



September 30, 2019

Licensing Freedom Act (LFA) Update

Progress Toward Agency-Specific LFA Recommendations

On May 19, 2017, as acting Governor of Idaho, Lieutenant Governor Brad Little issued Executive Order 2017-06, the Licensing Freedom Act (“LFA”). The act ordered a comprehensive review of all state licensure laws and regulations to determine whether existing state licensure requirements are necessary and in the public interest.

The LFA initiated an unprecedented effort by executive branch agencies to systematically review applicable laws and solicit feedback from the general public. This comprehensive review resulted in agencies making **241 total recommendations** for improvement, modification, or elimination of licensing requirements or other regulatory burdens.

Lieutenant Governor Little issued a report on October 19, 2018, encouraging agencies to move forward with agency legislation and rulemaking to carry out these LFA recommendations.

As of September 30, 2019, agencies have reported that they have **already accomplished 86 total recommendations – or 36%** of the recommendations submitted in response to the original LFA executive order. This encompasses:

- 63 rule changes
- 13 statute changes
- 10 board policy and practice changes

A high-level summary of the types of changes is below, and a summary of agency-specific accomplishments is attached as **Appendix A**.

Category	Number of Accomplishments
Reduce Barriers to Entry for Licensees	33
Reduce the Burden of License Renewals	9
Enhance License Portability/Mobility	10
Improve Government Processes	19
Improve Professional Practice and Facility Standards	4
Miscellaneous	11

With the expiration of all Idaho administrative rules on July 1, 2019, agencies were afforded a significant opportunity to continue implementing LFA recommendations. In a joint event with House and Senate leadership, Governor Little called on agencies to pursue additional LFA recommendations as part of the rules reauthorization process.

Agencies identified 101 of the remaining recommendations that could be accomplished through the rulemaking process (**Appendix B**). Through public hearings, agencies continue to vet these recommendations. Numerous recommendations will be accomplished when agencies publish their pending rules on or around November 20, 2019. In discussions with agencies, at least 85 of the additional recommendations are likely to be accomplished this year. When combined with those that have already been accomplished, it is likely that **171 – or 76% -- of the original agency LFA recommendations will be accomplished by the end of 2019!** This significant progress will be further enhanced by agency legislation pursued during the 2020 legislative session.

Sunset Review Process for Existing Licenses

The original LFA report also prioritized the creation of a formal process to review if licensure types can be updated, modernized, or eliminated, without affecting public safety.

In Executive Order No. 2019-01, the LFA of 2019, Governor Little ordered:

*Each year, **no later than March 31**, the Administrator of the Division of Financial Management shall recommend to the Governor the review of **no fewer than five (5) professions, vocations or occupations** that are licensed by any executive department of the state of Idaho...for the purpose of determining whether the continuation of those regulatory programs is in the public interest.*

In determining the licenses to review, DFM leveraged results from the original LFA. The LFA reports submitted to the then-Lieutenant Governor included information on the number of licenses denied, the number of disciplinary actions against licensees, and an analysis of the necessity of the license. Licenses with limited regulatory activity (e.g., limited number of licenses, few denials, and few disciplinary actions) were prioritized for this initial review.

DFM's review sought to carry out the purpose listed in the Executive Order: “[to determine] whether the continuation of those regulatory programs is in the public interest.” DFM's review sought to augment, not duplicate, the LFA reports previously submitted to the Lieutenant Governor.

Through this process, DFM identified ten (10) license categories to pursue the elimination of during the 2020 Legislative session. These license categories and the supporting rationale are briefly summarized in the following table:

License Type	Agency	Summary of Rationale for Elimination	Vehicle for Elimination
1. Cemetaryian	Board of Cemetaryians	The Idaho legislature established the Board of Cemetaryians in 1989, however, in the past 3 decades, no members have been appointed to the board, nor have there been regulations for the industry. No licenses have been issued.	DFM has submitted and will seek to introduce agency legislation to repeal the Board and the license category.
2. Certified Medication Assistant	Board of Nursing	Certified Medication Assistants (MA-C) were first allowed to practice in Idaho in 2008, however, to date, there is only one individual certified as an MA-C. Industry states that the training requirements are to a level of specificity that have impeded uptake of the service. The one individual holding a license is reported to no longer be practicing in the field.	The Board of Nursing has submitted a proposed rulemaking to eliminate the license category; the rule will publish in the October edition of the Idaho Administrative Bulletin.
3. Hospital Liability Trust	Department of Insurance (DOI)	Idaho first began regulating Hospital Liability Trusts in 1977 with the passage of the Idaho Hospital Liability Trust Act. The Department of Insurance oversees these liability trusts, but, in the four decades Idaho has allowed for their operation, only one trust has ever registered. The sole trust was registered, terminated and dissolved in 1999. There has been no reported interest in the years since.	DOI has submitted and will seek to introduce agency legislation to repeal the license category.
4. Resale Broker 5. Salesperson 6. Responsible Managing Employee	Division of Building Safety (DBS)	A person who sells used, third-party-owned, or broker-owned manufactured homes, is to obtain a Resale Broker license. The same statute requires a person who sells new (and used or brokered) homes to obtain a Retailer license. The Retailer's license can cover both license types, so the Resale Broker license will be eliminated. The fee for both licenses is the same. This change removes a duplication of agency efforts and increases efficiency. Similarly, DBS can eliminate the Salesperson license and the Responsible Managing Employee license as they are both licensed under the Retailer.	DBS has submitted and will seek to introduce agency legislation to repeal the license category.
7. Weighmaster	Department of Agriculture (ISDA)	A weighmaster license costing \$10 is required of Idahoans publicly operating a scale. Any weighing or measuring instrument/device used for commercial purposes is licensed annually. Additionally, there are standards for producing weigh tickets. ISDA determined the weighmaster license is not an effective regulatory framework. Eliminating the license would not substantially harm the safety or welfare of the public, as the public can be protected by less restrictive means, and the benefit of the license does not outweigh the cost to consumers. The instrument device license and the weight tickets standards will be preserved. Licensure repeal would remove a regulatory burden for 700-900 businesses in Idaho annually.	ISDA has submitted and will seek to introduce agency legislation to repeal the license category.
8. Athlete Agent	Bureau of Occupational Licensing (IBOL)	Idaho is one of 42 states that have adopted the Uniform Athlete Agents Act or the Revised Uniform Athlete Agents Act. In Idaho, this act requires athlete agents to register with the IBOL and establishes standards of practice for the industry. There are 30 athlete agents registered with the state, all of whom have out-of-state addresses. 28 of the licensees are registered with the NFL Players Association; one (1) is a nationally known baseball agent registered with the MLB players	IBOL will work collaboratively with DFM and seek to introduce agency legislation to repeal the license category.

