

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 185

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO MIDWIFERY; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION
 2 OF A NEW CHAPTER 54, TITLE 54, IDAHO CODE, TO PROVIDE FOR
 3 LEGISLATIVE PURPOSE AND INTENT, TO DEFINE TERMS, TO CREATE THE
 4 BOARD OF MIDWIFERY, TO PROVIDE THE BOARD OF MIDWIFERY WITH
 5 POWERS AND DUTIES, TO PROVIDE FOR RULEMAKING, TO PROVIDE FOR
 6 LICENSURE AND TO PROVIDE A PENALTY, TO PROVIDE QUALIFICATIONS
 7 FOR LICENSURE, TO PROVIDE EXEMPTIONS, TO PROVIDE FEES, TO PROVIDE
 8 CLIENT PROTECTION AND TO SPECIFY UNPROFESSIONAL CONDUCT, TO
 9 PROVIDE FOR DISCLOSURE AND RECORD KEEPING REQUIREMENTS AND TO
 10 PROVIDE FOR LICENSE RENEWAL REQUIREMENTS, TO PROVIDE IMMUNITY
 11 FROM VICARIOUS LIABILITY AND TO PROVIDE SEVERABILITY; AMENDING
 12 SECTION 67-2601, IDAHO CODE, TO PROVIDE REFERENCE TO THE BOARD
 13 OF MIDWIFERY; AMENDING SECTION 67-2602, IDAHO CODE, TO PROVIDE
 14 REFERENCE TO THE BOARD OF MIDWIFERY; TO PROVIDE BOARD OF
 15 MIDWIFERY REPORTING REQUIREMENTS; AND PROVIDING A SUNSET DATE.
 16

17 Be It Enacted by the Legislature of the State of Idaho:

18 SECTION 1. That Title 54, Idaho Code, be, and the same is hereby amended by the
 19 addition thereto of a NEW CHAPTER, to be known and designated as Chapter 54, Title 54,
 20 Idaho Code, and to read as follows:

21 CHAPTER 54
 22 MIDWIFERY

23 54-5401. LEGISLATIVE PURPOSE AND INTENT. The legislature finds and declares
 24 that the practice of midwifery has been a part of the culture and tradition of Idaho since before
 25 pioneer days and that for personal, religious and economic reasons some Idaho citizens choose
 26 midwifery care. The purpose of this chapter is to preserve the rights of families to deliver their
 27 children in a setting of their choice, to provide additional maternity care options for Idaho's
 28 families, to protect the public health, safety and welfare and to provide a mechanism to assure
 29 quality care.

30 54-5402. DEFINITIONS. As used in this chapter:
 31 (1) "Board" means the Idaho state board of midwifery.
 32 (2) "Bureau" means the Idaho state bureau of occupational licenses.
 33 (3) "Certified professional midwife" or "CPM" means a person who is certified by the
 34 North American registry of midwives or any successor organization.
 35 (4) "Client" means a woman under the care of a licensed midwife, as well as her fetus
 36 and newborn child.

1 (5) "Idaho midwifery council" or "IMC" means the professional organization representing
2 midwives in Idaho.

3 (6) "Idahoans for midwives" or "IFM" means the Idaho consumer organization that
4 promotes and supports midwifery care in Idaho.

5 (7) "Licensed midwife" means a person who holds a current license issued by the board
6 pursuant to the provisions of this chapter to engage in the practice of midwifery, who shall be
7 designated "L.M."

8 (8) "Midwifery education accreditation council" or "MEAC" means the organization
9 established in 1991 and recognized by the U.S. department of education as an accrediting
10 agency for midwifery education programs and institutions.

11 (9) "National association of certified professional midwives" or "NACPM" means the
12 national organization for certified professional midwives.

13 (10) "NACPM essential documents" means the documents adopted by NACPM that
14 identify the nature of and standards of practice for responsible midwifery practice.

15 (11) "North American registry of midwives" or "NARM" means the international
16 certification agency that establishes and administers certification for the CPM credential.

