



Introduced: 2/23/83  
Referred: Finance

BY THE LABOR AND  
COMMERCE COMMITTEE

1 IN THE HOUSE

2

HOUSE BILL NO. 224

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the board of nursing."

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

8 \* Section 1. AS 08.03.010(c)(1) is amended to read:

9

(1) Board of Nursing (AS 08.63.010) -- June 30, 1987

10

[1983].

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: House Bill NO. 224 Date on Bill: February 23, 1983  
 Title: "An Act relating to the board of nursing."  
 Sponsor: Labor and Commerce Committee  
 Requestor: \_\_\_\_\_

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

|           | FY 83 | FY 84 | FY 85 | FY 86 |
|-----------|-------|-------|-------|-------|
| Capital   |       |       |       |       |
| Operating | -0-   | -0-   | -0-   |       |
| Total     |       |       |       |       |

b. Revenues:

|         |  |  |  |  |
|---------|--|--|--|--|
| Revenue |  |  |  |  |
|---------|--|--|--|--|

2. Source of funds to offset fiscal impact of bill:

3. Assumptions: No additional fiscal impact will be incurred with this House Bill.

Funding to be continued and provided for in the Department's FY-84 budget:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Darrell Miller Phone: 465-2535  
 Division: Occupational Licensing Date: March 2, 1983  
 Approved by Commissioner: Richard A. Lvon Date: \_\_\_\_\_  
 Department: Commerce & Economic Development

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

The following individuals are expected to testify on HB 224:

Harry Traeger, Division of Occupational Licensing, Department  
of Commerce and Economic Development

Sammy Rinke, Board of Nursing

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· Sammy Rinke, Board of Nursing

# Information FROM OCCUPATIONAL LICENSING ON THE BOARD'S BUDGET

## BOARD OF NURSING

CURRENT NUMBER OF LICENSEES 5,267

FY '82

Revenues 51.2  
Expenditures 92.7

|                         |             |
|-------------------------|-------------|
| Personal Services       | 69.2        |
| Board Travel & Per Diem | 15.0        |
| Contractual             | 8.0         |
| Commodities             | .5          |
| TOTAL                   | <u>92.7</u> |

FY '83 Allocated 21.1 (For Board travel and Per diem only)

Revenue (7/1/82 to 2/14/83) 99.2  
Expenditures 39.5

|                                  |             |
|----------------------------------|-------------|
| Board Travel & Per Diem          | 5.7         |
| Contractual                      | 7.5         |
| Personal Services (7/82 to 2/83) | 26.3        |
|                                  | <u>39.5</u> |

FY '84 (Board Component - Division Budget) Total 201.5

Nursing Board Allocation 22.3

\*Personal Services  
Contractual  
Commodities  
Equipment

\*The above are supported by the Administration component of the Division's budget.

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| Expenditures                | 39.5 |

|                                  |             |
|----------------------------------|-------------|
| Board Travel & Per Diem          | 5.7         |
| Contractual                      | 7.5         |
| Personal Services (7/82 to 2/83) | <u>25.3</u> |
|                                  | 39.5        |

FY '84 (Board Component - Division Budget) Total 201.5

Nursing Board Allocation 22.3

- \*Personal Services
- Contractual
- Commodities
- Equipment

\*The above are supported by the Administration component of the Division's budget.

STATE OF ALASKA

WALT FURNACE, CHAIRMAN  
RICK UEHLING, VICE CHAIRMAN  
JOHN COWDERY  
NILO E. KOPONEN  
HUGH MALONE  
JOHN RINGSTAD  
RON WENDTE



POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3892

HOUSE LABOR AND COMMERCE COMMITTEE

February 22, 1983

Representative Joe Hayes, Speaker of House  
Alaska House of Representatives  
Pouch V,  
Juneau, Alaska 99811

Re: Board of Nursing

Dear Mr. Speaker:

Pursuant to AS 44.66.050(a) the House Labor and Commerce Committee has held hearings regarding the above referred Board. Under AS 44.66.050(e) the Committee recommends adoption of the attached Committee Bill continuing the Board of Nursing.

Specifically, the findings of the Committee of the public need for the Board as required under AS 44.66.050(c) are as follows:

AS 44.66.050(c) " A determination as to whether a board or commission or agency program has demonstrated a public need for its continued existence shall take into consideration the following factors:"

"(1) the extent to which the board, commission or program has operated in the public interest;"

The Committee finds that the Board of Nursing has operated in the public interest by holding public hearings to discuss statute and regulation revisions concerning continuing competency requirements, Board membership, foreign nurse graduate requirements, and the definition of license violations. The Board of Nursing accredits and periodically surveys Alaska nursing education programs to ensure that educational standards are being maintained.

"(2) the extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters;"

The usage of the teleconference network by the Board of Nursing has allowed them to communicate throughout the State during subcommittee meetings and public hearings.

"(3) the extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest;"

The Board of Nursing is currently developing regulations that will maintain a level of competence for practitioners. The Board is in the process of developing formal regulations which define and list examples of license violations.

"(4) the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided;"

Applicants who have repeatedly failed the examination are helped through counseling or referred to useful textbooks.

"(5) the extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions;"

In addition to teleconferencing, the Board of Nursing advertises meeting and examinations in newspapers in Anchorage, Fairbanks and Juneau.

"(6) the efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved;"

The Committee finds that the Board of Nursing is handling complaints in a timely manner. During the fiscal years 1979 through 1981 two complaints were filed with the Ombudsman. Both were subsequently resolved.