		association; and the remaining one did not indicate being registered on his 2014 application. The Board has pursued zero (0) disciplinary actions in the last 5 years and has not denied the issuance of a license. Given the overlap with private credentialing through professional sports associations, there appears to be little compelling rationale for state licensure.	
9. Grandfathered Technician 10. Student Technician	Board of Pharmacy	The Board of Pharmacy can collapse four separate categories of technicians into just two: pharmacy technician and certified technician. Anyone currently registered as a grandfathered technician or a student technician can register as a pharmacy technician at the same fee level without additional requirements. This change removes a duplication of agency efforts, increases efficiency, and simplifies the process for registrants. The Board will continue the two streamlined registration categories as there is a critical nexus to public health for certified technicians.	The Board of Pharmacy has submitted a proposed rulemaking to collapse the 4 registration categories into 2; the rule will publish in the November edition of the Idaho Administrative Bulletin.

Collaboration with Legislative Committee on Occupational Licensing and Certification Laws

The Legislature authorized a committee to undertake and complete a study of Occupational Licensing and Certification laws and rules in Idaho. DFM continues to collaborate with the leadership of the committee.

For example, the committee advanced, and Governor Little signed, House Bill 248, the Occupational Licensing Reform Act. The bill implemented a key recommendation from the LFA:

Standardize Efforts to Reduce Burdens on Veterans and Military Spouses. Allow state agencies to accept military education, training, or service, toward meeting the qualification to receive a license, certification, or registration, and allow agencies to expedite the application of a military member or their spouses. The Legislature may want to consider adding military spouses to the provisions which exempt them from the payment of renewal fees while their spouse is on active duty.

Agencies have worked to implement House Bill 248. Most licensing boards have updated their internal processes to expedite military licenses and waive fees. These updates have been posted to the webpages for each applicable board. In addition, some boards have promulgated rules outlining procedures for validating military training the board has determined to qualify as a prerequisite for licensure. Under the law, agencies will submit reports to the germane committees of the legislature by December 31 outlining their progress toward implementation of the bill.

The committee has held two meetings this Fall. One of its main priorities for the 2020 legislative session intends to implement another key recommendation from the LFA:

“Standardize the Process for Reviewing Felony Convictions. Several boards have adopted a rule for an exemption review. Review this rule to be used across agencies, boards and commissions which conduct occupational licensure.”

At its September 27, 2019 meeting, the committee held a discussion regarding predetermination of qualifications for individuals with a criminal history and legislation to remove the vague “moral turpitude” and “good moral character” clauses Idaho code. As part of the rule reauthorization process, three boards already removed these vague clauses from their rules, and statutory clean-up will further these LFA efforts.

Miscellaneous Updates

The LFA had a recommendation to centralize data for all occupational licenses:

“Use key information from LFA to build a database of all occupational licensure and information related to that license. Designate a central coordinating entity within the executive branch for the reporting of occupational licensing information from state agencies, boards, and commissions.”

The LFA represented the first time that agencies have reported on the total number of licensees, the number of applicants denied licensure, license renewals, and the number of disciplinary actions taken against license holders, in the agency’s performance report. To institutionalize this process, and track changes over time, Governor Little added this information to the Performance Measurement Report (PMR) that is statutorily required of each agency. Each licensing board reported this information as part of its PMR submitted concurrently with the agencies’ budget requests on August 30th and will continue to do so annually.

Appendix A. LFA Recommendations Accomplished as of September 30, 2019 as Reported by Agency

