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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Victoria Caltagirone  
Department of Commerce, Community and Economic Development

**FROM:** Kady Levale, Office of the Lieutenant Governor *KL*  
465.3509

**DATE:** July 20, 2022

**RE:** Filed Permanent Regulations: Board of Nursing

Department of Commerce, Community and Economic Development; Board of Nursing regulations re: license by examination and endorsement applications for comparable military nursing program graduates; uncompensated professional activity hours requirement reduction (12 AAC 44)

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|------------------------|-------------------|
| Attorney General File: | 2022200123        |
| Regulation Filed:      | 7/20/2022         |
| Effective Date:        | 8/19/2022         |
| Print:                 | 243, October 2022 |

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis  
Jun Maiquis, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF THE BOARD OF NURSING

The attached four pages of regulations, dealing with application for examination, license by endorsement, and professional activities requirements, are certified to be a correct copy of the regulation changes that the Board of Nursing adopted at its May 4-5, 2022 meeting, under the authority of AS 08.68.100, AS 08.68.170, AS 08.68.190, AS 08.68.200, AS 08.68.270, AS 08.68.276, and AS 08.68.330, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Nursing paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: \_\_\_\_\_

Tessa Walker Linderman  
Digitally signed by Tessa Walker  
Linderman  
Date: 2022.05.06 09:06:14 -08'00'

Tessa Walker Linderman, Executive Administrator  
Alaska Board of Nursing

FILING CERTIFICATION

*Kady Levante for*  
I, *Kevin Meyer*, Lieutenant Governor for the State of Alaska, certify that on *July 20*, 2022 at *2:14 p*.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

*for Kady Levante*  
\_\_\_\_\_  
for Kevin Meyer, Lieutenant Governor

Effective: *August 19, 2022*.  
Register: *243, October 2022*.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,  
designate the following state employees to perform the Administrative Procedures Act  
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Juneau, on December 11th,  
2018.**



*Kevin Meyer*

**KEVIN MEYER  
LIEUTENANT GOVERNOR**

Chapter 44. Board of Nursing.

12 AAC 44.290(a)(3) is amended by adding a new subparagraph to read:

(E) is a practical nurse applicant who has completed the <sup>United States</sup> ~~US~~ Army Practical Nurse Program or ~~the~~ Air Force Basic Medical Technician Corpsman Program (BMTCP) <sup>4N051 (5 Skill Level)</sup> ~~4N051-5 Skill Level Program~~ and who is on active duty or has been discharged <sup>for not more</sup> ~~fewer~~ than five years from the date of application,

- (i) a complete certified transcript of the applicant's military education, mailed directly to the board from the <sup>appropriate</sup> military program;
- (ii) <sup>on a provided by the board, the</sup> verification of employment form confirming applicant has <sup>within</sup> in the last five years worked in the <sup>United States</sup> ~~US~~ Army or Air Force in the role they <sup>was</sup> trained in either the U.S. Army Practical Nurse Program or the Air Force Basic Medical Technician Corpsman Program (BMTCP) <sup>4N051 (5 Skill Level)</sup> ~~4N051-5 Skill Level Program~~ <sup>for which the applicant were educated in;</sup>
- (iii) an attestation <sup>affirming the applicant is familiar with the licensed practical nurse</sup> ~~agreeing to follow all applicable LPN~~ scope of practice advisory opinions adopted by the board;

(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 8/10/2016, Register 219; am 5/16/2018, Register 226; am 4/14/2021, Register 238; am 6 / 12 / 2022, Register 242); am 8 / 19 / 2022, Register 243)

Authority: AS 08.68.100 AS 08.68.190 AS 08.68.270  
AS 08.68.170

((Please add the following paragraph to the editor's note after 12 AAC 44.290))

The licensed practical nurse scope of practice advisory opinions referenced in 12 AAC 24.290(a)(3)(E)(iii) are available at [https://www.commerce.alaska.gov/web/portals/5/pub/NUR\\_AdOp\\_Scope.pdf](https://www.commerce.alaska.gov/web/portals/5/pub/NUR_AdOp_Scope.pdf).

12 AAC 44.305(b)(1) is amended to read:

(1) successful completion of a recognized nursing education program, <sup>United States ((board/v.l.))</sup> or the US

Army Practical Nurse Program or the Air Force Basic Medical Technician Corpsman

Program (BMTCP) <sup>4N051 (5 Skill Level) ((board/v.l.))</sup> 4N051-5 Skill Level Program; 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 8/10/2016, Register 219; am 5/16/2018, Register 226; am 4/14/2021, Register 238; am 4/21/2022, Register 242; am 6 / 14 / 2022, Register 242); am 8 / 19 / 2022, Register 243)

Authority: AS 08.68.100 AS 08.68.200 AS 08.68.270  
AS 08.68.170

12 AAC 44.620(a) is amended to read:

(a) The board will accept professional activities toward fulfillment of the continuing competency requirements set out in 12 AAC 44.600 if the applicant documents

<sup>((no board))</sup>  
(1) repealed 8 / 19 / 2022 [FOR A PRACTICAL NURSE LICENSE, ON

OR BEFORE SEPTEMBER 30, 2018, 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];

((no bid))

(2) repealed 8/19/2022 [FOR A REGISTERED NURSE LICENSE, ON

OR BEFORE NOVEMBER 30, 2018, 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];

(3) for a practical nurse license, on or before September 30, 2020 [AFTER OCTOBER 1, 2018], completion of at least 60 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;

(4) for a registered nurse license, on or before November 30, 2020 [AFTER DECEMBER 1, 2018], completion of at least 60 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]

(5) for a practical nurse license, on or after October 1, 2020, 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;

(6) for a registered nurse license, on or after December 1, 2020, 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

(7) that the hours of participation in professional activities were earned in at least one of the following ways; <sup>((please replace with a course, per the current regulation))</sup>



- (A) work with a professional nursing or health-related organization;
- (B) authoring or contributing to an article, book, or publication related to health care;
- (C) development and oral presentation of a paper before a professional or lay group on a subject that explores new or current areas of nursing theory, technique, or philosophy;
- (D) the design and conduct of a research study relating to nursing and health care;
- (E) other professional activities approved by the board and included on a list that the board maintains; the board will approve only those activities that meet the definition of "professional activities" in (b) of this section.

