

HB

165

02/25/91

FEBRUARY 25, 1991

HOUSE JOURNAL
HOUSE JOURNAL

PAGE 0309
309

HB 159

THE FOLLOWING WAS PUBLISHED FEBRUARY 25, 1991:

ZERO FISCAL NOTE, DEPARTMENT OF COMMERCE & ECONOMIC
DEVELOPMENT

THE GOVERNOR'S TRANSMITTAL LETTER, DATED FEBRUARY 25, 1991,
APPEARS BELOW:

"DEAR SPEAKER GRUSSENDORF:

UNDER THE AUTHORITY OF ART. III, SEC. 18, OF THE ALASKA
CONSTITUTION, I AM HEREBY TRANSMITTING SEVEN BILLS TO EXTEND
THE "SUNSET" DATE FOR CERTAIN OCCUPATIONAL BOARDS OR
COMMISSIONS IN THE IN THE DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT.

UNDER AS 08.03.010(C), THE EXISTENCE OF THE FOLLOWING BOARDS
OR COMMISSIONS WOULD TERMINATE ON JUNE 30, 1991:

BOARD OF NURSING
BOARD OF DENTAL EXAMINERS
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE
EXAMINERS
STATE MEDICAL BOARD
BOARD OF MARINE PILOTS
REAL ESTATE COMMISSION
BOARD OF ELECTRICAL EXAMINERS

I BELIEVE THE CONTINUED EXISTENCE OF EACH OF THESE BOARDS OR
COMMISSIONS IS IMPORTANT FOR THE PUBLIC'S WELFARE, SAFETY,
OR HEALTH. ACCORDINGLY, I RECOMMEND THAT EACH OF THEM BE
EXTENDED FOR FOUR YEARS TO JUNE 30, 1995. THE ACCOMPANYING
SEVEN BILLS WOULD ACCOMPLISH THAT EXTENSION FOR ALL OF THE
ABOVE-NAMED BOARDS.

I URGE YOUR SUPPORT FOR EACH OF THESE BILLS.

SINCERELY,

/S/

WALTER J. HICKEL
GOVERNOR"

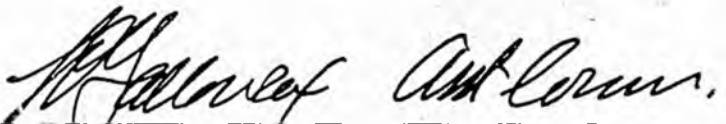
Gov. Transmittal Letter

HB 161: "An Act extending the State Medical Board in the Department of Commerce and Economic Development; and providing for an effective date."

The State Medical Board is responsible for the regulation and licensing of the medical profession in the state. Under AS 08.03.010(c)(11), the State Medical Board is currently scheduled to terminate on June 30, 1991. HB 161 will extend the termination date of the board to June 30, 1995.

There are approximately 1,561 practitioners licensed by the State Medical Board in Alaska. The department concurs with the findings documented in the performance audit conducted by the Division of Legislative Audit; in particular, that the board is necessary to protect the public's health, safety, and welfare, therefore, the board should be reestablished.

The department strongly supports continuation of the State Medical Board and requests favorable support in passage of HB 161.



Glenn A. Olds, Commissioner

Date: 4-18-91

GAO/JS/dgl9428D-2
041891a

DCED Position Paper

BOARD: NURSING, BOARD OF

BOARD IDENTIFICATION NUMBER: 67

TITLE: Board of Nursing

DEPT: Department of Commerce and Economic Development

AUTHORITY: AS 08.68.010

STATUS: June 30, 1991

REQUIREMENTS: LEGISLATIVE CONFIRMATION

PROHIBITIONS: Cannot serve more than all or part of two consecutive terms.

TERM: 4 years

DESCRIPTION: 7 members appointed by Governor: 5 nurses licensed in Alaska, actively engaged in nursing for four years (refer to statute AS 08.68.060): 1 licensed practical nurse currently involved in institutional nursing, 1 registered nurse engaged in baccalaureate nursing education, 3 registered nurses at large; 2 public members with no direct financial interest in health care industry; board elects chair.

