



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee

FROM: Legislative Research Analyst - Elizabeth Bowen

DATE: October 07, 2014

SUBJECT: Bureau of Occupational Licenses

IDAPA 24.06.01 - Rules Pertaining To The Licensure of Occupational Therapists and Occupational Therapy Assistants (Fee Rule) - Proposed Rule (Docket No. 24-0601-1401)

IDAPA 24.09.01 - Rules Pertaining To The Board of Examiners of Nursing Home Administrators (Fee Rule) - Proposed Rule (Docket No. 24-0901-1401)

IDAPA 24.26.01 - Rules Pertaining To The Idaho Board of Midwifery - Proposed Rule (Docket No. 24-2601-1402)

(1) IDAPA 24.06.01 - Rules Pertaining To The Licensure of Occupational Therapists and Occupational Therapy Assistants (Fee Rule) - Proposed Rule (Docket No. 24-0601-1401)

The Occupational Therapy Board submits notice of proposed rulemaking at IDAPA 26.06.01. The proposed rule decreases licensure fees in order to decrease the Board's dedicated fund balance and convey a benefit to licensees and applicants for licenses.

There is no negative fiscal impact on the state general fund; however, the rule is expected to reduce the amount of dedicated fund fees collected by the Board. Negotiated rulemaking was not conducted because the rule confers a benefit. Additionally, the fee decrease was discussed in open meetings of the Board. The rule is consistent with the Board's authority under Section 54-3713, Idaho Code.

(2) IDAPA 24.09.01 - Rules Pertaining To The Board of Examiners of Nursing Home Administrators (Fee Rule) - Proposed Rule (Docket No. 24-0901-1401)

The Board of Examiners of Nursing Home Administrators submits notice of proposed rulemaking at IDAPA 24.09.01. The proposed rule increases application, licensing, and renewal fees, as well as registration fees for administrators-in-training. The purpose of the fee increase is to balance the Board's annual budget.

There is no negative fiscal impact on the state general fund. The fee increase is expected to result in an annual increase of approximately \$8,625.00 to the Board's dedicated fund. Negotiated rulemaking was not conducted; however, the fee increase was discussed in an open meeting of the Board. The rule is consistent with the Board's authority under Section 54-1604, Idaho Code.

Mike Nugent, Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

(3) IDAPA 24.26.01 - Rules Pertaining To The Idaho Board of Midwifery - Proposed Rule (Docket No. 24-2601-1402)

The Board of Midwifery submits notice of proposed rulemaking at IDAPA 24.26.01. The proposed rule clarifies the circumstances under which a newborn must be transferred to a hospital for emergency care. Additionally, the rule clarifies the circumstances under which a midwife must consult with a pediatric provider.

There is no negative fiscal impact on the state general fund. Negotiated rulemaking was not conducted; however, the proposed rule was discussed during an open meeting of the Board. The rule is consistent with the Board's authority under Section 54-5505, Idaho Code.

cc: Bureau of Occupational Licenses - Idaho Board of Midwifery
Tana Cory

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: BUREAU OF OCCUPATIONAL LICENSES

Agency Contact: Cherie Simpson Phone: 208 334-3233

Date: August 28, 2014

IDAPA, Chapter and Title Number and Chapter Name:

24.06.01 – RULES FOR THE LICENSURE OF OCCUPATIONAL THERAPISTS AND
OCCUPATIONAL THERAPY ASSISTANTS

Fee Rule Status: Proposed Temporary

Rulemaking Docket Number: 24-0601-1401

STATEMENT OF ECONOMIC IMPACT:

This rulemaking is anticipated to reduce the amount of dedicated fund fees collected by the Board by approximately \$11,770.00 based on the current number of licensees and an estimated number of applications received in the last year. This rule change will decrease the initial license fee for occupational therapists from \$115 to \$100; initial license fee for occupational therapy assistants from \$85 to \$75; limited permit or temporary license fee from \$30 to \$25; active license renewal fee for occupational therapists from \$70 to \$55; active license renewal for occupational therapy assistants from \$50 to \$35; and inactive license renewal fee \$50 to \$25.

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: BUREAU OF OCCUPATIONAL LICENSES

Agency Contact: Cherie Simpson Phone: 208 334-3233

Date: August 28, 2014

IDAPA, Chapter and Title Number and Chapter Name:

24.09.01 – RULES OF THE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

Fee Rule Status: Proposed Temporary

Rulemaking Docket Number: 24-0901-1401

STATEMENT OF ECONOMIC IMPACT:

The rule change will result in an annual increase of approximately \$8,625.00 in the Board's dedicated fund based on the current number of licensees and an estimated number of applications received in the last year. This rule change will increase the original application fee from \$100 to \$200; the endorsement application fee from \$100 to \$200; the annual renewal fee from \$175 to \$200; the original license fee from \$150 to \$200; and the Administrator-in-training registration fee from \$100 to \$150.