

Dear Senators LODGE, Broadsword & Werk, and
Representatives BLOCK, Nielsen & Henbest:

The Legislative Services Office, Research and Legislation, has received the enclosed
rules of the Bureau of Occupational Licenses:

- I. State Board of Podiatry - IDAPA 24.11.01
(Docket No. 24-1101-0801 – Fee Rule);
- II. Physical Therapy Licensure Board- IDAPA 24.13.01
(Docket No. 24-1301-0801 – Fee Rule).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 9-9-08. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 10-7-08.

_____The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-2475, or send a written request to the address or FAX number indicated on the memorandum enclosed.

MEMORANDUM

TO: Subcommittees for Administrative Rules Review of the Senate Health and Welfare Committee and the House Health and Welfare Committee

FROM: Eric Milstead, Principal Legislative Research Analyst

DATE: August 19, 2008

SUBJECT: Bureau of Occupational Licenses

- I. State Board of Podiatry - IDAPA 24.11.01
(Docket No. 24-1101-0801 – Fee Rule)
- II. Physical Therapy Licensure Board- IDAPA 24.13.01
(Docket No. 24-1301-0801 – Fee Rule)

I. State Board of Podiatry - IDAPA 24.11.01 (Docket No. 24-1101-0801 – Fee Rule)

The proposed rule increases license and renewal fees assessed by the Board of Podiatry. The fee increases are within the limits established by section 54-606, Idaho Code. The Bureau of Occupational Licenses notes that the Board's expenses have been exceeding its revenues and that these proposed increases will help address the Board's fund balance.

The proposed rules are within the authority granted to the Board under Section 54-605, Idaho Code.

II. Physical Therapy Licensure Board- IDAPA 24.13.01 (Docket No. 24-1301-0801 – Fee Rule)

The proposed rule decreases certain licensure-related fees assessed by the Physical Therapy Licensure Board. The fees that will be decreased include the license and annual renewals for Physical Therapists from \$65 to \$40 and Physical Therapist Assistants from \$45 to \$35. Reinstatement fees will also be reduced. The Bureau of Occupational Licenses notes that the proposed reduction in fees will help reduce the Board's fund cash balance by approximately \$32,000 per year.

The proposed rules are within the authority granted to the Board under Section 54-2206, Idaho Code.

cc: Bureau of Occupational Licenses
Tana Cory, Bureau Chief & Cherie Simpson

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.11.01 - RULES OF THE STATE BOARD OF PODIATRY

DOCKET NO. 24-1101-0801 (FEE RULE)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 54-605, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 17, 2008.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Podiatry operates on fees paid by its licensees. The Board's expenses have been exceeding its revenues. This increase will help address the Board's negative balance.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

This change will increase the original license fee and annual renewal fee from \$300 to \$400 for the 75 licensees and approximately 5 new licenses per year. The statute caps annual renewal fees at \$400.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

This fee would have a positive impact on dedicated funds of approximately \$8000 based on 75 licensees and approximately 5 original licenses per year.

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because the increase is needed to help balance the Board's annual budget.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 24, 2008.

DATED this 5th day of August, 2008.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
1109 Main St. Ste. 220
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945, fax

THE FOLLOWING IS THE TEXT OF DOCKET NO. 24-1101-0801

300. FEES (RULE 300).

- 01. Application Fee.** A fee shall accompany all applications. The fee shall be two hundred dollars (\$200). (7-1-97)
- 02. Original License Fee.** The original license fee shall be ~~three~~ four hundred dollars (~~\$300~~) (~~3-13-02~~)()
- 03. Written Exam Fee.** The fee for examination shall be equal to that charged by the national examining entity, together with an additional twenty-five (\$25) dollar administrative fee. (3-13-02)
- 04. Annual Renewal Fee.** Fee for annual renewal of licenses, ~~three~~ four hundred dollars (~~\$300~~) (~~5-3-03~~)()
- 05. Re-Exam Fee.** For candidates re-examining for the written and practical examinations or written examination only, the fee for re-examination will be four hundred dollars (\$400). For candidates re-examining for the practical only, the fee shall be two hundred dollars (\$200). (3-13-02)
- 06. Fee Non-Refundable.** All fees are non-refundable. (3-13-02)

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES
24.13.01 - RULES OF THE PHYSICAL THERAPY LICENSURE BOARD
DOCKET NO. 24-1301-0801 (FEE RULE)
NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-2206, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 17, 2008.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This change will reduce the license and annual renewal for Physical Therapist from \$65 to \$40 and Physical Therapist Assistant from \$45 to \$35. It will also reduce the reinstatement fee from \$35 to \$25 which is the set amount for the majority of our boards. The Board of Physical Therapy operates on fees paid by its licensees. This change would decrease the initial license fee, renewal fee, and reinstatement fee in an attempt to reduce the Board's cash balance.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: This change will reduce the license and annual renewal for Physical Therapists.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: This fee change would reduce the cash balance in dedicated funds for this Board by approximately \$32,000 per year based on 1518 licensees.

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because the discussion was held in an open meeting of the board and the changes are not controversial.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 24, 2008.

DATED this 5th day of August, 2008.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
1109 Main St. Ste. 220
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945, fax

THE FOLLOWING IS THE TEXT OF DOCKET NO. 24-1301-0801

200. FEES (RULE 200).

01. License Fee. (3-19-07)

a. The fee for the initial licensure and the annual renewal of a physical therapist shall be ~~sixty-five~~ forty dollars (~~\$65~~40). (3-19-07)()

b. The fee for the initial licensure and the annual renewal of a physical therapist assistant shall be ~~forty~~ thirty-five dollars (~~\$4~~35). (3-19-07)()

02. Examination Fee. The fee for examination shall be that set by the examination entity approved by the Board and shall include an additional administrative fee of forty dollars (\$40). (3-19-07)

03. Reinstatement Fee. A reinstatement fee shall be ~~thirty~~ twenty-five dollars (~~\$3~~25) and satisfactory proof of successful completion of the continuing education requirement. (3-19-07)()

04. Application Fee. The application fee shall be fifty dollars (\$50) and shall accompany all applications. Fees shall not be refundable. (3-19-07)

05. Extraordinary Expenses. In those situations where the processing of an application requires extraordinary expenses, the Board may charge the applicant reasonable fees to cover all or part of the extraordinary expenses. (3-19-07)