

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 152

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMEND-
2 ING SECTION 67-2604, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE
3 DUTIES OF THE DIVISION ADMINISTRATOR; AMENDING SECTION 67-2608, IDAHO
4 CODE, TO ESTABLISH PROVISIONS REQUIRING CERTAIN FINANCIAL REPORTS FOR
5 THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES; AMENDING SEC-
6 TION 54-212, IDAHO CODE, TO REVISE PROVISIONS REGARDING STATE BOARD OF
7 ACCOUNTANCY FEES; AMENDING SECTION 54-416, IDAHO CODE, TO PROVIDE FOR
8 ANNUAL LICENSES GRANTED BY THE STATE ATHLETIC COMMISSION AND TO MAKE
9 TECHNICAL CORRECTIONS; AMENDING SECTION 54-707A, IDAHO CODE, TO RE-
10 VISE PROVISIONS REGARDING STATE BOARD OF CHIROPRACTIC PHYSICIANS FEES;
11 AMENDING SECTION 54-712, IDAHO CODE, TO REVISE PROVISIONS REGARDING
12 THE STATE BOARD OF CHIROPRACTIC PHYSICIANS LICENSE RENEWAL TERM AND
13 TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1115, IDAHO CODE,
14 TO REVISE PROVISIONS REGARDING LICENSE FEES FOR MORTICIANS, FUNERAL
15 DIRECTORS, AND EMBALMERS; AMENDING SECTION 54-1604, IDAHO CODE, TO RE-
16 VISE PROVISIONS REGARDING LICENSE RENEWAL FOR THE BOARD OF EXAMINERS OF
17 NURSING HOME ADMINISTRATORS AND TO MAKE TECHNICAL CORRECTIONS; AMEND-
18 ING SECTION 54-2407, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSE
19 FEES FOR DRINKING WATER AND WASTEWATER PROFESSIONALS; AMENDING SEC-
20 TION 54-2408, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSES FOR
21 DRINKING WATER AND WASTEWATER PROFESSIONALS; AMENDING SECTION 54-3209,
22 IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSING FEES FOR SOCIAL
23 WORKERS; AMENDING SECTION 54-3415, IDAHO CODE, TO REVISE PROVISIONS
24 REGARDING THE RENEWAL OR REINSTATEMENT OF A LICENSE FOR COUNSELORS AND
25 THERAPISTS; AMENDING SECTION 54-5505, IDAHO CODE, TO REVISE PROVISIONS
26 REGARDING MIDWIFERY LICENSURE; AMENDING SECTION 54-5607, IDAHO CODE,
27 TO REVISE A PROVISION REGARDING THE GENETIC COUNSELORS LICENSING BOARD
28 CONTINUING EDUCATION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS;
29 AMENDING SECTION 54-5822, IDAHO CODE, TO REMOVE A PROVISION REGARDING
30 ANNUAL RENEWALS; AMENDING SECTION 36-2108, IDAHO CODE, TO REVISE PRO-
31 VISIONS REGARDING OUTFITTERS AND GUIDES LICENSING BOARD LICENSE FEES;
32 AMENDING SECTION 36-2108, IDAHO CODE, AS AMENDED BY SECTION 56, CHAPTER
33 86, LAWS OF 2024, TO REVISE PROVISIONS REGARDING OUTFITTERS AND GUIDES
34 LICENSING BOARD LICENSE FEES; AND DECLARING AN EMERGENCY AND PROVIDING
35 EFFECTIVE DATES.
36

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

38 SECTION 1. That Section 67-2604, Idaho Code, be, and the same is hereby
39 amended to read as follows:

40 67-2604. DUTIES OF DIVISION ADMINISTRATOR. (1) In administering the
41 laws regulating professions, trades, and occupations within the division
42 of occupational and professional licenses, and in addition to the authority

1 granted to the administrator by the laws and rules of the agencies and enti-
2 ties within the division, the administrator may:

3 (a) Revise the operating structure of the division as needed to provide
4 efficient and appropriate services to the various professions, trades,
5 occupations, and programs administered within the division;

6 (b) Conduct examinations to ascertain the qualifications and fitness
7 of applicants to exercise the profession, trade, or occupation for
8 which an examination is held;

9 (c) Pass upon the qualifications of applicants for reciprocal li-
10 censes, certificates, registrations, and authorities;

11 (d) Prescribe rules for a fair and impartial method of examination of
12 candidates to exercise the respective profession, trade, or occupa-
13 tion;

14 (e) Appoint hearing officers, administer oaths, take depositions of
15 witnesses within or without the state in the manner provided by the ad-
16 ministrative rules adopted by the division, issue subpoenas, compel the
17 attendance of witnesses, and assess costs and fees incurred in the in-
18 vestigation and prosecution or defense of any certificate holder, li-
19 censee, or registrant of the division, in accordance with the provi-
20 sions of section 12-117(5), Idaho Code, when applicable, the contested
21 case provisions of chapter 52, title 67, Idaho Code, and the laws and
22 rules of the agencies within the division;

