

**NOTICE OF PROPOSED CHANGES RELATING TO TELEMEDICINE BUSINESS REGISTRY  
IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND  
ECONOMIC DEVELOPMENT**

**BRIEF DESCRIPTION:** The Department of Commerce, Community, and Economic Development proposes to adopt new regulations regarding telemedicine business registry requirements for health care providers delivering services in this state.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with telemedicine business registry. The proposed regulations establish initial registration application and renewal requirements, fees, definition of terms, and other miscellaneous provisions to implement Sec. 38 Chapter 25 SLA 2016 (SB 74).

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 Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@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/182919>, and using the comment link. **The comments must be received not later than 5:00 p.m. on October 24, 2016.** Comments received after this deadline will not be considered by the Department.

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](mailto:jun.maiquis@alaska.gov). **The questions must be received at least 10 days before the end of the public comment period.** The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and <https://www.commerce.alaska.gov/web/cbpl/BusinessLicensing.aspx>. The Department 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](mailto:jun.maiquis@alaska.gov) not later than October 17, 2016 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or [jun.maiquis@alaska.gov](mailto:jun.maiquis@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/TeleMedBusReg-0916.pdf>.

After the public comment period ends, the Department 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 08.01.065; AS 08.01.080; AS 43.70.020; AS 44.33.381

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 08.01.080; AS 43.70.020; AS 44.33.381

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

DATE: 9/20/16

/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.

**ADDITIONAL REGULATION NOTICE INFORMATION**  
**(AS 44.62.190(d))**

1. **Adopting agency:** Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Telemedicine business registry.
3. **Citation of regulation:** 12 AAC 02.106; 12 AAC 02.600 – 12 AAC 02.690.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with new state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**  
**A private person:** \$100 initial application, \$50 registration, \$50 renewal, and \$100 late renewal penalty fees.  
**Another state agency:** None known.  
**A municipality:** None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**  
No costs are expected in FY 2017 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Sara Chambers, Division Operations Manager  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
Telephone: (907) 465-2144  
E-mail: sara.chambers@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 9/20/16      **Prepared by:** /s/  
Jun Maiquis  
Regulations Specialist  
(907) 465-2537

**Chapter 02. General Occupational Licensing Functions.**

12 AAC 02 is amended by adding a new section to read:

**12 AAC 02.106. Telemedicine business registry.** The following fees are established for businesses performing telemedicine services in this state:

- (1) nonrefundable application fee for initial registration, \$100;
- (2) registration fee for all or part of the biennial registration period, \$50;
- (3) biennial registration renewal fee, \$50;
- (4) late renewal penalty fee, \$100. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.01.065 AS 44.33.381

12 AAC 02 is amended by adding new sections to read:

**Article 5. Telemedicine Business Registry.**

**Section**

600. Application for registration as a telemedicine business

610. Registration renewal

690. Definitions

**12 AAC 02.600. Application for registration as a telemedicine business.** (a) A health care provider delivering services that require registration as a telemedicine business shall submit

- (1) a completed application on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.106.

(b) A telemedicine business must register with the name it is using to conduct business in

this state. A company operating under multiple names shall file a registration for each name.

(c) Before providing services in this state, a telemedicine business must obtain an Alaska business license under AS 43.70 and 12 AAC 12.

(d) A telemedicine business must file registration under this section at least 60 days before delivering telemedicine services in this state. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.01.065 AS 43.70.020 AS 44.33.381  
AS 08.01.080

**12 AAC 02.610. Registration renewal.** (a) A telemedicine business registration must be renewed biennially on or before November 1 of even-numbered years. A renewal reminder document will be mailed to each currently registered telemedicine business at least 30 days before the renewal date.

- (b) A health care provider may renew a telemedicine business registration by submitting
- (1) a completed renewal application on a form provided by the department; and
  - (2) the applicable fees established in 12 AAC 02.106.

(c) The names, contact information, and Alaska professional license numbers of all health care providers who delivered telemedicine services as defined in AS 44.33.381 in the preceding six years must be kept on file by the telemedicine business and submitted to the department upon request. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.01.065 AS 43.70.020 AS 44.33.381  
AS 08.01.080

**12 AAC 02.690. Definitions.** In this chapter, unless the context requires otherwise,

(1) "department" means the Department of Commerce, Community, and Economic Development;

(2) for the purpose of telemedicine business registry, "health care provider" means any professional licensed under AS 08 or any entity defined in AS 47.32.900 and is engaged in delivering telemedicine services;

(3) "telemedicine services" has the meaning given in AS 44.33.381.

(Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.01.065 AS 43.70.020 AS 44.33.381

AS 08.01.080

The article heading for Article 5 is amended to read:

**Article 6 [5]. General Provisions.**