Agency	Recommendation
Athlete Agents	Contact Athletic Directors at Idaho’s universities/colleges to discuss the 2016 RUAAA in order to exchange information that would be helpful to the schools and to the Uniform Law Commission.
Barber and Cosmetology Services	Re-evaluate the structure of license fees and fines.
Barber and Cosmetology Services	<p>Recommend rules to the new Board in response to Senate Bill 1324, which combines the Board of Barber Examiners and the Board of Cosmetology. Such rules shall be based upon:</p> <ul style="list-style-type: none"> • Public protection • Eliminating barriers to employment • Portability of licenses
Board of Accountancy	<p>The board is proposing a rule change which will allow individuals with either an Inactive or Retired CPA license to now be able to perform volunteer, uncompensated services: tax preparation services, participate in a government sponsored business mentoring program, serve on the board of directors for a nonprofit or governmental organization, or serve on a government-appointed advisory board and will not have to complete or submit CPE. If the CPA provides the foregoing volunteer, uncompensated services, the CPA has a duty to ensure that they hold the professional competencies necessary to offer these services. Currently, Inactive or Retired licensees are prohibited from providing these services unless they completed CPE.</p>
Board of Accountancy	<p>In the area of reciprocal licensing, the board recommended to staff to utilize the Accountancy License Database (ALD) which is operated by NASBA and made available only to state boards. Board staff would be able to obtain information which normally needs to be sent through regular mail via an electronic format which would increase the efficiency in obtaining the information while reducing delays</p>
Board of Architectural Examiners	Clarify rules IDAPA 24.01.01.250 and IDAPA 24.01.01.300 to make it easier for applicants to understand and apply.
Board of Architectural Examiners	Remove a barrier by allowing the Board to consider all applications received prior to the Board meeting. (The current rule requires an application to be in 30 days in advance.)
Board of Architectural Examiners	Create an exemption review to allow the Board to assess criminal convictions to determine suitability for licensure.
Board of Architectural Examiners	Clarify that the application fee of \$25 also includes the initial license fee. There is no additional fee for an initial license.
Board of Architectural Examiners	Remove IDAPA 24.01.01.351 that allowed the Board to require an applicant submit to a personal interview. The Board does not interview applicants; there is no need for this rule.

Board of Architectural Examiners	Update the military exemption rule in IDAPA 24.01.01.450.06.a to reflect I.C. § 67-2602A.
Board of Architectural Examiners	Delete IDAPA 24.01.01.500. It is not necessary.
Board of Architectural Examiners	Delete IDAPA 24.01.01.550. It is not necessary.
Board of Architectural Examiners	Delete IDAPA 24.01.01.700. It is not necessary as it is in the law that the Board follows the Administrative Procedures Act.
Board of Architectural Examiners	Update IDAPA 24.01.01.750 to conform to the 2018 law change.
Board of Architectural Examiners	Delete IDAPA 24.01.01.751. It is not necessary.
Board of Architectural Examiners	Delete IDAPA 24.01.01.400.01 and IDAPA 24.01.01.400.02. They are not necessary.
Board of Chiropractic Physicians	Make rule changes to improve continuing education options for licensees: implement a hardship waiver; add a carryover option; and expand distance learning opportunities.
Board of Chiropractic Physicians	With regard to endorsement (portability), review IDAPA 24.03.01.100.b.iv to see if the requirement for the National Board Special Purposes Examination for Chiropractors (SPEC) is necessary for all applicants.
Board of Chiropractic Physicians	Eliminate unnecessary regulation (peer review IDAPA 24.03.01: Sections 600 and 601, I.C. § 54-715).
Board of Examiners of Residential Care Facility Administrators	Modernize and update the application or create an additional application for the provisional permit.
Board of Examiners of Residential Care Facility Administrators	Reformat applications for clarity
Board of Massage Therapy	Review continuing education (CE): a. Possibly change requirements to every two years and educate licensees about the use of carryover of CE credit. b. Clarify what is germane to massage therapy; for example, whether further clarification is needed on exempted modalities.
Board of Medicine	The Board is a member of the Telehealth Council and is very involved in all statewide efforts to increase telehealth, which increases access to medical care to rural and frontier patients in the state. Moving forward, the Board will continue to work to improve telehealth processes, access, and safety across the state. In addition, the Board will work to increase its educational outreach to the public and its licensees about this valuable method or providing medical care.
Board of Midwifery	Propose a change to Rule 100 deleting obsolete provisions and consider moving subsection 100.03(c) to qualifications

Board of Midwifery	Propose law changes to I.C. § 54-5511 followed by a change to Rule 200.04 to “calendar year” instead of “12 months immediately preceding.” The proposed law change and potential rule change would allow consistent and uniform collection of required statistics, and allow ease of compliance for licensees.
Board of Midwifery	Update I.C. § 54-5503 to delete initial Board appointment language.
Board of Midwifery	Update Rule 004 incorporation by reference, to ensure publication dates reflect the most current publications.
Board of Midwifery	Update Rule 325.01(c) to reflect the most recent Job Analysis Survey published by the North American Registry of Midwives (NARM).
Board of Morticians	Delete IDAPA rule 550. It is unnecessary.
Board of Nursing Home Administrators	Add a Rule for hardship for continuing education requirements.
Board of Nursing Home Administrators	Consider including an option to carry over a certain number of continuing education units to the following requirement cycle.
Board of Nursing Home Administrators	Delete IDAPA 24.0901.700, which is outdated.
Board of Nursing Home Administrators	Propose a rule to implement House Bill 409, passed during the 2018 Legislative Session. The rule reduces from one year to 1,000 hours (approximately 6 months) the training requirement to become a nursing home administrator.
Board of Pharmacy	Formally eliminate the Multistate Pharmacy Jurisprudence Examination as a precondition to pharmacist licensure, as it is obsolete given recent Idaho law changes. The Board has already waived this requirement through resolution, and permanent action is needed.
Board of Pharmacy	Explore the creation of Licensure by Mutual Recognition, whereby Idaho would grant automatic reciprocity to pharmacists in states that grant automatic reciprocity to Idaho pharmacists. This would increase portability and mobility in a manner similar to the Nurse Licensure Compact.
Board of Pharmacy	Eliminate the Pharmacist-in-Charge requirement for Idaho licensed pharmacies, which serves as a paperwork and administrative burden on Idaho business.
Board of Podiatry	The Board worked with the Association to survey licensees regarding continuing education. Based on that survey, the Board would like to review Rule 700.01 to consider allowing all continuing education requirements to be met through home study/online courses.
Board of Podiatry	Eliminate Rule 800 which is no longer required.

