

NOTICE OF PROPOSED CHANGES RELATING TO THE LICENSING AND PRACTICE OF NURSING IN THE REGULATIONS OF THE BOARD OF NURSING

BRIEF DESCRIPTION: The Board of Nursing proposes to update various regulations relating to criteria for evaluation of nurse practitioner programs, licensure requirements, retired nurse license status, reinstatement, initial authorization, prescriptive authority, preceptorships, renewal, scope of practice, continuing competency requirements, certification requirements, lapsed certification, nurse aide training program approval, unprofessional conduct, administration of a non-herbal nutritional supplement, delegation of the administration of medication or injectable medication, nursing duties that may not be delegated, executive secretary, and eliminating the term “similar position that performs nurse aide duties”.

The Board of Nursing (Board) proposes to adopt regulation changes in Title 12, Chapter 44, of the Alaska Administrative Code, dealing with evaluation of nurse practitioner programs, application by examination, examinations, license by endorsement, retired nurse license status, reinstatement of lapsed license or retired license, initial authorization requirements for advanced nurse practitioners (ANPs) and certified registered nurse anesthetists (CRNAs), renewal requirements for ANPs and CRNAs, scope of practice, continuing competency requirements, certified nurse aide (CNA) certification requirements, CNA renewal requirements, lapsed certification, CNA training program approval, unprofessional conduct, administration of a non-herbal nutritional supplement, delegation of the administration of medication, delegation of the administration of injectable medication, nursing duties that may not be delegated, executive administrator, and definitions, including the following:

1. **12 AAC 44.135, Evaluation of nurse practitioner programs**, is proposed to be changed to adopt by reference the revised Criteria for Evaluation of Nurse Practitioner Programs.
2. **12 AAC 44.290, Application for examination**, is proposed to be changed to alter the requirements for licensure by examination.
3. **12 AAC 44.300, Examinations**, is proposed to be changed to alter the requirements for nursing applicants applying for a license by examination.
4. **12 AAC 44.305, License by endorsement**, is proposed to be changed to alter the requirements for nursing license by endorsement.
5. **12 AAC 44.311, Retired nurse license status**, is a proposed new section that establishes for the conversion of an active nursing license to a retired nurse license status.
6. **12 AAC 44.317, Reinstatement of a lapsed license**, is proposed to be changed to alter the section title to read “Reinstatement of a lapsed or retired license”, and to change the provisions relating to reinstatement of a lapsed or retired status license.
7. **12 AAC 44.400, Requirements for initial authorization**, is proposed to be changed to alter the requirements for initial authorization to practice as an ANP.
8. **12 AAC 44.440, Prescriptive authority**, is proposed to be changed to alter the continuing education requirements for renewal of an ANP prescriptive authority.
9. **12 AAC 44.460, Preceptorships**, is proposed to be changed to eliminate the preceptorship application fee.
10. **12 AAC 44.470, Renewal of advanced nurse practitioner authorization**, is proposed to be changed to alter the requirements for renewal of an ANP authorization.
11. **12 AAC 44.500, Requirements for initial authorization**, is proposed to be changed to alter the requirements for initial authorization to practice as a CRNA.

