

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

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - Speech and Hearing Services Licensure Board:
IDAPA 24.23.01 - Rules of the Speech and Hearing Services Licensure Board (Docket No. 24-2301-1101).

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 08/22/2011. 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: Principal Legislative Research Analyst - Brooke Murdoch
DATE: August 03, 2011
SUBJECT: Speech and Hearing Services Licensure Board

IDAPA 24.23.01 - Rules of the Speech and Hearing Services Licensure Board (Docket No. 24-2301-1101)

The Bureau of Occupational Licenses submits notice of temporary and proposed rulemaking at IDAPA 24.23.01 - Rules of the Speech and Hearing Services Licensure Board. This rulemaking was prompted by House Bill No. 47, which was passed by the 2011 Legislature. House Bill No. 47 amended Section 54-2918, Idaho Code, to provide the Board authority to issue licenses by endorsement. This rule provides requirements for applicants seeking licensure by endorsement.

Negotiated rulemaking was not conducted because the rule was discussed in a noticed open meeting and implements changes to the statute.

The temporary and proposed rule is within the authority granted to the Board in Sections 54-2910 and 54-2918, Idaho Code.

cc: Bureau of Occupational Licenses
Tana Cory & Cherie Simpson

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.23.01 - RULES OF THE SPEECH AND HEARING SERVICES LICENSURE BOARD

DOCKET NO. 24-2301-1101

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2011.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-2910, 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 the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The 2011 legislature passed House Bill 47 which amended Section 54-2918, Idaho Code, to provide for licensure by endorsement and educational equivalency. This new rule implements the statute and Rule 310 provides the qualifications for licensure by endorsement.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The 2011 legislature passed House Bill 47 which amended Section 54-2918, Idaho Code, to provide for licensure by endorsement and educational equivalency. This new rule implements the statute and provides the qualifications for licensure by endorsement.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

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:

There is no impact to dedicated or general funds.

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

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 temporary and proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding the 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 St.
PO Box 83720
Boise, ID 83720-0063
Phone: (208) 334-3233
Fax: (208) 334-3945

THE FOLLOWING IS THE TEMPORARY RULE & PROPOSED TEXT OF DOCKET NO. 24-2301-1101

301. -- ~~349.~~ (RESERVED)

310. ENDORSEMENT (RULE 310).

The Board may grant a license to any person who submits a completed application on a form approved by the Board, together with the required fees, and who meets the following prerequisites: (7-1-11)T

01. Holds a Current, Active License. The applicant must hold a current, active license, at the level for which a license is being sought, issued by the authorized regulatory entity in another state, the certification of which must be received directly by the Board from the issuing agency. (7-1-11)T

02. Discipline, Sanctions, or Voluntary Surrender of License. The applicant must not have been disciplined within the last five (5) years, had a license revoked, suspended, restricted, or otherwise sanctioned by any regulatory entity and has never voluntarily surrendered a license. (7-1-11)T

03. No Felony Conviction. The applicant must not have been convicted of or found guilty of a felony, or received a withheld judgment or suspended sentence for any felony. (7-1-11)T

04. Must Abide by Governing Laws and Rules. The applicant must certify under oath to abide by the laws and rules governing the practice of Speech and Hearing Services in Idaho. (7-1-11)T

310. -- 349. (RESERVED)