



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee

FROM: Legislative Research Analyst - Elizabeth Bowen

DATE: October 19, 2015

SUBJECT: Bureau of Occupational Licenses

IDAPA 24.03.01 - Rules of the State Board of Chiropractic Physicians - Proposed Rule (Docket No. 24-0301-1501)

IDAPA 24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals - Proposed Rule (Docket No. 24-0501-1501)

IDAPA 24.06.01 - Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants - Proposed Rule (Docket No. 24-0601-1501)

IDAPA 24.08.01 - Rules of the State Board of Morticians - Proposed Rule (Docket No. 24-0801-1501)

IDAPA 24.15.01 - Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists - Proposed Rule (Docket No. 24-1501-1501)

IDAPA 24.17.01 - Rules of the State Board of Acupuncture - Proposed Rule (Docket No. 24-1701-1501)

IDAPA 24.18.01 - Rules of the Real Estate Appraiser Board - Proposed Rule (Docket No. 24-1801-1501)

IDAPA 24.25.01 - Rules of the Idaho Driving Businesses Licensure Board - Proposed Rule (Docket No. 24-2501-1501)

The Bureau of Occupational Licenses, on behalf of several professional boards, submits notice of proposed rulemaking at IDAPA 24.03.01, 24.05.01, 24.06.01, 24.08.01, 24.15.01, 24.17.01, 24.18.01, and 24.25.01.

24.03.01

This proposed rule provides clarification of the scope of practice for chiropractic physicians in relation to clinical nutrition. Negotiated rulemaking was not conducted due to the nature of the rule change. There is no anticipated impact on the state general fund. The Bureau states that this rulemaking is authorized pursuant to Section 54-707, Idaho Code.

24.05.01

This proposed rule clarifies experience requirements for drinking water or wastewater operator licenses. It also establishes a code of ethics and standards of conduct for backflow assembly testers. Negotiated rulemaking

Mike Nugent, Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

was not conducted; however, these changes have been discussed in several noticed open meetings of the Board of Drinking Water and Wastewater Professionals. There is no anticipated impact on the state general fund. The Bureau states that this rulemaking is authorized pursuant to Section 54-2406, Idaho Code.

24.06.01

This proposed rule for occupational therapists and occupational therapy assistants deletes references to professional development units to be consistent with House Bill 24, passed in the 2015 session. The rule also clarifies requirements for continuing education and decreases the number of supervised clinical hours required for deep thermal and electrotherapeutic modalities and wound care. Negotiated rulemaking was not conducted due to the nature of the rule change; however, the rule changes were discussed in noticed, open meetings. The Bureau states that this rulemaking is authorized pursuant to Section 56-3717, Idaho Code.

24.08.01

This proposed rule for the State Board of Morticians allows termination of an application for licensure for lack of activity. It also requires walk-through inspections for funeral or crematory establishments. Negotiated rulemaking was not conducted due to the nature of the rule change. There is no anticipated impact on the state general fund. The Bureau states that this rulemaking is authorized pursuant to Section 54-1107, Idaho Code.

24.15.01

This proposed rule for the Board of Professional Counselors and Marriage and Family Therapists adopts the updated code of ethics from the American Association for Marriage and Family Therapy. The rule also amends registration requirements for counselor supervisors, clarifies requirements for clinical professional counselors, and creates a registration renewal process. Negotiated rulemaking was not conducted, but the changes were discussed during noticed, open meetings of the Board. There is no anticipated impact on the state general fund. The Bureau states that this rulemaking is authorized pursuant to Section 54-3404, Idaho Code.

24.17.01

This proposed rule for the Board of Acupuncture clarifies continuing education requirements. Negotiated rulemaking was not conducted, but the changes were discussed during noticed, open meetings of the Board. There is no anticipated impact on the state general fund. The Bureau states that this rulemaking is authorized pursuant to Section 54-4705, Idaho Code.

24.18.01

This proposed rule for the Real Estate Appraiser Board resolves ambiguities in the existing language and revises definitions. Negotiated rulemaking was not conducted, but the changes were discussed during noticed, open meetings of the Board. There is no anticipated impact on the state general fund. The Bureau states that this rulemaking is authorized pursuant to Section 54-4106, Idaho Code.

24.25.01

This proposed rule for the Idaho Driving Businesses Licensure Board revises medical certification requirements for driving instructors. Negotiated rulemaking was not conducted, but the changes were discussed in a noticed, open meeting of the Board. There is no anticipated impact on the state general fund. The Bureau states that this rulemaking is authorized pursuant to Section 54-5403, Idaho Code.

cc: Bureau of Occupational Licenses
Tana Cory