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SENATE COMMITTEE REPORT

FURTHER

3/21/89
Mr. President:

DATE TURNED INTO OFFICE

4/5/89

Finance

Committee considered

SB 156

regulation of nurse aides by the Board of Nursing; efd

and recommended

- replace with CS ~~SB 156 (Finance)~~) same title
- or adopt CS _____) new title
- attached amendment(s) and technical title change (HB only)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

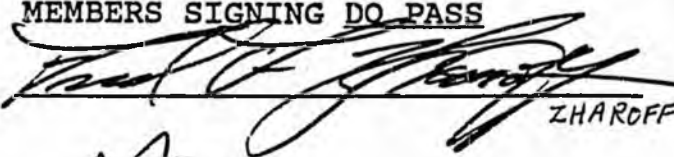
individual recommendations

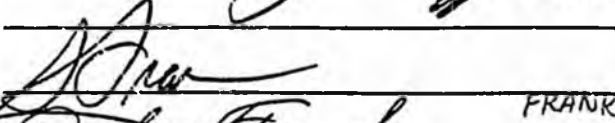
further referral to _____

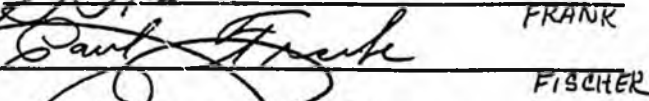
- FISCAL NOTE(S) zero fiscal impact appropriation no. FN
- new updated previous
- same as previous fiscal note(s) published _____

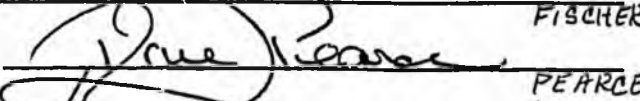
MEMBERS SIGNING DO PASS

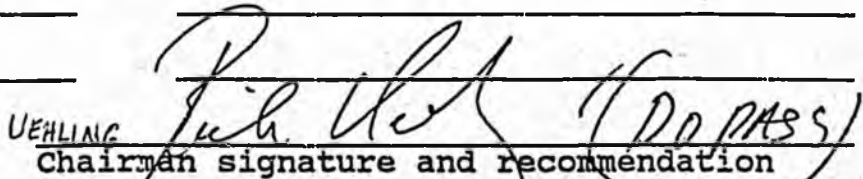
OTHER RECOMMENDATIONS


ZHAROFF


FRANK


FISCHER


PEARCE


UEHLING
Chairman signature and recommendation

Committee Backup attached

Co- (No Rec)

STATE OF ALASKA BILL VERSION: CS SB 156 (Finance)
 1989 LEGISLATIVE SESSION PUBLISH DATE: _____
FISCAL NOTE

REQUEST: _____

REVISION DATE: _____ AGENCY: Commerce & Econ Development
 TITLE: Regulation of nurse aides BRU: Occupational Licensing
by Board of Nursing
 SPONSOR: Rules/Governor COMPONENTS: Administration
 REQUESTOR: _____

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERS. SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND/BUILD.						
GRANTS/CLAIMS						
MISCELLANEOUS		96.1	96.1	96.1	96.1	96.1
TOTAL		96.1	96.1	96.1	96.1	96.1
CAPITAL						
REVENUE						

FUNDING: (THOUSANDS OF DOLLARS)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER I-A Rects		96.1	96.1	96.1	96.1	96.1
TOTAL		96.1	96.1	96.1	96.1	96.1

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: SEE ATTACHED

PREPARED BY: _____

Rick Uehling
 SENATOR RICK UEHLING, CO-CHAIRMAN
 SENATE FINANCE COMMITTEE

DATE: April 5, 1989

PHONE No.: 465-4821

CS FOR SENATE BILL NO. 156 (Finance)

"An Act relating to the regulation of nurse aides by the Board of Nursing; and providing for an effective date."

ANALYSIS

Under the Nursing Reform Act of 1987 (PL 103-200), the federal government requires each state to create a nurse aide training and certification program and to begin implementation of the program at the start of 1989. As a result, funding of \$96.1 is being provided to the Division of Occupational Licensing by interagency receipts from the Division of Medical Assistance in the Department of Health and Social Services. The federal government is funding a portion of the \$96.1 for FY 89 and FY 90 after which the costs to run the program will be built into the occupational licensing operation budget. Therefore, new funds are not required at this time.

