

SB

166

<TARGET><BILL>SB 166</BILL><SUBJECT>SB
166</SUBJECT><COMM>SFIN28</COMM></TARGET>

SENATE FINANCE COMMITTEE REPORT

DATE: 3/14/14

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered SENATE BILL NO. 166

SB 166-BOARD OF NURSING; NURSES

"An Act relating to nursing and to the Board of Nursing."

and recommends:

- be replaced with CS SB 166 (FIN) Same Title New Title
- adopt previous CS _____ (_____) Same Title New Title
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
CED			<input checked="" type="checkbox"/>	2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	OLSON			<input checked="" type="checkbox"/>	
	BISHOP	<input checked="" type="checkbox"/>			
	FAIRCLOUGH	<input checked="" type="checkbox"/>			
CO-CHAIR:	Kelle Meyer	<input checked="" type="checkbox"/>			
CO-CHAIR:	Kelle Meyer	<input checked="" type="checkbox"/>			

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 166(L&C)
Fiscal Note Number: 2
(S) Publish Date: 3/14/14

Identifier: SB166-DCCED-CBPL-02-28-2014
Title: BOARD OF NURSING; NURSES
Sponsor: GIESSEL BY REQUEST
Requester: Senate Labor and Commerce

Department: Department of Commerce, Community and
Economic Development
Appropriation: Corporations, Business and Professional
Licensing
Allocation: Corporations, Business and Professional
Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 12/31/14

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Don Habeger, Director	Phone: (907)465-2536
Division: Corporations, Business and Professional Licensing	Date: 02/28/2014 06:30 PM
Approved By: Jeanne Mungle, Director	Date: 03/01/14
Agency: Administrative Services Director	

FISCAL NOTE ANALYSIS #2

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSSB 166(L&C)

Analysis

SB166 amends AS 08.68, which establishes the Board of Nursing. The bill contains new provisions for one seat on the board to be designated for an Advanced Nurse Practitioner (ANP), changes the qualifications of the nurse educator seat on the board, and adds nursing practice updates. In addition, the proposed statute change outlines the minimum qualification of the board's Executive Administrator and adds a section requiring employers of nurses and certified nursing aides who potentially violate the statute to report to the board.

The board will adopt regulations to implement the expanded duties authorized in section 2, in addition to any other impacts they may determine these changes require.

The Division of Corporations, Business, and Professional Licensing does not anticipate fiscal impact from this legislation.

CS FOR SENATE BILL NO. 166(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR GIESSEL BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to nursing and to the Board of Nursing."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * Section 1. AS 08.68.010 is amended to read:

4 **Sec. 08.68.010. Creation and membership of Board of Nursing.** There is
5 created a Board of Nursing, consisting of seven members appointed by the governor
6 **as follows:**

7 **(1) one [. ONE] member shall be a licensed practical nurse who is**
8 **currently engaged in licensed practical nursing and has practiced for at least two**
9 **years immediately preceding appointment;**

10 **(2) [CURRENTLY INVOLVED IN INSTITUTIONAL NURSING**
11 **SERVICE,] one member shall be a registered nurse engaged in**
12 **[BACCALAUREATE] nursing education at the associate, baccalaureate, or**
13 **graduate degree level at an institution that holds national nursing accreditation;**

14 **(3) one member shall be an advanced nurse practitioner who is**
15 **currently engaged in advanced practice nursing and has practiced for at least**

1 **four years immediately preceding appointment;**

2 (4) two [, THREE] members shall be registered nurses at large **who**
 3 **are currently engaged in registered nursing and have practiced for at least four**
 4 **years immediately preceding appointment;** [,] and

5 (5) two members shall be persons who have no direct financial interest
 6 in the health care industry.

7 * Sec. 2. AS 08.68.100(a) is amended to read:

8 (a) The board shall

9 (1) adopt regulations necessary to implement this chapter, including
 10 regulations

11 (A) pertaining to practice as an advanced nurse practitioner and
 12 a **certified registered** nurse anesthetist;

13 (B) [, AND REGULATIONS] necessary to implement
 14 AS 08.68.331 - 08.68.336 relating to certified nurse aides in order to protect
 15 the health, safety, and welfare of clients served by nurse aides;

16 (C) **pertaining to retired nurse status; and**

17 (D) **establishing criteria for approval of practical nurse**
 18 **education programs that are not accredited by a national nursing**
 19 **accrediting body;**

20 (2) approve curricula and adopt standards for basic education programs
 21 that prepare persons for licensing under AS 08.68.190;

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

24 (4) approve education programs that meet the requirements of this
 25 chapter and of the board, and deny, revoke, or suspend approval of education
 26 programs for failure to meet the requirements;

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

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

30 (7) define by regulation the qualifications and duties of the executive
 31 **administrator** [SECRETARY] and delegate authority to the executive **administrator**

1 [SECRETARY] that is necessary to conduct board business;

2 (8) develop reasonable and uniform standards for nursing practice;

3 (9) publish advisory opinions regarding whether nursing practice
4 procedures or policies comply with acceptable standards of nursing practice as defined
5 under this chapter;

6 (10) require applicants under this chapter to submit fingerprints and the
7 fees required by the Department of Public Safety under AS 12.62.160 for criminal
8 justice information and a national criminal history record check; the department shall
9 submit the fingerprints and fees to the Department of Public Safety for a report of
10 criminal justice information under AS 12.62 and a national criminal history record
11 check under AS 12.62.400.

12 * **Sec. 3.** AS 08.68.111(a) is amended to read:

13 (a) The Department of Commerce, Community, and Economic Development,
14 in consultation with the board, shall employ a licensed [,] registered nurse **who holds,**
15 **at a minimum, a master's degree in nursing and** [,] who is not a member of the
16 board [,] to serve as executive **administrator** [SECRETARY] of the board.

17 * **Sec. 4.** AS 08.68.111(b) is amended to read:

18 (b) The executive **administrator** [SECRETARY] shall perform duties as
19 prescribed by the board.