17 (12) "Practice of midwifery" means providing maternity care for women and their
18 newborns during the antepartum, intrapartum and postpartum periods. The postpartum period
19 for both maternal and newborn care may not exceed six (6) weeks from the date of delivery.

20 54-5403. BOARD OF MIDWIFERY CREATED. (1) There is hereby established in the
21 department of self-governing agencies, bureau of occupational licenses, a board of midwifery.

22 (2) The board shall consist of five (5) members appointed by the governor, three (3) of
23 whom shall be licensed pursuant to this chapter, one (1) of whom shall be a licensed physician
24 who is board certified in either obstetrics/gynecology or family medicine, maintains current
25 hospital privileges and has provided primary maternity care for at least twenty (20) births in the
26 twelve (12) months prior to the appointment and one (1) of whom shall be a member of the
27 public with an interest in the rights of consumers of midwifery services.

28 (3) One (1) member of the initial board shall be appointed for a one (1) year term of
29 office, one (1) member of the initial board shall be appointed for a two (2) year term of office,
30 one (1) member of the initial board shall be appointed for a three (3) year term of office, one
31 (1) member shall be appointed for a four (4) year term of office and one (1) member of the
32 initial board shall be appointed for a five (5) year term of office. Thereafter, the term of office
33 for each board member shall be five (5) years.

34 (4) In making appointments to the board, the governor's selection shall not be limited to
35 nominations he receives; however, consideration shall be given to recommendations made by
36 the Idaho midwifery council and Idahoans for midwives.

37 (5) The initial three (3) licensed midwife board members shall have at least three (3)
38 years of experience in the practice of midwifery, shall hold current CPM certification and shall
39 be eligible to become licensed pursuant to this chapter.

40 (6) The three (3) board members who are licensed midwives shall be licensed pursuant
41 to this chapter, shall actively practice midwifery in the state of Idaho for the duration of their
42 appointment and shall have been a practicing midwife in the state of Idaho for at least three (3)
43 years immediately preceding their appointment.

1 (7) In the event of the death, resignation or removal of any board member before the
 2 expiration of the term to which he is appointed, the vacancy shall be filled for the unexpired
 3 portion of the term in the same manner as the original appointment.

4 (8) Board members shall serve at the pleasure of the governor.

5 (9) Within thirty (30) days after its appointment, the initial board shall hold a meeting
 6 and elect a chairperson. The board shall meet at least annually thereafter, and may hold
 7 additional meetings at the call of the chairperson or at the written request of any two (2)
 8 members of the board. A majority of the board shall constitute a quorum. The vote of a
 9 majority of members present at a meeting wherein a quorum is present shall determine the
 10 action of the board.

11 54-5404. BOARD OF MIDWIFERY – POWERS AND DUTIES. The board shall have
 12 the authority and the responsibility to:

13 (1) Receive applications for licensure, determine the qualifications of persons applying
 14 for licensure, provide licenses to applicants qualified under this chapter and renew, suspend,
 15 revoke and reinstate licenses;

16 (2) Establish and collect fees for examination of applicants, for licensure and for renewal
 17 of licenses;

18 (3) Establish the minimum amount and type of continuing education to be required for
 19 each licensed midwife seeking renewal of the midwife's license;

20 (4) Investigate complaints against persons who are licensed under this chapter;

21 (5) Undertake, when appropriate, disciplinary proceedings and disciplinary action against
 22 persons licensed under this chapter;

23 (6) Promulgate and adopt rules, pursuant to chapter 52, title 67, Idaho Code, necessary
 24 to administer this chapter. To the degree they are consistent with this chapter, rules shall
 25 be consistent with the current job description for the profession published by NARM and
 26 consistent with standards regarding the practice of midwifery established by the NACPM or
 27 a successor organization;

28 (7) Authorize, by written agreement, the bureau of occupational licenses to act as agent
 29 in its interest; and

30 (8) Provide such other services and perform such other functions as are consistent with
 31 this chapter and necessary to fulfill its responsibilities.

