

Dear Senators HEIDER, Souza, Jordan, and
Representatives WOOD, Packer, Chew:

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, Hearing and Communication Services Licensure Board -
Temporary and Proposed Rule (Docket No. 24-2301-1801).

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 07/26/2018. 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 08/23/2018.

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.



Eric Milstead
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: Legislative Research Analyst - Matt Drake

DATE: July 09, 2018

SUBJECT: Bureau of Occupational Licenses - Speech and Hearing Services Licensure Board

IDAPA 24.23.01 - Rules of the Speech, Hearing and Communication Services Licensure Board - Temporary and Proposed Rule (Docket No. 24-2301-1801)

Summary and Stated Reasons for the Rule

The Bureau of Occupational Licenses submits notice of temporary and proposed rulemaking relating to the Rules of the Speech, Hearing and Communication Services Licensure Board. The proposed rule implements HB 411 of 2018, which lowers the required age for a person to become a licensed sign language interpreter from twenty-one (21) to eighteen (18). The temporary/proposed rule implements HB 411 and will ensure conformity between Section 54-2916A, Idaho Code and Section 260 of these rules.

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was not conducted as the rule is temporary and responds to previously enacted legislation. There is no anticipated fiscal impact on the state general fund.

Statutory Authority

The proposed rule changes appear to be within the statutory authority of the Board pursuant to section 54-2910, Idaho Code. The Governor has found that temporary adoption of the rule is appropriate to implement HB 411, effective July 1, 2018.

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, HEARING AND COMMUNICATION SERVICES LICENSURE BOARD

DOCKET NO. 24-2301-1801

NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2018.

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 54-2910, 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 July 18, 2018.

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:

In 2018, the Legislature passed HB 411, which lowers the age for licensure as sign language interpreter from twenty-one (21) to eighteen (18). This temporary/proposed rule will implement HB 411 and ensure conformity between Section 54-2916A, Idaho Code, and Section 260 of these rules.

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:

On July 1, 2018 HB 411 becomes effective. This temporary/proposed rule is necessary to implement those changes.

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

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: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because this is a temporary rule.

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 temporary and proposed rule, contact Jennifer Carr at (208) 577-2599.

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 July 25, 2018.

DATED this 13th Day of June, 2018.

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

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 24-2301-1801
(Only Those Sections With Amendments Are Shown.)**

260. QUALIFICATIONS FOR SIGN LANGUAGE INTERPRETER LICENSURE (RULE 260).

The Board may grant a sign language interpreter license to an applicant who completes an application as set forth in Section 150 and meets the following: (3-22-18)

01. General. (3-22-18)

a. Be at least ~~twenty-one~~ eighteen (21 18) years of age; (~~3-22-18~~)(7-1-18)T

b. Certify that the applicant has not been found guilty, convicted, received a withheld judgment, or suspended sentence for a felony. If the applicant has been found guilty, convicted, received a withheld judgment, or suspended sentence for such a crime, the applicant must submit a written statement of suitability for licensure as set forth in Section 320 of these rules; and (3-22-18)

c. Certify that the applicant or the applicant's license or certification has not been subject to any disciplinary action by a regulatory entity in another state, territory, or country including, but not limited to, having an application for licensure denied. If the applicant or applicant's license has been subject to discipline, the applicant must submit a written statement of suitability for licensure as set forth in Section 320 of these rules. (3-22-18)

02. Education. Possess a high school diploma or the equivalent; (3-22-18)

03. Examination or Certification. Pass competency examinations approved by the Board or obtain a certification approved by the Board. (3-22-18)