



Terri Kondeff
Director

Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Senators VANORDEN, Bjerke, Wintrow and,
Representatives VANDER WOUDE, Erickson, Rubel

FROM: Matt Drake - Division Manager

DATE: January 06, 2025

SUBJECT: Temporary Rule

IDAPA 24.26.01 - Rules of the Idaho Board of Midwifery - Adoption of Temporary Rule - Docket No. 24-2601-2501

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Matt Drake at the Legislative Services Office at (208) 334-4845. Thank you.

Attachment: Temporary Rule

Paul Headlee, Deputy Director Matt Drake, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.26.01 – RULES OF THE IDAHO BOARD OF MIDWIFERY

DOCKET NO. 24-2601-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 54-5503, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The amendment to the fee table found in Rule 400 will allow the Board to quickly adjust fees downwards to address the currently high cash balance, while reducing the cost of licensure for licensees.

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

Decreasing licensing fees under the Midwifery Advisory Committee reduces a barrier to licensure specifically for midwives seeking to enter the workforce. Reducing the cost of obtaining and maintaining a license in Idaho will ensure constituents have options for midwife services throughout the state.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 400 pursuant to Section 54-5503, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead, the initial application, initial licensure, renewal and reinstatement fees were decreased and “not more than” language was added to all items on the fee table, capping fees at the reduced level while allowing the Board greater flexibility in reducing fees.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
Bureau Chief
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-2601-2501
(Only Those Sections With Amendments Are Shown.)

24.26.01 – RULES OF THE IDAHO BOARD OF MIDWIFERY

400. FEES.

Unless otherwise provided for, all fees are non-refundable. Fees are as follows:

APPLICATION	FEE (Not to Exceed)
Initial Application	\$200 Not more than \$90
Initial License	\$800 (amount will be refunded if license not issued) Not more than \$90
Renewal	\$850 (amount will be refunded if license not renewed) Not more than \$90
Reinstatement	\$50 Not more than \$35, in addition to renewal fees.

~~(3-28-23)~~(1-1-25)T