32 54-5405. RULEMAKING. (1) The rules adopted by the board shall:

33 (a) Allow a midwife to obtain and administer, during the practice of midwifery, the
 34 following:

35 (i) Oxygen;

36 (ii) Oxytocin as a postpartum antihemorrhagic agent;

37 (iii) Injectable local anesthetic for the repair of lacerations that are no more
 38 extensive than second degree;

39 (iv) Antibiotics for group b streptococcus prophylaxis consistent with guidelines
 40 of the United States centers for disease control and prevention;

41 (v) Epinephrine administered via a metered dose auto-injector;

42 (vi) Intravenous fluids for stabilization of the woman;

43 (vii) Rho(d)immune globulin;

44 (viii) Vitamin K; and

- 1 (ix) Eye prophylactics to the baby.
- 2 (b) Prohibit the use of other legend drugs, except those of a similar nature and character
3 as determined by the board to be consistent with the practice of midwifery; provided that,
4 at least one hundred twenty (120) days' advance notice of the proposal to allow the use of
5 such drugs is given to the board of pharmacy and the board of medicine and neither board
6 objects to the addition of such drugs to the midwifery formulary;
- 7 (c) Define a protocol for use by licensed midwives of drugs approved in paragraphs (a)
8 and (b) of this subsection that shall include methods of obtaining, storing and disposing
9 of such drugs and an indication for use, dosage, route of administration and duration of
10 treatment;
- 11 (d) Define a protocol for medical waste disposal; and
- 12 (e) Establish scope and practice standards for antepartum, intrapartum, postpartum and
13 newborn care that shall, at a minimum:
- 14 (i) Prohibit a licensed midwife from providing care for a client with a history of
15 disorders, diagnoses, conditions or symptoms that include:
- 16 1. Placental abnormality;
- 17 2. Multiple gestation;
- 18 3. Noncephalic presentation at the onset of labor or rupture of membranes,
19 whichever occurs first;
- 20 4. Birth under thirty-seven (37) weeks and after forty-two (42) completed
21 weeks' gestational age;
- 22 5. A history of more than one (1) prior cesarean section, a cesarean section
23 within eighteen (18) months of the current delivery or any cesarean section
24 that was surgically closed with a classical or vertical uterine incision;
- 25 6. Rh or other blood group or platelet sensitization, hematological or
26 coagulation disorders;
- 27 7. A body mass index of forty (40.0) or higher at the time of conception;
- 28 8. Prior chemotherapy and/or radiation treatment for a malignancy;
- 29 9. Previous pre-eclampsia resulting in premature delivery;
- 30 10. Cervical insufficiency; or
- 31 11. HIV positive status.
- 32 (ii) Prohibit a licensed midwife from providing care for a client with a history of
33 the following disorders, diagnoses, conditions or symptoms unless such disorders,
34 diagnoses, conditions or symptoms are being treated, monitored or managed by a
35 physician licensed pursuant to chapter 18, title 54, Idaho Code:
- 36 1. Diabetes;
- 37 2. Thyroid disease;
- 38 3. Epilepsy;
- 39 4. Hypertension;
- 40 5. Cardiac disease;
- 41 6. Pulmonary disease;
- 42 7. Renal disease;
- 43 8. Gastrointestinal disorders;
- 44 9. Previous major surgery of the pulmonary system, cardiovascular system,
45 urinary tract or gastrointestinal tract;
- 46 10. Abnormal cervical cytology;

- 1 11. Sleep apnea;
- 2 12. Previous bariatric surgery;
- 3 13. Hepatitis; or
- 4 14. History of illegal drug use or excessive prescription drug use.

