

EMERGENCY REGULATION

Register 236, January 2021 PROFESSIONAL REGULATIONS

Chapter 40. State Medical Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 40.010(b)(1)(A) is amended to read:

(A) a completed application on a form provided by the department,
including a photograph of the applicant [AND THE APPLICANT'S NOTARIZED
SIGNATURE];

(Eff. 12/30/70, Register 36; am 5/18/85, Register 94; am 8/2/86, Register 99; am 4/10/88,
Register 106; am 5/1/94, Register 130; am 6/28/97, Register 142; am 8/17/97, Register 143; am
11/7/98, Register 148; am 8/9/2000, Register 155; am 6/15/2001, Register 158; am 4/2/2004,
Register 169; am 10/14/2006, Register 180; am 3/4/2007, Register 181; am 12/21/2007, Register
184; am 5/8/2013, Register 206; am 8/17/2018, Register 227; am 3/25/2020, Register 233; em
am 4/21/2020 – 8/18/2020, Register 234; am 11 / 16 / 2020, Register 236)

Authority:	AS 08.64.100	AS 08.64.210	AS 08.64.250
	AS 08.64.200	AS 08.64.225	AS 08.64.255
	AS 08.64.205	AS 08.64.240	

12 AAC 40.015(b)(1)(A) is amended to read:

(A) a completed application on a form provided by the department,
including a photograph of the applicant [AND THE APPLICANT'S NOTARIZED
SIGNATURE];

(Eff. 7/29/83, Register 87; am 3/30/84, Register 89; am 4/10/88, Register 106; am 6/28/97,
Register 142; am 8/17/97, Register 143; am 6/15/2001, Register 158; am 4/2/2004, Register 169;
am 3/4/2007, Register 181; am 12/21/2007, Register 184; am 8/17/2018, Register 227; am

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3/25/2020, Register 233; em am 4/21/2020 – 8/18/2020, Register 234; am 11 / 16 / 2020,

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Authority: AS 08.64.100 AS 08.64.205 AS 08.64.225
AS 08.64.180 AS 08.64.209 AS 08.64.240
AS 08.64.190 AS 08.64.210 AS 08.64.255

12 AAC 40.035(d)(2)(A) is amended to read:

(A) a completed application on a form provided by the department, including a photograph of the applicant [AND THE APPLICANT'S NOTARIZED SIGNATURE];

(Eff. 5/18/85, Register 94; am 8/2/86, Register 99; am 4/10/88, Register 106; am 8/17/97, Register 143; am 8/9/2000, Register 155; am 10/8/2017, Register 224; am 12/25/2019, Register 232; em am 4/21/2020 – 8/18/2020, Register 234; am 11 / 16 / 2020, Register 236)

Authority: AS 08.64.100 AS 08.64.270 AS 08.64.279
AS 08.64.180

12 AAC 40.045(a) is amended to read:

(a) A courtesy license authorizes the holder to practice medicine, osteopathy, or podiatry for limited purposes recognized by the board in (b) **and (i)** of this section. A courtesy license does not authorize the holder to perform medical services outside the scope of the courtesy license issued under this section.

The introductory language of 12 AAC 40.045(b)(4) is amended to read:

(4) physicians who come to the state to provide emergency medical care or

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emergency mental health care, except under an emergency courtesy license as provided in

(j) of this section, if

...

12 AAC 40.045(e) is amended to read:

(e) A courtesy license is valid only for the shorter of the following periods:

(1) the duration of the activity as listed in (b) of this section;

(2) a period not to exceed

(A) one year after the date the courtesy license is issued under (b)(1) -

(b)(3) or (b)(5) - (b)(6) of this section; or

(B) for an emergency courtesy license, six months with a six-month

extension upon request, if [90 DAYS AFTER THE DATE THE COURTESY

LICENSE IS] issued under (j) [(b)(4)] of this section, or the board has determined

the urgent situation no longer requires an emergency courtesy license.

12 AAC 40.045 is amended by adding new subsections to read:

(j) The board may determine that there exists an urgent situation that requires issuance of an emergency courtesy license. In an urgent situation, the board, executive administrator, or the board's designee may issue an emergency courtesy license under this subsection to an applicant who practices medicine or osteopathy, or who practices as a physician assistant or mobile intensive care paramedic, to provide emergency medical or mental health care within the scope and duration of the declared urgent situation. A courtesy license may be issued under this subsection to a person who

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(1) holds a current unencumbered license to practice as a physician, osteopath, physician assistant, or mobile intensive care paramedic in another jurisdiction, or holds a retired license under AS 08.64.276 that has been issued less than two years;

(2) submits a completed application on a form provided by the department, and

(A) if a physician or osteopath,

(i) verification of a current license to practice medicine or osteopathy in good standing and not under investigation in the jurisdiction in which the applicant resides, or verification of a retired license issued under AS 08.64.276;

(ii) clearance from the Federation of State Medical Boards;

(iii) clearance from the National Practitioner Data Bank; and

(iv) clearance from the federal Drug Enforcement Administration;

(B) if a physician assistant,

(i) verification of a current license to practice medicine in good standing and not under investigation in the jurisdiction in which the applicant resides;

(ii) clearance from the Federation of State Medical Boards;

(iii) clearance from the National Practitioner Data Bank; and

(iv) clearance from the federal Drug Enforcement Administration

(C) if a mobile intensive care paramedic,

(i) verification of a current license as a mobile intensive care paramedic in good standing and not under investigation in the jurisdiction in which the applicant resides;

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(ii) clearance from the National Practitioner Data Bank; and
(iii) a declaration of sponsorship form signed by a physician or osteopath who holds a license in this state, or an emergency courtesy license issued under this subsection, who will provide supervision as required by 12 AAC 40.310(a)(3).

(k) The board may refuse to issue a courtesy license or an emergency courtesy license for the same reasons it may deny, suspend, or revoke a license under AS 08.64.326.

(l) In this section, “urgent situation” means a health crisis affecting all or part of the state that requires increased availability of healthcare providers licensed under this chapter.

(Eff. 5/1/94, Register 130; am 8/9/95, Register 135; am 12/18/2001, Register 160; am 10/8/2017, Register 224; am 12/25/2019, Register 232; em am 4/21/2020 – 8/18/2020, Register 234; am 11 / 16 / 2020, Register 236)

Authority: AS 08.01.062 AS 08.64.100 AS 08.64.240

12 AAC 40.963(a) is amended to read:

(a) If, upon receipt by the division of the last document required to complete an application file, the file contains an application form or verification that has a postmark date that is more than 12 [SIX] months old, the document will be considered to be stale and the applicant must resubmit the document or cause the document to be resubmitted as appropriate before the application will be considered by the board or the board’s designee.

(Eff. 9/30/2001, Register 159; am 4/2/2004, Register 169; em am 4/21/2020 – 8/18/2020, Register 234; am 11 / 16 / 2020, Register 236)

Authority: AS 08.64.100