23 (f) Assess civil penalties as authorized for a violation of laws or
24 rules, provided that any such civil penalty collected for a violation
25 of laws or rules shall not exceed one thousand dollars (\$1,000), unless
26 otherwise provided by statute or rule, and shall be deposited in the
27 occupational licenses fund;

28 (g) Implement processes and promulgate rules for the administration of
29 the chapters of those agencies assigned to the division, including but
30 not limited to:

31 (i) The application, issuance, renewal, cancellation, and rein-
32 statement of licenses, certificates, registrations, and permits,
33 together with assessment of all related fees;

34 (ii) The terms by which fees may be prorated, if any; and

35 (iii) A fee holiday for any specific board fee imposed in adminis-
36 trative rule; and

37 ~~(iii)~~ (iv) Procedures for the replacement of lost or destroyed li-
38 censes, certificates, or registrations;

39 (h) Employ individuals, make expenditures, enter into contracts, re-
40 quire reports, make investigations, travel, and take other actions
41 deemed necessary;

42 (i) Collect and pay such fees as are required for criminal background
43 checks of applicants, licensees, or registrants;

44 (j) Provide honoraria as set forth in section 59-509(p), Idaho Code;

45 (k) Require applications to be verified under oath;

46 (l) Require applicants to provide a clear and legible copy of a govern-
47 ment-issued photo identification;

48 (m) Notwithstanding any other provisions of law, terminate an applica-
49 tion that has not had any activity within one (1) year, unless otherwise
50 specified in law or rule;

1 (n) Issue a license, certificate, permit, or authority only on behalf
2 of an agency that has administrative rules approved by the legislature;

3 (o) Implement application processes that provide for clear adminis-
4 tration of all licenses, registrations, permits, and certificates,
5 including their status and history;

6 (p) Establish advisory committees as needed to provide efficient and
7 appropriate services to the various professions, trades, occupations,
8 and programs administered within the division; and

9 (q) Require applicants to submit fingerprints in accordance with the
10 provisions of section 67-9411A, Idaho Code, to conduct criminal back-
11 ground checks, unless otherwise specified in law or rule.

12 (2) Notwithstanding any law governing any agency within the division,
13 each board or commission member shall hold office until a successor has been
14 duly appointed and qualified.

15 (3) The administrator shall administer the following provisions and
16 shall perform such additional duties as are imposed by law: chapter 41,
17 title 39, Idaho Code, relating to the Idaho building code; chapter 40, ti-
18 tle 39, Idaho Code, relating to manufactured homes; chapter 43, title 39,
19 Idaho Code, relating to modular buildings; chapter 21, title 44, Idaho Code,
20 relating to manufactured home dealer and installer licensing; chapter 25,
21 title 44, Idaho Code, relating to mobile home rehabilitation; chapter 10,
22 title 54, Idaho Code, relating to electrical contractors and journeymen;
23 chapter 19, title 54, Idaho Code, relating to public works contractors;
24 chapter 26, title 54, Idaho Code, relating to plumbing and plumbers; chapter
25 45, title 54, Idaho Code, relating to public works construction management
26 licensing; chapter 50, title 54, Idaho Code, relating to installation of
27 heating, ventilation and air conditioning systems; chapter 80, title 39,
28 Idaho Code, relating to uniform public school building safety; chapter 59,
29 title 33, Idaho Code, relating to Idaho school safety and security; chapter
30 86, title 39, Idaho Code, relating to elevator safety; and chapter 22, title
31 55, Idaho Code, relating to underground facilities damage prevention.

32 (4) For those agencies listed in subsection (3) of this section, the ad-
33 ministrator may, in addition to those powers listed in this chapter:

34 (a) Issue registrations, licenses, and certificates;

35 (b) Charge a fee of seventy-five dollars (\$75.00) for each examination
36 administered, unless a different fee is established in law or rule;

37 (c) Conduct hearings on proceedings to discipline, renew, or reinstate
38 licenses, certificates, or authorities of persons exercising the re-
39 spective profession, trade, or occupation;

40 (d) Revoke, suspend, refuse to renew, or take other disciplinary action
41 against such licenses, certifications, or authorities; and

42 (e) Assess civil penalties as authorized for a violation of law or rule.

43 SECTION 2. That Section 67-2608, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 67-2608. OCCUPATIONAL LICENSES FUND CREATED -- DISPOSITION OF FEES --
46 REPORTS. (1) There is hereby created in the state treasury the occupational
47 licenses fund. All fees and renewal fees received by the division of occu-
48 pational and professional licenses for licenses to engage in trades, busi-
49 nesses, occupations, or professions shall be deposited to the credit of the

1 occupational licenses fund. The administrator shall ensure that fees col-
 2 lected by the division are not waived, prorated, transferred, or refunded
 3 unless authorized by rule or law of the agency within the division.

4 (2) The division of occupational and professional licenses shall pre-
 5 pare quarterly reports regarding the revenues and expenditures of each board
 6 and commission. Such reports shall be submitted within fifteen (15) busi-
 7 ness days after the end of each quarter to the budget and policy analysis di-
 8 vision of the legislative services office, and a copy of each report pertain-
 9 ing to a certain board or commission shall be submitted to that board or com-
 10 mission.

