

Dear Senators HEIDER, Nuxoll, Bock, and
Representatives WOOD, Perry, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - Idaho State Board of Midwifery:
IDAPA 24.26.01 - Rules of the Idaho Board of Midwifery (Docket No. 24-2601-1301) - **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 10/21/2013. 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 11/19/2013.

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 on the memorandum attached below.



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 Brouman
DATE: October 01, 2013
SUBJECT: Bureau of Occupational Licenses - Idaho State Board of Midwifery

IDAPA 24.26.01 - Rules of the Idaho Board of Midwifery (Docket No. 24-2601-1301) - **Fee Rule**

The Bureau of Occupational Licenses, on behalf of the Idaho State Board of Midwifery, submits notice of proposed fee rulemaking, which increases the following fees:

- (1) Initial application processing fee from \$50 to \$200;
- (2) License fee from \$550 to \$800; and
- (3) Annual renewal fee from \$550 to \$850.

The Bureau states that this rulemaking will result in an annual increase of approximately \$10,000 in the Board's dedicated fund. The Bureau further states that the Board operates on dedicated funds from fees paid by its licensees and applicants. The Board's expenses have been exceeding its revenues. The fee increase will help balance the Board's annual budget while maintaining the services necessary to protect the health and safety of the public.

The Board's proposed fee rule is consistent with the provisions of Section 54-5509, Idaho Code, and authorized pursuant to the provisions of Section 54-5504, Idaho Code.

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

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Bureau of Occupational Licenses

Agency Contact: Cherie Simpson Phone: 208 334-3233

Date: August 23, 2013

IDAPA, Chapter and Title Number and Chapter Name:

24.26.01 – TITLE 54, CHAPTER 55 – RULES OF THE IDAHO BOARD OF MIDWIFERY

Fee Rule Status: Proposed Temporary

Rulemaking Docket Number: 24-2601-1301

STATEMENT OF ECONOMIC IMPACT:

This change would increase the initial application fee from \$50 to \$200; the initial license fee from \$550 to \$800; and the annual renewal fee from \$550 to \$850.

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.26.01 - RULES OF THE IDAHO BOARD OF MIDWIFERY

DOCKET NO. 24-2601-1301 (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 Sections 54-5504 and 54-5509, 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 October 16, 2013.

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 Idaho Board of Midwifery operates on dedicated funds from fees paid by its licensees and applicants. The Board's expenses have been exceeding its revenues. The fee increases will help balance the Board's annual budget while maintaining the services necessary to protect the health and safety of the public. At the end of Fiscal Year 2013, the Board's balance was (\$79,908).

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

This change would increase the initial application fee from \$50 to \$200; the initial license fee from \$550 to \$800; and the annual renewal fee from \$550 to \$850.

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 rulemaking will result in an annual increase of approximately \$10,000 in the board's dedicated fund, based on the current number of licensees and an estimate of one new application.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed revisions to the fee rule are simple in nature and were discussed during noticed, open meetings of the Board.

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 October 23, 2013.

DATED this 23rd day of August, 2013.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W State St.
P O Box 83720
Boise, ID 83720-0063
208 334-3233 phone 208 334-3945 fax

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-2601-1301

175. FEES (RULE 175).

01. Initial Application Processing Fee. A ~~forty two hundred~~ dollars (~~\$4200~~) application processing fee must accompany initial licensure applications. ~~(3-29-10)~~()

02. License Fee. The initial license fee is ~~five~~ eight hundred ~~fifty~~ dollars (~~\$550800~~). This initial, one-time fee will be refunded if the Board does not issue the license for which application has been made. ~~(3-29-10)~~()

03. Annual Renewal Fee. The annual license renewal fee is ~~five~~ eight hundred fifty dollars (~~\$5850~~). The annual license renewal fee will be refunded if the license is not renewed by the Board. ~~(3-29-10)~~()

04. Reinstatement Fee. The fee to reinstate a license that has been cancelled for failure to renew is fifty dollars (\$50). (3-29-10)

05. Refund of Fees. Unless otherwise provided for in this Rule, all fees are non-refundable. (3-29-10)