12. **12 AAC 44.510, Scope of practice**, is proposed to be changed to adopt by reference the revised Scope of Nurse Anesthesia Practice.
13. **12 AAC 44.540, Renewal of certified registered nurse anesthetist authorization**, is proposed to be changed to alter the requirements for renewal of a CRNA authorization.
14. **12 AAC 44.610, Continuing education requirements**, is proposed to be changed to alter the continuing education requirements.
15. **12 AAC 44.620, Professional activities requirement**, is proposed to be changed to alter the continuing competency requirements for renewal of a nursing license.
16. **12 AAC 44.630, Nursing employment requirement**, is proposed to be changed to alter the provisions related to documentation of nursing employment toward fulfillment of the continuing competency requirements.
17. **12 AAC 44.800, Certification by examination**, is proposed to be changed to alter the requirements for nurse aide certification by examination.
18. **12 AAC 44.805, Certification by endorsement**, is proposed to be changed to alter the requirements for nurse aide certification by endorsement.
19. **12 AAC 44.810, Application for certification**, is proposed to be changed to alter the requirements for certification as a nurse aide.
20. **12 AAC 44.815, Issuance and renewal of certification**, is proposed to be changed to alter the provisions relating to nurse aide certification renewal requirements.
21. **12 AAC 44.820, Lapsed certification**, is proposed to be changed to alter the reinstatement requirements for nurse aide certification.
22. **12 AAC 44.830, Application for training program approval**, is proposed to be changed to alter the provisions relating to applicant seeking to establish a CNA training program approval.
23. **12 AAC 44.870, Unprofessional conduct**, is proposed to be changed to alter what constitutes unprofessional conduct by a certified nurse aide.
24. **12 AAC 44.945, Administration of a non-herbal nutritional supplement**, is proposed to be changed to alter the provisions related to administration of non-herbal nutritional supplement.
25. **12 AAC 44.965, Delegation of the administration of medication**, is proposed to be changed to alter the provisions related to delegation of the administration of medication.
26. **12 AAC 44.966, Delegation of the administration of injectable medication**, is proposed to be changed to alter the provisions relating to delegation of the administration of injectable medication.
27. **12 AAC 44.970, Nursing duties that may not be delegated**, is proposed to be changed to alter the provisions related to the nursing duties that may not be delegated.
28. **12 AAC 44.980, Executive Secretary**, is proposed to be changed to alter the section title to read "Executive Administrator", and to eliminate the title "Executive Secretary".
29. **12 AAC 44.990, Definitions**, is proposed to be changed to eliminate the term "similar position that performs nurse aide duties".

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974, and by electronic mail at jun.maiquis@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/179127>, and using the comment link. **The comments must be received not later than 4:30 p.m. on December 23, 2015.**

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806, or by e-mail at jun.maiquis@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofNursing.aspx> or on the Alaska Online Public Notice System. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or jun.maiquis@alaska.gov not later than December 16, 2015, to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jun Maiquis at the address or phone number above, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/NUR-1115.pdf>.

A copy of material proposed for adoption by reference is available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofNursing.aspx>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.075; AS 08.01.100; AS 08.68.100; AS 08.68.111; AS 08.68.170; AS 08.68.190; AS 08.68.200; AS 08.68.251; AS 08.68.270; AS 08.68.275; AS 08.68.276; AS 08.68.280; AS 08.68.290; AS 08.68.330; AS 08.68.331; AS 08.68.334; AS 08.68.336; AS 08.68.805; AS 08.68.850

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.075; AS 08.01.100; AS 08.68.100; AS 08.68.111; AS 08.68.170; AS 08.68.190; AS 08.68.200; AS 08.68.251; AS 08.68.270; AS 08.68.275; AS 08.68.276; AS 08.68.280; AS 08.68.290; AS 08.68.330; AS 08.68.331; AS 08.68.334; AS 08.68.336; AS 08.68.805; AS 08.68.850

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 11/20/15

/s/
Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

Chapter 44. Board of Nursing.

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

12 AAC 44.135(b) is amended to read:

(b) The criteria contained in the document titled *Criteria for Evaluation of Nurse Practitioner Programs* **2012** [2008], issued by the National Task Force on Quality Nurse Practitioner Education, are adopted by reference as the criteria for approval of a graduate program for nurse practitioners under (a) of this section. (Eff. 7/17/2003, Register 167; am 10/16/2011, Register 200; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.280 AS 08.68.290

Editor's note: Copies of the *Criteria for Evaluation of Nurse Practitioner Programs*, prepared by the National Task Force on Quality Nurse Practitioner Education, adopted by reference in 12 AAC 44.135(b) are available from the Division of Corporations, Business and Professional Licensing, Board of Nursing, 550 W. 7th Avenue, Suite 1500, Anchorage, AK 99501-3567, telephone: (907) 269-8161 or the National Organization of Nurse Practitioner Faculties, 900 19th Street, NW, Suite 200B, Washington, DC 20006, telephone: (202) 289-8044, email: nonpf@nonpf.org; **website: <http://www.aacn.nche.edu/education-resources/evalcriteria2012.pdf>**.