11 (3) The division of occupational and professional licenses shall pre-
 12 pare a year-end report regarding the cash balances of each board and commis-
 13 sion. The format of the report and information contained therein shall be
 14 determined by the legislative services office legislative audits and budget
 15 and policy analysis divisions no later than August 1, 2025. The report shall
 16 be submitted annually to the budget and policy analysis division of the leg-
 17 islative services office no later than December 1. If the year-end cash bal-
 18 ance of any board or commission fund detail exceeds one hundred fifty percent
 19 (150%) of the five (5) year rolling average of expenditures, the division of
 20 occupational and professional licenses shall present a plan in the annual
 21 report to the legislature for reducing fund balances, including but not lim-
 22 ited to fee reductions and holidays. If the year-end cash balance of any fund
 23 detail drops below thirty percent (30%) of the five (5) year rolling aver-
 24 age of expenditures, the division of occupational and professional licenses
 25 shall present a plan to the legislature for rectifying the low fund balance.

26 SECTION 3. That Section 54-212, Idaho Code, be, and the same is hereby
 27 amended to read as follows:

28 54-212. GENERAL FEES. The board, as prescribed by its rules, may
 29 charge an amount not to exceed:

- 30 (1) One thousand dollars (\$1,000) for examination-;
 31 (2) Three hundred dollars (\$300) for licensure application or license
 32 renewal-;
 33 (3) Twenty-five dollars (\$25.00) for any certificate, original or re-
 34 placement, to be issued as herein provided. pursuant to this section;
 35 (4) Fifty dollars (\$50.00) for administrative services, including, but
 36 not limited to, mailing lists and release of information to other boards for
 37 purposes of licensure-;
 38 (5) ~~One hundred dollars (\$100)~~ Two hundred dollars (\$200) for retired
 39 or inactive status licenses-;
 40 (6) Five hundred dollars (\$500) for license reinstatement-;
 41 (7) Three hundred dollars (\$300) for late fees, including late filing
 42 of the annual license renewal-;
 43 (8) Three hundred dollars (\$300) for late fees, including late filing
 44 of the continuing professional education report-; and
 45 (9) ~~Two hundred dollars (\$200)~~ Four hundred dollars (\$400) for firm
 46 registration.

47 SECTION 4. That Section 54-416, Idaho Code, be, and the same is hereby
 48 amended to read as follows:

1 54-416. ~~BIENNIAL~~ LICENSES -- FEES -- REVOCATION. (1) The commission
2 shall grant annual or biennial licenses in compliance with the rules pre-
3 scribed by the commission and upon payment of the fees, the amount of which
4 is to be determined by the commission upon application, prescribed to pro-
5 moters, managers, booking agents, matchmakers, ring officials, combatants
6 and corner persons; provided, that the provisions of this section shall not
7 apply to combatants or other persons who may participate in contests or exhi-
8 bitions ~~which that~~ are exempted from the provisions of this chapter pursuant
9 to section 54-406(3), Idaho Code.

10 (2) Any such license may be revoked by the commission for any cause
11 ~~which it shall deem it deems~~ sufficient.

12 (3) No person shall participate or serve in any of the above capacities
13 unless licensed as provided in this chapter.

14 (4) The ring officials for any contest shall be designated by the com-
15 mission from among the active pool of licensed or appointed ring officials.

16 (5) The ring officials for any exhibition shall be provided by the pro-
17 moter and licensed by the commission.

18 SECTION 5. That Section 54-707A, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 54-707A. FEES. (1) The board shall establish by rule fees for licen-
21 sure under the provisions of this chapter, including, but not limited to, the
22 following:

23 (a) Application fee not to exceed two hundred fifty dollars (\$250);

24 (b) Initial license fee not to exceed two hundred fifty dollars (\$250);

25 (c) Endorsement license fee not to exceed two hundred fifty dollars
26 (\$250);

27 (d) ~~Annual rRenewal of license fee not to exceed two hundred fifty dol-~~
28 ~~lars (\$250) five hundred dollars (\$500);~~

29 (e) Inactive license fee not to exceed one hundred fifty dollars
30 (\$150);

31 (f) Temporary permit fee not to exceed one hundred fifty dollars
32 (\$150);

33 (g) Intern permit fee not to exceed one hundred fifty dollars (\$150);
34 and

35 (h) Continuing education provider application fee not to exceed five
36 hundred dollars (\$500); and

37 (i) Clinical nutrition certification fee not to exceed two hundred
38 fifty dollars (\$250).

39 (2) Fees charged pursuant to paragraphs (b), (c), (f), (g), and (i) of
40 subsection (1) of this section shall be in addition to the application fee.

41 (3) All fees received under the provisions of this chapter shall be non-
42 refundable and shall be deposited in the state treasury to the credit of the
43 occupational ~~license account~~ licenses fund in the dedicated fund, and all
44 costs and expenses incurred by the board under the provisions of this chapter
45 shall be a charge against and paid from the ~~account~~ fund for such purposes,
46 and the funds collected ~~hereunder~~ pursuant to this section shall be immedi-
47 ately available for the administration of this chapter, the provisions of
48 any other law notwithstanding.

