

**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 44.090(b) is amended to read:

(b) Unless waived by the board, the **maximum** [MINIMUM] ratio of faculty-to-students in clinical areas involving direct care of patients or clients is one faculty member to 10 students.

(Eff. 10/14/72, Register 43; am 4/2/86, Register 97; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** **AS 08.68.100** [AS 08.68.100(a)] AS 08.68.290

12 AAC 44.317(b)(5) is amended to read:

(5) submits a reference letter, on a form provided by the department, from the applicant's past employer verifying that the applicant has been employed in a nursing capacity for at least 320 hours within the last five years before application; if the applicant has not worked within the preceding five years, the applicant must submit proof of completion of a course of study approved by the board, **which includes didactic instruction and incorporates a minimum of 100 supervised clinical hours with at least 60 percent of the hours in direct patient care.**

(Eff. 11/2/2001, Register 160; am 10/15/2004, Register 172; am 3/4/2007, Register 181; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.01.100 AS 08.68.251 AS 08.68.276  
AS 08.68.100

12 AAC 44 is amended by adding a new section to Article 3 to read:

**12 AAC 44.318. Courtesy license.** (a) The board will issue a courtesy license to practice nursing for only a limited purpose that is approved by the board under (b) of this section to an applicant who meets the requirements of this section. A courtesy license does not authorize the licensee to practice nursing outside the scope of the limited purpose for which the courtesy license is issued.

(b) The board will recognize the limited purpose for a courtesy license as the provisions of nursing services in an urgent situation. The board will, in its discretion, restrict the licensee to cover only nursing services required to respond to the urgent situation.

(c) An applicant for a courtesy license under this section shall 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;
- (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 scope of practice of nursing required to perform the duties for which the courtesy license is to be issued; the description must include the practice location and duration of practice; the applicant must demonstrate to the board's satisfaction that the scope of practice of nursing is for a limited purpose set out in this section;

(7) a verification of a current license to practice nursing in good standing in another state or other jurisdiction with requirements at least equivalent to those of this state at the time of application under this section and that the licensee is not under investigation in the state or other jurisdiction in which the applicant is licensed; and

(8) an original, passport type photograph of the applicant, approximately two inches by two inches of the face and shoulders, taken within the six months immediately preceding the date of application.

(d) A courtesy license issued under this section is valid for a period not to exceed 30 consecutive days or the duration of the limited purpose approved under this section for the courtesy license holder, whichever is less. The board may issue one renewal courtesy license to an individual within a consecutive eighteen-month period.

(e) A courtesy license holder may not use a courtesy license

(1) for the purposes of locum tenens coverage;

(2) to serve in place of a temporary or other license under AS 08.68; or

(3) for the purposes of employment consideration.

(f) While practicing under a courtesy license issued under this section, the holder of the courtesy license is obligated to uphold the standards of practice identified in AS 08.68, this chapter for the relevant provisions, and any other statutes or regulations governing the practice of nursing, and is subject to the relevant disciplinary provisions in AS 08.68 and this chapter for actions taken or omitted while practicing under the courtesy license.

(g) The board may refuse to issue a courtesy license for the same reasons that it may impose disciplinary sanctions against a licensee under AS 08.68.275. (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.01.062 AS 08.68.170 AS 08.68.275  
AS 08.68.100 AS 08.68.270

12 AAC 44.321(c) is amended to read:

(c) The form titled *Application Checklist for Registered or Practical Nurse License by Endorsement or Temporary Permit*, dated February **2008** [2006], is adopted by reference. This form is established by the board for review by staff of an application for a registered or practical nurse license by endorsement, including a temporary nonrenewable permit.

12 AAC 44.321(e) is amended to read:

(e) The form titled *Application Checklist for Authorization to Practice as a Registered Nurse Anesthetist or to Have Prescriptive Authority*, dated February **2008** [2006], is adopted by reference. This form is established by the board for review by staff of an application for initial authorization to practice as a registered nurse anesthetist, including a nonrenewable registered nurse anesthetist permit and authority to prescribe legend drugs or controlled substances.

12 AAC 44.321(f) is amended to read:

(f) The form titled *Application Checklist for Registered or Practical Nurse License Reinstatement*, dated February **2008** [2006], is adopted by reference. This form is established by the board for review by staff of an application for reinstatement of a nurse license.