04/05/89

R/D SFC 4-5-89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CS SB 156 (Finance)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to the reg-
ulation of nurse aides
Sponsor: Rules Committee
Requestor: Governor

Agency Affected: Health & Social Services
BRU: Medical Assistance
Administration
Components: Certification &
Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	-0-	-0-				
TRAVEL	-0-	-0-				
CONTRACTUAL	-0-	128.2				
SUPPLIES	-0-	-0-				
EQUIPMENT	-0-	-0-				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	128.2	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	64.1	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	64.1				
OTHER						
TOTAL	-0-	128.2	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) An increment has been included within the Governor's FY90 budget request to pay for expenditures associated with the nurse aid registry in FY90. Of this request, one-half or 64.1 are general funds and an equal amount are federal funds.

Prepared by: Kim Busch, Director
Division: Medical Assistance
Approved by Commissioner: Nyra N. Munson, Commissioner
Agency: Department of Health and Social Services

Phone: 465-3355
Date: _____
Date: February 1, 1989

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

SFC: 4/6/89

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 156 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of nurse aides by
7 the Board of Nursing; and providing for an effective
8 date."

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

10 * Section 1. AS 08.68.100(a)(1) is amended to read:

11 (1) adopt regulations necessary to implement this chapter,
12 including regulations pertaining to practice as an advanced nurse
13 practitioner, [AND] a nurse anesthetist, and a nurse aide;

14 * Sec. 2. AS 08.68 is amended by adding a new section to read:

15 Sec. 08.68.215. REGULATION OF NURSE AIDES. The board shall, by
16 regulation, establish requirements for nurse aide certification and
17 registration, standards for conducting nurse aide training programs,
18 and grounds for taking disciplinary action against nurse aides.

19 * Sec. 3. AS 08.68 is amended by adding a new section to read:

20 Sec. 08.68.218. REQUIRED CERTIFICATION AND REGISTRATION OF NURSE
21 AIDES. After four months of employment as a nurse aide, a person may
22 not perform as a nurse aide unless the person is certified and regis-
23 tered under this chapter.

24 * Sec. 4. AS 08.68.220 is amended to read:

25 Sec. 08.68.220. FEES. The Department of Commerce and Economic
26 Development shall set fees under AS 08.01.065 for each of the follow-
27 ing:

28 (1) registered nursing:

29 (A) application;

1 (B) license by examination;

2 (C) license by endorsement;

3 (D) license renewal;

4 (E) temporary permit;

5 (2) practical or vocational nursing:

6 (A) application;

7 (B) license by examination;

8 (C) license by endorsement;

9 (D) license renewal;

10 (E) temporary permit;

11 (3) nurse aide:

12 (A) application;

13 (B) examination;

14 (C) registration;

15 (D) registration renewal.

16 * Sec. 5. AS 08.68.410 is amended by adding a new subsection to read:

17 (9) "nurse aide" means a person who, for compensation or
18 personal profit, under the direction and supervision of a licensed
19 practical or registered nurse assists a licensed practical or regis-
20 tered nurse in the delivery of nursing care.

21 * Sec. 6. Sections 1, 2, 4, and 5 of this Act take effect immediately
22 under AS 01.10.070(c).

23 * Sec. 7. Section 3 of this Act takes effect January 1, 1990.

4/5/89

STEVE COWPER, GOVERNOR

ADOPTED

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

DIVISION OF OCCUPATIONAL LICENSING

P.O. BOX D-LIC
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2534

April 3, 1989

Honorable Rick Uehling, Co-chair
Alaska State Senate
Senate Finance Committee
P.O. Box V
Juneau, AK 99811

Dear Senator Uehling:

Re: Proposed Amendment to SB 156,
Regulation of Nurse Aides

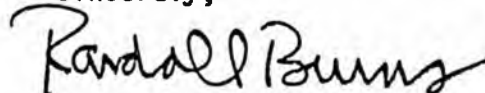
As a result of a question raised in the Senate HESS committee, the department would like to propose a clarifying amendment to SB 156:

Page i, Lines 20 - 22:

Sec. 08.68.218. REQUIRED CERTIFICATION AND REGISTRATION OF NURSE AIDES. After four months following employment as a nurse aide, a [A] person may not perform as a nurse aide unless the person is certified and registered under this chapter.

Purpose of Amendment: Under the Nursing Reform Act of 1987, a person may be hired as a nurse aide "trainee" and serve in that capacity for four (4) months before having to pass the nurse aide competency exam and be certified to the nurse aide registry. The present bill does not reflect that four-month training period. We ask that SB 156 be amended to provide for the employment of trainees.

