

## EMERGENCY REGULATION

Register 239, October 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.)

12 AAC 40.943(b) is amended to read:

(b) During a **public health** [DISASTER] emergency declared by the governor or commissioner of health and social services, or an emergency as defined in (c) of this section, an appropriate licensed health care provider need not be present with the patient to assist a physician or physician assistant with examination, diagnosis, and treatment if the physician or physician assistant is prescribing, dispensing, or administering buprenorphine to initiate or continue treatment for opioid use disorder and the physician or physician assistant

(1) is a waived practitioner under 21 U.S.C 823(g)(2) (Drug Addiction Treatment Act (DATA));

(2) documents all attempts to conduct a physical examination under AS 08.64.364(b), [AND] the reason why the examination cannot be performed, **and the reason why another health care provider cannot be present with the patient;** and

(3) requires urine or oral toxicology screening as part of the patient's medication adherence plan.

12 AAC 40.943 is amended by adding a new subsection to read:

**(c) In this section, "emergency" means a health crisis affecting all or part of the state when circumstances prohibit another licensed health care provider's presence with the patient.** (Eff. 10/8/2017, Register 224; am 5/5/2020, Register 234; am 9/20/2020, Register 235;

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Authority: AS 08.64.100 AS 08.64.101 AS 08.64.364