1 SECTION 6. That Section 54-712, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-712. DISCIPLINE BY THE BOARD -- GROUNDS. Any license or permit is-
4 sued under the provisions of this chapter shall be subject to restriction,
5 suspension, revocation or other discipline pursuant to the provisions of
6 sections 54-707 and 54-713, Idaho Code, if the board finds that the licensee:

7 (1) Has been convicted, found guilty, or received a withheld judgment
8 or suspended sentence in this or any other state of a crime that is deemed
9 relevant in accordance with section 67-9411(1), Idaho Code;

10 (2) Used false, fraudulent or forged statements or documents, diplo-
11 mas or credentials in connection with any licensing or other requirements of
12 this chapter or misrepresented or concealed a material fact in obtaining li-
13 censing, renewal or reinstatement;

14 (3) Practiced chiropractic under a false or assumed name in this or any
15 other state;

16 (4) Advertised the practice of chiropractic in a false, misleading or
17 deceptive manner;

18 (5) Knowingly aided or abetted any person to practice chiropractic who
19 is not authorized to practice chiropractic as provided in this chapter or
20 failed to adequately supervise auxiliary staff who have contact with pa-
21 tients ~~which~~ that creates or results in an unreasonable risk of harm to the
22 patient;

23 (6) Is unable to obtain or renew a license to practice chiropractic, or
24 whose license to practice chiropractic has been restricted, revoked or sus-
25 pended by any other state, territory or district of the United States or for-
26 eign jurisdiction; a certified copy of the order shall be conclusive evi-
27 dence of any restriction, revocation or suspension of a license;

28 (7) Failed to safeguard the confidentiality of chiropractic records or
29 other chiropractic information pertaining to identifiable clients, except
30 as required or authorized by law;

31 (8) Practiced chiropractic when a license pursuant to this chapter is
32 suspended, revoked, or inactive due to failure to renew the ~~annual~~ license
33 within the time and manner required by the board;

34 (9) Refused to divulge to the board, upon demand, the means, method, de-
35 vice or instrumentality used in the treatment of a disease, injury, ailment,
36 or infirmity;

37 (10) Has engaged in any conduct ~~which~~ that constitutes an abuse or ex-
38 ploitation of a patient arising out of the trust and confidence placed in the
39 licensee by the patient;

40 (11) Has committed any act ~~which~~ that constitutes a crime that is deemed
41 relevant in accordance with section 67-9411(1), Idaho Code;

42 (12) Is unable to practice chiropractic with reasonable skill and
43 safety by reason of:

44 (a) Mental illness; ~~or~~

45 (b) Physical illness, including, ~~but not limited to,~~ physical dete-
46 rioration ~~which~~ that adversely affects cognitive, motor or perceptive
47 skills; ~~or~~

1 (c) Habitual or excessive use or abuse of drugs defined in law as con-
 2 trolled substances, alcohol, or any other substances ~~which~~ that impair
 3 ability; or

4 (d) Having a communicable, contagious or infectious disease ~~which~~ that
 5 endangers the health of patients;

6 (13) Has violated the standard of care or code of ethics as adopted by
 7 the board or misrepresented or committed fraud in any aspect of the business
 8 or practice of chiropractic;

9 (14) Promoted unnecessary or inefficacious treatment, procedures, de-
 10 vices or services or practiced in an incompetent or negligent manner result-
 11 ing in or creating an unreasonable risk of harm; or

12 (15) Has violated any provision of this act or any rule promulgated by
 13 the board for the administration or enforcement of this act, interfered with
 14 the board's conduct of investigations, hearings or any other matters relat-
 15 ing to discipline, including, but not limited to, misrepresenting facts, at-
 16 tempting to influence witnesses or failing to answer subpoenas, or otherwise
 17 failed to cooperate with the board in the fulfillment of its duties.

18 SECTION 7. That Section 54-1115, Idaho Code, be, and the same is hereby
 19 amended to read as follows:

20 54-1115. LICENSE FEES. Any fee required pursuant to this chapter, in-
 21 cluding fees for original licenses, examinations, ~~annual~~ renewals, and cer-
 22 tificates, shall be set by board rule. All fees shall be paid to the division
 23 of occupational and professional licenses.

24 SECTION 8. That Section 54-1604, Idaho Code, be, and the same is hereby
 25 amended to read as follows:

26 54-1604. FUNCTIONS AND DUTIES OF BOARD -- FEE FOR LICENSE APPLICANTS
 27 -- RULES. (1) It shall be the functions and duties of such board to:

28 (a) Develop, impose, and enforce standards consistent with this act
 29 which shall be met by individuals in order to receive and retain a li-
 30 cense as a nursing home administrator which standard shall be designed
 31 to ~~insure~~ ensure that nursing home administrators will be individuals
 32 who are of good character and are otherwise suitable, and who, by train-
 33 ing or experience in the field of institutional administration, are
 34 qualified to serve as nursing home administrators;

35 (b) Develop and apply appropriate techniques, including examinations
 36 and investigations, for determining whether an individual meets such
 37 standards;