12 AAC 44.290(a)(1)(A) is amended to read:

(A) for identification purposes, an original, passport [TYPE] photograph of the applicant, **on photography paper** [APPROXIMATELY TWO INCHES BY TWO INCHES OF THE FACE AND SHOULDERS], taken within the six months immediately

preceding the date of application, signed and dated by the applicant, and the personal identification information requested on the application form;

12 AAC 44.290(c) is amended to read:

(c) An applicant who is approved to take the licensing examination is eligible for examination for one year after the date the department sends a notice of approval to **take the NCLEX to the testing company** [THE APPLICANT]. An applicant who does not take the examination within that year shall reapply for approval under (a) of this section **and submit the application fee and fingerprint processing fee.**

(Eff. 10/14/72, Register 43; am 4/27/83, Register 86; am 8/2/86, Register 99; am 7/28/95, Register 135; am 4/27/97, Register 142; am 9/25/98, Register 147; am 6/16/2002, Register 162; am 10/9/2002, Register 164; am 11/23/2003, Register 168; am 10/15/2004, Register 172; am 5/18/2006, Register 178; am 3/4/2007, Register 181; am 5/7/2010, Register 194; am 10/3/2011, Register 200; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.190 AS 08.68.270
AS 08.68.170

12 AAC 44.300 is amended by adding a new subsection to read:

(g) An applicant who graduated from an accredited nursing program more than two years prior to an application for licensure by examination must take a remedial nursing course approved by the board before attempting the NCLEX. (Eff. 10/14/72, Register 43; am 4/27/83, Register 86; am 11/12/93, Register 128; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 7/22/2004, Register 171; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.190

12 AAC 44.305(a)(1)(F) is amended to read:

(F) an original, passport [TYPE] photograph of the applicant, **on photography paper** [APPROXIMATELY TWO INCHES BY TWO INCHES OF THE FACE AND SHOULDERS], taken within the six months immediately preceding the date of application, and the applicant's notarized signature certifying that the information in the application is correct to the best of the applicant's knowledge;

12 AAC 44.305(a)(1)(H) is amended to read:

(H) if the applicant **is a graduate of a foreign pre-licensure nursing program not taught in English or if English is not the individual's native language** [GRADUATED FROM A REGISTERED NURSE OR PRACTICAL NURSE PROGRAM OFFERED BY A SCHOOL OF NURSING OUTSIDE OF THE UNITED STATES INCLUDING TERRITORIES OR CANADA, EXCEPT QUEBEC, CANADA, WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE OF THE COUNTRY OR A SCHOOL IN THE UNITED STATES AND TERRITORIES WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE], verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

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12 AAC 44.305(a)(3) is amended to read:

(3) verification that the applicant holds a current license, **which is in good**

standing and unencumbered, to practice in another jurisdiction where licensing requirements meet the requirements set out in (b) of this section; and

(Eff. 4/27/83, Register 86; am 8/2/86, Register 99; am 4/29/91, Register 118; am 4/27/97, Register 142; am 9/25/98, Register 147; am 11/2/2001, Register 160; am 6/16/2002, Register 162; am 3/4/2007, Register 181; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.200 AS 08.68.270
AS 08.68.170

12 AAC 44 is amended by adding a new section to read:

12 AAC 44.311. Retired nurse license status. (a) An individual holding an active unencumbered nursing license with the board may apply for the conversion of a nursing license to a retired nursing license status. An individual holding a retired nursing license status may use the title “advanced practice registered nurse-retired (APRN, Retired)”, “registered nurse-retired (RN, Retired)”, or “licensed practical nurse-retired (LPN, Retired)”, as appropriate, but may not practice, or indicate that the individual is practicing or soliciting to practice APRN, RN, or LPN in the state. A retired nurse license status is valid for the life of the holder and does not require renewal.

