



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:** Senior Legislative Research Analyst - Kristin Ford

**DATE:** October 16, 2017

**SUBJECT:** Bureau of Occupational Licenses - Speech and Hearing Services Licensure Board

IDAPA 24.23.01 - Rules of the Speech, Hearing and Communication Services Licensure Board - Proposed Rule (Docket No. 24-2301-1701)

IDAPA 24.23.01 - Rules of the Speech, Hearing and Communication Services Licensure Board (Fee Rule) - Proposed Rule (Docket No. 24-2301-1702)

1. IDAPA 24.23.01 - Rules of the Speech, Hearing and Communication Services Licensure Board - Proposed Rule (Docket No. 24-2301-1701). The Bureau of Occupational Licenses submits notice of proposed rulemaking relating to the Rules of the Speech, Hearing and Communication Services Licensure Board. The proposed rule clarifies that the practice of audiology does not include, by itself, the operation of automated newborn hearing screening machines. It further increases flexibility for licensees in completing continuing education requirements by moving from a 1-year cycle of ten credits to a 3-year cycle of thirty credits. It also provides a definition of what constitutes a continuing education contact hour. The Bureau states that negotiated rulemaking was not conducted because the proposed changes were discussed during open, noticed meetings of the Board. The proposed rule changes appear to be within the statutory authority of the Board pursuant to sections 54-2905 and 54-2910, Idaho Code.

2. IDAPA 24.23.01 - Rules of the Speech, Hearing and Communication Services Licensure Board (Fee Rule) - Proposed Rule (Docket No. 24-2301-1702). The Bureau of Occupational Licenses submits notice of proposed rulemaking relating to the Rules of the Speech, Hearing and Communication Services Licensure Board. The proposed rule implements 2017 HB 46 which adds the profession of sign language interpreter to the Speech and Hearing Services Practice Act. The proposed rule incorporates by reference the Code of Professional Conduct for the National Association of the Deaf (NAD) - Registry of Interpreters for the Deaf. It adds definitions, provides application requirements, and creates a registration fee of \$10 for out-of-state licensees. The proposed rule sets out the qualifications required for sign language interpreters, out of state licensees and deaf interpreters; provides for examination requirements, sets forth approved certification entities, and provides for consideration of factors regarding applicants who have a felony record or disciplinary record in another state. Finally, the proposed rule provides for provisional permits for persons who are pursuing licensure. The Bureau states that negotiated rulemaking was not conducted because the changes were discussed during open, noticed meetings of the Board. The Bureau also states that the fee rule will have no impact on the general fund, and estimates there will be no impact to the Bureau of Occupational Licenses' dedicated fund because the administrative cost of regulating licensees will be offset by their application, license and renewal fees.

The proposed rule changes appear to be within the agency's statutory authority pursuant to sections 54-2905, 54-2916A, 54-2917 and 54-5713, Idaho Code.

cc: Bureau of Occupational Licenses - Speech and Hearing Services Licensure Board  
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:** Dicsie Gullick **Phone:** 208 334-3233

**Date:** August 31, 2017

**IDAPA, Chapter and Title Number and Chapter Name:**

IDAPA 24.23.01 – Rules of the Speech, Hearing and Communication Services Licensure Board

**Fee Rule Status:** X **Proposed**      **Temporary**

**Rulemaking Docket Number:** 24-2301-1702

### **STATEMENT OF ECONOMIC IMPACT:**

This fee rule will have no impact on the general fund. It is estimated that there will be no impact to the Bureau of Occupational License's dedicated fund because the administrative cost of registering out of state licensees will be offset by the new \$10 registration fee and the cost of regulating in-state licensees will be offset by their application, license and renewal fees.