38 (c) Issue licenses to individuals determined, after application of
 39 such techniques, to meet such standards, and revoke or suspend licenses
 40 previously issued by the board in any case where the individual holding
 41 any such license is determined substantially to have failed to conform
 42 to the requirements of such standards;

43 (d) Establish and carry out procedures ~~designated~~ designed to ~~insure~~
 44 ensure that individuals licensed as nursing home administrators will,
 45 during any period that they serve as such, comply with the requirements
 46 of such standards;

1 (e) Receive, investigate, and take appropriate action with respect to
 2 any charge or complaint filed with the board charging that any individ-
 3 ual licensed as a nursing home administrator has failed to comply with
 4 the requirements of such standards;

5 (f) Conduct a continuing study and investigation of administrators
 6 of nursing homes within the state with a view to the improvement of the
 7 standards imposed for the licensing of such administrators and of pro-
 8 cedures and methods for the enforcement of such standards with respect
 9 to administrators of nursing homes who have been licensed as such;

10 (g) The fee to be paid for any application, license, ~~renewal~~, permit,
 11 or registration shall be set by board rule in an amount not to exceed two
 12 hundred dollars (\$200). The fee for renewal of a license shall not ex-
 13 ceed four hundred dollars (\$400).

14 (2) The board or any committee or member thereof or any hearing officer
 15 designated by such board, acting in an official capacity, shall have powers
 16 and duties as provided by law.

17 Such board shall not be bound by the strict rules of evidence in the con-
 18 duct of its proceedings but any determinations made shall be founded ~~upon~~ on
 19 sufficient legal evidence to sustain them.

20 (3) The board shall also have the authority to make rules not inconsis-
 21 tent with law as may be necessary for the proper performance of its duties,
 22 and to take such other actions as may be necessary to enable the state to meet
 23 the requirements set forth in section 1908 of the "social security act," the
 24 federal rules promulgated thereunder, and other pertinent federal require-
 25 ments.

26 (4) The board shall have the authority to collect from the state associ-
 27 ation representing nursing homes in Idaho an amount as is necessary to fully
 28 reimburse the board for all expenses relating to prelitigation panels con-
 29 ducted pursuant to chapter 23, title 6, Idaho Code. Funds collected by the
 30 board pursuant to this subsection shall be deposited into the occupational
 31 licenses fund.

32 SECTION 9. That Section 54-2407, Idaho Code, be, and the same is hereby
 33 amended to read as follows:

34 54-2407. FEES -- PAYMENT OF COSTS AND EXPENSES. (1) The division of oc-
 35 cupational and professional licenses shall collect a fee not to exceed one
 36 hundred dollars (\$100) for each application, each administration of an exam-
 37 ination, each original license, and ~~each annual~~ a fee not to exceed two hun-
 38 dred dollars (\$200) for each biennial renewal of any license issued pursuant
 39 to this chapter and shall deposit all fees in the state treasury in accor-
 40 dance with section 67-2608, Idaho Code. The actual fees shall be set by board
 41 rule. The division shall also collect a fee not greater than that charged by
 42 the examination provider when an examination is required as a condition of
 43 licensure. All required fees shall not be prorated and are nonrefundable.

44 (2) All fees received under the provisions of this chapter shall be paid
 45 to the division of occupational and professional licenses and deposited in
 46 the state treasury to the credit of the occupational licenses fund, and all
 47 costs and expenses incurred under the provisions of this chapter shall be
 48 charged against and paid from said fund.

1 SECTION 10. That Section 54-2408, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-2408. LICENSES -- RECORDS. (1) The division of occupational and
4 professional licenses shall, upon the approval of the board and subject to
5 the provisions of this chapter, register and issue licenses to persons who
6 have been approved by the board in accordance with this chapter. The li-
7 censes shall bear on their face the seal of the state and the signature of
8 the division administrator of the division of occupational and professional
9 licenses, and will be effective until the next birthday of the individual
10 being certified. Licenses so issued shall be renewed ~~annually~~ in accor-
11 dance with section 67-2614, Idaho Code. The provisions of sections 67-2609
12 through 67-2614, Idaho Code, shall apply to licenses issued pursuant to this
13 chapter.

14 (2) The board shall keep and the division shall maintain a record of
15 board proceedings and a register of all applications that show:

- 16 (a) The name, age, social security number and residency of each appli-
17 cant;
18 (b) The date of application;
19 (c) The place of business of such applicant;
20 (d) The educational and other qualifications of each applicant;
21 (e) Whether or not an examination was required;
22 (f) Whether the applicant was rejected;
23 (g) Whether a license was issued;
24 (h) The dates of the action by the board;
25 (i) Compliance with continuing education requirements; and
26 (j) Such other information as may be deemed necessary by the board.