Board of Professional Counselors and Marriage & Family Therapists	a) Applicants from graduate programs accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) will have met all education and graduate experience requirements. Currently, most applicants have to take additional coursework to meet requirements that are based on outdated standards from 2001, which delays licensure for years and incurs tuition and supervision costs. This is consistent with the majority of states and will eliminate a significant barrier to licensure for those coming to Idaho
Board of Professional Counselors and Marriage & Family Therapists	b) Reduce the number of core course requirements for non-COAMFTE graduates to get the entry-level license (LAMFT) so they can begin practicing under licensure. This enables them to obtain work while they are completing coursework required for the independent practice license (LMFT) and obtaining supervised hours for that license.
Board of Professional Counselors and Marriage & Family Therapists	c) Expand accepted qualifications to include post-graduate supervised practice when there is a deficit of hours in the graduate practicum or internship. Often an applicant does not have the required practicum or internship direct client hours. Currently, they have to find a graduate practicum which is extremely difficult because most institutions will not allow a person who is not matriculated in their program to enroll in a course. Expansion of this rule would allow individuals to complete the required hours expeditiously and without additional tuition costs.
Board of Professional Counselors and Marriage & Family Therapists	d) Allow excess graduate school practicum or internship hours to be counted towards supervised experience hours. This shortens the amount of time spent accumulating hours post graduate degree (thereby also reducing supervision costs).
Board of Professional Counselors and Marriage & Family Therapists	Review the intern registration process to see if improvements can be made.
Board of Professional Counselors and Marriage & Family Therapists	Remove the limit on the number of online, interactive courses that qualify for CE – current rules limit online training to 10 hours. This would reduce the barriers and costs of obtaining continuing education units, and allow licensees in rural and remote Idaho to reduce their training and travel costs. This would also allow all Idahoans to take advantage of expert-level training that is offered via online formats.
Board of Professional Counselors and Marriage & Family Therapists	Delete Rule 550, which is no longer required

Board of Professional Counselors and Marriage & Family Therapists	e) Accept doctoral students' client contact hours towards supervised experience hours as long as they have a master's degree. This shortens the amount of time spent accumulating hours postdoctoral degree (thereby also reducing supervision costs).
Board of Professional Engineers and Professional Land Surveyors	a. Repeal the provisions of 54-1214, Idaho Code, that results in applications being denied or not acted upon due to multiple professional examination failures.
Board of Professional Engineers and Professional Land Surveyors	b. Decoupling of the examinations from experience – meaning applicants may take examinations without first meeting the 4-year minimum experience requirement.
Board of Professional Engineers and Professional Land Surveyors	c. Implement a rule change in 2019 that aligns the rule with the intent of the law changes above.
Board of Professional Engineers and Professional Land Surveyors	a. A rule change is proposed to allow business entities to "discontinue" a certificate when no longer conducting business in Idaho – which will prevent the accumulation of late fees and payment of renewal fees. Instead of continuously renewing, requesting to discontinue will be permanently available by rule. The permanent rule change to accomplish this is proposed for adoption by the 2019 legislature.
Board of Professional Geologists	Review the Board's laws, rules and processes with regard to mutual recognition and endorsement.
Board of Professional Geologists	Continue to encourage the public comment generated by the Licensing Freedom Act through the renewal process or otherwise as needed.
Board of Psychology Examiners	Review the National Examination for Professional Practice In Psychology (EPPP).
Board of Veterinary Medicine	Redundant signature elimination
Board of Veterinary Medicine	Switch completely to electronic renewals
Certified Shorthand Reporters Board	The Board received comments through the Executive Order public comment process, and public comment in Board meetings, regarding endorsement. The Board is reviewing the exam requirements and a pathway that eliminates the time frame in which the exam must be taken, including an option for a provision for those continuously and actively employed and satisfactorily performing. Additionally, the Board would like to add the Certified Real-time Captioner (CRC) exam to the list of Board approved exams.
Certified Shorthand Reporters Board	Review I.C. § 54-3112 to see if rules may be helpful to applicants and the Board in assessing past criminal convictions of applicants for certification