(b) The board will issue a retired nurse status to an individual who meets the requirements of (a) of this section if the applicant

- (1) submits a completed application on a form provided by the department; and
- (2) pays the retired nurse status one-time fee specified in 12 AAC 02.280.

(c) An individual who holds a retired nurse license status who wishes to return to the practice of nursing may request a change from retired nurse status to active licensure by meeting the requirements of 12 AAC 44.317. (Eff. ____/____/_____, Register _____)

Authority: AS 08.01.100 AS 08.68.100

The section title and the introductory language of 12 AAC 44.317(a) is amended to read:

12 AAC 44.317. Reinstatement of a lapsed or retired license. (a) The board will reinstate a license to practice as a registered or practical nurse, that has lapsed **or been on a retired** status less than one year, if the applicant

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(Eff. 11/2/2001, Register 160; am 10/15/2004, Register 172; am 3/4/2007, Register 181; am 3/28/2008, Register 185; am 11/19/2008, Register 188; am 12/23/2009, Register 192; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am ____/____/_____, Register _____)

Authority: AS 08.01.100 AS 08.68.251 AS 08.68.276
AS 08.68.100

12 AAC 44.400(a)(6)(E) is amended to read:

(E) if the applicant is a graduate of **an** [A FOREIGN] advanced nurse practitioner program **not taught in English or if English is not the individual's native language** [OUTSIDE OF THE UNITED STATES INCLUDING TERRITORIES OR CANADA, EXCEPT QUEBEC, CANADA, WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE OF THE COUNTRY OR A PROGRAM IN THE UNITED STATES AND TERRITORIES WHERE ENGLISH IS NOT THE PRIMARY

LANGUAGE], verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

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12 AAC 44.400(g)(1) is amended to read:

(1) "accredited" means approved by **a national nursing accrediting organization such as** the Commission on Collegiate Nursing Education (CCNE) or the **Accrediting Commission for Education in Nursing (ACEN)** [NATIONAL LEAGUE OF NURSING ACCREDITING COMMISSION (NLNAC)] at the time the applicant attended the program;

12 AAC 44.400 is amended by adding new subsections to read:

(h) An applicant who has had no clinical practice as an advanced nurse practitioner,
(1) for a period of two years or more before the date of the application for authorization, but less than five years, must complete 200 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed advanced nurse practitioner or licensed physician, and who is practicing in the same population focus area as that of the applicant;

(2) for a period of five years or more before the date of the reinstatement application, but less than 10 years, must complete 300 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed advanced nurse practitioner or licensed physician, and who is practicing in the same population focus area as that of the applicant; or

(3) for a period of 10 years or more must complete 500 hours of advanced nursing practice under the direct supervision of preceptor who is a licensed advanced nurse practitioner or licensed physician, and who is practicing in the same population focus area as that of the applicant.

(i) At the completion of the supervised practice under (h) of this section, the preceptor must submit a statement assessing the applicant's knowledge and advanced practice ability. (Eff. 1/13/80, Register 73; am 5/16/81, Register 78; am 12/1/84, Register 91; am 11/7/87, Register 104; am 4/27/97, Register 142; am 11/2/2001, Register 160; am 11/16/2002, Register 164; am 3/28/2008, Register 185; am 11/19/2008, Register 188; am 4/16/2010, Register 194; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.440(i) is amended to read:

(i) Contact hours used for initial authorization as an ANP may not be used again for renewal of the authorization unless the **initial authorization** [RENEWAL] is within 180 days of the renewal deadline. (Eff. 1/13/80, Register 73; am 12/1/84, Register 91; am 11/7/87, Register 104; am 8/9/92, Register 123; am 4/9/94, Register 130; am 4/27/97, Register 142; am 7/17/2003, Register 167; am 5/29/2005, Register 174; am 3/28/2008, Register 185; am 12/23/2009, Register 192; am 4/16/2010, Register 194; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.460(b)(2) is repealed:

