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 ____)

AS 08.68.100 AS 08.68.280 AS 08.68.290 Authority:

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, <u>on</u> <u>photography paper</u> [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 <u>is a graduate of a foreign pre-licensure nursing</u> 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

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 <u>or retired</u> license. (a) The board will reinstate a license to practice as a registered or practical nurse, that has lapsed <u>or been on a</u> <u>retired</u> 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 <u>an</u> [A FOREIGN] advanced nurse practitioner program <u>not taught in English or if English is not the individual's native</u> <u>language</u> [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:

. . .

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

(1) "accredited" means approved by <u>a national nursing accrediting</u> 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 <u>2013</u> [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* <u>of</u> [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

. . .

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 <u>of</u> [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:

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(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:

. . .

(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. <u>To</u>

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 <u>day</u>[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) <u>An RN that is either a member of the</u> [THE] board <u>or board staff</u> 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 ____)

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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

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 <u>Administrator</u> [SECRETARY]. (a) The duties and responsibilities of the executive <u>administrator</u> [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