

HOUSE BILL NO. 525

INTRODUCED BY MCNIVEN, COOK, O'HARA, EVANS, LAVIN, EHLI, O'NEIL, WELBORN

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR SYSTEMATIC REVIEW OF PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS TO DETERMINE IF THE BOARD REMAINS NECESSARY FOR A PUBLIC PURPOSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Review of licensing boards -- termination. (1) ~~(a)~~ The interim committee responsible for monitoring professional and occupational licensing boards shall ~~in each interim review one-third of the licensing boards to determine whether the board remains~~ BOARDS REMAIN necessary for a public purpose and ~~meets~~ MEET the criteria in subsection (2). A board that does not meet the criteria may be referred to the next legislature to be terminated on June 30 following the legislative session.

~~(b) The review in the first interim after [the effective date of this act] must start with the oldest established boards. The review in the second interim after [the effective date of this act] must include the next oldest established boards. The review in the third interim after [the effective date of this act] must include the newest boards. This review process must be repeated in the same fashion in subsequent interims.~~

(2) The criteria to be used to determine if a board meets a public purpose includes information describing whether:

(a) the unregulated practice of the occupation or profession creates a direct, immediate hazard to the public health, safety, or welfare;

(b) the scope of practice is readily identifiable and distinguishable from the scope of practice of other professions and occupations;

(c) the occupation or profession requires a specialized skill or training for which nationally recognized standards of education and training exist;

(d) qualifications for licensure are justified;

(e) a public benefit is provided by licensure;

(f) licensure significantly increases the cost of service to the public; and

(g) public support exists for licensure.