27 SECTION 11. That Section 54-3209, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 54-3209. FEES -- LICENSING -- DURATION OF LICENSES. Each person sub-
30 mitting an application for licensure to practice social work shall pay an
31 application fee, as determined by the rules of the board, which shall not
32 exceed three hundred dollars (\$300) ~~biennially~~ and which shall include the
33 original license fee. Each person licensed to practice social work shall pay
34 a license renewal fee, not to exceed three hundred dollars (\$300) as deter-
35 mined by the rules of the board. All licenses issued under the provisions
36 of this chapter shall be subject to biennial renewal and shall expire unless
37 renewed in the manner prescribed by the board regarding applications for re-
38 newal, continuing education, and fees. Renewal shall be in accordance with
39 the requirements of section 67-2614, Idaho Code.

40 SECTION 12. That Section 54-3415, Idaho Code, be, and the same is hereby
41 amended to read as follows:

42 54-3415. RENEWAL OR REINSTATEMENT OF LICENSE. All licenses issued un-
43 der the provisions of this chapter shall be subject to ~~annual~~ renewal and
44 shall expire unless renewed in the manner prescribed by the board regarding
45 applications for renewal, continuing education, and fees. License renewal
46 and reinstatement shall be in accordance with section 67-2614, Idaho Code.

1 SECTION 13. That Section 54-5505, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-5505. LICENSURE -- PENALTY. (1) The board shall grant a license to
4 any person who submits a completed application, pays the required license
5 fee as established by the board, and meets the qualifications set forth in
6 section 54-5506, Idaho Code.

7 (2) All licenses issued pursuant to this chapter shall be for a term of
8 ~~one (1) year~~ two (2) years and shall expire on the birthday of the licensee,
9 unless renewed in the manner prescribed by rule and section 54-5510, Idaho
10 Code. Except as set forth in this chapter, rules governing procedures and
11 conditions for license renewal and reinstatement shall be in accordance with
12 section 67-2614, Idaho Code.

13 (3) It is a misdemeanor for any person to assume or use the title or des-
14 ignation "licensed midwife," "L.M." or any other title, designation, words,
15 letters, abbreviations, sign, card, or device to indicate to the public that
16 such person is licensed to practice midwifery pursuant to this chapter un-
17 less such person is so licensed. Any person who pleads guilty to or is found
18 guilty of a second or subsequent offense pursuant to this subsection shall be
19 guilty of a felony.

20 (4) Except as provided in section 54-5507, Idaho Code, it shall be a
21 misdemeanor for any person to engage in the practice of midwifery without a
22 license. Any person who pleads guilty to or is found guilty of a second or
23 subsequent offense pursuant to this subsection shall be guilty of a felony.

24 SECTION 14. That Section 54-5607, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 54-5607. BOARD POWERS. (1) The board shall have the following powers:

27 (a) To receive applications for licensure, determine the qualifica-
28 tions of persons applying for licensure, provide licenses to applicants
29 qualified under the provisions of this chapter and reinstate and deny
30 licenses;

31 (b) To establish by rule and collect fees as prescribed by this chapter;

32 (c) To maintain records necessary to carry out its duties under this
33 chapter;

34 (d) To pass upon the qualifications and fitness of applicants for li-
35 censes and to adopt rules requiring ~~annual~~ continuing education as a
36 condition for the renewal of licenses issued under this chapter;

37 (e) To prescribe by rule the minimum number of and qualifications for
38 continuing education units (CEUs) to be required of each genetic coun-
39 selor seeking to obtain or renew a license in the state of Idaho and for
40 the approval of continuing education courses;

41 (f) To examine for, deny, approve, issue, revoke and suspend licenses
42 pursuant to this chapter and to conduct investigations and hearings in
43 connection with such actions;

44 (g) ~~Establish~~ To establish requirements for reinstatement and renewal
45 of licenses;

46 (h) To adopt and revise such rules as may be necessary to carry into ef-
47 fect the provisions of this chapter in compliance with chapter 52, title
48 67, Idaho Code. The rules shall include, but ~~shall~~ not be limited to,

1 a code of ethics for genetic counselors and licensed genetic counselor
2 standards of practice;

3 (i) In any proceeding before the board authorized by this chapter, the
4 board or its designee may administer oaths or affirmations to witnesses
5 appearing before it; and

6 (j) To take such action as may be necessary to enforce the provisions of
7 this chapter and to regulate the practice of genetic counseling.

8 (2) In a final order, the board may impose a civil penalty not to exceed
9 one thousand dollars (\$1,000) for each violation by a licensee of this chap-
10 ter or of rules adopted by the board.

11 (3) The board may authorize, by written agreement, the division of oc-
12 cupational and professional licenses as its agent to act in its interest and,
13 in its discretion, to contract with the division of occupational and profes-
14 sional licenses for those services deemed necessary for the proper adminis-
15 tration of this chapter.

16 (4) The assessment of costs and attorney's fees incurred in the inves-
17 tigation and prosecution or defense of a licensee under this chapter shall be
18 governed by the provisions of section 12-117(5), Idaho Code.

19 SECTION 15. That Section 54-5822, Idaho Code, be, and the same is hereby
20 amended to read as follows:

21 54-5822. FEES. (1) Any fee required pursuant to this chapter, in-
22 cluding fees for original licenses, certificates, registrations, permits,
23 ~~annual~~ renewals, and licenses, certificates, and registrations by endorse-
24 ment, shall be set by board rule.