SPECIAL FACTS: Serve at pleasure of the Governor; quorum is majority. Staffed with an executive secretary located in Anchorage. Members serve until a successor is appointed. An appointment to fill a vacancy is for the remainder of the unexpired term. A member who has served all or part of two successive terms may not be reappointed unless four years have elapsed since the person has last served.

FUNCTION: Regulates and controls applications, licenses, and permits of the nursing profession.

COMPENSATION: Standard travel/per diem.

MEETINGS: Usually 4 times per year.

*FOR FURTHER INFORMATION CONTACT: Licensing Examiner, Division of Occupational Licensing, Dept. of Commerce and Economic Development, Box D, Juneau, AK 99811 PHONE: 465-2541 (Revised 1/14/91)

NURSING

MEMBER	APPT	REAPT	REAPPT	TERM
Janet L Bunes P.O. Box 1192 Wrangell Registered Nurse 99929	86/08/07	0/00/00	0/00/00	91/03/31
Louise M Dean 1911 Waldron Drive Anchorage Public 99507	90/04/10	0/00/00	0/00/00	94/03/31
Tina D DeLapp 13101 South Bragaw Anchorage RN/Bacc.Education 99516	89/04/01	0/00/00	0/00/00	93/03/31
Kathi Hewitt 1660 Peger Road Fairbanks LPN 99709	88/08/02	0/00/00	0/00/00	91/03/31
Gail Stewart 12220 Rainbow Avenue Anchorage Registered Nurse Chair 99516	88/08/02	0/00/00	0/00/00	92/03/31
Mary A Stroeing P.O. Box 020267 Juneau Registered Nurse 99802	90/04/10	0/00/00	0/00/00	94/03/31
Georgianna Waskey P.O. Box 1432 Bethel Public 99559	86/08/07	0/00/00	0/00/00	91/03/31

Members - State Nursing Board

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HB 165

Revision Date: _____ Department Affected: Commerce & Economic Dev.

Title: Extending the Board of Nursing... BRU: Occupational Licensing

Component: Administration

Sponsor: Rules Committee

Requestor: Governor

COMPONENT SERIAL NO.

0	3	5	6
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

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	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Funding for the Board of Nursing is included in the department's FY 92 operating budget request and, therefore, new funds are not required.

Prepared By: Jennifer Strickler, Admin. Officer Phone: 465-2144

Division: Occupational Licensing Date: 4-17-91

Approved by Commissioner: Glenn A. Olds

Agency: Commerce and Economic Development Date: 4-18-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

H. USE COMMITTEE REPORT

(7)

Date Referred: February 25, 1991

FURTHER REFERRALS:

Labor and Commerce
Finance

Date of Committee Action: 4-22-91

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 165

HOUSE BILL NO. 165

EXTEND BOARD OF NURSING

"An Act extending the Board of Nursing in the Department of Commerce and Economic Development; and providing for an effective date."

RECOMMENDATIONS:

be replaced with _____ the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note DCED

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Cheri Davis</i>	<input checked="" type="checkbox"/>				
<i>Mary Miller</i>	<input checked="" type="checkbox"/>				
<i>Mark Stanley</i>	<input checked="" type="checkbox"/>				
<i>Betty Davis</i>	<input checked="" type="checkbox"/>				
<i>John W. [unclear]</i>	<input checked="" type="checkbox"/>	(CARNEY)			
<i>[unclear]</i>	<input checked="" type="checkbox"/>	(LINCOLN)			


COCHAIRMAN'S SIGNATURE



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE: April 22, 1991

PLACE: Capitol Room 106

SUBJECT OF MEETING:

WITNESS REGISTER FOR:

- *HB 156 Confidentiality/Dom. Vio. Counsel
- *HB 269 Private Health Care Review Agents
- *HB 165 Extend Board of Nursing
- *HB 161 Extend State medical Board

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
						Y	N	
<i>Ann Boudreau</i>						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

COMPARISON OF LICENSE FEES BY OCCUPATION OR PROGRAM

The following list shows the annual license renewal fee for each occupational licensing profession. With the exception of occupations regulated by the Big Game Commercial Services Board or persons involved in charitable gaming, all professions have now been converted to a biennial renewal schedule, meaning that applicants for renewal will actually pay twice the fee shown to renew a two-year license.