20 * **Sec. 5.** AS 08.68.170 is repealed and reenacted to read:

21 **Sec. 08.68.170. Qualifications of registered or practical nurse applicants.**

22 (a) An applicant for a license to practice registered nursing shall submit to the board,
23 on forms and in the manner prescribed by the board, written evidence, verified by
24 oath, that the applicant has successfully completed a registered nurse education
25 program accredited by a national nursing accrediting body and approved by the board.

26 (b) An applicant for a license to practice practical nursing shall submit to the
27 board, on forms and in the manner prescribed by the board, written evidence, verified
28 by oath, that the applicant has successfully completed

29 (1) a practical nurse education program accredited by a national
30 nursing accrediting body;

31 (2) a practical nurse education program that meets the criteria

1 established by the **board** under AS 08.68.100; or

2 (3) a registered nurse education program accredited by a national
3 nursing accrediting **g** body and approved by the board and, if the applicant has failed the
4 registered nurse **lic**ensing examination, a practical nurse scope of practice course
5 approved by the bo **ard**.

6 * **Sec. 6.** AS 08.68.190 is **am**ended to read:

7 **Sec. 08.68.190. License by examination.** The applicant shall pass a **registered**
8 **nursing or practic al nursing licensing** [WRITTEN] examination as prescribed by
the board. The board shall issue a license to an applicant who passes the **licensing**
examination to **practice** registered or practical nursing provided the other
qualifications outlined **d** in AS 08.68.170 [AND 08.68.180] are also met. [THE BOARD
SHALL CONDUCT EXAMINATIONS ANNUALLY AND AS OFTEN AS IT
CONSIDERS NECES**S**ARY AT LOCATIONS DESIGNATED BY THE BOARD.]

* **Sec. 7.** AS 08.68.200 is **am**ended to read:

Sec. 08.68.200. License by endorsement. (a) The board may issue a license
by endorsement to pra**ct**ice as a registered or practical nurse, whichever is appropriate,
to an applicant who ha**s** worked as a nurse within the past five years if the applicant

18 [(1)] is **lic**ensed as either a registered or practical nurse under the laws
19 of another state if, in **the** opinion of the board, the applicant meets the qualifications
20 required for licensing **in** the state and meets the requirements of AS 08.68.170 [; OR

21 (2) ME**E**TS THE REQUIREMENTS OF AS 08.68.170 AND HAS
22 SUCCESSFULLY COM**P**LETED THE CANADIAN NURSES' ASSOCIATION
23 TESTING SERVICE EX**A**MINATION IF THE BOARD DETERMINES IT IS
24 COMPARABLE TO TH**E** EXAMINATION ADMINISTERED BY THIS STATE].

25 (b) The board **may** issue a license by endorsement to practice as a registered or
6 practical nurse, **whichever** is appropriate, to an applicant who has not worked as a
7 nurse within the past **fi**ve years if the applicant meets the requirements of **(a)**
[EITHER (a)(1) OR (a)(2) **]** of this section and

(1) meets **the** continuing competency requirements of the board; or

(2) comple**te**s a course of study approved by the board.

* **Sec. 8.** AS 08.68.210 is amend**e**d to read:

1 **Sec. 08.68.210. Temporary permits.** (a) The board may issue a temporary
2 permit, nonrenewable and valid for a period not exceeding six months, to an applicant
3 for a license by endorsement if the applicant

4 (1) submits proof satisfactory to the board that the applicant is
5 currently licensed in another state [OR CANADIAN PROVINCE OR CANADIAN
6 TERRITORY THAT ADMINISTERS AN EXAMINATION APPROVED BY THE
7 BOARD] under AS 08.68.200(a) [AS 08.68.200(a)(2)];

8 (2) meets the requirements of AS 08.68.170; and

9 (3) pays the required fee.

10 (b) The board may issue a nonrenewable permit to an applicant for license by
11 examination if the applicant [(1)] meets the qualifications of AS 08.68.170 [; OR (2)
12 IS A GRADUATE OF A FOREIGN SCHOOL OF NURSING AND HAS
13 SUCCESSFULLY COMPLETED THE EXAMINATION ADMINISTERED BY
14 THE COMMISSION ON GRADUATES OF FOREIGN NURSING SCHOOLS]. The
15 permit is valid for a period not to exceed six months or [EXTENDING BEYOND]
16 the date on which [TIME WHEN] the results [ARE PUBLISHED] of the licensing
17 [FIRST] examination taken by the applicant are received by the applicant,
18 whichever is sooner. If [IS ELIGIBLE TO TAKE AFTER THE PERMIT IS
19 ISSUED; HOWEVER, IF] the applicant does not take the examination for which the
20 applicant is scheduled, the permit lapses on the day of the examination.

21 * **Sec. 9.** AS 08.68.230(b) is amended to read:

22 (b) A person licensed to practice practical nursing in the state may use the title
23 "licensed practical nurse" [OR "LICENSED VOCATIONAL NURSE"] and the
24 abbreviation "L.P.N." [OR "L.V.N."]

25 * **Sec. 10.** AS 08.68.251 is amended to read:

26 **Sec. 08.68.251. Lapsed licenses.** (a) A lapsed license may be reinstated if it
27 has not remained lapsed for more than five years by payment of the license fees for the
28 current renewal period and the penalty fee. The board, by regulation, shall establish
29 continuing competency and criminal background check requirements for
30 reinstatement of a lapsed license [PERSON SEEKING REINSTATEMENT SHALL
31 MEET THE CONTINUING COMPETENCY REQUIREMENTS OF THE BOARD].

1 (b) If a license is lapsed for more than five years, in addition to the
 2 requirements in (a) of this section,

3 (1) the board shall require the applicant to complete a course of study
 4 approved by the board or to pass an examination prescribed by the board, and to pay
 5 the fees prescribed by this chapter; or

6 (2) if the board determines that the person applying for reinstatement
 7 was actively employed in nursing in another state or jurisdiction during the time that
 8 the license has lapsed in this state, the license that has lapsed may be reinstated by
 9 payment of fees and completion of the other requirements in [AS REQUIRED BY]
 10 (a) of this section.

11 * **Sec. 11.** AS 08.68.265 is amended to read:

12 **Sec. 08.68.265. Supervision of practical nurses.** A practical nurse shall work
 13 under the supervision of a licensed registered nurse, a licensed physician, a licensed
 14 physician's assistant, or a licensed dentist.