25 (2) All fees received by the board under the provisions of this chapter
26 shall be nonrefundable, except as provided by board rule, and shall be de-
27 posited in the state treasury to the credit of the occupational licenses fund
28 in the dedicated fund, and all costs and expenses incurred by the board un-
29 der the provisions of this chapter shall be a charge against and paid from the
30 fund for such purposes. The fees collected under this chapter shall be imme-
31 diately available for the administration of this chapter, the provisions of
32 any other law notwithstanding.

33 SECTION 16. That Section 36-2108, Idaho Code, be, and the same is hereby
34 amended to read as follows:

35 36-2108. APPLICATION FOR LICENSE -- CONTENTS -- FEE -- QUALIFICATIONS
36 -- TERM -- BOND. (a) Each applicant for an outfitter's or guide's license
37 shall make application for such license upon a form to be prescribed and fur-
38 nished by the board.

39 1. All applications for an outfitter's license shall be signed by the
40 applicant, under oath or affirmation that all information supplied by
41 him in the application form is true and correct as he verily believes and
42 shall be duly notarized. Such applications shall include, but are not
43 limited to, a worded description of the boundaries of the operating area
44 in which such activity will be conducted.

45 2. All applications for a guide's license shall be signed by the appli-
46 cant.

1 (b) Applications shall be made to and filed with the board and, unless
2 arrangements have been made otherwise with the board, accompanied by proof
3 of eligibility for a bond payable to the person or persons employing the li-
4 censee and in a form approved by the board in the sum of ten thousand dollars
5 (\$10,000) for outfitters, to be executed by a qualified surety, duly autho-
6 rized to do business in this state, conditioned that for the current license
7 year said applicant, his agents and employees, if said license is issued to
8 him, shall conduct his business as an outfitter without fraud or fraudulent
9 representation, and will faithfully perform his contracts with and duties to
10 his patrons; said bond shall be filed with the board before issuance of the
11 license as provided herein.

12 (c) The board, in its discretion, may make such additional investiga-
13 tion and inquiry relative to the applicant and his qualifications as it shall
14 deem advisable, provided that final decision by the board upon an applica-
15 tion submitted by an applicant who has held during the preceding license year
16 a license of the same kind for which application is made, and upon an applica-
17 tion submitted by an applicant not holding during the preceding license year
18 a license of the same kind or embracing the same activity(ies) or area for
19 which application is made, shall be made not later than the end of the license
20 year in which the board receives all materials required to be submitted in
21 order to complete a license application or ninety (90) days from the date the
22 board receives all such materials, whichever is later.

23 (d) The applicant shall pay license, penalty, amendment and applica-
24 tion fees to the board as hereinafter provided:

25 1. The license fee shall be paid prior to the issuance of a license.

26 2. The license fee shall be used for the investigation of applicants,
27 for enforcement of this chapter, and for the administration costs of the
28 board.

29 3. The license fee for outfitters shall be four hundred dollars (\$400)
30 for online licensing and ~~four hundred fifty dollars (\$450) for offline~~
31 ~~licensing~~; the license fee for a designated agent as defined in section
32 36-2102(b), Idaho Code, shall be one hundred forty dollars (\$140) for
33 online licensing and ~~one hundred sixty dollars (\$160) for offline li-~~
34 ~~icensing~~; and the license fee for guides shall be one hundred five dol-
35 lars (\$105) for online licensing and ~~one hundred fifteen dollars (\$115)~~
36 ~~for offline licensing~~.

37 4. A penalty fee in the amount of one hundred fifty dollars (\$150) may be
38 charged in addition to the regular outfitter's license fee for any such
39 renewal applicant whose application is not complete by the end of the
40 outfitter's license year; this does not apply to a new applicant for an
41 outfitter's license.

42 5. A two-hundred-dollar (\$200) fee shall be charged for every amend-
43 ment to an outfitter's license other than a minor amendment, a
44 thirty-five-dollar (\$35.00) fee shall be charged for every minor amend-
45 ment to an outfitter's license, and a twenty-dollar (\$20.00) fee shall
46 be charged for every amendment to the license of a designated agent or
47 guide.

48 6. The following fees shall be established annually by the board and
49 shall be used for application related expenses: a one-time applica-
50 tion fee for outfitters not to exceed four hundred dollars (\$400); a

1 one-time application fee for designated agents not to exceed fifty dol-
2 lars (\$50.00); and a one-time application fee for guides not to exceed
3 twenty dollars (\$20.00). ~~The board shall establish by rule a policy~~
4 ~~to refund unused application fees and shall establish by rule fees for~~
5 ~~expedited, exceptional, resubmittal or emergency processing of license~~
6 ~~applications, a fee credit for electronic filing of applications and a~~
7 ~~fee for the use of credit cards corresponding to the cost to the agency~~
8 ~~of processing the card use.~~

9 SECTION 17. That Section 36-2108, Idaho Code, as amended by Section 56,
10 Chapter 86, Laws of 2024, be, and the same is hereby amended to read as fol-
11 lows:

12 36-2108. APPLICATION FOR LICENSE -- CONTENTS -- FEE -- QUALIFICATIONS
13 -- TERM -- BOND. (a) Each applicant for an outfitter's, designated agent's,
14 or guide's license shall make application for such license for either one (1)
15 or two (2) years upon a form to be prescribed and furnished by the board.