Acupuncturist	\$200*
Advanced Nurse Practitioner	45 + 12.50
AELS Corporation	200
Architects, Engineer and Land Surveyor	50
Audiologist	30
Barbers and Hairdressers	50
Business License	25
Chiropractor	50
Clinical Social Worker	150
Collection Agency	50
Concert Promoter	30
Construction Contractor	90
Cosmetologist	15
Dental Hygienist	50
Dentist	90
Dispensing Optician	50
Electrical Administrator	125
Funeral Director/Embalmer	30
Games of Chance and Skill (annual)	
Permittee	20 - 100+
Operator	500
Distributor	1,000
Manufacturer (in-state)	500
Geologist (one time fee)	20
Guide/Outfitter: Assistant and Class A (annual)	100
Guide/Outfitter (annual)	200
Hearing Aid Dealer	30
Marine Pilot	90
Marine Vessel Agent	30
Mechanical Administrator	125
Naturopath	50
Nursing	45
Nursing Home Administrator	30
Occupational Therapist	50
Optometrist	50
Paramedic	25
Pharmacist	90
Physical Therapist	50
Physician	200
Physician Assistant	25
Psychological Associate	50
Psychologist	50
Public Accountant	90
Public Accounting Corporation	50
Real Estate Appraiser	150*
Real Estate Broker/Salesman	62.50
Registered Nurse Anesthetist	45 + 12.50
Transporter (annual)	150*
Veterinarian	50
Veterinary Technician	30*

*Final adoption pending.