15 * **Sec. 12.** AS 08.68.270 is amended to read:

16 **Sec. 08.68.270. Grounds for denial, suspension, or revocation.** The board
 17 may deny, suspend, or revoke the license of a person who

18 (1) has obtained or attempted to obtain a license to practice nursing by
 19 fraud or deceit;

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

22 (3) habitually abuses alcoholic beverages, or illegally uses controlled
 23 substances;

24 (4) has impersonated a registered or practical nurse;

25 (5) has intentionally or negligently engaged in conduct that has
 26 resulted in a significant risk to the health or safety of a client or in injury to a client;

27 (6) practices or attempts to practice nursing while afflicted with
 28 physical or mental illness, deterioration, or disability that interferes with the
 29 individual's performance of nursing functions;

30 (7) is guilty of unprofessional conduct as defined by regulations
 31 adopted by the board;

1 (8) has wilfully or repeatedly violated a provision of this chapter or
2 regulations adopted under this chapter or AS 08.01 [IT];

3 (9) is professionally incompetent;

4 (10) denies care or treatment to a patient or person seeking assistance
5 if the sole reason for the denial is the failure or refusal of the patient or person seeking
6 assistance to agree to arbitrate as provided in AS 09.55.535(a).

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

8 **Sec. 08.68.277. Duty of employers to report.** (a) An employer of a nurse
9 licensed under this chapter or a nurse aide certified under this chapter practicing
10 within the scope of that license or certification that discharges or suspends a nurse or
11 nurse aide or conditions or restricts the practice of a nurse or nurse aide shall, within
12 seven working days after the action, report to the board the name and address of the
13 person and the reason for the action. An employer shall report to the board the name
14 and address of a nurse or nurse aide who resigns while under investigation by the
15 employer. The requirement of an employer to report under this section applies only to
16 a discharge, suspension, or restriction of practice that is based on a ground allowing
17 action by the board under AS 08.68.270 or 08.68.334 or for conduct prohibited under
18 AS 08.68.340.

19 (b) Upon receipt of a report under (a) of this section, the board shall
20 investigate the matter and take appropriate action under AS 08.68.275.

21 * **Sec. 14.** AS 08.68.278 is amended to read:

22 **Sec. 08.68.278. Immunity for certain reports to the board.** A person who,
23 [UNDER OATH AND] in good faith, reports information to the board relating to
24 alleged incidents of incompetent, unprofessional, or unlawful conduct of a nurse
25 licensed under this chapter, a nurse aide certified under this chapter, or an
26 employer of a nurse licensed under this chapter or a nurse aide certified under
27 this chapter who reports to the board the information required under
28 AS 08.68.277 is not liable in a civil action for damages resulting from the reporting of
29 the information.

30 * **Sec. 15.** AS 08.68.060, 08.68.180, 08.68.230(c), and 08.68.240 are repealed.

adopted 3/27/14

28-LS1010G
Martin
3/25/14

CS FOR SENATE BILL NO. 166()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR GIESSEL BY REQUEST

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9 years immediately preceding appointment;

10 (2) [CURRENTLY INVOLVED IN INSTITUTIONAL NURSING
11 SERVICE,] one member shall be a registered nurse engaged in
12 [BACCALAUREATE] nursing education at the associate, baccalaureate, or
13 graduate degree level at an institution that holds national nursing accreditation;

14 (3) one member shall be an advanced nurse practitioner who is
15 currently engaged in advanced practice nursing and has practiced for at least

1 **four years immediately preceding appointment;**

2 (4) two [, THREE] members shall be registered nurses at large **who**
3 **are currently engaged in registered nursing and have practiced for at least four**
4 **years immediately preceding appointment;** [,] and

5 (5) two members shall be persons who have no direct financial interest
6 in the health care industry.

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9 (1) adopt regulations necessary to implement this chapter, including
10 regulations

11 (A) pertaining to practice as an advanced nurse practitioner and
12 a **certified registered** nurse anesthetist;

13 (B) [, AND REGULATIONS] necessary to implement
14 AS 08.68.331 - 08.68.336 relating to certified nurse aides in order to protect
15 the health, safety, and welfare of clients served by nurse aides;

16 (C) **pertaining to retired nurse status; and**

17 (D) **establishing criteria for approval of practical nurse**
18 **education programs that are not accredited by a national nursing**
19 **accrediting body;**

20 (2) approve curricula and adopt standards for basic education programs
21 that prepare persons for licensing under AS 08.68.190;

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

24 (4) approve education programs that meet the requirements of this
25 chapter and of the board, and deny, revoke, or suspend approval of education
26 programs for failure to meet the requirements;

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

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

30 (7) define by regulation the qualifications and duties of the executive
31 **administrator** [SECRETARY] and delegate authority to the executive **administrator**

1 [SECRETARY] that is necessary to conduct board business;

2 (8) develop reasonable and uniform standards for nursing practice;

3 (9) publish advisory opinions regarding whether nursing practice
4 procedures or policies comply with acceptable standards of nursing practice as defined
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6 (10) require applicants under this chapter to submit fingerprints and the
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8 justice information and a national criminal history record check; the department shall
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16 board [,] to serve as executive administrator [SECRETARY] of the board.

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18 (b) The executive administrator [SECRETARY] shall perform duties as
19 prescribed by the board.

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23 on forms and in the manner prescribed by the board, written evidence, verified by
24 oath, that the applicant has successfully completed a registered nurse education
25 program accredited by a national nursing accrediting body and approved by the board.

26 (b) An applicant for a license to practice practical nursing shall submit to the
27 board, on forms and in the manner prescribed by the board, written evidence, verified
28 by oath, that the applicant has successfully completed

29 (1) a practical nurse education program accredited by a national
30 nursing accrediting body;

31 (2) a practical nurse education program that meets the criteria

1 established by the board under AS 08.68.100; or

2 (3) a registered nurse education program accredited by a national
3 nursing accrediting body and approved by the board and, if the applicant has failed the
4 registered nurse licensing examination, a practical nurse scope of practice course
5 approved by the board.