Sincerely,



Randall P. Burns
Director

RPB/cw9615c
4389a

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

154

February 3, 1989

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will authorize the Board of Nursing in the Department of Commerce and Economic Development (DCED) to adopt regulations that establish a program for certifying nurse aides.

A recent federal law requires states to certify the education and competency testing, and to register, nurse aides. Without this certification program, the state's long-term-care facilities will no longer qualify for medicare and medicaid money.

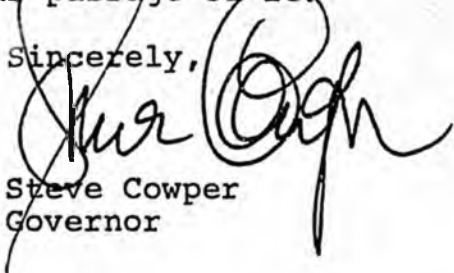
The division of medical assistance, in the Department of Health and Social Services, and the division of occupational licensing in DCED are jointly developing the education and competency testing components of this program. These agencies have agreed that the licensing and certification aspects should be in the division of occupational licensing, and the Board of Nursing has agreed to assume responsibility for the regulation of nurse aides.

The effective date of the requirement that a person be certified and registered before practicing as a nurse aide is delayed until January 1, 1990, to allow persons currently practicing as nurse aides to continue doing so until they have a reasonable opportunity to meet the standards and requirements that will be developed under sec. 2 of this bill.

The divisions understand that the federal government will provide approximately 90 percent of the costs of running this program in FY 89 and FY 90. After that, the state will have to assume the cost of the program.

Because this bill will advance the quality of care that is provided by long-term-care facilities, and other health care facilities, and will allow them to continue to receive federal assistance, I urge your passage of it.

Sincerely,



Steve Cowper
Governor

**STATE OF ALASKA
1989 LEGISLATIVE SESSION**

BILL VERSION: CSSB 156 (Fin)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Economic Dev.
Title: An Act relating to the regulation of BRU: Occupational Licensing
nurse aides by the Board of Nursing
Sponsor: Rules Committee Components: _____
Requester: Senate Finance

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

Under the Nursing Reform Act of 1987 (PL 103-200), the federal government requires each state to create a nurse aide training and certification program and to begin implementation of the program at the start of 1989. As a result, funding of \$96.1 is being provided to the Division of Occupational Licensing from the Division of Medical Assistance through a transfer of interagency receipts.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
Division: Occupational Licensing Date: April 7, 1989

Approved by Commissioner: Larry Mercurieff, Commissioner Phone: 465-2500
Agency: Department of Commerce & Economic Development Date: 4/12/89

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

CONTINUATION OF FISCAL NOTE ANALYSIS

CSSB 156 (FIN)

The Medical Assistance BRU will thereafter continue to fund this program through an RSA to the Occupational Licensing BRU.

The federal government will match state expenditures for this program of at least a 50% rate.

For FY 89, the interagency transfer expenditure breakdown is as follows:

Personal Services	\$ 41.0
Travel	10.0
Contractual	38.1
Supplies	1.0
Equipment	<u>6.0</u>
TOTAL	\$ 96.1

For FY 90 and thereafter, the breakdown is as follows:

Personal Services	\$ 58.4
Travel	12.8
Contractual	55.5
Supplies	<u>1.5</u>
TOTAL	\$128.2

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Econ. Dev.
 Title: An Act relating to the regulation of BRU: Occupational Licensing
nurse aides by the Board of Nursing; and providing for an effective date.
 Sponsor: Rules Committee Components: Administration
 Requestor: Governor

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Under the Nursing Reform Act of 1987 (PL 103-200), the federal government requires each state to create a nurse aide training and certification program and to begin implementation of the program at the start of 1989. As a result, funding of \$96.1 is being provided to the Division of Occupational Licensing by interagency receipts from the Division of

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
 Division: Occupational Licensing Date: January 19, 1989

Approved by Commissioner: Larry Mercurieff, Commissioner Date: 1/2/89
 Agency: Dept. of Commerce & Economic Development

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Medical Assistance in the Department of Health and Social Services. The federal government is funding a portion of the \$96.1 for FY 89 and FY 90; after which, the costs to run the program will be built into the occupational licensing operating budget. Therefore, new funds are not required at this time.