Division of Occupational Licensing

FY 92 PROPOSED BUDGET
PORTION FUNDED BY GF/PROGRAM RECEIPTS

Licensing Area	FY 92 LICENSEES	FY 92 GF/ PR BUDGET	FY 92 REVENUE	AVERAGE REVENUE
<u>Acupuncture</u>	<u>3</u>	<u>3,877*</u>	<u>830*</u>	<u>630*</u>
<u>AELS</u>	<u>4506</u>	<u>261,175</u>	<u>540,170</u>	<u>304,820</u>
<u>Athletic Commission</u>	<u>19</u>	<u>6,034</u>	<u>490</u>	<u>490</u>
<u>Audiology</u>	<u>43</u>	<u>5,969</u>	<u>410</u>	<u>1,580</u>
<u>Barbers/Hairdressers</u>	<u>3,379</u>	<u>180,196</u>	<u>279,815</u>	<u>165,230</u>
<u>Chiropractors</u>	<u>142</u>	<u>29,131</u>	<u>1,090</u>	<u>7,890</u>
<u>Clinical Social Wkrs</u>	<u>103</u>	<u>20,241</u>	<u>25,430</u>	<u>19,250</u>
<u>Collection Agencies</u>	<u>123</u>	<u>13,380</u>	<u>5,280</u>	<u>4,650</u>
<u>Concert Promoters</u>	<u>12</u>	<u>4,762</u>	<u>180</u>	<u>480</u>
<u>Contractors</u>	<u>3,184</u>	<u>217,112</u>	<u>300,840</u>	<u>373,290</u>
<u>Dental</u>	<u>921</u>	<u>81,644</u>	<u>41,490</u>	<u>65,985</u>
<u>Data Bank</u>	<u>0</u>	<u>8,435</u>	<u>0</u>	<u>0</u>
<u>Dispensing Opticians</u>	<u>82</u>	<u>20,186</u>	<u>4,920</u>	<u>5,860</u>
<u>Electrical Admin.</u>	<u>560</u>	<u>41,713</u>	<u>142,480</u>	<u>76,355</u>
<u>Geology</u>	<u>242</u>	<u>11,535</u>	<u>720</u>	<u>720</u>
<u>Guide-Outfitters</u>	<u>1,785</u>	<u>228,956</u>	<u>166,750</u>	<u>273,450</u>
<u>Marine Pilots</u>	<u>123</u>	<u>44,690</u>	<u>2,220</u>	<u>11,310</u>
<u>Mechanical Admin.</u>	<u>477</u>	<u>36,309</u>	<u>118,600</u>	<u>63,100</u>
<u>Medical</u>	<u>1,561</u>	<u>212,879</u>	<u>81,300</u>	<u>325,575</u>
<u>Mortuary Science</u>	<u>135</u>	<u>9,553</u>	<u>2,470</u>	<u>5,680</u>
<u>Naturopathy</u>	<u>12</u>	<u>4,762</u>	<u>1,200</u>	<u>665</u>
<u>Nursing</u>	<u>6,169</u>	<u>385,378</u>	<u>116,020</u>	<u>352,440</u>
<u>Nursing Home Admin.</u>	<u>72</u>	<u>8,099</u>	<u>1,110</u>	<u>2,970</u>
<u>Optometry</u>	<u>105</u>	<u>14,678</u>	<u>900</u>	<u>5,830</u>
<u>Pharmacy</u>	<u>489</u>	<u>50,127</u>	<u>63,279</u>	<u>49,275</u>
<u>PT/OT</u>	<u>381</u>	<u>32,070</u>	<u>17,769</u>	<u>14,920</u>
<u>Psychology</u>	<u>156</u>	<u>25,491</u>	<u>9,840</u>	<u>11,910</u>
<u>Public Accountancy</u>	<u>845</u>	<u>67,981</u>	<u>138,010</u>	<u>83,740</u>
<u>RE Appraisers</u>	<u>200*</u>	<u>46,749*</u>	<u>60,000*</u>	<u>45,000*</u>
<u>Real Estate</u>	<u>2,804</u>	<u>164,990**</u>	<u>404,625</u>	<u>278,268</u>
<u>Veterinary</u>	<u>190</u>	<u>27,816</u>	<u>2,780</u>	<u>11,680</u>
TOTAL:	28,823	\$ 2,265,918	\$2,531,018	\$ 2,563,043

* = New program.

** = Actual FY 92 Real Estate budget is \$312,290. This amount was reduced by \$147,300 which is funded by real estate Surety Funds; for a GF/PR obligation of \$164,990.

FN 92

Printed 01/30/91
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CATEGORY	TOTAL	MEDICAL
NUMBER OF LICENSEES	29,108	1,561
PERCENT OF LICENSEES	100%	5.36%
PERSONAL SERVICES		
Administrative	982,185	52,672
Direct Support	266,763	60,475
# of Licensing Examiners	12.5	75%
Examiner Pay/Benefits	530,072	31,804
# of Investigator	7.5	100%
Investigator Pay/Benefits	447,633	49,737
% of Hearing Examiner	100%	5.93%
Hearing Examiners w/o RE	85,173	5,055
Real Estate Hearing Examiner	42,435	
SUB TOTAL	2,312,778	199,743
TRAVEL/PER DIEM		
Administrative	60,400	3,239
Board Meetings	227,184	18,000
SUB TOTAL	287,584	21,239
CONTRACTUAL SERVICES - ADMINISTRATIVE		
Professional Services	136,168	7,302
Communications	155,530	8,341
Transportation	10,000	536
Advertising/Printing	128,300	6,880
Repairs/Maintenance	30,700	1,646
Rental	46,900	2,515
Other (Memberships)	37,700	2,022
SUB TOTAL	545,298	29,243
CONTRACTUAL SERVICES - DESIGNATED		
Professional Services	0	
Communications	0	
Transportation	0	
Advertising/Printing	0	
Repairs/Maintenance	0	
Rental	0	
Other (Memberships)	0	
SUB TOTAL	15,402	0
CONTRACTUAL TOTAL	560,700	29,243
SUPPLIES		
Administrative	45,747	2,453
Designated	4,753	
SUB TOTAL	50,500	2,453
EQUIPMENT		
Administrative	6,253	335
Designated	2,847	
SUB TOTAL	9,100	335
TOTAL BUDGET - COLUMNS		
	3,220,662	253,014

