

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

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Division of Occupational and Professional Licenses - Idaho Board of Midwifery: IDAPA 24.26.01 - Rules of Midwifery-Proposed Rule (Docket No. 24-2601-2501).

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 12/12/2025. 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 01/09/2026.

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 334-4854, or send a written request to the address on the memorandum attached below.



Terri Kondeff
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: Division Manager - Matt Drake
DATE: November 24, 2025
SUBJECT: Division of Occupational and Professional Licenses - Idaho Board of Midwifery

IDAPA 24.26.01 - Rules of Midwifery-Proposed Rule (Docket No. 24-2601-2501)

Summary and Stated Reasons for the Rule

The Division of Occupational and Professional Licenses - Idaho Board of Midwifery - submits Notice of Rulemaking regarding the Rules Governing the Idaho Board of Midwifery. The proposed rule adjust the fee table to reduce fees and to implement "not more than" language with respect to fee amounts. The "not more than" language allows the board flexibility to adjust fees, as long as fees remain below a certain amount.

Negotiated Rulemaking / Fiscal Impact

The Division states that negotiated rulemaking was not conducted because the Division wanted to provide immediate relief to the regulated community. There is no anticipated impact on the state general fund as a result of this rulemaking.

Statutory Authority

The rulemaking appears to be authorized pursuant to sections 54-5503 and 67-2604, Idaho Code.

cc: Division of Occupational and Professional Licenses - Idaho Board of Midwifery
Ryan Bernard

***** PLEASE NOTE *****

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

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

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IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.26.01 – RULES OF MIDWIFERY

DOCKET NO. 24-2601-2501

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 [Section 67-2604](#), Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

24.26.01 – Rules of Midwifery
<p style="text-align: center;">Wednesday, November 12, 2025 9:30 a.m. (MT)</p> <p style="text-align: center;">Attend via Microsoft Teams: Link Meeting Number (Access Code): 269 319 693 616 9 Meeting password: ns9Xb3tH</p> <p style="text-align: center;">Attend in person at: Division of Occupational and Professional Licenses EagleRock Room, Chinden Campus 11341 W. Chinden Blvd., Bldg. 4 Boise, ID 83714</p>

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:

This rulemaking seeks to make final certain amendments to the fee table made through temporary rulemaking earlier this year published in the January 1, 2025 Idaho Administrative Bulletin, [Vol. 25-1, Pages 70-71](#). The rulemaking adjusts permit fees downwards to address the Board’s cash balance, while simultaneously reducing costs for licensees.

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

There are no newly imposed or increased fees in this rule change. Instead, this rulemaking seeks to make final certain temporary fee reductions.

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:

No fiscal impact on the state general fund will occur as a result of these changes.

NEGOTIATED RULEMAKING: Pursuant to [Section 67-5220\(1\)](#) and [67-5221\(1\)\(j\)](#), Idaho Code, negotiated rulemaking was not conducted because DOPL wanted to provide immediate relief to the regulated community by adopting a temporary rule that mirrors the fee reduction in this proposed rule. The Notice of Rulemaking – Adoption of Temporary Rule was published in the January 1, 2025 Idaho Administrative Bulletin, [Vol. 25-1, Pages 70-71](#). Any stakeholder input and all public comments submitted at the scheduled public hearing will be considered.

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 Kolby Reddish, Chief Legal Counsel, at (208) 817-6126.

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 November 26, 2025.

DATED this 17th day of October, 2025.

Kolby K. Reddish
Chief Legal Counsel
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 817-6126
Email: kolby.reddish@dopl.idaho.gov

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

24.26.01 – RULES OF MIDWIFERY

400. FEES.

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

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

(3-28-23)(____)