

Chapter 44. Board of Nursing.

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

12 AAC 44.290(a)(3)(D) is amended to read:

12 AAC 44.290. Application for examination. (a) An applicant for license by examination in this state shall

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(3) provide the board with, if the applicant

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(D) graduated from a pre-licensure nursing program **outside of the United States or Canada, except Quebec, Canada** [THAT WAS NOT TAUGHT WITH ENGLISH AS THE PRIMARY LANGUAGE, ENGLISH TEXTBOOKS, AND ENGLISH TESTING MODULES], verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

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

(ii) [TEST OF ENGLISH AS A FOREIGN LANGUAGE, PAPER-BASED TEST (TOEFL-PBT) – OVERALL SCORE OF 560 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(iii) TEST OF ENGLISH AS A FOREIGN LANGUAGE, COMPUTER-BASED TEST (TOEFL-CBT) - OVERALL SCORE OF 220 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(iv)] Test of English as a Foreign Language, Internet-based test

(TOEFL-iBT) - overall score of 84 with a speaking score of 26;

(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 ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.190 AS 08.68.270

AS 08.68.170

Editor's note: The Test of English as a Foreign Language **(TOEFL-iBT) examination** [(TOEFL) EXAMINATIONS] described in **12 AAC 44.290(a)(3)(D)(ii) is** [12 AAC 44.290(a)(3)(D)(ii) - (iv) ARE] 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**.

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

12 AAC 44.305. License by endorsement. (a) An applicant for nursing license by endorsement shall submit

(1) a completed application on a form provided by the department; the completed application must include

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(H) if the applicant graduated from a pre-licensure nursing program

outside of the United States or Canada, except Quebec, Canada [THAT WAS NOT TAUGHT WITH ENGLISH AS THE PRIMARY LANGUAGE, ENGLISH TEXTBOOKS, AND ENGLISH TESTING MODULES], verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

(i) International English Language Testing System (IELTS)

academic examination - overall score of 6.5 with a minimum of 6.0 on all modules;

(ii) [TEST OF ENGLISH AS A FOREIGN LANGUAGE, PAPER-

BASED TEST (TOEFL - PBT) - OVERALL SCORE OF 560 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(iii) TEST OF ENGLISH AS A FOREIGN LANGUAGE,

COMPUTER-BASED TEST (TOEFL - CBT) - OVERALL SCORE OF 220 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(iv)] Test of English as a Foreign Language, Internet-based test

(TOEFL - iBT) - overall score of 84 with a speaking score of 26;

(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 ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.200 AS 08.68.270
AS 08.68.170

12 AAC 44.318 is amended to read:

12 AAC 44.318. Courtesy license. (a) In an urgent situation, the board will issue a courtesy license to practice nursing to an applicant who meets the requirements of this section. The board may restrict the license to only those nursing services required to respond to the urgent situation. The licensee may not practice nursing outside the scope of the limited purpose for which the courtesy license is issued.

(b) An applicant for a courtesy license under this section must submit to the department a completed [, NOTARIZED] application on a form provided by the department. A complete application includes

(1) the applicable application and licensing fees established in 12 AAC 02.280;

(2) the personal identification information requested on the form **and, unless the form is notarized, two forms of government issued identification;**

(3) certification from the applicant that the applicant is not a resident of this state;

(4) information on the applicant's physical and mental health related to the grounds for license denial, suspension, or revocation in AS 08.68.270;

(5) information on any criminal convictions related to the grounds for license denial, suspension, or revocation in AS 08.68.270;

(6) [A DESCRIPTION OF THE URGENT SITUATION FOR WHICH THE COURTESY LICENSE IS NEEDED, THE SCOPE OF PRACTICE OF NURSING REQUIRED TO RESPOND TO THE URGENT SITUATION, AND] the requested practice location and duration of practice; and

(7) a verification of a current license in good standing to practice nursing in another state or other jurisdiction [WITH LICENSING REQUIREMENTS AT LEAST

EQUIVALENT TO THOSE OF THIS STATE AT THE TIME OF APPLICATION UNDER THIS SECTION], and that the applicant is not under investigation in the state or other jurisdiction in which the applicant is licensed;

(8) repealed 5/16/2018.

(c) The board may issue one courtesy license to an individual within a consecutive 18-month period. A courtesy license issued under this section is valid for the period specified by the board and may not exceed **120** [30] consecutive days. A courtesy license may be renewed for one additional period specified by the board, not to exceed **120** [30] consecutive days.

(d) The board will not issue, and a courtesy license holder may not use, a courtesy license

(1) [FOR LOCUM TENENS COVERAGE;

(2)] as a substitute for a temporary license or other license required under

AS 08.68; or

(2) [(3)] to evaluate employment opportunities.

(e) While practicing under a courtesy license issued under this section, the holder of the courtesy license must comply with the standards of practice set out in AS 08.68 and this chapter, and is subject to discipline for actions taken or omitted while practicing under the courtesy license.

(f) The board may refuse to issue a courtesy license for the same reasons that it may deny, suspend, or revoke a license under AS 08.68.270.