6 * **Sec. 6.** AS 08.68.190 is amended to read:

7 **Sec. 08.68.190. License by examination.** The applicant shall pass a registered
8 nursing or practical nursing licensing [WRITTEN] examination as prescribed by
9 the board. The board shall issue a license to an applicant who passes the licensing
10 examination to practice registered or practical nursing provided the other
11 qualifications outlined in AS 08.68.170 [AND 08.68.180] are also met. [THE BOARD
12 SHALL CONDUCT EXAMINATIONS ANNUALLY AND AS OFTEN AS IT
13 CONSIDERS NECESSARY AT LOCATIONS DESIGNATED BY THE BOARD.]

14 * **Sec. 7.** AS 08.68.200 is amended to read:

15 **Sec. 08.68.200. License by endorsement.** (a) The board may issue a license
16 by endorsement to practice as a registered or practical nurse, whichever is appropriate,
17 to an applicant who has worked as a nurse within the past five years if the applicant
18 [(1)] is licensed as either a registered or practical nurse under the laws
19 of another state if, in the opinion of the board, the applicant meets the qualifications
20 required for licensing in the state and meets the requirements of AS 08.68.170 [; OR

21 (2) MEETS THE REQUIREMENTS OF AS 08.68.170 AND HAS
22 SUCCESSFULLY COMPLETED THE CANADIAN NURSES' ASSOCIATION
23 TESTING SERVICE EXAMINATION IF THE BOARD DETERMINES IT IS
24 COMPARABLE TO THE EXAMINATION ADMINISTERED BY THIS STATE].

25 (b) The board may issue a license by endorsement to practice as a registered or
26 practical nurse, whichever is appropriate, to an applicant who has not worked as a
27 nurse within the past five years if the applicant meets the requirements of (a)
28 [EITHER (a)(1) OR (a)(2)] of this section and

29 (1) meets the continuing competency requirements of the board; or

30 (2) completes a course of study approved by the board.

31 * **Sec. 8.** AS 08.68.210 is amended to read:

1 **Sec. 08.68.210. Temporary permits.** (a) The board may issue a temporary
2 permit, nonrenewable and valid for a period not exceeding six months, to an applicant
3 for a license by endorsement if the applicant

4 (1) submits proof satisfactory to the board that the applicant is
5 currently licensed in another state [OR CANADIAN PROVINCE OR CANADIAN
6 TERRITORY THAT ADMINISTERS AN EXAMINATION APPROVED BY THE
7 BOARD] under AS 08.68.200(a) [AS 08.68.200(a)(2)];

8 (2) meets the requirements of AS 08.68.170; and

9 (3) pays the required fee.

10 (b) The board may issue a nonrenewable permit to an applicant for license by
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12 IS A GRADUATE OF A FOREIGN SCHOOL OF NURSING AND HAS
13 SUCCESSFULLY COMPLETED THE EXAMINATION ADMINISTERED BY
14 THE COMMISSION ON GRADUATES OF FOREIGN NURSING SCHOOLS]. The
15 permit is valid for a period not to exceed six months or [EXTENDING BEYOND]
16 the date on which [TIME WHEN] the results [ARE PUBLISHED] of the licensing
17 [FIRST] examination taken by the applicant are received by the applicant,
18 whichever is sooner. If [IS ELIGIBLE TO TAKE AFTER THE PERMIT IS
19 ISSUED; HOWEVER, IF] the applicant does not take the examination for which the
20 applicant is scheduled, the permit lapses on the day of the examination.

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24 abbreviation "L.P.N." [OR "L.V.N."]

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26 **Sec. 08.68.251. Lapsed licenses.** (a) A lapsed license may be reinstated if it
27 has not remained lapsed for more than five years by payment of the license fees for the
28 current renewal period and the penalty fee. The board, by regulation, shall establish
29 continuing competency and criminal background check requirements for
30 reinstatement of a lapsed license [PERSON SEEKING REINSTATEMENT SHALL
31 MEET THE CONTINUING COMPETENCY REQUIREMENTS OF THE BOARD].

1 (b) If a license is lapsed for more than five years, in addition to the
2 requirements in (a) of this section,

3 (1) the board shall require the applicant to complete a course of study
4 approved by the board or to pass an examination prescribed by the board, and to pay
5 the fees prescribed by this chapter; or

6 (2) if the board determines that the person applying for reinstatement
7 was actively employed in nursing in another state or jurisdiction during the time that
8 the license has lapsed in this state, the license that has lapsed may be reinstated by
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19 fraud or deceit;

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

22 (3) habitually abuses alcoholic beverages, or illegally uses controlled
23 substances;

24 (4) has impersonated a registered or practical nurse;

25 (5) has intentionally or negligently engaged in conduct that has
26 resulted in a significant risk to the health or safety of a client or in injury to a client;

27 (6) practices or attempts to practice nursing while afflicted with
28 physical or mental illness, deterioration, or disability that interferes with the
29 individual's performance of nursing functions;

30 (7) is guilty of unprofessional conduct as defined by regulations
31 adopted by the board;

1 (8) has wilfully or repeatedly violated a provision of this chapter or
2 regulations adopted under this chapter or AS 08.01 [IT];

3 (9) is professionally incompetent;

4 (10) denies care or treatment to a patient or person seeking assistance
5 if the sole reason for the denial is the failure or refusal of the patient or person seeking
6 assistance to agree to arbitrate as provided in AS 09.55.535(a).

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

8 **Sec. 08.68.277. Duty of employers to report.** (a) An employer of a nurse
9 licensed under this chapter or a nurse aide certified under this chapter practicing
10 within the scope of that license or certification that discharges or suspends a nurse or
11 nurse aide or conditions or restricts the practice of a nurse or nurse aide shall, within
12 seven working days after the action, report to the board the name and address of the
13 person and the reason for the action. An employer shall report to the board the name
14 and address of a nurse or nurse aide who resigns while under investigation by the
15 employer. The requirement of an employer to report under this section applies only to
16 a discharge, suspension, or restriction of practice that is based on a ground allowing
17 action by the board under AS 08.68.270 or 08.68.334 or for conduct prohibited under
18 AS 08.68.340.