"(7) the extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public;"

During the fiscal years 1979 through 1981, the Board of Nursing issued approximately 1800 licenses and 1235 temporary permits to practice nursing in Alaska.

"(8) the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest; and"

The Committee determined that the Board of Nursing is in compliance.

"(9) the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection."

The Board of Nursing needs to adopt formal regulations which define and list examples of license violations. In addition, it would be helpful if the Board of Nursing would continue its efforts towards developing relevant and effective regulations that will maintain a level of competence for practitioners.

Pursuant to AS 44.66.050(d) the Committee recommends the following:

"(d) As to each board, commission, or agency program assigned to it for purposes of review, the committee of reference shall, not later than the 60th day of the legislative session submit a report to the presiding officer of the house. The report shall contain a summary of the findings of the committee as to the compliance of the board, commission or program with the factors enumerated in (c) of this section, together with a summary or recommendations of the committee as to each of the following:"

"(1) an identification of the problems or the needs that the programs and activities of the board, commission or agency are intended to address;"

The Board of Nursing was created in 1941 with the primary purpose to protect the public's health, safety, and welfare through the regulation of the nursing practice.

"(2) a statement, to the extent practicable, of the objectives of the program of the board, commission, or agency program, and its anticipated accomplishments;"

The Board of Nursing determines the minimum allowable quality of nursing care in the State by establishing or amending rules and regulations necessary to ensure compliance with State statutes. They also approve curricula, adopt standards and accredit nursing education programs. The Board of Nursing examines and issues licenses to qualified applicants and the Board of Nursing hold hearings which may revoke, suspend, or take other appropriate action on the license of a person violating the nursing statutes and regulations.

The Board of Nursing has staff support from the Division of Occupational Licensing which employs an Executive Officer of the Board who is statutorily responsible for performing administrative duties and assisting the Board in conducting examinations and educational programs.

"(3) an identification of any other programs having similar, conflicting or duplicate objectives;"

The Committee did not find other programs which had conflicting or duplicate objectives.

"(4) an assessment of alternative methods of achieving the purposes of the program;"

The Committee found no viable alternative method of achieving the purposes administered by the Board of Nursing.

"(5) an assessment of the consequences of eliminating the board, commission or program and consolidating its activities with another program, or of funding it at a lower level;"

The Committee finds that to eliminate the Board of Nursing or consolidating its activities would denigrate the level to protection to the public's health, safety, and welfare.

"(6) a justification for the recommended continuation or extension of the board, commission or program, and an explanation of the manner in which it avoids duplication of or conflict with other efforts; and"

The Board of Nursing has recommended changes to statute and regulation in the public interest, helped develop curriculum to enhance the professionalism of nursing, conducted necessary examination of applicants for licensure to protect the health, safety, and welfare of the public.

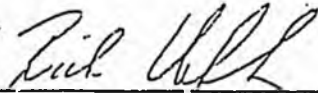
"(7) any other information which, in the opinion of the committee, would improve the performance of the board, commission or agency with respect to its representation of and responsiveness to the public interest."

The Committee commends the dedication, time, and effort on the part of each Board member for their service in a complex and difficult job.

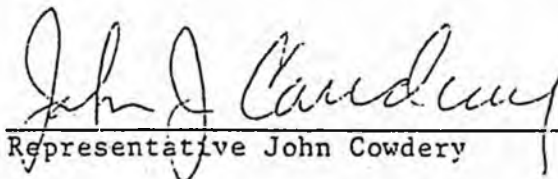
Respectfully submitted:



Representative Walt Furnace, Chairman



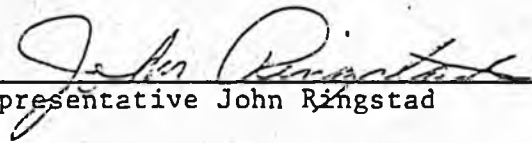
Representative Rick Uehling, Vice Chairman

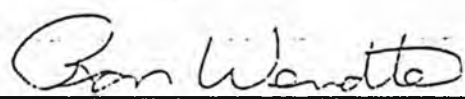


Representative John Cowdery

  
Representative Niilo Kaponen

\_\_\_\_\_  
Representative Hugh Malone

  
Representative John Ringstad

  
Representative Ron Wendte

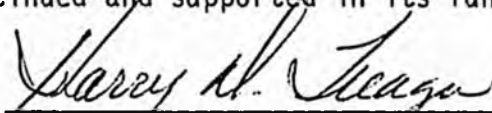
POSITION PAPER  
BOARD OF NURSING  
HB 224

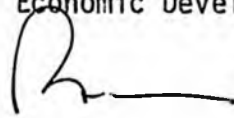
The Department of Commerce and Economic Development would support continuation of the established Board of Nursing.

The board has been active in carrying out its mandated functions and operated in the interest of the public. Their function is necessary to protect the public, and insure competent, qualified practitioners are licensed. There presently are 5,335 active licensed nurses in four categories. Of these, 467 were new licensees.

Projects the board has actively been pursuing are: a consumer survey addressing the effectiveness of the profession, the availability of the services professionals offer, and the consumers' attitude regarding educational levels and continued education requirements. They have confronted license violations and have taken appropriate, corrective action.

The Board of Nursing should be continued and supported in its functions.

  
\_\_\_\_\_  
Harry D. Treager, Director  
Division of Occupational Licensing  
Department of Commerce and  
Economic Development

 3/4/83  
\_\_\_\_\_  
Richard A. Lyon, Commissioner  
Department of Commerce and  
Economic Development

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