

**ALASKA STATUTE and ADMINISTRATIVE CODE**

**AS 08.64.326-GROUNDS FOR IMPOSITION OF DISCIPLINARY SANCTIONS**

**12 AAC 40.967—UNPROFESSIONAL CONDUCT**

Alaska Statute establishes that the Medical board may refuse to grant a license to any applicant for the same reason that it may impose disciplinary sanctions under AS 08.64.326 (9) under unprofessional conduct.

The Alaska Administrative code provides guidance on the meaning of unprofessional conduct.

Alaska Administrative Code 12 AAC 40.967 states that for the purposes of AS 08.64.240(b) and AS 08.64.326 “unprofessional conduct” means an act or omission by an applicant or licensee that does not conform to the generally accepted standards of practice for the profession for which the applicant seeks licensure or a permit under AS 08.64 or which the licensee is authorized to practice under AS 08.64. “Unprofessional conduct” includes the following:

- (29) prescribing, dispensing, or furnishing a prescription medication to a person without first conducting a physical examination of that person, unless the licensee has a patient-physician or patient-physician assistant relationship with the person; *this paragraph does not apply to prescriptions written or medications issued* [italics added]
- (A) for use in emergency treatment;
  - (B) *for expedited partner therapy for sexually transmitted diseases* [italics added]; or
  - (C) in response to an infectious disease investigation, public health emergency, infectious disease outbreak, or act of bioterrorism;

To view the complete and updated Alaska Medical Statutes and Regulations, go to:  
<http://www.dced.state.ak.us/occ/pub/MedicalStatutes.pdf>.