19 (b) Upon receipt of a report under (a) of this section, the board shall
20 investigate the matter and take appropriate action under AS 08.68.275.

21 * **Sec. 14.** AS 08.68.278 is amended to read:

22 **Sec. 08.68.278. Immunity for certain reports to the board.** A person who,
23 [UNDER OATH AND] in good faith, reports information to the board relating to
24 alleged incidents of incompetent, unprofessional, or unlawful conduct of a nurse
25 licensed under this chapter, a nurse aide certified under this chapter, or an
26 employer of a nurse licensed under this chapter or a nurse aide certified under
27 this chapter who reports to the board the information required under
28 AS 08.68.277 is not liable in a civil action for damages resulting from the reporting of
29 the information.

30 * **Sec. 15.** AS 08.68.060, 08.68.180, 08.68.230(c), and 08.68.240 are repealed.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 166(L&C)
Fiscal Note Number: 2
(S) Publish Date: 3/14/14

Identifier: SB166-DCCED-CBPL-02-28-2014
Title: BOARD OF NURSING; NURSES
Sponsor: GIESSEL BY REQUEST
Requester: Senate Labor and Commerce

Department: Department of Commerce, Community and
Economic Development
Appropriation: Corporations, Business and Professional
Licensing
Allocation: Corporations, Business and Professional
Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

--	--	--	--	--	--	--	--

Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**
If yes, by what date are the regulations to be adopted, amended or repealed? **12/31/14**

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: <u>Don Habeger, Director</u>	Phone: <u>(907)465-2536</u>
Division: <u>Corporations, Business and Professional Licensing</u>	Date: <u>02/28/2014 06:30 PM</u>
Approved By: <u>Jeanne Mungle, Director</u>	Date: <u>03/01/14</u>
Agency: <u>Administrative Services Director</u>	

FISCAL NOTE ANALYSIS #2

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSSB 166(L&C)

Analysis

SB166 amends AS 08.68, which establishes the Board of Nursing. The bill contains new provisions for one seat on the board to be designated for an Advanced Nurse Practitioner (ANP), changes the qualifications of the nurse educator seat on the board, and adds nursing practice updates. In addition, the proposed statute change outlines the minimum qualification of the board's Executive Administrator and adds a section requiring employers of nurses and certified nursing aides who potentially violate the statute to report to the board.

The board will adopt regulations to implement the expanded duties authorized in section 2, in addition to any other impacts they may determine these changes require.

The Division of Corporations, Business, and Professional Licensing does not anticipate fiscal impact from this legislation.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 166(L&C)
Fiscal Note Number: 1
(S) Publish Date: 3/14/14

Identifier: SB166-DOLWD-WHA-03-01-14
Title: BOARD OF NURSING; NURSES
Sponsor: GIESSEL BY REQUEST
Requester: Senate Labor & Commerce

Department: Department of Labor and Workforce Development
Appropriation: Labor Standards and Safety
Allocation: Wage and Hour Administration
OMB Component Number: 345

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates				
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	0.0	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	0.0	***	***	***	***	***

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

--	--	--	--	--	--	--	--

Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Grey Mitchell, Director
Division: Labor Standards and Safety
Approved By: Dianne Blumer, Commissioner
Agency: Commissioner's Office

Phone: (907)465-4842
Date: 03/01/2014 10:15 AM
Date: 03/01/14

FISCAL NOTE ANALYSIS #1

**STATE OF ALASKA
2014 LEGISLATIVE SESSION**

BILL NO. CSSB 166(L&C)

Analysis

The bill amends AS 08.68 to revise standards for the Board of Nursing relating to qualifications and licensure of nurses and for the conduct of employers of nurses. The bill authorizes the Department of Labor and Workforce Development to issue a civil penalty for violations of whistleblower protections afforded to a nurse for refusing to delegate duties. The fiscal impact is indeterminate, as the division is unable to quantify the number of expected complaints and the degree of investigation that may be necessary.

ALASKA STATE LEGISLATURE

Session
State Capitol Building
Juneau, Alaska 99801-1182
Phone: (907) 465-4843
Fax: (907) 465-3871



District
716 West 4th Avenue
Anchorage, Alaska 99501-2133
Phone: (907) 269-0181
Fax: (907) 269-0184

SENATOR CATHY GIESSEL

Senate Bill 166 Sponsor Statement Board of Nursing

The Board of Nursing protects the Alaska public by regulating the practice of certified nurse aides, Licensed Practical Nurses (LPNs), Registered Nurses (RNs), Certified Registered Nurse Anesthetists (CRNAs) and Advanced Nurse Practitioners (ANPs).

It has been over 10 years since the Board of Nursing has updated its statutes. Senate Bill 166 updates Nursing statutes to keep abreast of the many changes in the nursing profession.

SB 166 adds establishment of a retired nurse status, similar to retired medical license status.

When the Board was established, there were only LPNs and RNs, but this is no longer the case. SB 166 proposes to identify one designated position on the Board of Nursing to be an Advanced Nurse Practitioner or a Certified Registered Nurse Anesthetist, to represent the advanced scope of practice level. This will not add any seats on the Board; it simply designates one of the board seats for the advanced practice level.

The Board of Nursing approves Alaska nursing educational programs. Since the accrediting requirements are constantly changing and there are an increasing number of educational institutions in Alaska, the Board will continue to provide oversight approval of educational programs in Alaska utilizing accreditation by a national nursing accrediting body.

Senate Bill 166 adjusts the Board of Nursing's title for their executive secretary, changing it to "Executive Administrator" to better reflect the duties and responsibilities of the position.

Please join me in support of the Board of Nursing and these necessary statute changes set out in Senate Bill 166.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 27, 2014

SUBJECT: Sectional Summary of CSSB 166() L₁C
(Work Order No. 28-LS1010) R

TO: Senator Cathy Giessel
Attn: Jane Conway

FROM: Hilary Martin *Hilary Martin*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1. Requires the practical nursing board member to have practiced nursing for two years prior to appointment; the nursing education board member work at the graduate, baccalaureate, or associate level; and the advanced nurse practitioner and registered nursing applicants to have practiced nursing for four years prior to appointment.

