



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

Juneau Office

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.2550  
Fax: 907.465.2974

September 16, 2021

Dear licensees and interested parties:

Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations...to implement the adjustments."

The division conducted a thorough fee analysis for the Prescription Drug Monitoring Program (PDMP) to comply with the AS 08.01.065. Federal funding has been available to the division to offset certain administrative costs of running this program. **To that end, we recommend decreasing the PDMP fee to zero.** This fee will be reviewed annually and may be increased in the future.

This fee proposal is entering a public comment period. The division encourages all licensees and interested parties to comment on this proposal through the division's regulations specialist. After the comment period closes and the division reviews all comments received, the division may adopt the regulation as drafted, may amend a proposed fee, or may withdraw the regulations in part or in whole.

All comments received will be reviewed and taken into consideration prior to adopting the final regulations. The final decision will result in fee implementation this fall and will apply to initial and renewal fees for PDMP registration.

Follow the instructions enclosed to make written comments during the public comment period. Comments must be addressed to CBPL Regulations Specialist, PO Box 110806, Juneau, AK 99811 or [regulationsandpubliccomment@alaska.gov](mailto:regulationsandpubliccomment@alaska.gov).

Sincerely,

A handwritten signature in blue ink that reads "Sara Chambers".

Sara Chambers  
Division Director

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR  
PRESCRIPTION DRUG MONITORING PROGRAM IN THE REGULATIONS OF THE  
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT**

**BRIEF DESCRIPTION:** The Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing proposes to decrease the prescription drug monitoring program fees to zero.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code including the following:

**12 AAC 02.107. Prescription drug monitoring program (PDMP) controlled substance prescription database registration,** is proposed to decrease the PDMP registration and renewal fees to zero.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/203804>, and using the comment link. **The comments must be received not later than 4:30 p.m. on October 22, 2021.** Comments received after this deadline will not be considered by the Department.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). **The questions must be received at least 10 days before the end of the public comment period.** The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Division's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/PrescriptionDrugMonitoringProgram.aspx>. The Department may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov) not later than October 15, 2021 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/PDMP-Fees-2021.pdf>.

After the public comment period ends, the Department will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

**Statutory Authority:** AS 08.01.065; AS 17.30.200

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.065; AS 17.30.200

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 9/17/2021

/s/  
Jun Maiquis, Regulations Specialist  
Division of Corporations, Business and  
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

**ADDITIONAL REGULATION NOTICE INFORMATION**  
**(AS 44.62.190(d))**

1. **Adopting agency:** Department of Commerce, Community, and Economic Development – Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Occupational licensing fees (PDMP registration and renewal fees).
3. **Citation of regulation:** 12 AAC 02.107.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**  
**A private person:** Decrease PDMP registration and renewal fees to zero.  
**Another state agency:** None known.  
**A municipality:** None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**  
No costs are expected in FY 2022 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Lisa Sherrell, PDMP Manager  
Prescription Drug Monitoring Program  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
Telephone: (907) 465-1039  
E-mail: lisa.sherrell@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 9/17/2021                      **Prepared by:** /s/  
Jun Maiquis  
Regulations Specialist

**Chapter 02. General Occupational Licensing Functions.**

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

12 AAC 02.107 is amended to read:

**12 AAC 02.107. Prescription drug monitoring program controlled substance prescription database registration.** The following fees are established for registration as required under AS 17.30.200 with the prescription drug monitoring program (PDMP) controlled substance prescription database by a pharmacist who dispenses, or a practitioner who prescribes, administers, or directly dispenses a schedule II, III, or IV controlled substance under federal law:

(1) initial registration fee, **\$0** [\$25];

(2) biennial registration renewal fee, **\$0** [\$25]. (Eff. 4/22/2018, Register 226; am

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**Authority:** AS 08.01.065 AS 17.30.200