Certified Shorthand Reporters Board	The Board is reviewing the examination requirements and a pathway that eliminates the time frame in which a former certification has been obtained and includes a provision for reciprocity based upon a showing of being continuously employed and satisfactorily performing
Certified Shorthand Reporters Board	Research the possibility and economic feasibility of online testing, and review the opportunity to provide testing around the state if online is not an option.
Department of Agriculture	Milk and Cream Procurement and Testing. Improve the permitting process by clarifying rule requirements for testing standards and license re-application procedure. The rule language is confusing and needs revision. Negotiated rulemaking for this rule has been scheduled for the summer of 2018 to be considered by the 2019 Idaho Legislature.
Department of Finance (Consumer Finance Bureau)	A revision of the Department's Financial Responsibility Policy is currently being reviewed and assessed by the Department and the Idaho Mortgage Advisory Board. Portions of the existing policy have been adjusted to reflect revised Fannie Mae borrower eligibility guidelines. It is anticipated that the proposed policy revision will expedite license application reviews and greatly reduce the number of individuals whose credit histories are currently subject to review under the existing policy
Department of Finance (Consumer Finance Bureau)	On May 22, 2018, the U.S. House passed the Economic Growth, Regulatory Relief and Consumer Protection Act, rolling back some of the regulations of the DoddFrank law. The Act, anticipated to go into effect in January 2020, amends provisions of the federal SAFE Act governing state licensing of mortgage loan originators. These changes will provide mortgage loan originators 120 days of temporary transitional authority to continue in business while completing new license application requirements in instances, (i) involving a change of employment from a chartered bank/credit union to a non-bank mortgage broker/lender company, or (ii) where a licensed mortgage loan originator moves from one state to another. With these SAFE Act amendments, eliminating barriers to entry for transitioning mortgage loan originators, the Department will undertake all necessary changes to mortgage policies, rules, or laws to timely incorporate these regulatory reduction measures in Idaho.
Department of Insurance	[Fire Protection Sprinkler Contractor] Related, we have started negotiated rulemaking on IDAPA 18.01.49 to eliminate language regarding the sprinkler plan review fees and an advisory board that has never been established.
Department of Insurance	[Administrator] Expanding our list of approved states considered as having substantially similar laws to Idaho would allow the approval of more non-resident TPAs.

Department of Insurance	Complaints for surplus lines business revolve around the requirement to provide a “0” report at reporting time when no business has been conducted.
Driving Businesses Licensure Board	In the rules, add more online opportunities to complete the classroom hours of the apprenticeship program
Driving Businesses Licensure Board	In Rule 250.08, add an additional waiver for the Instructor Apprenticeship Training Program for those who complete the State Department of Education’s instructor training program. Also in this rule, eliminate the requirement that a public driver education instructor be licensed for two years to qualify for a waiver.
Driving Businesses Licensure Board	In Rule 275.05, delete the language that requires instructors to have “continuous” experience
Occupational Therapy Licensure Board	Add language to allow the Board to deal with persons needing felony reviews, either prior to or after licensing.
Occupational Therapy Licensure Board	Simplify and clean up supervision statutes and rules to provide clarification regarding type of supervision to use, how supervision fits in with telehealth specific to occupational therapy, how recordkeeping should be utilized, timelines for when an OT is allowed to supervise, and recommendations for out-of-state supervisors within the state.
Outfitters and Guide	Implementation of the planned new database will allow a licensee to reprint a copy of their own license rather than having to pay for and request a reprinted license from the Board. This improvement reduces the burden on the licensees to comply with requirements to be in possession of their license while engaging in licensed activities and produce it on request to Fish and Game, Board, or federal officials.
Outfitters and Guide	Implementation of the planned new database will also enable a licensee to obtain and print a verification of licensure rather than having to pay for and request a verification of licensure from the Board.
Physical Therapy Licensing Board	The Board will promulgate rules for the safe practice of dry needling by a physical therapist.
Real Estate Appraiser Board	Remove the requirement for an Associate’s Degree and lowers the experience requirement for licensed residential real estate appraisers.
Real Estate Appraiser Board	Add alternative pathways to complete the education requirement and lowers the experience requirement for a certified residential real estate appraiser.
Real Estate Appraiser Board	Shortens the time period to complete the requisite experience hours for a certified general real estate appraiser.
Real Estate Appraiser Board	Propose a fee reduction to the 2019 legislature.
Social Workers	<ul style="list-style-type: none"> • Allow applicants the opportunity to use the Association of Social Work Board’s registry as a primary source for required documents (license from another state, transcripts) to enhance mobility.
Social Workers	<ul style="list-style-type: none"> • Provide a pathway for applicants who have been actively practicing in another state (jurisdiction) but were not required to take the national exam at the time of initial licensure.

Social Workers	<ul style="list-style-type: none"> • Change the licensee designation that Idaho uses (LSW) to a uniform national designation (LBSW) to assist with portability.
Speech, Hearing, and Communication Services	Eliminate the age requirement and allow it to coincide with other laws. (For example, a person must be 18 to sign contracts.)
Water & Wastewater Professionals	a. Allow for an apprenticeship program which provides an opportunity for individuals to obtain experience and education to qualify for a license.
Water & Wastewater Professionals	b. Provide the opportunity to obtain a Class II or Class III license in less time through the apprenticeship program.
Water & Wastewater Professionals	c. Lower from 35 to 30 the number of semester credit hours that are equivalent to a year. (Rule 375.04.b)
Water & Wastewater Professionals	Make a rule change to allow renewal of a course rather than requiring submission of a new application every two years for the same course, or create a longer period for course approval.

Appendix B. LFA Recommendations Agencies are Targeting for their November 20, 2019 Rules Reauthorization