Section 2. Requires the board to adopt regulations relating to retired nurse status, and establish criteria for approval of practical nurse education programs that are not accredited by a national nursing accrediting body. Changes the name of the executive secretary of the board to the executive administrator.

Section 3. Requires the executive administrator of the board to hold, at a minimum, a master's degree in nursing.

Section 4. Changes the name of the executive secretary of the board to the executive administrator.

Section 5. Repeals and reenacts AS 08.68.170, regarding qualifications of registered or practical nurse applicants. Allows a practical nurse applicant to be licensed if the applicant has completed a registered nurse education program but failed the registered nurse licensing examination.

Section 6. Amends the examination requirement to remove the requirement that the examination be written and the requirement that the board conduct examinations annually.

Section 7. Removes language that allowed a person who had completed the Canadian Nurses' Association testing service examination to be licensed in this state.

Section 8. Removes language that allowed a person licensed in a Canadian province or territory to receive a temporary permit. States that a temporary permit may not exceed six months or the date on which the results of the licensing exam taken by the applicant are published, whichever is sooner.

Section 9. Removes the title "licensed vocational nurse" and the corresponding abbreviation from the titles a person licensed in this state may use.

Section 10. Requires the board to adopt regulations regarding continuing competency and background check requirements for reinstatement of a lapsed license.

Section 11. Allows a licensed physician's assistant to supervise a practical nurse.

Section 12. Makes a grammatical change to AS 08.68.270.

Section 13. Adds a new section that requires an employer of a nurse or nurse aide that fires, suspends, or conditions or restricts the practice of a nurse or nurse aide to report that action to the board within seven days. Requires the board to investigate the matter.

Section 14. Removes the requirement that a report to the board regarding incompetent, unprofessional, or unlawful conduct of a nurse or nurse aide be under oath.

Section 15. Repeals and reenacts AS 08.68.279(a), regarding whistleblower protection. Prevents an employer from discharging, threatening, or otherwise discriminating against a nurse under specified circumstances.

Section 16. Allows a person discharged, threatened, or otherwise discriminated against to bring a civil action. Allows the Department of Labor and Workforce Development to impose a civil penalty for violations of (a) of the section.

Section 17. Repeals statutes.

SB 166 Board of Nursing/Nurses

Explanation of changes from original version "O" to version "R" (L&C)

Changes made with Committee Substitute in L&C Committee

Page 7 Beginning on Line 28 :

Version R rewrites the whistleblower protection section to include both the nurse that **delegates a task** to another not educated to perform ... AND ...the nurse asked to **perform a task** they are not educated to perform. Version O language only protected the delegater.

Page 8, line 19 :

correction in language - Legal drafters had neglected to write out the full name of the Department of Labor and Workforce Development, so version R makes that small fix.

Integrity • Advocacy • Professionalism • Representation • Empowerment



The mission of the Alaska Nurses Association is to advance and support the profession of nursing in Alaska.

Number of Nurses in Alaska 2014

Registered Nurses	11,732
Advanced Practice Registered Nurses	866
Licensed Practical Nurses	907
Certified Nursing Assistants	<u>3,399</u>
TOTAL	16,038



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

BOARD OF NURSING

550 West 7th Avenue, Suite 1500
Anchorage, AK 99501-3567
Main: 907.269.8161
TDD: 907.465.5437
Fax: 907.269.8196

February 28, 2014

RE: SB 166 "An Act relating to nursing and to the Board of Nursing"

To Whom It May Concern,

The members of the Board of Nursing at the January 2014 Board meeting unanimously approved the proposed changes to AS 08.68 reflected in SB 166. The bill is predominately a "clean up" bill to update the wording and sections of the statute, AS 08.68, that are outdated. Section 13 adds a new section requiring employers to report to the Board nurses or nurse aides who are fired or suspended. This section mirrors a section in the medical board's statute which results in an investigation and potential disciplinary action against a licensee if warranted. This is a protection to the public that has previously not been in the statute.

The Board of Nursing has at its mission the protection of the public through licensing qualified nurses and nurse aides. The proposed changes accomplish this mission by updating licensure and practice standards and by clarifying the statute's wording. The statute has not been revised for over a decade.

One example, of how the statute is outdated is as follows: the testing of applicants for nursing licenses has used "computer adaptive" methods for fifteen years. Currently, licensing examinations are given whenever the Board approves an applicant and the applicant schedules it at a testing center. However, the statute wording in AS 08.68 still reflects licensing examinations given by paper and pencil twice a year.

As stated earlier, the Board of Nursing fully supports the changes in AS 08.68 that passage of SB 166 would accomplish. As the Executive Administrator for the Board of Nursing, I, too, fully support passage of SB 166.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Sanders".

Nancy Sanders, PhD, RN
Executive Administrator



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

BOARD OF NURSING

550 West 7th Avenue, Suite 1500
Anchorage, AK 99501-3567
Main: 907.269.8161
TDD: 907.465.5437
Fax: 907.269.8196

February 11, 2014

Barbara Jacobson, RN, MSN
Chief Nurse Executive
Yukon-Kuskokwim Health Corporation

RE: Letter of Concern

Dear Ms. Jacobson,

Thank you for your letter which expressed several concerns related to the education and certification of nurse aides in Bethel. I will respond to each of your concerns with the information that I have.

You first asked about the background check requirement in the Board of Nursing (BON) statute AS 08.68.100. Your point that the applicant for nurse aide certification has just gone through the background check prior to starting their clinical experience is true for Bethel students. However, for certification as a nurse aide, an applicant, by statute, has to submit fingerprints and the processing fee to undergo another background check. This is a requirement that has caused many concerns in the past. Regardless of how excessive and expensive the requirement is, the FBI requires that the background check be specific to the use of the information. The nurse aide program in Bethel is requiring the background check for students to be able to give care in the hospital; the Board of Nursing is requiring the fingerprints and background check for certification. DHSS cannot share their results with the BON and the BON cannot share their results with another agency including one within State government. It is not a BON rule; it is a FBI requirement.