Audit Report

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT
BOARD OF NURSING

October 11, 1990



Audit Control Number:

08-1385-91

Division of Legislative Audit
P.O. Box W, Juneau, Alaska 99811-3300

Legislative Audit

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
P.O. BOX W
JUNEAU, ALASKA 99811-3300

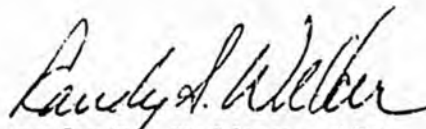
October 11, 1990

Members of the Legislative Budget
and Audit Committee:

According to the provisions of Titles 24 and 44 of the Alaska Statutes, the Division of Legislative Audit is required to conduct a "Sunset" review of the Board of Nursing.

At the request of the Chairman, during Fiscal Year 1988 budget deliberations, the Finance and Audit Divisions' budgets were revised to reflect certain changes in the organizations of the Committee's two Divisions. The revised budget of the Audit Division reflected efficiencies that might be obtained by utilizing the staff of the Legislative Finance Division on selected audit assignments during the interim.

As a result, the audit of the Board of Nursing was conducted and this report has been prepared by the Legislative Finance Division. We feel this report discharges our responsibility under Titles 24 and 44. The report is submitted for your review.



Randy S. Welker, CPA
Legislative Auditor
Division of Legislative Audit

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
P.O. BOX WF
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

October 5, 1990

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the
Alaska Statutes (sunset legislation), the attached report is
submitted for your review.

A REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
BOARD OF NURSING
October 11, 1990

Audit Control Number

08-1385-91 R



Mike Greany, Director
Division of Legislative Finance

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PURPOSE AND SCOPE OF THE REPORT

Purpose

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Nursing to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Board should be reestablished. The law now specifies that the Board will terminate June 30, 1991, and have one year from that date to conclude its affairs.

Scope

The major areas of our examination were the licensing, examination, administration, complaint, and investigation functions of the Board. We reviewed and performed the following:

1. Applicable statutes and regulations.
2. Tests of files and documents of licensees.
3. Interviews with the staff of the Board.
4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, the Ombudsman's Office, and the Department of Law.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General's Opinions applicable to professional boards.

ORGANIZATION AND FUNCTION

The health care industry is in the midst of a period of significant changes. Major problems faced by providers include rapidly rising health care costs, the implementation of sophisticated medical technologies, compliance with the provisions of public and private insurance programs, changing Federal regulations, the special treatment needs of the aged population, and the unique problems created by substance abuse among practitioners. Against this backdrop the responsibilities of the practicing nurse have increased as physicians and patients rely more heavily on the assistance of the nursing profession.

The seven member Board of Nursing determines the minimum quality of nursing care in Alaska. Under AS 08.68 the Board is able to:

1. Establish or amend rules and regulations necessary and desirable to enforce State statutes.
2. Approve curricula, adopt standards for basic and continuing education programs that prepare persons for licensure and insure the maintenance of competency.
3. Issue licenses on the basis of examination or endorsement to qualified applicants.
4. Conduct investigations and hold hearings in order to revoke, suspend, or take other action on the license of a person violating the nursing statutes and regulations.

The Board carries out its statutorily mandated responsibilities with support from the Division of Occupational Licensing. The Division employs an Executive Secretary who is responsible for performing administrative duties and assists the Board in its conduct of examinations and educational programs. The Executive Secretary also coordinates programs which treat and monitor impaired nurses. The Division of Occupational Licensing processes applications, prepares license files, provides investigative services in the event of consumer or other professional complaints, and provides other administrative assistance to the Board.

