



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Judiciary & Rules Committee and the House Judiciary, Rules & Administration Committee  
**FROM:** Senior Legislative Research Analyst - Ryan Bush  
**DATE:** September 4, 2014  
**SUBJECT:** Sexual Offender Management Board

IDAPA 57.01.01 - Rules of the Sexual Offender Management Board - Proposed Rule (Docket No. 57-0101-1401)

The Sexual Offender Management Board submits notice of proposed rulemaking at IDAPA 57.01.01 - Rules of the Sexual Offender Management Board. The Board states that this rule establishes standards and qualifications for psychosexual evaluations and evaluators as well as sexual offender treatment and treatment providers for practitioners who provide services to juveniles who have been adjudicated for sexual offenses. This rule also incorporates by reference the Board's standards and guidelines and its required format. In addition, this rule accomplishes the following:

- (1) Certified evaluators and certified sexual offender treatment providers must be certified specifically for adult or juvenile clients or separately for both;
- (2) Certified examiners shall not require certification specific to adults or children;
- (3) Specific factors shall be taken into consideration when administering a polygraph to a juvenile offender;
- (4) The Board shall publish whether a certificate holder is approved to provide services for adults, children or both; and
- (5) Provides for separate standards for adult and juvenile psychosexual evaluations.

Negotiated rulemaking was conducted and Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Board in Section 18-8314, Idaho Code.

cc: Sexual Offender Management Board  
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