

Dear Senators LODGE, Broadsword, Bock, and
Representatives MCGEACHIN, Bilbao, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the State Board of Dentistry:

IDAPA 24.16.01 - Rules of the State Board of Dentistry (Docket No. 24-1601-1101).

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 08/18/2011. 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 09/16/2011.

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 334-4845, or send a written request to the address or FAX number indicated on the memorandum enclosed.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee
FROM: Legislative Research Analyst - Ryan Bush
DATE: August 01, 2011
SUBJECT: State Board of Denturitry

IDAPA 24.16.01 - Rules of the State Board of Denturitry (Docket No. 24-1601-1101)

The Idaho State Board of Denturitry submits notice of proposed rulemaking at IDAPA 24.16.01 - Rules of the State Board of Denturitry. The Board states that it is raising the annual license renewal fee from six hundred dollars (\$600) to seven hundred fifty dollars (\$750).

The Board states that negotiated rulemaking was not conducted because the proposed revision was discussed in a noticed open meeting.

The proposed rule appears to be within the authority granted to the State Board of Denturitry in Sections 54-3309(c) and 54-3312(c), Idaho Code.

cc: State Board of Denturitry
Tana Cory & Cherie Simpson

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.16.01 - RULES OF THE STATE BOARD OF DENTURITRY

DOCKET NO. 24-1601-1101

NOTICE OF RULEMAKING - PROPOSED FEE 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 54-3309, 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 August 17, 2011.

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 number of licensees under the State Board of Denturitry has been slowly declining over the past five years which has resulted in a decline in fees collected. The Board's expenses have been exceeding its annual fees. Increasing the renewal fee from \$600 to \$750 will help balance the Board's annual budget and maintain the services necessary to protect the health and safety of the public.

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

Rule 250.04 is being amended to increase the annual renewal fee from \$600 to \$750. The anticipated impact is a total positive increase of \$3,150 to the dedicated fund based on 21 current licensees.

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:

There is no negative impact on general or dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the change was discussed in a noticed open meeting.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

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 August 24, 2011.

DATED this 7th day of July, 2011.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State Street
PO Box 83720
Boise, ID 83720-0063
Phone: (208) 334-3233
Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-1601-1101

250. FEES (RULE 250).

The following fees are established by the board: (7-1-93)

01. License Application and Exam and Re-Examination Fee. (4-2-03)

a. License application and examination fee -- three hundred dollars (\$300). (7-1-93)

b. License application and re-examination fee -- three hundred dollars (\$300). (4-2-03)

02. Intern Application and Permit Fee. Intern application and permit fee -- three hundred dollars (\$300). (7-1-93)

03. Initial License Fee. Initial license fee -- three hundred dollars (\$300). (7-1-93)

04. Annual Renewal Fee. Annual renewal fee -- ~~six~~ seven hundred fifty dollars (~~\$60~~750). The annual renewal fee must be accompanied with certification of the applicant having met the required continued education set forth in Section 54-3313, Idaho Code, and Section 350. ~~(4-9-09)~~()

05. Inactive License Fee. The fee for a renewal of an inactive license shall be fifty dollars (\$50). (3-10-00)

COST/BENEFIT ANALYSIS FORM
Idaho Bureau of Occupational Licenses

Docket Number: 24-1601-1101

Agency Contact: Tana Cory
Phone: (208) 334-3233

Date Analysis Completed: 7/22/11

IDAPA Chapter Number and Title: IDAPA 24.16.01, "Rules of the State Board of Dentistry"

Fee Rule Status: Proposed

Instructions:

Section 67-5223(3), Idaho Code, adopted by the 2010 Legislature, requires that all proposed rules in which a fee or charge is imposed or increased must include a cost/benefit analysis of the rule change at the time the rule text is submitted for publication. This analysis needs to include an estimated cost to the agency to implement the rule and an estimated cost to be borne by citizens, or the private sector, or both. This statute change is effective July 1, 2010, and must be completed for fee rules published in the Idaho Administrative Bulletin after that date.

Cost/Benefit Analysis For This Rule Change:

Increase in Fees

Section 54-3312, Idaho Code allows for the setting of fees collected for applications, initial licenses, and renewals. Rule 250.04 is being amended to increase the annual renewal fee from \$600 to \$750. The number of licensees under the State Board of Dentistry has been slowly declining over the past five years. The Board's expenses have been exceeding its annual fees. Increasing the renewal fee will help balance the Board's annual budget and maintain the services necessary to protect the health and safety of the public. The anticipated impact is a total positive increase of \$3,150 to the dedicated fund based on 21 current licensees. As of the end of FY2011, the Board had a negative balance of (\$27,108.00).