(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 8/10/2016, Register 219; am 5/16/2018, Register 226; am 8/8/2018, Register 227; am 8 / 19 / 2022, Register 243 )

**Authority:** AS 08.68.100            AS 08.68.276            AS 08.68.330

**Chapter 44. Board of Nursing.**

**(Rekeyed Version)**

12 AAC 44.290(a)(3) is amended by adding a new subparagraph to read:

(E) is a practical nurse applicant who has completed the United States Army Practical Nurse Program or Air Force Basic Medical Technician Corpsman Program (BMTCP) 4N051 (5 Skill Level) and who is on active duty or has been discharged for not more than five years from the date of application,

(i) a complete certified transcript of the applicant's military education, mailed directly to the board from the appropriate military program;

(ii) verification of employment, on a form provided by the board, confirming the applicant has, within the last five years, worked in the United States Army or Air Force in the nursing role for which the applicant was trained in either the U.S. Army Practical Nurse Program or the Air Force Base Medical Technician Corpsman Program (BMTCP) 4N051 (5 Skill Level);

(iii) an attestation affirming the applicant is familiar with the licensed practical nurse scope of practice advisory opinions adopted by the board;

(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 8/10/2016, Register 219; am 5/16/2018, Register 226; am 4/14/2021, Register 238; am 6/12/2022, Register 242); am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.68.100 AS 08.68.190 AS 08.68.270



AS 08.68.170

**Editor's note:** Information regarding the International English Language Testing System (IELTS) described in 12 AAC 44.290(a)(3)(D)(i) is available at [www.ielts.org](http://www.ielts.org).

The Test of English as a Foreign Language (TOEFL-iBT) examination described in 12 AAC 44.290(a)(3)(D)(ii) is administered by Educational Testing Services, P.O. Box 6151, Princeton, New Jersey 08541; Telephone: (609) 771-7100 or (877) 863-3546; website at [www.ets.org/toefl](http://www.ets.org/toefl).

Information regarding the Commission on Graduates of Foreign Nursing Schools Credentials Evaluation Service and the International Commission on Healthcare Professions (ICHP) certificate described in 12 AAC 44.290(a)(3)(D)(iii) and (iv) is available at CGFNS International, 3600 Market Street, Suite 400, Philadelphia, Pennsylvania 19104-2651; Telephone: (215) 222-8454; website at [www.cgfns.org](http://www.cgfns.org).

**The licensed practical nurse scope of practice advisory opinions referenced in 12 AAC 44.290(a)(3)(E)(iii) are available at [https://www.commerce.alaska.gov/web/portals/5/pub/Nur\\_AdOp\\_Scope.pdf](https://www.commerce.alaska.gov/web/portals/5/pub/Nur_AdOp_Scope.pdf).**

12 AAC 44.305(b)(1) is amended to read:

(1) successful completion of a recognized nursing education program, **the United States Army Practical Nurse Program, or Air Force Basic Medical Technician Corpsman Program (BMTCP) 4N051 (5 Skill Level)**; and

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(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 8/10/2016, Register 219; am 5/16/2018, Register 226; am 4/14/2021, Register 238; am 4/21/2022, Register 242; am 6/12/2022, Register 242); am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.68.100 AS 08.68.200 AS 08.68.270  
AS 08.68.170

12 AAC 44.620(a) is amended to read:

(a) The board will accept professional activities toward fulfillment of the continuing competency requirements set out in 12 AAC 44.600 if the applicant documents

(1) **repealed** \_\_\_\_/\_\_\_\_/\_\_\_\_ [FOR A PRACTICAL NURSE LICENSE, ON OR BEFORE SEPTEMBER 30, 2018, 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];

(2) **repealed** \_\_\_\_/\_\_\_\_/\_\_\_\_ [FOR A REGISTERED NURSE LICENSE, ON OR BEFORE NOVEMBER 30, 2018, 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];

(3) for a practical nurse license, on or **before September 30, 2020** [AFTER OCTOBER 1, 2018], completion of at least 60 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;

(4) for a registered nurse license, on or **before November 30, 2020** [AFTER DECEMBER 1, 2018], completion of at least 60 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]

(5) **for a practical nurse license, on or after October 1, 2020, 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;**

(6) **for a registered nurse license, on or after December 1, 2020, 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**

(7) that the hours of participation in professional activities were earned in at least one of the following ways:

(A) work with a professional nursing or health-related organization;

(B) authoring or contributing to an article, book, or publication related to health care;

(C) development and oral presentation of a paper before a professional or lay group on a subject that explores new or current areas of nursing theory, technique, or philosophy;

(D) the design and conduct of a research study relating to nursing and health care;

(E) other professional activities approved by the board and included on a list that the board maintains; the board will approve only those activities that meet the definition of "professional activities" in (b) of this section.

(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 8/10/2016, Register 219; am 5/16/2018, Register 226; am 8/8/2018, Register 227; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.68.100 AS 08.68.276 AS 08.68.330