Most licensing requirements are established by statute. Nurses are either licensed by examination or endorsement. Examinations are administered according to a contract with the National Council State Boards of Nursing. Licenses by endorsement are issued to nurses licensed in other states that have licensing requirements acceptable to the board.

REPORT CONCLUSION

Policy Issues

This report does not contain any policy issues raised as a result of our evaluation of Board practices. Any policy decisions affecting these practices would not be within the scope of this report but requires legislative consideration. In debating these issues, the oversight committees would take into consideration the information presented in this report so the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the Board of Nursing should be reestablished. The regulation and licensing of qualified professionals is necessary to protect the public's health, safety, and welfare. The Board provides this service by establishing minimum educational and experience requirements that provide reasonable assurance that persons licensed are qualified. Also, assurance that those licensed act in a competent manner is provided by active investigation of complaints and revocation or suspension of licenses when appropriate.

Current statutes, AS 08.03.010, specify that the sunset review period for the Board of Nursing shall be four years.

Based upon the Board of Nursing performance for the past 4 reviews, extending from 1978 to 1990, it is recommended that the review interval be extended from 4 to 8 years. The next statutory termination date subject to sunset review would be June 30, 1999.

The Board of Nursing has consistently been found to satisfy a public purpose and has demonstrated its ability to conduct its business in a satisfactory manner.

In prior sunset reviews, deficiencies found have been relatively minor, and for the most part, "housekeeping" in nature.

The Board of Nursing statutes, regulations, policies, and procedures are current. The Board's business is generally viewed as conducted in a professional, competent, and efficient manner.

The Board's membership has been dedicated and responsible to its mission; its representation has been well balanced in serving its purpose.

registration of nurse's aides. Compliance with Federal requirements is currently being managed as a project within the Division of Occupational Licensing under the authority of Administrative Order No. 115.

- IV. 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.
- A. All formal proceedings are properly and timely noticed and open to the public. The Board holds meetings in the major Alaskan cities. The Board also uses teleconferences as an economy measure.
- V. The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.
- A. Notice of all formal proceedings are given and open to the public. Interested persons have opportunity to comment in the proceedings. The Board uses committees comprised of members of the nursing community to provide additional input into projects and regulations affecting the profession.
- VI. 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.
- A. During the period FY87-90 four complaints against the Board of Nursing were filed with the Ombudsman. Two of the complaints involved Board actions on nursing licenses, one concerned a delay in licensing and one concerned failure to investigate a case of alleged substance abuse. All complaints were resolved directly or were submitted to administrative procedures.
- VII. The extent to which a board or commission which regulated entry into an occupation or profession has presented qualified applicants to serve the public.
- A. Statistics through June 30, 1990 show 5,216 Registered Nurses and 863 Licensed Practical Nurses with active licenses. In addition, there are currently 159 Advanced Nurse Practitioners and 71 Registered Nurse Anesthetists.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas pertinent to our review.

- I. The extent to which the board, commission, or program has operated in the public interest.
 - A. The Board has been diligent in assuring that only qualified applicants are licensed. Regulations provide necessary safeguards without being overly restrictive on entry into the profession. Continuing competency requirements provide an incentive to assure that practitioners stay current with their profession.

- II. 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.
 - A. The operation of the Board is enhanced by employment of an Executive Secretary. This improves the efficiency of dealing with licensure and regulation of nearly 6000 licensed nurses. The Division of Occupational Licensing's budget funds a full time professional nurse whose duties include administration of an impaired nurses program. This is a program of treatment and controlled, monitored aftercare to both protect the public interest and to return nurses to productive, professional lives.
 - B. One instance was found in 1987 where the Office of the Governor did not appoint a Board member in a timely manner. However, recent appointments have been prompt.