5 (iii) Require a licensed midwife to recommend that a client see a physician
6 licensed under chapter 18, title 54, Idaho Code, and to document and maintain
7 a record as required by section 54-5411, Idaho Code, if such client has a history of
8 disorders, diagnoses, conditions or symptoms that include:

- 9 1. Previous complicated pregnancy;
- 10 2. Previous cesarean section;
- 11 3. Previous pregnancy loss in second or third trimester;
- 12 4. Previous spontaneous premature labor;
- 13 5. Previous pre-term rupture of membranes;
- 14 6. Previous pre-eclampsia;
- 15 7. Previous hypertensive disease of pregnancy;
- 16 8. Parvo;
- 17 9. Toxo;
- 18 10. CMV;
- 19 11. HSV;
- 20 12. Previous maternal/newborn group b streptococcus infection;
- 21 13. A body mass index of at least thirty-five (35.0) but less than forty
22 (40.0) at the time of conception;
- 23 14. Underlying family genetic disorders with potential for transmission; or
- 24 15. Psychosocial situations that may complicate pregnancy.

25 (iv) Require that a licensed midwife shall facilitate the immediate transfer to a
26 hospital for emergency care for disorders, diagnoses, conditions or symptoms that
27 include:

- 28 1. Maternal fever in labor;
- 29 2. Suggestion of fetal jeopardy such as bleeding or meconium or abnormal
30 fetal heart tones;
- 31 3. Noncephalic presentation at the onset of labor or rupture of membranes,
32 whichever occurs first;
- 33 4. Second stage labor after two (2) hours of initiation of pushing when the
34 mother has had a previous cesarean section;
- 35 5. Current spontaneous premature labor;
- 36 6. Current pre-term premature rupture of membranes;
- 37 7. Current pre-eclampsia;
- 38 8. Current hypertensive disease of pregnancy;
- 39 9. Continuous uncontrolled bleeding;
- 40 10. Bleeding which necessitates the administration of more than two (2)
41 doses of oxytocin or other antihemorrhagic agent;
- 42 11. Delivery injuries to the bladder or bowel;
- 43 12. Grand mal seizure;
- 44 13. Uncontrolled vomiting;
- 45 14. Coughing or vomiting of blood;
- 46 15. Severe chest pain; or

1 16. Sudden onset of shortness of breath and associated labored breathing.

2 A transfer of care shall be accompanied by the client's medical record, the licensed
3 midwife's assessment of the client's current condition and a description of the care
4 provided by the licensed midwife prior to transfer;

5 (v) Establish a written plan for the emergency transfer and transport required
6 in subparagraph (iv) of this paragraph and for notifying the hospital to which a
7 client will be transferred in the case of an emergency. If a client is transferred in
8 an emergency, the licensed midwife shall notify the hospital when the transfer is
9 initiated and accompany the client to the hospital if feasible, or communicate by
10 telephone with the hospital if unable to be present personally, and shall provide the
11 client's medical record. The record shall include the client's name, address, list of
12 diagnosed medical conditions, list of prescription or over the counter medications
13 regularly taken, history of previous allergic reactions to medications, if feasible
14 the client's current medical condition and description of the care provided by the
15 midwife and next of kin contact information.

16 (f) Establish and operate a system of peer review for licensed midwives that shall
17 include, but not be limited to, the appropriateness, quality, utilization and the ethical
18 performance of midwifery care.

19 (2) The rules adopted by the board may not:

20 (a) Require a licensed midwife to have a nursing degree or diploma;

21 (b) Except as a condition imposed by disciplinary proceedings by the board, require
22 a licensed midwife to practice midwifery under the supervision of another health care
23 provider;

24 (c) Except as a condition imposed in disciplinary proceedings by the board, require a
25 licensed midwife to enter into an agreement, written or otherwise, with another health
26 care provider;

27 (d) Limit the location where a licensed midwife may practice midwifery;

28 (e) Allow a licensed midwife to use vacuum extraction or forceps as an aid in the
29 delivery of a newborn;

30 (f) Grant a licensed midwife prescriptive privilege;

31 (g) Allow a licensed midwife to perform abortions.

32 54-5406. LICENSURE – PENALTY. (1) The board shall grant a license to any person
33 who submits a completed application, pays the required license fee as established by the board
34 and meets the qualifications set forth in section 54-5407, Idaho Code.

