

**SB**

**283**

## GARY WILKEN

SENATOR  
West Fairbanks

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### Senate Bill 283 Sponsor Statement

**"An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties,"**

SB 283 is submitted at the request of the state Board of Nursing. It will reconcile current nursing industry standards with Alaska state law and maintain efficient management of licensed nurses in our state.

Specifically, it does the following:

- 1) codifies the authority of licensed nurses to delegate certain basic tasks to unlicensed assistive personnel;
- 2) extends the duration of a temporary nursing license from 4 to 6 months; and
- 3) updates the statutory language authorizing the issuance of licenses by endorsement.

These statutory adjustments are the result of diligent efforts by the state Board of Nursing. It would serve to tighten, clarify, and improve their ability to regulate and manage the delivery of safe and effective health care to the citizens of Alaska. There is no known opposition to or negative impact of these adjustments.

Please support the state Board of Nursing by enacting this beneficial legislation.

## SB 283

An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing;  
and relating to the delegation of nursing duties.

### SECTIONAL ANALYSIS

Prepared by Tim Lamkin, staff to Senator Gary Wilken

Section	Statute	Existing	Changes
1	AS 08.68.200 License by Endorsement	Applicants can receive a license by endorsement if they have trained to be a nurse and if they fulfill the requirements of subsections 1, 2, OR 3. Respectively, the subsections require (1) that the applicant was a nurse in another state; (2) passed the Canadian Nurses' Exam, if comparable to Alaska's exams, OR (3) not worked as a nurse in the past 5 years but has met the Board's Continuing Competency requirements.	Subsection 3 would be removed and added as (b) under AS 08.68.200 (see Section 2)
2	AS 08.68.200(b) License by Endorsement	(b) does not exist under current law	(b) is a new subsection and is the former subsection (3) of AS 08.68.200. Previously, applicants could acquire a license by endorsement if they met subsections (1), (2), or (3). The new law would require a combination of [(1) AND (3)] or [(2) AND (3)].
3	AS 08.68.210(a) Temporary Permits	Currently, the Board of Nursing may issue a temporary license by endorsement that is valid for 4 months.	This section would be amended to make temporary licenses by endorsement valid for up to 6 months.
4	AS 08.68.340(a)(2) Prohibited Conduct	Under this section, it is a class B misdemeanor to practice nursing without a license, unless the person is acting in an emergency situation.	Makes it okay to practice nursing without a license IF the person is executing tasks delegated by a registered or practical nurse, as set forth in AS 08.68.405 (see section 5)
5	AS 08.68.405 Delegation of Nursing Functions	This section does not exist under current law.	Establishes that registered or practical nurses may delegate nursing duties to other persons, including unlicensed personnel. Specific types of duties and eligibilities of assistive personnel are determined by regulations set by the Board of Nursing.

# **Alaska State Hospital & Nursing Home Association**

*We're helping people care for people!*

February 25, 2002

Senator Gary Wilken  
Alaska State Legislature  
State Capitol, Room 514  
Juneau AK 99801-1182

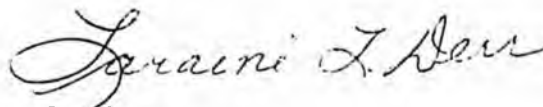
Dear Senator Wilken:

The Senate Health Education and Social Services Committee will be hearing SB 283 on February 27, 2002. As the president of the Alaska State Hospital and Nursing Home Association (ASHNHA), I am writing a letter of support for the Senate Bill No. 276, "An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties."

This bill will put into law what has always been a part of nursing practice. The bill gives licensed nurses the authority to delegate nursing duties to other personnel and give the Board of Nursing authority to set out regulations to outline safe delegation of their duties. Because there is such a severe shortage in the nursing profession, extending the temporary nursing license from 4 to 6 months will allow extra time. Any help in this area will be greatly appreciated.

ASHNHA is an organization of 34 healthcare providers around the state of Alaska. We believe that passage of this legislation will allow for better health care delivery to our citizens.