16 1. All applications for an outfitter's license shall be signed by the
17 applicant, under oath or affirmation that all information supplied by
18 him in the application form is true and correct as he verily believes and
19 shall be duly notarized. Such applications shall include, but are not
20 limited to, a worded description of the boundaries of the operating area
21 in which such activity will be conducted.

22 2. All applications for a guide's license shall be signed by the appli-
23 cant.

24 (b) Applications shall be made to and filed with the board and, unless
25 arrangements have been made otherwise with the board, accompanied by proof
26 of eligibility for a bond payable to the person or persons employing the li-
27 censee and in a form approved by the board in the sum of ten thousand dollars
28 (\$10,000) for outfitters, to be executed by a qualified surety, duly autho-
29 rized to do business in this state, conditioned that for the current renewal
30 cycle said applicant, his agents and employees, if said license is issued to
31 him, shall conduct his business as an outfitter without fraud or fraudulent
32 representation, and will faithfully perform his contracts with and duties to
33 his patrons; said bond shall be filed with the board before issuance of the
34 license as provided herein.

35 (c) The board, in its discretion, may make such additional investiga-
36 tion and inquiry relative to the applicant and his qualifications as it shall
37 deem advisable, provided that final decision by the board upon an applica-
38 tion submitted by an applicant who has held during the preceding renewal cy-
39 cle a license of the same kind for which application is made, and upon an ap-
40 plication submitted by an applicant not holding during the preceding renewal
41 cycle a license of the same kind or embracing the same activities or area for
42 which application is made, shall be made not later than the end of the renewal
43 cycle in which the board receives all materials required to be submitted in
44 order to complete a license application or ninety (90) days from the date the
45 board receives all such materials, whichever is later.

46 (d) The applicant shall pay license, penalty, amendment and applica-
47 tion fees to the board as hereinafter provided:

48 1. The license fee shall be paid prior to the issuance of a license.

1 2. The license fee shall be used for the investigation of applicants,
2 for enforcement of this chapter, and for the administration costs of the
3 board.

4 3. The license fee for outfitters shall not exceed four hundred dollars
5 (\$400) for one (1) year or seven hundred fifty dollars (\$750) for two
6 (2) years for online licensing and ~~four hundred fifty dollars (\$450) for~~
7 ~~one (1) year or nine hundred dollars (\$900) for two (2) years for offline~~
8 ~~licensing.~~ The license fee for a designated agent as defined in sec-
9 tion 36-2102(b), Idaho Code, shall not exceed one hundred forty dollars
10 (\$140) for one (1) year or two hundred sixty-five dollars (\$265) for two
11 (2) years for online licensing and ~~one hundred sixty dollars (\$160) for~~
12 ~~one (1) year or three hundred twenty dollars (\$320) for two (2) years for~~
13 ~~offline licensing.~~ The license fee for guides shall not exceed one hun-
14 dred five dollars (\$105) for one (1) year or two hundred dollars (\$200)
15 for two (2) years for online licensing and ~~one hundred fifteen dollars~~
16 ~~(\$115) for one (1) year or two hundred thirty dollars (\$230) for two (2)-~~
17 ~~years for offline licensing.~~

18 4. A penalty fee in the amount of one hundred fifty dollars (\$150) may be
19 charged in addition to the regular outfitter's license fee for any such
20 renewal applicant whose application is not complete by the end of the
21 outfitter's renewal cycle; this does not apply to a new applicant for an
22 outfitter's license.

23 5. A two-hundred-dollar (\$200) fee shall be charged for every amend-
24 ment to an outfitter's license other than a minor amendment, a
25 thirty-five-dollar (\$35.00) fee shall be charged for every minor amend-
26 ment to an outfitter's license, and a twenty-dollar (\$20.00) fee shall
27 be charged for every amendment to the license of a designated agent.

28 6. The following fees shall be established annually by the board and
29 shall be used for application related expenses: a one-time applica-
30 tion fee for outfitters not to exceed four hundred dollars (\$400); a
31 one-time application fee for designated agents not to exceed fifty dol-
32 lars (\$50.00); and a one-time application fee for guides not to exceed
33 twenty dollars (\$20.00). ~~The board shall establish by rule a policy~~
34 ~~to refund unused application fees and shall establish by rule fees for~~
35 ~~expedited, exceptional, resubmittal or emergency processing of license~~
36 ~~applications, a fee credit for electronic filing of applications and a~~
37 ~~fee for the use of credit cards corresponding to the cost to the agency~~
38 ~~of processing the card use.~~

39 SECTION 18. An emergency existing therefor, which emergency is hereby
40 declared to exist, Sections 1 through 16 of this act shall be in full force
41 and effect on and after July 1, 2025. Section 17 of this act shall be in full
42 force and effect on and after July 1, 2028.