5) "licensed registered nurse" is equivalent to the common
24 title "registered nurse" and the name suffix abbreviation R.N.;

25 (6) "nurse anesthetist" means a registered nurse authorized
26 to practice in the state who, because of specialized education and
27 experience, is certified to select and administer anesthetic and give
28 anesthesia care under regulations adopted by the board;

29 (7) "practice of practical nursing" means the performance

1 for compensation or personal profit of nursing functions which do not
2 require the substantial specialized skill, judgment, and knowledge of a
3 registered nurse;

4 (8) "practice of registered nursing" means the performance
5 for compensation or personal profit of acts of professional service
6 which requires substantial specialized knowledge, judgment, and skill
7 based on the principles of biological, physiological, behavioral, and
8 sociological sciences in assessing and responding to the health needs
9 of individuals, families, or communities through services which in-
10 clude;

11 (A) assessment of problems, counseling and teaching
12 (i) clients to maintain health or prevent illness;

13 and

14 (ii) in the care of the ill, injured, or infirm;

15 (B) administration, supervision, delegation, and evalu-
16 ation of nursing practice:

17 (C) teaching others the skills of nursing;

18 (D) execution of a medical regimen as prescribed by a
19 person authorized by the state to practice medicine;

20 (E) performance of other acts which require education
21 and training that are recognized by the nursing profession as
22 properly performed by registered nurses;

23 (F) performance of acts of medical diagnosis and the
24 prescription of medical therapeutic or corrective measures under
25 regulations adopted by the board.

26 * Sec. 26. A member of the Board of Nursing appointed before July 1,
27 1981 may continue until his or her appointment under AS 08.68.010 -- 08.08.-
28 030 expires, notwithstanding AS 08.68.010 as amended in sec. 1 of this Act.
29 Appointments to the Board of Nursing made after July 1, 1981 shall be in

1 accordance with AS 08.68.010 enacted in sec. 1 of this Act.

2 * Sec. 27. A nurse who holds an inactive license issued before July 1,
3 1981 shall either (1) make the license active by the next renewal date, or
4 (2) allow the license to lapse.

5 * Sec. 28. Administrative regulations adopted jointly by the Board of
6 Nursing and the State Medical Board under AS 08.68 which are in effect on
7 July 1, 1981 remain in effect until amended or repealed by the Board of
8 Nursing as provided by law.

9 * Sec. 29. AS 08.68.111(c), 08.68.180(a), 08.68.260, 08.68.275(b),
10 08.68.300 -- 08.68.320 and 08.68.350 are repealed.

11 * Sec. 30. This Act takes effect July 1, 1981.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29