Agency	Recommendation
Athlete Agents	Monitor the cash balance for Athlete Agents and reduce fees if appropriate.
Athletic Commission	<p>Once the Commission is in the black:</p> <ul style="list-style-type: none"> • Reduce licensure fees for combatants, eliminate licensure fees for ring officials, and lower the event tax for promoters. <p>Much like the ringside physician, ring officials provide an important service for the State, and recruitment and retention is difficult with a \$150 fee.</p> <ul style="list-style-type: none"> • Review and rewrite the Act.
Athletic Commission	Consider eliminating licensure renewal requirements and/or issue licenses per event. Licenses issued by the Idaho Athletic Commission are not typical; they may be used once or several times a year.
Barber and Cosmetology Services	<p>Offer additional pathways to individuals who only want to practice a limited scope without having to obtain a full cosmetology license. For example:</p> <ul style="list-style-type: none"> • Some border states offer a hair design license. Since Idaho does not have a similar license status, there is a barrier and portability issue for those out-of-state licensees wishing to work in Idaho. • Some individuals only want to practice eyelash/eyebrow extensions.
Board of Accountancy	<p>Board staff will continue to promote the idea of allowing year around testing of the CPA exam without any blackout periods during the year. Board staff will work with the AICPA and NASBA in this process. Year around testing, as mentioned, will give candidates potentially more opportunities to pass the exam within the required timeframe. The board will also be open to national discussion on expanding the timeframe for passage from 18 to 24 months</p>
Board of Accountancy	<p>The board will consider a rule for the 2019 legislative session which would allow for CPE reciprocity. CPE reciprocity would allow a licensee who has an Idaho license but resides and is licensed in another jurisdiction to simply make a statement stating they are in compliance with the CPE requirements of the state they reside. This would remove the need for them to file a CPE report with the Idaho board. These licensees, however, would not be excluded from providing a CPE report to the Idaho board should their CPE be selected for audit purposes</p>
Board of Acupuncture	Recommend updating the act using the model law to reflect today's practices, e.g. the current act uses "waiver" terminology, but current practices refer to "endorsement" language.
Board of Acupuncture	Review IDAPA 24.17.01.200.02.e to see if this requirement is still necessary
Board of Architectural Examiners	Investigate possibility of accepting non-accredited architectural education as partially meeting the experience requirement for the Experience in Lieu of Degree applicants.
Board of Architectural Examiners	The Legislature approved the Board's fee decreases in 2017. The Board will continue to monitor its cash balance to see if an additional decrease is appropriate.

Board of Chiropractic Physicians	Consider allowing credit for post-graduate education, as long as it is related to chiropractic practice; look at allowing credit for licensee who participate in training about the Board's laws and rules; and consider offering credit when licensees attend Board meetings, and allow credit for Board members for service on the Board.
Board of Chiropractic Physicians	Review Telehealth Access Act to see if rules need to be promulgated by the Board.
Board of Chiropractic Physicians	Review temporary permits/internships
Board of Chiropractic Physicians	Review Idaho Code I.C. § 54-708 (criminal history) to see if it needs to be modified
Board of Dentistry	The Board recommends adding a continuing education waiver for extenuating circumstances. It also recommends exploring options to add continuing education provisions to allow for carryover and online courses.
Board of Dentistry	The Board recommends updating IDAPA 24.16.02.450, which deals with sanitation, recordkeeping and false advertising.
Board of Dentistry	The Idaho Legislature enacted the Freedom of Choice of Dentures Act in 1982, establishing denturists as licensed members of the dental health profession and allowing them to practice independently. This is only an option for denturists in five states, including Oregon, where an online denturist education program was established in 2011 is working toward accreditation. If accredited, this program may allow additional options to Idaho applicants: • Online testing. • Distance learning. • Endorsement. The Board recommends monitoring the program closely, and will evaluate its laws and rules regarding implementing additional options as they become available.
Board of Dentistry	The Board recommends modernizing Idaho Code § 54-3310, § 54-3311 and § 54-3314, which deal with application for license, examinations, and suspension or revocation of a license
Board of Dentistry	The Board will review the internship rule as it relates to temporary/provisional permits.
Board of Dentistry	The Board will continue to monitor its cash balance. When the financial reserve is sufficient to cover annual operating expenses, the Board will consider a fee decrease.
Board of Examiners of Residential Care Facility Administrators	Update the Idaho Residential Care Administrators Act using the standard licensing act template to simplify requirements
Board of Examiners of Residential Care Facility Administrators	Create a rule for endorsement
Board of Examiners of Residential Care Facility Administrators	Create a rule for felony/misdemeanor.
Board of Examiners of Residential Care Facility Administrators	Review IDAPA 24.19.01.160 regarding Nursing Home Administrators.
Board of Landscape Architects	Update the Board's act using the Bureau's model law template to streamline the language and make it easier to find relevant sections. (It is currently written with almost all of the law in one section. Reorganization of the Act would modernize its structure and simplify its use.)
Board of Landscape Architects	Review the law and rules to ensure the references to "registered" have been updated to "licensed."