(2) repealed ____/____/____;

(Eff. 1/13/80, Register 73; am 11/12/93, Register 128; am 11/19/2008, Register 188; am 4/16/2010, Register 194; am ____/____/____, Register ____)

Authority: AS 08.01.075 AS 08.68.270 AS 08.68.850
AS 08.68.100 AS 08.68.275

12 AAC 44.470 is amended by adding new paragraphs to read:

(4) evidence of a current Alaska RN license in good standing;

(5) evidence of 320 hours of practice as an advance nurse practitioner as defined in AS 08.68.850(1) during preceding licensing period.

(Eff. 1/13/80, Register 73; am 12/1/84, Register 91; am 11/7/87, Register 104; am 6/22/96, Register 138; am 11/2/2001, Register 160; am 12/23/2009, Register 192; am 4/16/2010, Register 194; am 10/3/2011, Register 200; am ____/____/____, Register ____)

Authority: AS 08.68.100

12 AAC 44.500 is amended by adding new subsections to read:

(c) An applicant who has had no clinical practice as a certified registered nurse anesthetist for a period of two years or more before the date of the application for authorization, but less than five years, must complete 200 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed certified registered nurse anesthetist or licensed physician, and who is practicing in the same population focus area as that of the applicant.

(d) An applicant who has had no clinical practice as a certified registered nurse anesthetist for a period of five years or more before the date of the reinstatement application, but less than 10 years, must complete 300 hours of advanced nursing practice under the direct supervision of a preceptor who is a licensed certified registered nurse anesthetist or licensed physician, and who is practicing in the same population focus area as that of the applicant.

(e) An applicant who has had no clinical practice as a certified registered nurse anesthetist for a period of 10 years or more must complete 500 hours of advanced nursing practice under the direct supervision of preceptor who is a licensed certified registered nurse anesthetist or licensed physician, and who is practicing in the same population focus area as that of the applicant.

(f) At the completion of the supervised practice under (c) – (e) of this section, the preceptor must submit a statement assessing the applicant’s knowledge and advanced practice ability. (Eff. 10/8/81, Register 80; am 8/2/86, Register 99; am 11/7/87, Register 104; am 4/27/97, Register 142; am 3/28/2008, Register 185; am 11/19/2008, Register 188; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.510(a) is amended to read:

(a) A certified registered nurse anesthetist may perform, within the scope of the person's educational preparation, procedures set out in the American Association of Nurse Anesthetists' *Scope of [AND STANDARDS FOR] Nurse Anesthesia Practice*, revised as of **2013** [2010] and adopted by reference.

(Eff. 10/8/81, Register 80; am 8/2/86, Register 99; am 11/7/87, Register 104; am 12/27/2012, Register 204; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

Editor's note: A copy of the *Scope of [AND STANDARDS FOR] Nurse Anesthesia Practice*, adopted by reference in 12 AAC 44.510(a), can be obtained from the American Association of Nurse Anesthetists, 222 South Prospect Avenue, Park Ridge, Illinois 60068-4001, or at the association's website at <http://www.learninghouse.com/?sope+and+standards+for+nurse+anesthesia+practice>.

12 AAC 44.540 is amended by adding new paragraphs to read:

(4) evidence of a current Alaska RN license in good standing valid for the renewal period being sought; and

(5) evidence of 320 hours of practice as a certified registered nurse anesthetist as defined in AS 08.68.850(7) during the preceding licensing period. (Eff. 10/8/81, Register 80; am 8/2/86, Register 99; am 11/7/87, Register 104; am 11/2/2001, Register 160; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am ____/____/_____, Register _____)

Authority: AS 08.68.100

12 AAC 44.610(a)(1) is amended to read:

(1) completion of at least 30 contact hours of continuing education for renewal of a license, **during the two years before the licensing period for which the applicant seeks renewal**; the applicant shall earn at least 20 of the contact hours in a continuing education program provided

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12 AAC 44.610(d) is amended to read:

(d) The board will not accept continuing education contact hours **or in-service hours** for the completion of courses in cardiopulmonary resuscitation (CPR) or basic life support (BLS).