Second, the Bethel nurse aide students have never been denied the opportunity to test due to the requirement of a background check by the Board of Nursing. However, failure to submit all of the required documents may have delayed the student's ability to test. Those requirements are listed on the application for certification available on the Board of Nursing website www.nursing.alaska.gov. In addition, a student who is delayed from taking the exam has no bearing on the 80% pass rate requirement. The pass rate is based on the first time the student takes the examination. There is no barrier except a self-made barrier if the applicant does not submit all of the required documents. If the students have to respond two or three times it is because they are not submitting the required documents.

Next, the Board of Nursing and Health and Social Services have different statutes and regulations. What might be a barrier crime for one may not be a barrier crime for the other. The Board of Nursing, in fact, does not have specific barrier crimes. AS 08.68.334 Grounds for denial, suspension, or revocation of certificate states the BON "may" deny a certification or impose a disciplinary sanction...and then lists 7 very serious instances. The key word is

Ms. Jacobson

2/10/2014

Page 2

"may". The Board considers each application on a case-by-case basis. The mission of the BON is to actively promote and protect the health of the citizens of Alaska through the safe and effective practice of nursing as defined by law. The BON takes its mission very seriously and implements the statute and regulations to that end.

Related to the concern of the success of the program and its ability to get people into the workforce in a timely manner, I suggest the program instructors work with the students to be sure their applications are complete and all required documents are submitted. The student's completed applications can be submitted at the beginning of the program. The applications will be "examined" within 10 business days of receipt and a status letter will be sent if there is missing information. That way, the student will be able to submit documents if any documents are missing. The verification of completion of the program has to be sent by the instructor after the program ends and the student passes. The verifications are usually submitted as a group.

Finally, the proctor issues. The BON has been diligent in trying to approve and train proctors for all of the CNA program sites. When a proctor leaves without notice, as was the case in Bethel, and no one else is trained to administer the national examination, there will be lag time. The Nurse Aide Registry Licensing Examiner, Jamie Heinz, is working with the Bethel program and two proctors have recently been approved. She received the most recent proctor applications on January 24 and they were approved February 10, 2014. If you know of additional qualified nurses who would like to proctor for CNA students, please have them apply.

I appreciate your concern going forward that the BON have the ability and finances to train the proctors. I certainly agree with you. You mention having a trainer come to Bethel to train the proctors. In the most recent example there were not sufficient students ready to test for this to be worthwhile. It is most helpful for nurses training to be proctors to have many students to test such as in the larger sites such as Anchorage, Fairbanks, and perhaps Juneau.

I hope this letter provided the information you were seeking. I am very interested in working with you and all the CNA program sites to successfully meet their needs.

Sincerely,



Nancy Sanders, PhD, RN
Executive Administrator
Alaska Board of Nursing

Cc: Lyman Hoffman, Senator
Bob Herron, Representative
Susan Bell, Commissioner, DCCED
Don Habeger, Director, CBPL
Sara Chamber, Operations Manager, CBPL
Karen Purdue, ASHNHA

Jane Conway

From: Jane Conway
Sent: Tuesday, March 11, 2014 1:11 PM
To: Jane Conway
Subject: SB166

From: Tina DeLapp [mailto:tdelapp@ak.net]
Sent: Tuesday, March 11, 2014 10:19 AM
To: Sen. Cathy Giessel
Subject: SB166

Senator Giessel –

I am concerned about the lack of limits regarding the nurse educator representative on the board of nursing. I have no problem expanding the types of programs from which this representative can be selected; the current limit to a baccalaureate educator has prevented a number of very capable people from being appointed to the Board. However, in recent years, three different associate degree programs have received of sought approval from the Board of Nursing. It is my understanding that one of those programs recently graduated its first class – with only one graduate being able to pass the licensure exam. A proposed curriculum from another program proposed a total degree requirement of 70 quarter credits when 108 credits would be more normal and appropriate; 70 is the norm for programs on a semester system; the then director of that program later moved to another institution interested in starting an associate degree nursing program (though she has already left).

Alaska is one of the few states that relies on a board member to provide expertise in nursing education – most states have a staff member who is responsible for monitoring nursing education programs and reporting back to the board, which ultimately maintains responsibility for approving or not approving programs. Ideally the Alaska Board would also employ a full or part time education consultant. However, given the small number of licensees in Alaska, relying on the expertise of a Board member is probably the only option for the state.

Requiring that the nurse educator representative come from a program with national accreditation would ensure that the individual in that role would have knowledge of national nursing education standards. For now, such a requirement would limit education representative candidate to faculty associate with the UAA School of Nursing. However, in the future, I have no doubt that some of the emerging programs will achieve national accreditation.

I was also distressed to see no inclusion of Clinical Nurse Specialists in the revised statute – although that is certainly an issue that could be addressed in future legislation. As a health consumer in the state, I believe the lack of CNS specifications in the state's nurse practice act limits the quality of health care available to Alaskans.

Tina D. DeLapp, EdD, RN, FAAN

Emerita Professor of Nursing

University of Alaska Anchorage

From: J Gillette [mailto:loggiemonster@hotmail.com]

Sent: Sunday, February 09, 2014 8:30 PM

To: Sen. Mike Dunleavy

Cc: Sen. Cathy Giessel; Beth Farnstrom; Nancy Sanders; Erin Evans; Denise Valentine; Tom Hendrix

Subject: Please Support Senate Bill 166

Honorable Senator Dunleavy,

I am asking you to support Senate Bill 166, "An Act relating to the Board of Nursing."

I have served as a public member on the Alaska State Board of Nursing since April 1, 2011. Over the past few years, we have made great progress updating our regulations to include new job titles and acronyms recognized by the National Council of State Boards of Nursing (NCSBN).

Senate Bill 166 further provides needed updates to compliment national standards. It also includes a new section for retired nurses. This is an area that was requested and is overwhelmingly supported by nurses in our great state.

It is vitally important to the Board that the nurse population has the best representation possible. To accomplish this, we carefully reviewed the positions on the Board and amended position descriptions to provide the experience necessary to perform the duties while simultaneously expanding eligibility for membership. The goal is to offer greater opportunity to serve to nurses statewide.

The changes in statute this bill addresses have been carefully discussed over the past year. Nurses throughout the state were engaged with the board during this process and provided constructive feedback ensuring updates will meet the needs of our nurses and the public.

