

Chapter 44. Board of Nursing.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 44.400(a)(5) is repealed:

12 AAC 44.400. Requirements for initial licensure. (a) Except as provided in (e) and (f) of this section, an applicant for initial licensure to practice as an advanced practice registered nurse (APRN) as defined in AS 08.68.850

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(5) **repealed** / / / [IF INTENDING TO DELIVER HEALTH CARE SERVICES TO THE PUBLIC, MUST SUBMIT WITH THE APPLICATION FOR INITIAL LICENSURE A CONSULTATION AND REFERRAL PLAN; THE PLAN MUST

(A) DESCRIBE THE APPLICANT'S CLINICAL PRACTICE;

(B) IDENTIFY THE EXPECTED CLIENT POPULATION FOCUS AREA, WHICH IS WITHIN THE SCOPE OF PRACTICE OF THE APPLICANT;

(C) LIST THE APPLICANT'S METHOD OF ROUTINE CONSULTATIONS AND REFERRALS, THE METHOD OF DOCUMENTING ROUTINE CONSULTATIONS AND REFERRALS IN THE PATIENT RECORD, AND THE NAMES AND TITLES OF HEALTH CARE PROVIDERS THAT THE APPLICANT WILL USE FOR ROUTINE CONSULTATIONS AND REFERRALS;

(D) LIST THE APPLICANT'S METHOD FOR EMERGENCY REFERRALS; AND

(E) REPEALED 10/3/2011;

(F) DESCRIBE THE PROCESS FOR QUALITY ASSURANCE THE

APPLICANT WILL USE TO EVALUATE THE APPLICANT'S PRACTICE,
INCLUDING

(i) THE USE OF STANDARDS THAT APPLY TO THE AREA
OF PRACTICE;

(ii) PRESENT OR PAST REVIEW OF THE PRACTICE;

(iii) USE OF PRE-ESTABLISHED CRITERIA; AND

(iv) A WRITTEN EVALUATION OF THE QUALITY
ASSURANCE REVIEW WITH A PLAN FOR CORRECTIVE ACTION, IF
INDICATED, AND FOLLOW-UP];

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(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
8/10/2016, Register 219; am 5/16/2018, Register 226; am 10/20/2018, Register 228; am
4/14/2021, Register 238; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.440(c) is amended to read:

12 AAC 44.440. Prescriptive authority.

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(c) Authorized prescriptions by an APRN must

[(1)] comply with all applicable state and federal laws [; AND

(2) CONTAIN THE SIGNATURE OF THE PRESCRIBER FOLLOWED BY THE INITIALS "APRN" AND THE PRESCRIBER'S IDENTIFICATION NUMBER ASSIGNED BY THE BOARD].

(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 8/10/2016, Register 219; am 5/16/2018, Register 226; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.445 is amended by adding a new subsection to read:

12 AAC 44.445. Controlled substance prescriptive and dispensing authority.

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(i) In addition to the requirements of this section, when prescribing a controlled substance, an APRN with prescriptive authority shall comply with the maximum dosage for opioid prescriptions under AS 08.68.705; the maximum daily dosage for an initial opioid prescription under AS 08.68.705(a) may not exceed 50 morphine milligram

equivalents (MME). (Eff. 11/17/87, Register 104; am 4/9/94, Register 130; am 4/27/97, Register 142; am 5/29/2005, Register 174; am 10/3/2011, Register 200; am 12/27/2012, Register 205; am 5/6/2018, Register 226; am 8/8/2018, Register 227; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.465 is repealed:

12 AAC 44.465. Identification. Repealed ____ / ____ / ____ [AN APRN SHALL
CONSPICUOUSLY DISPLAY

(1) ON THE APRN'S UNIFORM OR CLOTHING, A NAME PLATE
INCLUDING DESIGNATION AS AN APRN;

(2) IN THE APRN'S CUSTOMARY PLACE OF EMPLOYMENT, A
CURRENT AUTHORIZATION TO PRACTICE AS AN APRN; AND

(3) A SIGN AT LEAST FIVE INCHES BY EIGHT INCHES IN SIZE
INFORMING THE PUBLIC OF THE DEFINITION OF AN ADVANCED PRACTICE
REGISTERED NURSE IN AS 08.68.850]. (Eff. 12/1/84, Register 91; am 5/16/2018, Register
226; repealed ____ / ____ / _____, Register ____)

Authority: AS 08.68.100

12 AAC 44.805 is amended to read:

12 AAC 44.805. Certification by endorsement. An applicant is eligible for certification
as a nurse aide by endorsement if the applicant meets the following requirements:

(1) successful completion of a certified nurse aide training program **that meets
minimum federal requirements of 42 C.F.R. 483.152** [APPROVED UNDER 12 AAC 44.835,
OR EQUIVALENT IN CONTENT TO THE REQUIREMENTS OF 12 AAC 44.835(c)];

(2) possession of an unencumbered nurse aide certification or registration that is
issued by a state or territory of the United States, or by a province or territory of Canada, and that

is current on the date of the completed application;

(3) successful completion of **a national** [THE] competency evaluation [REQUIRED UNDER 12 AAC 44.850]; and

(4) if the applicant graduated from a CNA certification program outside of the United States or Canada, except Quebec, Canada, submission of verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

(A) International English Language Testing System (IELTS) academic examination - overall score of 6.5 with a minimum of 6.0 on all modules;

(B) Test of English as a Foreign Language, Internet-based test (TOEFL – iBT) - overall score of 84 with a speaking score of 26. (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 5/16/2018, Register 226; am 4/14/2021, Register 238; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.331

12 AAC 44.815 is amended to read:

12 AAC 44.815. Issuance and renewal of certification. (a) An initial nurse aide certification is valid for the remainder of the current biennial certification period. A nurse aide certification must be renewed biennially on or before a date set by the department. A renewal reminder will be mailed to each currently certified nurse aide at least 60 days before the renewal date. A certification that is not renewed lapses.

(b) To renew a nurse aide certification, a certified nurse aide must submit

(1) a completed application for renewal on a form provided by the department;

(2) the certification renewal fee established in 12 AAC 02.282; and

(3) **attestation** [VERIFICATION] that the applicant has met the continuing education requirements of 12 AAC 44.825 and the requirements of (c) or (d) of this section.

Documentation showing completion of continuing education will be required if selected for audit.

(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, performing CNA duties for monetary compensation for 160 hours or more during the concluding certification period.

(d) An applicant who was employed as a certified nurse aide for monetary compensation for less than 160 hours during the concluding certification period may not obtain the required experience after the applicant's nurse aide certificate has lapsed and must successfully complete a competency evaluation under 12 AAC 44.850 before the certification will be renewed.

(e) A certified nurse aide who is issued an initial nurse aide certification less than 12 months before the next renewal period is not required to satisfy the requirements of (c) and (d) of this section.

(f) A nurse aide certification that has been lapsed for 12 months or less may be renewed under this section.

(g) An applicant who was not employed as a certified nurse aide for monetary compensation during the concluding certification period and whose certified nurse aide training program was successfully completed more than two years ago, must complete another certified nurse aide training program approved under 12 AAC 44.835, or equivalent in content to the requirements of 12 AAC 44.835(c). (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,

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Register 204; am 5/16/2018, Register 226; am 3/26/2020, Register 234; am ____/____/_____,

Register _____)

Authority: AS 08.01.100 AS 08.68.331 AS 08.68.336

AS 08.68.100