

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 - Speech and Hearing Services Licensure Board:
IDAPA 24.23.01 - Rules of the Speech and Hearing Services Licensure Board - Temporary and Proposed Rule (Docket No. 24-2301-1401).

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 09/22/2014. 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 10/21/2014.

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 334-4834, 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: September 03, 2014
SUBJECT: Bureau of Occupational Licenses - Speech and Hearing Services Licensure Board

IDAPA 24.23.01 - Rules of the Speech and Hearing Services Licensure Board - Temporary and Proposed Rule (Docket No. 24-2301-1401)

The Bureau of Occupational Licenses submits notice of temporary and proposed rulemaking on behalf of the Speech and Hearing Licensure Board. The proposed rule changes the definition of "quorum" to require that at least one board member of the relevant profession is present when any board action is taken that affects the profession, its licensees, or applicants. This change is consistent with changes made by House Bill No. 357 passed during the 2014 legislative session.

There is no negative fiscal impact to the general fund as a result of this rulemaking. Negotiated rulemaking was not conducted because the rule was prompted by and is consistent with the changes made to the governing statute by House Bill No. 357.

The Board's temporary and proposed rule is consistent with Section 54-2909, Idaho Code, and is authorized by Section 54-2910, Idaho Code.

cc: Bureau of Occupational Licenses - Speech and Hearing Services Licensure Board
Tana Cory

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.23.01 - RULES OF THE SPEECH AND HEARING SERVICES LICENSURE BOARD

DOCKET NO. 24-2301-1401

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 17, 2014.

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 54-2909, 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, 2014.

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 rules of the Board need to be updated to conform with House Bill 357, which passed in the 2014 Legislative Session. Rule 100 is being updated to define a quorum of the Board.

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

House Bill 357 passed by the 2014 Legislature amends the Board's definition of a quorum. The change provides that a quorum can be established if at least one member of the relevant profession is present when taking action that affects the profession, its applicants or licensees. The change to the rules is necessary to conform with statute.

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: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rules of the Speech and Hearing Services Licensure Board need to be updated to conform with House Bill 357, which passed in the 2014 Legislative Session.

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: NA

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 September 24, 2014.

DATED this 28th day of July, 2014.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W State St.
P O Box 83720
Boise, ID 83720-0063
Tel: (208) 334-3233 / Fax: (208) 334-3945

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 24-2301-1401
(Only those Sections being amended are shown.)**

100. ORGANIZATION (RULE 100).

01. Meetings. The Board shall meet not less than twice annually and at other such times and places as designated by the Board or the Chairman of the Board. Special meetings may be held at the call of the Chairman, and all members shall be notified. (3-30-06)

a. All meetings shall be held in accordance with the Idaho Open Meeting Law, Sections 67-2340 through 67-2347, Idaho Code. (3-30-06)

b. Four (4) members of the Board shall constitute a quorum, provided at least one (1) ~~audiologist, one (1) speech language pathologist, the hearing aid dealer and fitter member and the public board~~ member are of the relevant profession is present when any board action is taken that affects the profession, its licensees, or applicants. The Board may act by virtue of a majority vote of members present in which a quorum is present. The Chairman may vote only in the event of a tie vote. ~~(3-30-06)~~(7-17-14)T

02. Organization of the Board. At the first meeting of each fiscal year, the Board shall elect from its members a Chairman, who shall assume the duty of the office immediately upon such selection. (3-30-06)

a. The Chairman shall when present, preside at all meetings, appoint with the consent of the Board, all committees, and shall otherwise perform all duties pertaining to the office of Chairman. The Chairman shall be an ex-officio member of all committees. (3-30-06)

b. The Chief of the Bureau shall act as an agent of the Board and shall be the official keeper of all records of the Board. The Bureau shall provide such services as may be authorized by Chapter 26, Title 67, Idaho Code, and as defined under contract between the Bureau and the Board. (3-30-06)