35 (2) All licenses issued under this chapter shall be for a term of one (1) year and shall
36 expire on the birthday of the licensee unless renewed in the manner prescribed by rule. Except
37 as set forth in this chapter, rules governing procedures and conditions for license renewal and
38 reinstatement shall be in accordance with section 67-2614, Idaho Code.

39 (3) It is a misdemeanor for any person to assume or use the title or designation "licensed
40 midwife," "L.M." or any other title, designation, words, letters, abbreviations, sign, card or
41 device to indicate to the public that such person is licensed to practice midwifery pursuant to
42 this chapter unless such person is so licensed. Any person who pleads guilty to or is found
43 guilty of a second or subsequent offense under this subsection (3) shall be guilty of a felony.

44 (4) Except as provided in section 54-5408, Idaho Code, on and after July 1, 2010, it
45 shall be a misdemeanor for any person to engage in the practice of midwifery without a license.

1 Any person who pleads guilty to or is found guilty of a second or subsequent offense under this
2 subsection (4) shall be guilty of a felony.

3 54-5407. QUALIFICATIONS FOR LICENSURE. (1) A person shall be eligible to be
4 licensed as a midwife if the person:

5 (a) Provides proof of current certification as a CPM by NARM or a successor
6 organization;

7 (b) Files a board approved application for licensure and pays the required fees; and

8 (c) Provides documentation of successful completion of board approved MEAC
9 accredited courses in pharmacology, the treatment of shock/IV therapy and suturing
10 specific to midwives.

11 (2) For any midwife who has been continuously practicing midwifery in Idaho for at
12 least five (5) years prior to July 1, 2009, the qualifications for licensure in subsection (1)(a) of
13 this section may be waived by the board if such midwife provides the following documentation
14 to the board:

15 (a) Primary attendance at seventy-five (75) births within the past ten (10) years, ten
16 (10) of which occurred in the two (2) years immediately preceding the application for
17 licensure; and

18 (b) In addition to the completion of the courses listed in subsection (1)(c) of this section,
19 successful completion of board approved courses in CPR and neonatal resuscitation; and

20 (c) Complete practice data for the two (2) years preceding the application for licensure,
21 on a form provided by the board.

22 (3) Any midwife who wishes to qualify for the waiver provided in subsection (2) of this
23 section shall apply for licensure and provide the required documentation before July 1, 2010.

24 54-5408. EXEMPTIONS. This chapter shall not apply to any of the following:

25 (1) Certified nurse midwives authorized under the board of nursing to practice in Idaho,
26 unless a certified nurse midwife chooses to become a licensed midwife. Certified nurse
27 midwives who are licensed midwives shall be subject to the provisions of chapter 14, title 54,
28 Idaho Code, as well as to the provisions of this chapter;

29 (2) Student midwives in training under the direct supervision of licensed midwives as
30 required by NARM;

31 (3) A person, in good faith, engaged in the practice of the religious tenets of any church
32 or religious act where no fee is contemplated, charged or received, whose license to practice
33 midwifery has not been revoked and who has not plead guilty to or been found guilty of a
34 felony for a violation of the provisions of section 54-5406, Idaho Code;

35 (4) A person administering a remedy, diagnostic procedure or advice as specifically
36 directed by a physician;

37 (5) A person rendering aid in an emergency where no fee for the service is contemplated,
38 charged or received;

39 (6) A person administering care to a member of such person's family;

40 (7) The practice of a profession by individuals who are licensed, certified or registered
41 under other laws of this state and are performing services within the authorized scope of
42 practice.

43 54-5409. FEES. (1) All fees received under the provisions of this chapter shall be paid
44 to the department of self-governing agencies, bureau of occupational licenses and deposited

1 in the state treasury to the credit of the occupational licenses fund. All costs and expenses
2 incurred under the provisions of this chapter shall be a charge against and paid from said fund.
3 In no case may any salary, expense or other obligation of the board be charged against the
4 general fund.