(Eff. 10/8/95, Register 136; am 4/27/97, Register 142; am 6/16/2002, Register 162; am 7/30/2002, Register 163; am 5/2/2004, Register 170; am 2/9/2007, Register 181; am 3/4/2007, Register 181; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.68.100 AS 08.68.200 AS 08.68.251  
AS 08.68.170 AS 08.68.210 AS 08.68.410  
AS 08.68.190

12 AAC 44.400(a)(1)(A) is repealed and readopted to read:

(a) An applicant for initial authorization to practice as an advanced nurse practitioner as defined in AS 08.68.410(1)

(1) must have satisfactorily completed

(A) a formal graduate educational course of study in nursing that

(i) is a minimum of one-academic-year in length;

(ii) prepares registered nurses to perform an expanded role in the delivery of health care;

(iii) includes a combination of classroom instruction and a minimum of 500 separate, non-duplicated hours of supervised clinical practice;

(iv) if completed on or after January 1, 1998, has distinct course offerings of three graduate credits or more in advanced pathophysiology, advanced pharmacotherapeutics, and advanced physical assessment;

12 AAC 44.400(a)(3) is amended to read:

(3) must hold a current certification of nurse practitioner in a specialty area of nursing granted by a national certification body recognized by the board **in the advanced nurse practitioner role and specialty consistent with educational preparation;**

12 AAC 44.400 is amended by adding a new subsection to read:

(e) In addition to the requirements of this section, an internationally educated applicant for licensure in this state as an advanced nurse practitioner shall graduate from a graduate level advanced nurse practitioner program equivalent to an approved advanced nurse practitioner education program in the United States, as documented in an official transcript, mailed directly to the department from the international nursing education program and verified through a credentials evaluation for the level of license being sought.

12 AAC 44.400 is amended by adding a new subsection to read:

(f) Notwithstanding the requirements of this section, the board will, in its discretion, authorize waivers from the graduate degree requirements required under this section to

(1) qualified certificate-prepared women's health care nurse practitioners and neonatal nurse practitioners who completed their programs before January 1, 2006;

(2) qualified certificate-prepared nurse midwives who completed their programs before January 1, 2006;

(3) qualified certificate-prepared nurse practitioners, other than women's health care, neonatal, and nurse midwives, in specialties recognized by the board, who completed their programs on or before January 1, 2003.

12 AAC 44.400 is amended by adding a new subsection to read:

(g) The waiver of the graduate education requirements as described in (f) of this section continues to apply at the time of license renewal or reinstatement of a lapsed license. (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  
\_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.68.100 AS 08.68.410

12 AAC 44.460(b) is repealed and readopted to read:

(b) The applicant shall submit

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

(A) the personal identification information requested on the form;

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

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

(2) the application fee established in 12 AAC 02.280; the application fee will be credited toward the fees required in 12 AAC 44.400(a)(7);

(3) documented evidence of a preceptorship arrangement to be approved by the board;

(4) verification of a current license in good standing to practice as a registered nurse issued by this state or another state licensing jurisdiction; and

(5) documented evidence of current enrollment in an advanced nurse practitioner program as required in 12 AAC 44.400(a)(1)(A). (Eff. 1/13/80, Register 73; am 11/12/93, Register 128; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.01.075 AS 08.68.270 AS 08.68.410

AS 08.68.100

AS 08.68.275

12 AAC 44.470(a)(4) is amended to read:

(4) **documentation of 1,000 hours of clinical practice within the five years preceding the date of renewal application; and**

**(5)** [(4)] the biennial authorization renewal fee established by 12 AAC 02.280.

12 AAC 44.470(c)(4) is amended to read:

(4) **evidence of compliance with (a)(4) of this section; and**

**(5)** [(4)] the biennial authorization fee established by 12 AAC 02.280.

(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 \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.68.100

12 AAC 44.500(a)(1) is amended to read:

**(a)** An applicant for initial authorization to practice as a registered nurse anesthetist shall

(1) submit documentation of having satisfactorily completed **a graduate** [AN] educational program prescribed by a school of nurse anesthesia accredited by a nationally recognized accrediting agency approved by the United States Department of Education and the Board of Nursing;