Board of Medicine	The Board has begun to review its Respiratory Therapy Practice Act and Rules with plans to propose updates to streamline both sections in the 2020 Legislative Session. This will accomplish increased efficiency in licensing while maximizing public protection. The Board also plans to review and update its Athletic Trainer Practice Act and Rules over the next few years to maximize efficiency of licensing and preserve safety of the public.
Board of Medicine	The Board will continue to explore additional areas that it can benefit applicants, such as military veterans, in obtaining licensure with fewer barriers and in an expedited manner.
Board of Midwifery	Once the budget is in the black, consider lowering the reinstatement fee to \$35 in accordance with I.C. § 67-2614 and look at a fee decrease.
Board of Morticians	Review continuing education requirements for license renewal.
Board of Morticians	Review I.C. § 54-1109(1) and (2) to assess educational requirements for licensure.
Board of Morticians	Review endorsement pathways to licensure in I.C. § 54-1109(4).
Board of Morticians	The Board has been approached about the need to license individuals who remove human remains. The Board believes that removal should be left to the licensed resident Mortician to monitor.
Board of Optometry	Review its rules regarding non-classroom and therapeutic continuing education hours
Board of Optometry	Add language to IDAPA 24.10.01.300.04 to read, “or as otherwise approved by the Board.”
Board of Optometry	Review the law and rule to determine if there are additional options available to qualify for diagnostic and therapeutic privileges.
Board of Optometry	Expand the options for meeting the diploma requirement for the application. For example, is there other proof that would satisfy the proof of graduation requirement such as a letter from the registrar? IDAPA 24.10.01.175.d
Board of Optometry	Update IDAPA 24.10.01.300.01.a and .b, and IDAPA 24.10.01.300.02.a and .b, to reflect the January 1, 2017 date has passed.
Board of Optometry	Delete IDAPA 24.10.01.125 and 24.10.01.625 as they are no longer necessary.
Board of Optometry	Review IDAPA 24.10.01.425.10 to ensure language is current.
Board of Optometry	Review felony section for adding rules regarding exemptions.
Board of Pharmacy	Enable pharmacists to use alternatives to continuing education as a means to renew their license.
Board of Podiatry	Review the Act in comparison to the standard act and rules to determine if additional updates are needed.
Board of Podiatry	Review I.C. § 54-606 and Rule 152. The Board’s rules reference completion of a residency of at least 24 months; current programs are based on a 36-month residency. Additionally, applicants who are completing their residency cannot obtain an insurance billing number until they receive a license. This causes a delay between when an individual becomes licensed and when they may begin billing for services. The Board would like to review this entire issue to see if there is a way to assist applicants in getting licensed and to work sooner
Board of Podiatry	Propose a fee decrease when the Board’s cash balance allows.

Board of Professional Counselors and Marriage & Family Therapists	In response to public comment, allow continuing education (CE) to be documented over two (2) years rather than annually.
Board of Professional Counselors and Marriage & Family Therapists	The recent work on LMFT/LAMFT statutes has removed archaic language that prevented people from getting licensed. The Board will now be going through the same effort for the LCPC and LPC laws and rules.
Board of Professional Counselors and Marriage & Family Therapists	Review counselor licensure rules with regard to portability and still maintain public protection.
Board of Professional Counselors and Marriage & Family Therapists	Review the laws and rules related to military members and spouses (portability and residents).
Board of Professional Counselors and Marriage & Family Therapists	Develop rule related to Telehealth.
Board of Professional Counselors and Marriage & Family Therapists	Allow for experience to be post-graduate not post-licensure.
Board of Professional Counselors and Marriage & Family Therapists	Review the laws and rules to consider allowing work experience in lieu of classes.
Board of Psychology Examiners	Review continuing education requirements and categories.
Board of Psychology Examiners	Discuss Doctoral versus Masters level education.
Board of Psychology Examiners	Review laws and rules regarding online education related to degree requirements.
Board of Psychology Examiners	Review necessary education level and credentialing for service extenders.
Board of Psychology Examiners	Review the following rules for potential updates: § Rule 100.06 – consider adding 30-day notice provisions. § Rule 100.07 – consider updated language that adds flexibility to when the Board may review applications. § Rule 200.04 – review the requirements regarding how long an applicant must wait to retake a licensure exam. § Rule 250.02 – review endorsement requirements with regard to online education and alternative pathways. § Rule 450.03(j) – evaluate how the model law applies to Section 600 with regard to the number of service extenders and students a psychologist may supervise at one time.
Board of Psychology Examiners	The Board currently follows the Association of State and Provincial Psychology Boards (ASPPB) work on telehealth and a compact for telehealth.
Board of Psychology Examiners	Review supervision time.
Board of Psychology Examiners	Review requirements for supervised practice.
Board of Psychology Examiners	Review IDAPA 24.12.01: Section 300 regarding temporary licenses and interjurisdictional practice certificate (IPC) limitations; review alternative routes to temporary licensure.
Certified Shorthand Reporters Board	Update IDAPA 49.01.01.101 to delete the secretary language.
Contractors Board	Review the Idaho Contractor Registration Act for non-standard, outdated language, and consider updating the act using the model law and rules templates.
Contractors Board	Based on public comment, the Board continues to evaluate the Act and may visit with legislators about concerns the public has brought forward regarding the Act.
Department of Agriculture	Weighmaster License: Improve the licensing process by providing an option to license individuals for multiple years.

Department of Agriculture	<p>There are four provisions that would prevent an individual from being licensed under the weighmaster license;</p> <ul style="list-style-type: none"> • Under 18 years of age • Inability to weigh accurately and make correct weight tickets • Having a previous weighmaster license revoked • Failure to furnish satisfactory evidence of good moral character <p>Opinion: Remove the provision; to furnish satisfactory evidence of good moral character as defined in Title 71-402, Idaho Code. This requirement is subjective, undefined, and may be open to bias</p>
Department of Insurance	[Reinsurance Intermediary] We recommend considering the repeal of this license type.
Department of Insurance	[Fire Protection Sprinkler Contractor] We recommend modifying the required applicant qualifications by eliminating the affidavit requirement to permit qualification merely by passage of an examination or NICET III certification.
Department of Water Resources	The Department will work with the IGWA and licensed Drillers and Operators in Idaho to evaluate the two-tiered versus three-tiered licensing system described above. If the regulated community supports changing the licensing system to a two-tiered system, the Department will need to initiate the "negotiated rulemaking" process to formalize the rule change.
Division of Building Safety (Electrical Board)	Modification of the requirement for an apprentice to take continuation training if the apprentice has not passed the journeyman exam within 2 years of completion of schooling.
Division of Building Safety (Electrical Board)	Modification of the requirement for an apprentice to take continuation training if the apprentice has not passed the journeyman exam within 2 years of completion of schooling.
Division of Building Safety (Electrical Board)	Modification of the requirement for an apprentice to retake fourth year apprentice training if the apprentice has not passed the journeyman exam within 2 years of completion of schooling.
Division of Building Safety (Electrical Board)	For out of state applicants – modify the prohibition on registering as an apprentice for those applicants who have been previously licensed as a journeyman or master electrician in another recognized jurisdiction.
Division of Building Safety (Electrical Board)	Modification of the master electrician category of licensure, and the requirement that a contractor employ a master electrician
Division of Building Safety (Electrical Board)	Institute a practical element into the journeyman (specialty electrician and master) examination. Many applicants are not very good written exam takers, but excellent electricians/practitioners. A portion of the exams could be a practical competency element to be performed in a lab setting.
Division of Building Safety (HVAC Board)	Recognize as acceptable apprentice schooling in rule those programs that provide complete courses of instruction in less than four years of schooling. (IDAPA 07.07.01 §025)