(Eff. 1/1/87, Register 97; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 3/28/2008, Register 185; am 11/19/2008, Register 188; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.276 AS 08.68.330

12 AAC 44.620(a)(1) is amended to read:

(1) completion of at least 30 hours of participation in **uncompensated** professional activities for renewal of a license, **during the two years before the licensing period for which the applicant seeks renewal**; and

12 AAC 44.620(a)(2)(D) is amended to read:

(D) design and conduct [OF] a research study relating to nursing and health care;

(Eff. 1/1/87, Register 97; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 10/15/2004, Register 172; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.276 AS 08.68.330

12 AAC 44.630 is amended to read:

12 AAC 44.630. Nursing employment requirement. The board will accept nursing employment toward fulfillment of the continuing competency requirements set out in 12 AAC 44.600 if the applicant documents at least 320 hours of practice of practical nursing or registered nursing, as defined in AS 08.68.850, during the two years before the licensing period for which the applicant seeks renewal. The applicant shall document those hours on a [RENEWAL SURVEY] form provided by the board and shall include the name of the nurse's employer. (Eff. 1/1/87, Register 97; am 7/28/95, Register 135; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.276

12 AAC 44.800(a)(2) is amended to read:

(2) submits verification of passing one of the following English proficiency examinations, with at least the following minimum scores, if the applicant applies under (1)(A), (B), (C), or (E) of this subsection, and if the school or program was outside of the United States including territories **of** [OR] Canada, except Quebec, Canada, [WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE OF THE COUNTRY OR A SCHOOL OR PROGRAM IN THE UNITED STATES AND TERRITORIES WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE]:

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(Eff. 2/14/99, Register 149; am 5/29/99, Register 150; am 5/29/2005, Register 174; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.331 AS 08.68.334

12 AAC 44.805(4) is amended to read:

(4) if the nurse aide program was taken outside of the United States including territories **of** [OR] Canada, except Quebec, Canada, [WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE OF THE COUNTRY OR AT A SCHOOL IN THE UNITED STATES AND TERRITORIES WHERE ENGLISH IS NOT THE PRIMARY LANGUAGE,] verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

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(Eff. 2/14/99, Register 149; am 3/28/2008, Register 185; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.331

12 AAC 44.810(a) is amended to read:

(a) An applicant for certification as a nurse aide must submit

(1) a completed application, on a form provided by the department, verifying that the applicant meets the requirements of 12 AAC 44.800(a) or 12 AAC 44.805; the completed application must include, for identification purposes,

(A) a **passport** photograph of the applicant;

(B) a signature of the applicant; and

(C) personal identification information;

(2) the applicable fees established in 12 AAC 02.282; [AND]

(3) **if the submitted application has remained dormant for over one year**

from the original date of application, an additional application fee and fingerprint

processing fee shall be required; and

(4) the applicant's fingerprint information required by 12 AAC 44.812.

(Eff. 2/14/99, Register 149; am 6/16/2002, Register 162; am 10/9/2002, Register 164; am
_____/_____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.331

12 AAC 44.815(c) is amended to read:

(c) A nurse aide certification will be renewed if the applicant was employed in a state or territory of the United States, or in a province or territory of Canada as a certified nurse aide for monetary compensation for 160 hours or more during the concluding certification period. **To renew, the CNA has to be able to verify performing CNA duties.**

(Eff. 2/14/99, Register 149; am 12/14/99, Register 153; am 4/9/2000, Register 154; am
11/2/2001, Register 160; am 7/22/2004, Register 171; am 5/29/2005, Register 174; am
12/23/2009, Register 192; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am
_____/_____/_____, Register _____)

Authority: AS 08.01.100 AS 08.68.331 AS 08.68.336
AS 08.68.100

12 AAC 44.820(a) is amended to read:

(a) The board will reinstate a nurse aide certification that has been lapsed for one **day** [YEAR], but less than two years, if the applicant submits

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(Eff. 2/14/99, Register 149; am 12/14/99, Register 153; am 4/9/2000, Register 154; am 11/2/2001, Register 160; am 10/15/2004, Register 172; am 12/23/2009, Register 192; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am ____/____/_____, Register _____)

Authority: AS 08.01.100 AS 08.68.100 AS 08.68.331

12 AAC 44.830(b) is amended by adding a new paragraph to read:

(9) copies of signed memorandums of understanding for clinical training.

