



ELECTRONIC MAIL

October 26, 2020

Sara Chambers
Division Director
Alaska Division of Corporations, Business and Professional Licensing
sara.chambers@alaska.gov

RE: Flexibilities for Expedited Licensing, Telehealth, and all other Matters

Dear Director Chambers and Professional Licensing Board Chairs,

Alaska's hospitals and nursing homes continue to serve Alaskans in their time of need. Providing health care during a pandemic is extremely challenging and full of uncertainty. This work takes agility and perseverance to respond to the everchanging dynamics of the COVID-19 virus and the way it affects our communities, our patients, and our residents. Simply put, with community spread at an all-time high in Alaska, as hospital and nursing home operators, we need every available tool and flexibility to do our jobs.

It is for this reason that we write you today. We are acutely concerned that the Governor's public health disaster emergency declaration ("emergency declaration") will expire after November 15.

If the emergency declaration is not extended or replaced, we believe that Alaska's health care providers may lose key flexibilities afforded by "blanket waivers" from the Centers for Medicare and Medicaid Services, and key provisions from SB 241. Additionally, we are concerned that not extending the emergency declaration sends inconsistent signals to the public that an otherwise active pandemic is over, which could compromise future funding opportunities from the federal government, and prevent necessary focus on mitigation strategies to constrain the spread of COVID-19.

While Alaska's hospitals and nursing homes urge the Governor to address the current emergency declaration before it expires on November 15, we believe there may be a role for you to play as well; namely, we ask that you continue to use all authority available to you to preserve and expand flexibilities for health care facilities and providers, especially for expedited licensing, fingerprinting, and telehealth.

Expedited licensing is more important now than ever as hospitals, nursing homes, and other providers are sprinting to secure traveling health care workers and locum tenens as we brace for a surge. If this ability to expedite is lost, our ability to staff up for a surge, and to reinforce our workforce into the future, is effectively gone.

Flexibilities for telemedicine continue to be crucial. We all understand the importance of delivering care remotely in the face of a highly infectious disease. SB 241 enhanced our

ability to deploy telehealth by removing prior authorization barriers—such as a limitation that telehealth can only be rendered following an “in person” physical exam—and by facilitating licensing requirements for providers.

These flexibilities are particularly important for remote and rural health care providers. The expedited licensing and telemedicine capabilities have been critical to providing care in communities across rural Alaska. Expedited licensing has facilitated quick insertion of essential personnel in areas of shortage, providing coverage for employees on isolation and quarantine, and assuring no gaps in clinical services in communities.

Similarly, the expanded telemedicine access has allowed providers—including the desperately needed mental health clinicians—to work with patients in remote communities, even when the patient / client is in isolation or quarantine, without risking exposure to other patients or air travelers. The state and local travel mandates have been instrumental in protecting extremely vulnerable tribal communities, and a reduction in telemedicine services threatens that safety by necessitating travel for patients who could otherwise be treated at home.

Finally, expediting the fingerprinting process is another instance of “cutting red tape” so that the health care system can more efficiently secure critical personnel as we brace for and work through a surge in community need for health care services across the continuum.

With the prospect of the Governor’s public health disaster emergency declaration expiring, Alaska hospitals and nursing homes are extremely concerned that we will lose critical flexibilities to deliver health care services in Alaskans’ greatest time of need. This has created significant uncertainty in a time when uncertainty is not welcome.

We strongly encourage you to exercise all of your authority to preserve and expand flexibilities for health care facilities, providers, and services into the foreseeable future. We also ask for clarification on the following question. Does the Division believe it has the statutory authority to preserve current program flexibilities from SB 241 as they relate to expedited licensing, fingerprinting, and telehealth absent legislative action or a public health disaster emergency declaration in place from the Governor?

We cannot let our guard down now even though we are all exhausted from the pandemic. Unfortunately, rising case counts and hospitalizations tell us that even greater challenges lie ahead. Thank you for your consideration and support.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Kosin".

Jared C. Kosin, J.D., M.B.A.
President & CEO