Please consider expediting movement of this bill.

Respectfully,

Julie A. Gillette

P.O. Box 60163

Fairbanks, AK 99706

907-888-9946

ALASKA

PROFESSIONAL NURSES
ORGANIZATION

March 14, 2014

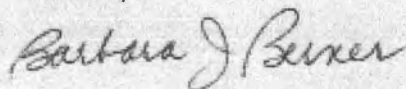
Senator Kathy Giessel
Alaska State Capitol, Rm 427
Juneau, Alaska 99801

Dear Senator Giessel,

The Alaska Professional Nurses Organization fully supports SB 166, "An Act relating to nursing and to the Board of Nursing." We believe that the changes the bill addresses are long overdue and reflect processes needed to adequately oversee our profession in the State of Alaska.

Our organization is supportive of all changes in and additions to the Statutes of the Nurse Practice Act that SB 166 targets. Thank you for sponsoring this bill. We look forward to SB 166 moving quickly through the legislative process and being signed into law this legislative session.

Sincerely,



Barbara Berner, EdD, APRN, FNP-BC, FAANP
President, Alaska Professional Nurses Organization

cc. Senator Ellis
Senator Dunleavy
Senator Micciche
Senator Olson
Senator Stedman

ALASKA PROFESSIONAL NURSES ORGANIZATION

2922 Yale Drive, Anchorage, AK 99508 | 907.345.2722 | www.akpno.org

Jane Conway

From: Erin Evans <emevans312@gmail.com>
Sent: Friday, February 28, 2014 5:16 PM
To: Jane Conway
Subject: SB 166

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern:

I strongly support the passing of SB 166. This Bill deals with the composition of the Board of Nursing and provides critical updates, which I believe will ensure Board members and the Executive Administrator have the appropriate depth of experience. The Board of Nursing makes key decisions with the mission of protecting the public. Having highly qualified personnel involved with the Board is key to this process.

Sincerely,

Erin Evans, RN, MS
Board of Nursing member

Beth Farnstrom, RN
18751 Villages Scenic Pkwy.
Anchorage, AK 99516
(H) 907-349-6074

March 1, 2014

Dear Senator Giessel,

I would like to take this opportunity to say I support SB 166.

I have been a member of the Board of Nursing for the past 7 years. During this time, the Board has been revising the proposed statute changes to reflect the current nursing practice, to enhance the qualifications of the Executive Administrator and establish a dedicated seat on the Board for an Advance Nurse Practitioner.

The nurses represented on the Board need to be practicing in their profession. This enables them to make informed decisions based on their experience. The educator position was initially written when there was only one baccalaureate education program in the state. The new wording expands the qualifications to include all associate, baccalaureate or graduate academic institutions.

A few changes address new titles that have evolved over the years as registered nurses become more educated in their areas of expertise.

The updating of the title from executive secretary to executive administrator is reflective of the duties performed by this individual. The executive administrator position has evolved to require a master in nursing to be considered for this position. The Board discussed at length the possibility of a nurse who has a master in another health related field. The conclusion is that the executive administrator is the **only nurse** in the office and needs to have experience to handle the volume of practice questions. A master degree in another field would not benefit the Board of Nursing. The master in nursing prepared pool of candidates is sufficient to provide a qualified candidate.

Other proposed statute changes apply to candidates who want to be licensed in the state of Alaska. These changes are currently what are being done since the process has evolved since the statutes were previously written and adopted.

Once again I support SB 166.

Sincerely,

Beth Farnstrom, RN
Alaska State Board of Nursing
Chair

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

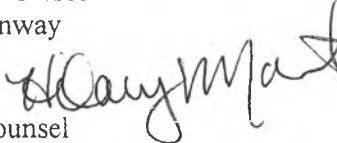
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 24, 2014

SUBJECT: Sectional Summary of CSSB 166()
(Work Order No. 28-LS10101) and G

TO: Senator Cathy Giessel
Attn: Jane Conway

FROM: Hilary Martin 
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

nursing — **Section 1.** Requires the practical nursing board member to have practiced nursing for two years prior to appointment; the nursing education board member to work in a nationally accredited academic institution at the graduate, baccalaureate, or associate level; and the advanced nurse practitioner and registered nursing applicants to have practiced nursing for four years prior to appointment.

Section 2. Requires the board to adopt regulations relating to retired nurse status, and establish criteria for approval of practical nurse education programs that are not accredited by a national nursing accrediting body. Changes the name of the executive secretary of the board to the executive administrator.

Section 3. Requires the executive administrator of the board to hold, at a minimum, a master's degree in nursing.

Section 4. Changes the name of the executive secretary of the board to the executive administrator.

Section 5. Repeals and reenacts AS 08.68.170, regarding qualifications of registered or practical nurse applicants. Allows a practical nurse applicant to be licensed if the applicant has completed a registered nurse education program but failed the registered nurse licensing examination.

Section 6. Amends the examination requirement to remove the requirement that the examination be written and the requirement that the board conduct examinations annually.

Section 7. Removes language that allowed a person who had completed the Canadian Nurses' Association testing service examination to be licensed in this state.

Section 8. Removes language that allowed a person licensed in a Canadian province or territory to receive a temporary permit. States that a temporary permit may not exceed six months or the date on which the results of the licensing exam taken by the applicant are published, whichever is sooner.

Section 9. Removes the title "licensed vocational nurse" and the corresponding abbreviation from the titles a person licensed in this state may use.

Section 10. Requires the board to adopt regulations regarding continuing competency and background check requirements for reinstatement of a lapsed license.

Section 11. Allows a licensed physician's assistant to supervise a practical nurse.

Section 12. Makes a grammatical change to AS 08.68.270.

Section 13. Adds a new section that requires an employer of a nurse or nurse aide that fires, suspends, or conditions or restricts the practice of a nurse or nurse aide to report that action to the board within seven days. Requires the board to investigate the matter.

Section 14. Removes the requirement that a report to the board regarding incompetent, unprofessional, or unlawful conduct of a nurse or nurse aide be under oath.

Section 15. Repeals statutes.