(g) In this section, "urgent situation" means a health crisis affecting all or part of the state that requires an immediate supply of additional nurses or nurses with specialized education. (Eff. 11/19/2008, Register 188; am 5/16/2018, Register 226; am ___/___/_____, Register _____)

Authority: AS 08.01.062 AS 08.68.170 AS 08.68.275

AS 08.68.100

AS 08.68.270

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

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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(6) shall submit a completed application on a form provided by the department; the completed application must include

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(E) if the applicant graduated from an advanced practice registered nurse program **outside of the United States or Canada, except Quebec, Canada** [THAT WAS NOT TAUGHT WITH ENGLISH AS THE PRIMARY LANGUAGE, ENGLISH TEXTBOOKS, AND ENGLISH TESTING MODULES], verification of passing one of the following English proficiency examinations, with at least the following minimum scores:

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

(ii) [TEST OF ENGLISH AS A FOREIGN LANGUAGE, PAPER-BASED TEST (TOEFL - PBT) - OVERALL SCORE OF 560 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(iii) TEST OF ENGLISH AS A FOREIGN LANGUAGE,
COMPUTER-BASED TEST (TOEFL - CBT) - OVERALL SCORE OF 220
WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(iv)] Test of English as a Foreign Language, Internet-based test
(TOEFL - iBT) - overall score of 84 with a speaking score of 26; and

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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
____/____/____, Register _____)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.610(b) is amended to read:

12 AAC 44.610. Continuing education requirements.

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(b) The board will accept continuing education contact hours that are part of a mediated learning system such as educational television, audio or video cassettes, the Internet, or printed media, or that are part of an independent study program, if the system or program is accredited by an agency that the board has approved. [THE BOARD WILL MAINTAIN A LIST OF ACCREDITING AGENCIES AND WILL APPROVE AN ACCREDITING AGENCY THAT IS

APPROVED BY A NATIONAL CERTIFYING BODY.]

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

Authority: AS 08.68.100 AS 08.68.276 AS 08.68.330

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

12 AAC 44.800. Certification by examination. (a) An applicant is eligible for certification as a nurse aide by examination if the applicant

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(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 applicant graduated from a CNA certification program **outside of the United States or Canada, except Quebec, Canada** [THAT WAS NOT TAUGHT WITH ENGLISH AS THE PRIMARY LANGUAGE, ENGLISH TEXTBOOKS, AND ENGLISH TESTING MODULES]:

(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, PAPER-BASED TEST (TOEFL – PBT) - OVERALL SCORE OF 560 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(C) TEST OF ENGLISH AS A FOREIGN LANGUAGE, COMPUTER-

BASED TEST (TOEFL – CBT) - OVERALL SCORE OF 220 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(D)] 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 5/29/99, Register 150; am 5/29/2005, Register 174; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am 5/16/2018, Register 226; am ____ / ____ / _____, Register _____)

Authority: AS 08.68.100 AS 08.68.331 AS 08.68.334

Editor's note: A list of nursing schools that have been approved by a state or territory of the United States may be obtained by contacting the Commission on Collegiate Nursing Education (CCNE), 655 K Street, NW, Suite 750, Washington, DC 20001; telephone (202) 887-6791; website at www.aacnnursing.org/CCNE, Accreditation Commission for Education in Nursing (ACEN), 3343 Peachtree Road NE, Suite 850, Atlanta, GA 30326; telephone (404) 975-5000; website at www.acenursing.org, or the National League of Nursing, 61 Broadway, 33rd Floor, New York, NY 10006.

12 AAC 44.805(4) 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:

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(4) if the applicant graduated from a CNA certification program **outside of the United States or Canada, except Quebec, Canada** [THAT WAS NOT TAUGHT WITH

ENGLISH AS THE PRIMARY LANGUAGE, ENGLISH EXTBOOKS, AND ENGLISH TESTING MODULES], 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, PAPER-BASED TEST (TOEFL – PBT) - OVERALL SCORE OF 560 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(C) TEST OF ENGLISH AS A FOREIGN LANGUAGE, COMPUTER-BASED TEST (TOEFL – CBT) - OVERALL SCORE OF 220 WITH A SCORE ON THE TEST OF SPOKEN ENGLISH (TSE) OF 50;

(D)] 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 ____ / ____ / _____, Register _____)

Authority: AS 08.68.100 AS 08.68.331

12 AAC 44.858(g) is amended to read:

12 AAC 44.858. Training program pass rate.

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(g) For purposes of this section, a certified nurse aide training program achieves at least an 80 percent cumulative annual pass rate if the year-end data [PUBLISHED BY THE

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NATIONAL NURSE AIDE ASSESSMENT PROGRAM (NNAAP)] shows that at least 80 percent of the graduates of the approved nurse aide training program, taking the National Nurse Aide Assessment Program competency evaluation for the first time, successfully passed that competency evaluation.

(Eff. 11/19/2008, Register 188; am 3/19/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.68.100 AS 08.68.331