



Notice of Proposed Changes in the Regulations of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing

Proposed Regulations - FAQ

January 2025

1. What is the purpose of the proposed regulations? What will these regulations do?

12 AAC 02.105. Administrative fees Proposed to clarify the terms associated with existing fees related to military temporary courtesy licenses, and to add reference to the license type issued under the federal Servicemembers Civil Relief Act (SCRA).

- **Why is a fee being created for an SCRA license type?**

Congress passed licensure portability provisions in the federal Servicemembers Civil Relief Act (SCRA) in January 2023 that requires states to issue permanent licenses to servicemembers or their spouses when a simple set of requirements, laid out in federal law, are met. Due to a simpler application review process, an identical application fee and a \$0 licensure fee is what is most fair to those military families.

12 AAC 02.130. Audiologist, Hearing Aid Dealers, Speech-Language Pathologists, and Speech-Language Pathologist Assistants Proposed to amend the existing initial licensure and renewal fees to include compact privilege fees, and to add a reference to the now required fingerprint processing fee. SB 75 and the Interstate Compact took effect on August 30, 2024. Not adding a reference for these fees would result in professionals working in Alaska under the Compact privilege to not pay the same fees as Alaska professionals. This would be at a disadvantage for Alaskans and could potentially result in a need to raise fees for Alaska-based licensees.

- **Why is a reference to the fingerprint processing fee being added to the fee regulations for this program?**

The passage of the SB 75 added a requirement for all applicants within these professions to submit fingerprint cards, and a requirement for the payment of fees to process the cards to the division for a criminal background check. These requirements must be completed before a license can be issued.

12 AAC 02.300. Board of Examiners in Optometry Proposed to repeal the references to the temporary military license fees. These fees are proposed to be consolidated into one centralized section in 12 AAC 02.105 (Administrative Fees).

12 AAC 02.320. State Physical Therapy and Occupational Therapy Board Proposed to amend the existing initial licensure and renewal fees to include compact privilege fees, and to add a reference to the now required fingerprint processing fee. SB 74 and the Interstate Compact took effect on August 30, 2024. Not adding a reference for these fees would result in professionals working in Alaska under the Compact privilege to not pay the same fees as Alaska professionals. This would be at a disadvantage to Alaskans and could potentially result in a need to raise fees for Alaska-based licensees.

- **Why is a reference to the fingerprint processing fee being added to the fee regulations for this program?**

The passage of the SB 74 added a requirement for all applicants within these professions to submit fingerprint cards, and a requirement for the payment of fees to process the cards to the division for a criminal background check. These requirements must be completed before a license can be issued.

12 AAC 02.956. Temporary License for Souses of Military Personnel; 12 AAC 02.957. Temporary License for Military Personnel Proposed to update language to clarify that the fees required are for the temporary military courtesy license fee established in 12 AAC 02.105.

2. What are the costs to comply with the proposed regulations?

No costs expected to comply with the proposed regulations. The new fees referenced are the same fees the professions currently pay if obtaining a license through the Alaska standard requirements, rather than through the compact.

3. How are the estimated costs determined?

AS 08.01.065 requires *all costs* of regulating the profession to be borne by its licensees. The proposed fees are based on known and anticipated costs.

4. What are the positive and negative consequences of the regulations?

Adding reference to the fees noted above will ensure that Alaskan professionals within these industries are not disadvantaged compared to out-of-state practitioners who have obtained the privilege to practice in Alaska via Interstate Compact. No negative consequences are expected.

5. When will the regulations and new fees be effective?

After the public comment deadline, comments received are compiled and given to the Department for consideration. The Department may adopt the regulation as written/publicly noticed, may amend and adopt them, choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Department action, the adopted regulations go to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.