5 (2) The fee for licensure may not exceed one thousand dollars (\$1,000).

6 54-5410. CLIENT PROTECTION – UNPROFESSIONAL CONDUCT. A licensed
7 midwife or applicant for licensure, renewal or reinstatement may not:

8 (1) Disregard a client’s dignity or right to privacy as to her person, condition, possessions
9 or medical record;

10 (2) Breach any legal requirement of confidentiality with respect to a client, unless
11 ordered by a court of law;

12 (3) Submit a birth certificate known by the person to be false or fraudulent, or willfully
13 make or file false or incomplete reports or records in the practice of midwifery;

14 (4) Fail to provide information sufficient to allow a client to give fully informed consent;

15 (5) Engage in the practice of midwifery while impaired because of the use of alcoholic
16 beverages or drugs; and

17 (6) Violate any other standards of conduct as determined by the board in rules adopted
18 for the regulation of the practice of midwifery.

19 54-5411. DISCLOSURE AND RECORD KEEPING – LICENSE RENEWAL. (1)
20 Before initiating care, a licensed midwife shall obtain a signed informed consent agreement
21 from each client, acknowledging receipt, at minimum, of the following:

22 (a) The licensed midwife’s training and experience;

23 (b) Instructions for obtaining a copy of the rules adopted by the board pursuant to this
24 chapter;

25 (c) Instructions for obtaining a copy of the NACPM essential documents and NARM job
26 description;

27 (d) Instructions for filing complaints with the board;

28 (e) Notice of whether or not the licensed midwife has professional liability insurance
29 coverage;

30 (f) A written protocol for emergencies, including hospital transport that is specific to
31 each individual client;

32 (g) A description of the procedures, benefits and risks of home birth, primarily those
33 conditions that may arise during delivery; and

34 (h) Any other information required by board rule.

35 (2) All licensed midwives shall maintain a record of all signed informed consent
36 agreements for each client for a minimum of nine (9) years after the last day of care for such
37 client.

38 (3) Before providing care for a client who has a history of disorders, diagnoses,
39 conditions or symptoms identified in section 54-5405(1)(e)(ii), Idaho Code, the licensed
40 midwife shall provide written notice to the client that the client shall obtain care from
41 a physician licensed pursuant to chapter 18, title 54, Idaho Code, as a condition to her
42 eligibility to obtain maternity care from the licensed midwife. Before providing care for a
43 client who has a history of disorders, diagnoses, conditions or symptoms identified in section
44 54-5405(1)(e)(iii), Idaho Code, or who has had a previous cesarean section, the licensed

1 midwife shall provide written notice to the client that the client is advised to consult with a
 2 physician licensed pursuant to chapter 18, title 54, Idaho Code, during her pregnancy. The
 3 midwife shall obtain the client's signed acknowledgment of receipt of said notice.

4 (4) Any licensed midwife submitting an application to renew a license shall compile and
 5 submit to the board complete practice data for the twelve (12) months immediately preceding
 6 the date of the application. Such information shall be provided in form and content as
 7 prescribed by rule of the board and shall include, but not be limited to:

- 8 (a) The number of clients to whom care has been provided by the licensed midwife;
- 9 (b) The number of deliveries performed by the licensed midwife;
- 10 (c) The apgar scores of the infants delivered by the licensed midwife;
- 11 (d) The number of prenatal transfers;
- 12 (e) The number of transfers during labor, delivery and immediately following birth;
- 13 (f) Any perinatal deaths; and
- 14 (g) Other morbidity statistics as required by the board.

15 54-5412. IMMUNE FROM VICARIOUS LIABILITY. No physician, hospital,
 16 emergency room personnel, emergency medical technician or ambulance personnel shall be
 17 liable in any civil action arising out of any injury resulting from an act or omission of a
 18 licensed midwife, even if the health care provider has consulted with or accepted a referral
 19 from the licensed midwife. A physician who consults with a licensed midwife but who
 20 does not examine or treat a client of the midwife shall not be deemed to have created a
 21 physician-patient relationship with such client.

