



**Notice of adoption of emergency regulation on nursing license by
endorsement and temporary permits in the regulations of the
Alaska Board of Nursing**

Proposed Regulations - FAQ

April 2022

1. What is the purpose of the emergency regulations? What will this regulation do?

12 AAC 44.305. License by Endorsement and 12 AAC 44.320. Temporary Permits

The Board of Nursing finds that an emergency exists under AS 44.62.250 requiring an immediate change to the nursing licensure process for licensure by endorsement and temporary permits requirements, and that an emergency regulation change is necessary for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

As a consequence of the COVID-19 pandemic, the Board of Nursing is experiencing a severe staffing shortage that has created untenable delays in nursing licensure. Remaining staff are working overtime in the evenings and through the weekends, however, licensing at best is taking seven weeks, but more often several months. This is causing hospitals and other healthcare facilities to be short staffed and in dire need of nurses who are ready to work, but in the queue to be licensed. These regulation changes will allow a significant number of nurses to be issued a temporary license upon initial review of their application and provides a six-month window to continue working with the Board of Nursing to submit remaining documentation for permanent licensure.

- This change will make the history of nursing related employment requirement an attestation (since the employer also needs to submit confirmation of employment history). A significant amount of time causing licensure delay is related to applicants not completing this section of the form correctly. The board does not feel it is critical to see employment history outlined in the application if the employer is also verifying it with the employment verification form. This will change the employer verification requirement to match AS 08.68.200. Statute allows nurses who have not worked in the last 5 years to either take a refresher course OR complete continuing competency requirements. Our regulations only allow for the refresher course. We also want to change the requirements from two years to five years. The reason this should fall under the emergency regulation is because employers are often confused by this regulation and mismark the form causing unnecessary delays in licensure.

- This will change temporary permit requirements to remove proof of passing English proficiency exam and submission of the employer verification form. These will obviously still be required for full licensure, just not for the temporary license. Removing these requirements for temporary license will significantly increase the number of applicants who can receive a temporary license on initial review of their application.
- Qualified nurses will be able to be licensed and get to work faster. This will help reduce staffing shortages in hospitals and other healthcare facilities.

2. What are the costs to comply with the emergency regulations?

Decrease temporary permit fee to zero.

3. When will the emergency regulations be effective?

The emergency regulation took effect on April 21, 2022 and will expire August 18, 2022 unless made permanent by the Board. The Board intends to make the emergency regulation permanent.

4. When will the emergency regulations be permanent?

After the public comment deadline, comments received are compiled and given to the Board for consideration. The Board may adopt the emergency regulation to be made permanent as proposed/publicly noticed, may amend and adopt them, choose to take no action and expire after the 120th day, or may withdraw the emergency regulations in part or in its whole. After Board action, the adopted permanent regulations goes to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for permanent filing.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.