- III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.
 - A. The Board submitted legislation (SB 156) which would have given it the authority to regulate nurse's aides. That bill did not pass the Legislature. This legislation was in response to a Federal law, PL 100-203, often referred to as the "Nursing Reform Act". That act requires certification of nurse aide education, written and clinical competency testing, and state registration of nurse's aides. Compliance with

VIII. 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.

A. No evidence of problems were found in this area.

IX. 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.

A. The Commission has complied with the criteria enumerated in this subsection. We found no instance where changes are necessary to enable the Commission to better serve the interests of the public.

APPENDIX

APPENDIX A

BOARD OF NURSING
SCHEDULE OF REVENUES COMPARED WITH EXPENDITURES
For Fiscal Year 1990
(Unaudited)
(Note 1)

Revenues (Note 2)		\$250,105
Expenditures (Note 3)		
Personal Services	\$317,453	
Travel	21,086	
Contractual	75,644	
Supplies	11,294	
Equipment	<u>39,185</u>	
Total Expenditures		\$464,662
Revenues Compared to Expenditures		<u><\$214,557></u>

SCHEDULE 1
TYPES OF REVENUES

<u>Revenues</u>	<u>Amount</u>	<u>Collection Time</u>
Application Fee-Initial Nurse License or Authorization	\$30	With Application
National Council License Exam	40	With Application (Chg. from \$25)
License Fee-All or Part of Initial Biennial License Period	90	With Application
Biennial Nursing License Renewal Fee	90	Every Two Years
Temporary Permit Fee	20	With Application
Prescriptive Authority Application Fee	30	With Application
Advanced Nurse Practitioner or Registered Nurse Anesthetist Initial Biennial Authorization	25	With Application
Advanced Nurse Practitioner or Registered Nurse Anesthetist Biennial Renewal Fee	25	Every Two Years

Note 1

The Schedule of Revenues Compared with Expenditures was prepared by the Division of Occupational Licensing personnel. The records

were not audited by us and, accordingly, we do not express an opinion on the Board's Schedule of Revenues Compared with Expenditures.

Note 2

A significant portion of revenues is composed of license renewal fees. Licenses are renewed biennially. Because of the renewals, revenues vary substantially every year. Therefore, we combined revenues collected in fiscal year 1989 and 1990, and calculated an average in order to obtain a representative amount of annualized revenues collected. Fees were raised in June 1990. Under this new fee structure annual average revenues for fiscal years 1991 and 1992 are estimated at \$352,440.

Note 3

This amount does not include expenditures for efforts of other departments assisting the Board.

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

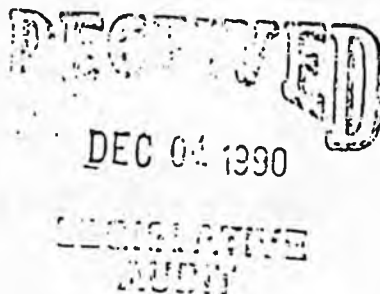
OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P. O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2500

December 4, 1990

Mr. Randy S. Welker
Legislative Auditor
Audit Division
Legislative Budget and
Audit Committee
P.O. Box W
Juneau, AK 99811-3300



Dear Mr. Welker:

This letter is written in combined response to the preliminary audit reports on the State Medical Board, the Board of Nursing, the Board of Psychologist and Psychological Associate Examiners, and the Real Estate Commission.

The Department of Commerce and Economic Development is pleased that the audit reports found that the business of these three boards and one commission has been "conducted in a professional, competent, and efficient manner," and that the Audit Division is recommending that the sunset performance "review interval be extended from 4 to 8 years."

Given that the department itself also believes that these boards have consistently satisfied the public purposes for which they were created and have demonstrated their ability to competently and with care conduct their business, the department not only concurs in but wholeheartedly endorses the Audit Division's recommendation that these four agencies be continued until June 30, 1999.

Both the boards and the department take great pride in the audit reports' findings and recommendations.

Sincerely,

Jane Angvik
Commissioner

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cc: Randall Burns, Director, Division of Occupational Licensing