22 54-5413. SEVERABILITY. The provisions of this chapter are hereby declared to be
 23 severable and if any provision of this chapter or the application of such provision to any person
 24 or circumstance is declared invalid for any reason, such declaration shall not affect the validity
 25 of the remaining portions of this chapter.

26 SECTION 2. That Section 67-2601, Idaho Code, be, and the same is hereby amended to
 27 read as follows:

28 67-2601. DEPARTMENT CREATED – ORGANIZATION – DIRECTOR – BUREAU
 29 OF OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of
 30 self-governing agencies. The department shall, for the purposes of section 20, article IV of the
 31 constitution of the state of Idaho, be an executive department of the state government.

32 (2) The department shall consist of the following:

33 (a) Agricultural commodity commissions: Idaho apple commission, as provided by
 34 chapter 36, title 22, Idaho Code; Idaho bean commission, as provided by chapter 29,
 35 title 22, Idaho Code; Idaho beef council, as provided by chapter 29, title 25, Idaho
 36 Code; Idaho cherry commission, as provided by chapter 37, title 22, Idaho Code; Idaho
 37 dairy products commission, as provided by chapter 31, title 25, Idaho Code; Idaho
 38 pea and lentil commission, as provided by chapter 35, title 22, Idaho Code; Idaho
 39 potato commission, as provided by chapter 12, title 22, Idaho Code; the Idaho wheat
 40 commission, as provided by chapter 33, title 22, Idaho Code; and the Idaho aquaculture
 41 commission, as provided by chapter 44, title 22, Idaho Code.

42 (b) Professional and occupational licensing boards: Idaho state board of certified public
 43 accountancy, as provided by chapter 2, title 54, Idaho Code; board of acupuncture,

1 as provided by chapter 47, title 54, Idaho Code; board of architectural examiners, as
2 provided by chapter 3, title 54, Idaho Code; office of the state athletic director, as
3 provided by chapter 4, title 54, Idaho Code; board of barber examiners, as provided
4 by chapter 5, title 54, Idaho Code; board of commissioners of the Idaho state bar, as
5 provided by chapter 4, title 3, Idaho Code; board of chiropractic physicians, as provided
6 by chapter 7, title 54, Idaho Code; Idaho board of cosmetology, as provided by chapter
7 8, title 54, Idaho Code; Idaho counselor licensing board, as provided by chapter 34, title
8 54, Idaho Code; state board of dentistry, as provided by chapter 9, title 54, Idaho Code;
9 state board of dentistry, as provided by chapter 33, title 54, Idaho Code; state board of
10 engineering examiners, as provided by chapter 12, title 54, Idaho Code; state board for
11 registration of professional geologists, as provided by chapter 28, title 54, Idaho Code;
12 speech and hearing services licensure board, as provided by chapter 29, title 54, Idaho
13 Code; Idaho physical therapy licensure board, as provided by chapter 22, title 54, Idaho
14 Code; Idaho state board of landscape architects, as provided by chapter 30, title 54,
15 Idaho Code; liquefied petroleum gas safety board, as provided by chapter 53, title 54,
16 Idaho Code; state board of medicine, as provided by chapter 18, title 54, Idaho Code;
17 state board of morticians, as provided by chapter 11, title 54, Idaho Code; board of
18 naturopathic medical examiners, as provided by chapter 51, title 54, Idaho Code; board
19 of nurses, as provided by chapter 14, title 54, Idaho Code; board of examiners of nursing
20 home administrators, as provided by chapter 16, title 54, Idaho Code; state board of
21 optometry, as provided by chapter 15, title 54, Idaho Code; Idaho outfitters and guides
22 board, as provided by chapter 21, title 36, Idaho Code; board of pharmacy, as provided by
23 chapter 17, title 54, Idaho Code; state board of podiatry, as provided by chapter 6, title
24 54, Idaho Code; Idaho state board of psychologist examiners, as provided by chapter 23,
25 title 54, Idaho Code; Idaho real estate commission, as provided by chapter 20, title 54,
26 Idaho Code; real estate appraiser board, as provided by chapter 41, title 54, Idaho Code;
27 board of social work examiners, as provided by chapter 32, title 54, Idaho Code; the
28 board of veterinary medicine, as provided by chapter 21, title 54, Idaho Code; the board
29 of examiners of residential care facility administrators, as provided by chapter 42, title 54,
30 Idaho Code; ~~and~~ the board of drinking water and wastewater professionals, as provided by
31 chapter 24, title 54, Idaho Code; and the board of midwifery, as provided by chapter 54,
32 title 54, Idaho Code.