12 AAC 44.830(d) is amended to read:

(d) **An RN that is either a member of the** [THE] board **or board staff** will conduct an on-site review of the training facilities and personnel of a provisionally approved program during the first training offered by that program. After the on-site review the board will notify the program provider whether the board has determined that

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(Eff. 2/14/99, Register 149; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.331

12 AAC 44.870(b) is amended by adding a new paragraph to read:

(29) recording any part of the administration of the nurse aide certification examination or removing copies or photographs of any of the testing documents from the testing environment.

(Eff. 2/14/99, Register 149; am 5/29/2005, Register 174; am 5/7/2010, Register 194; am ____/____/_____, Register _____)

Authority: AS 08.01.075 AS 08.68.331 AS 08.68.334
AS 08.68.100

12 AAC 44.945(b) is repealed.

(b) Repealed ____/____/____.

(Eff. 8/30/2007, Register 183; am 11/19/2008, Register 188; am 5/7/2010, Register 194; am
____/____/____, Register _____)

Authority: AS 08.68.100

The introductory language of 12 AAC 44.965(e) is amended to read:

(e) The administration of PRN medication, other than controlled substances, may be delegated under this section if a nurse is not available on-site. Before the administration of PRN medications may be delegated, the nurse shall first assess the patient to determine whether on-site patient assessment will be required before [THE ONGOING] administration of each dose of PRN medication. The written instructions provided to the person under 12 AAC 44.950(a)(7) must meet the requirements of (d) of this section, and must also include

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(Eff. 10/14/2004, Register 172; am 11/4/2004, Register 172; am 12/23/2009, Register 192; am 12/27/2012, Register 204; am ____/____/____, Register _____)

Authority: AS 08.68.100 AS 08.68.805 AS 08.68.850

12 AAC 44.966(c) is amended to read:

(c) The certified medical assistant to whom the administration of an injectable medication is to be delegated must successfully complete a training course in administration of medication [THAT IS APPROVED BY THE BOARD AND SPECIFIC TO THE ALLOWED MEDICATIONS].

12 AAC 44.966(h)(3) is repealed:

(3) repealed ____/____/_____. (Eff. 5/7/2010, Register 194; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.805 AS 08.68.850

12 AAC 44.970(14) is repealed:

(14) repealed ____/____/_____. (Eff. 10/14/2004, Register 172; am 8/30/2007, Register 183; am 5/7/2010, Register 194; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.805 AS 08.68.850

The section title and the introductory language of 12 AAC 44.980(a) are amended to read:

12 AAC 44.980. Executive Administrator [SECRETARY]. (a) The duties and responsibilities of the executive administrator [SECRETARY] include

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12 AAC 44.980(b) is repealed:

(b) Repealed ____/____/_____. (Eff. 2/9/2007, Register 181; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.111

12 AAC 44.990(28) is repealed:

(28) repealed ____/____/____;

(Eff. 1/13/80, Register 73; am 10/8/81, Register 80; am 12/1/84, Register 91; am 4/2/86, Register 97; am 4/29/91, Register 118; am 7/28/95, Register 135; am 11/2/2001, Register 160; am 6/16/2002, Register 162; am 11/10/2002, Register 164; am 10/14/2004, Register 172; am 2/9/2007, Register 181; am 11/19/2008, Register 188; am 12/27/2012, Register 204; am ____/____/____, Register ____)

Authority: AS 08.68.100 AS 08.68.275 AS 08.68.805