12 AAC 44.500 is amended by adding a new subsection to read:

(b) Notwithstanding the requirements of this section, the board will, in its discretion, authorize waivers from the graduate degree requirements required under (a) of this section to qualified certificate-prepared certified registered nurse anesthetists who completed an approved program before January 1, 2001. The waiver of the graduate education requirements continues to apply at the time of license renewal or reinstatement of a lapsed license. (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 \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.68.100 AS 08.68.410

12 AAC 44.610(c)(1) is amended to read:

(1) "contact hour" means a minimum of **60** [50] minutes of actual organized instruction; academic credit will be converted to contact hours as follows:

....

(Eff. 1/1/87, Register 97; am 7/28/95, Register 135; am 11/2/2001, Register 160; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

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

12 AAC 44.770(13) is amended to read:

(13) failing to report **to the board**, through proper channels, facts known to the nurse regarding incompetent, unprofessional, or illegal practice of a health care provider unless it has already been reported and the provider is already participating in a treatment or educational program approved by the appropriate board;

(Eff. 4/27/83, Register 86; am 11/7/87, Register 104; am 4/9/94, Register 130; am 11/10/2002, Register 164; am 7/22/2004, Register 171; am 10/15/2004, Register 172; am 5/18/2006, Register 178; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.68.100

12 AAC 44.857 is amended by adding a new subsection to read:

(e) In addition to the provisions of this section, conditional approval is granted to a nurse aide training program that has failed to maintain standards and has been notified it must meet the requirements of the board in accordance with 12 AAC 44.858. (Eff. 2/14/99, Register 149; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.68.100 AS 08.68.331 AS 08.68.334

12 AAC 44 is amended by adding a new section to Article 8 to read:

**12 AAC 44.858. Review of nurse aide training programs.** (a) An approved nurse aide training program must achieve at least 80 percent cumulative annual pass rate.

(b) If an approved nurse aide training program fails to achieve at least an 80 percent cumulative annual pass rate, the board will issue a letter of concern to the program. Within 90 days after receipt of a letter of concern from the board, the approved nurse aide training program must submit to the board a report that:

(1) analyzes the factors that are believed to be contributing to the low pass rate;

and

(2) sets out the program's plan to achieve at least an 80 percent cumulative annual pass rate.

(c) After a letter of concern has been issued to an approved nurse aide training program, the board will reevaluate the program one year after the letter of concern was issued.

(d) If an approved nurse aide training program reevaluated by the board after the time period specified in (c) of this section has failed to achieve at least an 80 percent cumulative annual pass rate, the board will issue a letter of warning to the program. Within 90 days after receipt of a letter of warning from the board, the approved nurse aide training program must submit to the board a report that:

(1) analyzes the reasons the program's original plan to improve the low pass rate was unsuccessful; and

(2) sets out the program's additional plan to achieve at least an 80 percent cumulative annual pass rate.

(e) After a letter of warning has been issued to an approved nurse aide training program, the board will reevaluate the program one year after the letter of warning was issued.

(f) If an approved nurse aide training program reevaluated by the board after the time period specified in (e) of this section has failed to achieve at least an 80 percent cumulative annual pass rate, the board will place the nurse aide training program on conditional approval.

The nurse aide training program will continue on conditional approval until:

(1) the nurse aide training program has achieved at least an 80 percent cumulative annual pass rate during the two consecutive years; or

(2) approval of the nurse aide training program is withdrawn under 12 AAC 44.862.

(g) As used in this section, "at least an 80 percent cumulative annual pass rate" means

that the year-end data published by the National Nurse Aide Assessment Program (NNAAP) shows that at least 80 percent of the graduates of the approved nurse aide training program, taking the NNAAP for the first time, successfully passed the NNAAP examination.

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

**Authority:** AS 08.68.100 AS 08.68.331

12 AAC 44.945(d) is amended to read:

(d) This section does not apply to United States Food and Drug Administration (FDA) **regulated** [APPROVED] vitamins and minerals. A nurse licensed under AS 08.68 may administer **FDA-regulated** [FDA-APPROVED] vitamins and minerals to a patient in the manufacturer's recommended dosage or as ordered by the patient's health care provider.

(Eff. 8/30/2007, Register 183; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.68.100