Division of Building Safety (HVAC Board)	Work with Idaho education providers to allow journeyman applicants who have practiced the HVAC trade for a specified period of time to “test out” of the schooling requirement, by successfully completing an equivalency examination that adequately tests the applicant’s knowledge of all four years of schooling.
Division of Building Safety (Plumbing Board)	Elimination of the prohibition on issuing apprentice registrations to those who have been previously licensed as a journeyman plumbing in another recognized jurisdiction. (IDAPA 07.02.05 §010)
Division of Building Safety (Plumbing Board)	Eliminate the on-going requirement for initial apprentice applicants and renewal applicants to provide proof of employment with a licensed contractor; and proof of enrollment in a board-approved training.
Division of Building Safety (Plumbing Board)	Work with Idaho education providers to allow journeyman applicants who have practiced the plumbing trade for a specified period of time to “test out” of the schooling requirement, by successfully completing an equivalency examination that adequately tests the applicant’s knowledge of all four years of schooling.
Division of Building Safety (Plumbing Board)	Allow Idaho apprentices who have not completed the schooling requirements (4 years) to demonstrate that they have performed double the amount of the work experience requirements (16,000) similar to that of an out of state journeyman applicant. (IDAPA 07.02.05 §011)
Division of Building Safety (Public Works Contractor License Board)	Allow for renewals of PWCL which better coincide with individual contractors’ annual financial or tax documentation cycles on a prorated basis, or lengthen the amount of time that applicants can seek an extension in which to renew
Driving Businesses Licensure Board	Review laws and rules to remove outdated language, for example, continuing education dates
Driving Businesses Licensure Board	Rewrite the Act to use the updated template
Driving Businesses Licensure Board	In I.C. § 54-5406, reduce the apprenticeship training hour requirement from sixty (60) to thirty (30) hours of classroom instruction, and reduce the number of behind-the-wheel training hours from one hundred eight (108) to sixteen (16).
Driving Businesses Licensure Board	Review the law and rule regarding evaluating criminal convictions.
Driving Businesses Licensure Board	In 2019 start monitoring the Board’s balance for another fee decrease.
Genetic Counselors Licensing Board	Grandfather licensure expired July 1, 2016. Update I.C. § 54-5611 and IDAPA 24.24.01.310 to eliminate this provision, as it is no longer valid.
Idaho Liquefied Petroleum Gas Safety Board	The Board received public comment regarding the need for the Legislature to pass a container law to address public safety concerns related to specific situations that have been observed, such as a propane truck filling up a bobtail in a restaurant parking lot.
Idaho Liquefied Petroleum Gas Safety Board	Clarify Idaho Code § 54-5308(d) in rule to ensure that facilities know when it is required to have a licensed dealer on site or employed by the facility.

Occupational Therapy Licensure Board	Examine continuing education requirements to make it easier for licensees, such as allowing one-year carryover of continuing education hours if a licensee has obtained more hours than necessary in one year, and expanding the online courses/self-assessments to which licensees have access.
Occupational Therapy Licensure Board	Review limited permits and what happens when a person fails the national competency exam.
Occupational Therapy Licensure Board	The Board is currently participating in discussions at a national level, as well as reviewing the Idaho Telehealth Access Act, to see if profession-specific rules may be needed.
Occupational Therapy Licensure Board	Add language providing direction to the Board regarding how to deal with unlicensed out-of-state applicants with no recent employment history, education, or continuing education related to occupational therapy
Outfitters and Guide	Increasing the number of times that an outfitter or designated agent can fail the open book examination and/or shorten the amount of time that an applicant must wait until attempting the test for the third time.
Physical Therapy Licensing Board	The Board will evaluate the current endorsement provisions to determine if there are additional substantially equivalent measures that can be used to get someone licensed and to work.
Social Workers	Assess the need for a provisional license to facilitate mobility
Speech, Hearing, and Communication Services	Add a definition of "Direct Client Contact."
Speech, Hearing, and Communication Services	Add a rule for the termination of permits. (IDAPA 24.23.01.460.02.5, 24.23.01.450.03.i, 24.23.01.470.02.d)
Speech, Hearing, and Communication Services	Better define audiology support personnel (IDAPA 24.23.01.211.01) and eliminate outdated language such as "temperate habits" in I.C. § 54-2916.
Speech, Hearing, and Communication Services	Bring continuing education requirements for sign language interpreters and deaf interpreters into conformity with the Registry of Interpreters for the Deaf (RID), a widely enlisted national certification organization for sign language interpreters and deaf interpreters. This would remove the requirement for licensees to comply with two separate requirements for continuing education units.