Sincerely yours,



Laraine L. Derr  
President/CEO

426 Main Street, Juneau, Alaska 99801

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## Alaska School Nurses Association

2207 E Tudor Road, Suite 34  
Anchorage, AK 99507-1060

2/25/2002

To Senator Gary Wilken:

Thank you for introducing SB 283. Nursing is a complex and often poorly understood profession; in our efforts to meet the health needs of Alaska, we often encounter difficult and frustrating situations. This bill will help to clarify some of those issues, and give some authority in decision making to those who understand the ramifications of those decisions the best.

The Alaska School Nurses Association supports this bill.

Elizabeth Engle, RN, BSN  
President, ASNA



Senator Gary Wilken  
State Capitol Building  
Juneau, Alaska 99801-1182

Dear Senator Wilken,

I am writing in support of SB 283 "An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties."

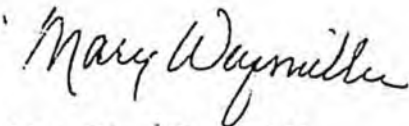
As you know the Board of Nursing is charged with protecting the public by developing reasonable and uniform standards for nursing practice.

SB 283 is a clean-up bill that clarifies several statutes by amendments and additions to AS 08.68.

Each of the statute clarifications listed in this bill will allow a more clear cut and precise description of the law and will allow the Board of Nursing to develop regulations needed to protect the public and offer clear guidelines for nurses and health care workers practicing in Alaska.

Thank you for considering this bill.

Sincerely,



Mary Weymiller, L.P.N.  
Board of Nursing  
666 11<sup>th</sup> Ave. #302  
Fairbanks, AK. 99701  
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February 26, 2002

Honorable Gary Wilken  
State Capitol  
Juneau, Alaska 99801-1182

Dear Senator Wilken:

We are writing this letter in support of SB 283, "An Act relating to temporary permits and licenses by endorsement issued by the Board of Nursing; and relating to the delegation of nursing duties." This bill brings the nursing statutes up to date with current nursing practice in the areas of delegation of nursing duties and the issuance of temporary licenses and licenses by endorsement.

Over the last ten years there has been an increase in the number and type of ancillary unlicensed health care workers that RNs and LPNs are required to delegate nursing duties to and have oversight of the work they perform. The Attorney General's office recently ruled that the existing statutes do not give the Board of Nursing the authority to promulgate regulations covering delegation of nursing duties to persons other than nursing assistants.

It is imperative that RNs and LPNs have regulations from the Board of Nursing covering delegation of nursing tasks. Nurses rarely hire or train the unlicensed personnel they are required to work with, yet their employers require nurses to make sure these persons perform the tasks delegated to them in a safe and accurate manner. Because these individuals are unlicensed, there is no regulatory body overseeing their training and competency. Nurses need the backing of the regulations promulgated by the Board of Nursing so that they can delegate in a manner that maintains the health and safety of their patients.

The sections of SB 283 which deal with temporary nursing licenses would extend the length of license from 4 to 6 months which would allow the Board of Nursing to complete necessary background checks. The section of the Bill dealing with license by endorsement would bring the statute into compliance with current practice of the Board concerning applicants who have not worked as a nurse in the past five years.

The Alaska Nurses Association is in full support of SB 283.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Senner".

Patricia Senner MS, RN, ANP

**SITE: ANCHORAGE LIO**

**COMMITTEE: SHES**

**DATE: Feb 27, 2002**

**SUBJECT OF MEETING:**

**SB 283**

**UPDATE #: 1**



**DO YOU WANT**

**P R I N T YOUR NAME**

**ADDRESS (MAILING & ZIP)**

**REPRESENTING**

**TO TESTIFY?  
Y or N**

✓ <b>Lynn Hartz</b>	<i>family prac</i>	Bd of Nursing	<b>Y=SB283</b>
Email address:			
✓ <b>Patricia Senner</b>	<i>Periprote</i>	AK Nurses Assoc <i>pres.</i>	<b>Y=SB283</b>
Email address:			
✓ <b>Nancy Sanders</b>		Bd of Nursing <i>member</i>	<b>Y=SB 283</b>
Email address:			
✓ <b>Dorothy Fulton</b>		Bd of Nursing	<b>Y=SB283</b>
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