33 (c) The board of examiners, pursuant to section 67-2001, Idaho Code.

34 (d) The division of building safety: building code board, chapter 41, title 39, Idaho
35 Code; manufactured home advisory board, chapter 21, title 44, Idaho Code; electrical
36 board, chapter 10, title 54, Idaho Code; public works contractors board, chapter 19,
37 title 54, Idaho Code; plumbing board, chapter 26, title 54, Idaho Code; public works
38 construction management, chapter 45, title 54, Idaho Code; the heating, ventilation and air
39 conditioning board, chapter 50, title 54, Idaho Code; and modular buildings, chapter 43,
40 title 39, Idaho Code.

41 (e) The division of veterans services to be headed by a division administrator who shall
42 be a nonclassified employee exempt from the provisions of chapter 53, title 67, Idaho
43 Code. The administrator of the division shall administer the provisions of chapter 2, title
44 65, Idaho Code, and chapter 9, title 66, Idaho Code, with the advice of the veterans affairs
45 commission established under chapter 2, title 65, Idaho Code, and shall perform such
46 additional duties as are imposed upon him by law.

1 (3) The bureau of occupational licenses is hereby created within the department of
2 self-governing agencies.

3 SECTION 3. That Section 67-2602, Idaho Code, be, and the same is hereby amended to
4 read as follows:

5 67-2602. BUREAU OF OCCUPATIONAL LICENSES. (1) The bureau of occupational
6 licenses created in the department of self-governing agencies by section 67-2601, Idaho Code,
7 shall be empowered, by written agreement between the bureau and each agency for which
8 it provides administrative or other services as provided by law, to provide such services for
9 the board of acupuncture, board of architectural examiners, board of barber examiners, board
10 of chiropractic physicians, board of cosmetology, counselor licensing board, state board of
11 dentistry, speech and hearing services licensure board, physical therapy licensure board, board
12 of landscape architects, liquefied petroleum gas safety board, board of morticians, board of
13 naturopathic medical examiners, board of examiners of nursing home administrators, board
14 of optometry, board of podiatrists, board of psychologist examiners, real estate appraiser
15 board, board of examiners of residential care facility administrators, board of social work
16 examiners, board of midwifery and such other professional and occupational licensing boards or
17 commodity commissions as may request such services. The bureau may charge a reasonable
18 fee for such services provided any agency not otherwise provided for by law and shall maintain
19 proper accounting methods for all funds under its jurisdiction.

20 (2) Notwithstanding the statutes governing specific boards, for any board that contracts
21 with the bureau of occupational licenses, each board member shall hold office until a successor
22 has been duly appointed and qualified.

23 (3) The department of self-governing agencies, by and through the bureau of
24 occupational licenses, shall be empowered to provide administrative or other services for
25 the administration of chapter 48, title 54, Idaho Code, to issue, suspend, revoke or refuse to
26 renew licenses and certificates, to issue subpoenas, to prescribe and impose fees and to assess
27 administrative penalties pursuant to the provisions of chapter 48, title 54, Idaho Code.

28 SECTION 4. The Board of Midwifery shall report on the status of the board and the
29 practice of licensed midwifery in Idaho to the Second Regular Session of the Sixty-Second
30 Legislature of the state of Idaho, in 2014.

31 SECTION 5. The provisions of Section 1 of this act shall be null, void and of no force
32 and effect on and after July 1, 2014.