

IN THE SENATE

SENATE BILL NO. 1368

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO OCCUPATIONAL LICENSING REFORM; AMENDING SECTION 36-2109, IDAHO
2 CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING
3 CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING SECTION 54-206,
4 IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 54-208, IDAHO
5 CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 54-209, IDAHO CODE,
6 TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 54-210, IDAHO CODE, TO
7 REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 54-211, IDAHO CODE, TO RE-
8 MOVE OBSOLETE LANGUAGE; AMENDING SECTION 54-606, IDAHO CODE, TO REMOVE
9 OBSOLETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING CRIMINAL OFFENSE
10 MUST BE DEEMED RELEVANT; AMENDING SECTION 54-607, IDAHO CODE, TO REMOVE
11 OBSOLETE LANGUAGE, TO PROVIDE THAT A DISQUALIFYING CRIMINAL OFFENSE
12 MUST BE DEEMED RELEVANT, AND TO MAKE A TECHNICAL CORRECTION; AMENDING
13 SECTION 54-915, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
14 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
15 SECTION 54-916, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
16 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMEND-
17 ING SECTION 54-920, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING
18 SECTION 54-1112, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
19 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
20 SECTION 54-1520, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
21 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
22 SECTION 54-1605, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
23 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
24 SECTION 54-1803, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION
25 54-1806A, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL
26 CORRECTION; AMENDING SECTION 54-2210, IDAHO CODE, TO REMOVE OBSO-
27 LETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING CRIMINAL OFFENSE MUST
28 BE DEEMED RELEVANT; AMENDING SECTION 54-2212, IDAHO CODE, TO REMOVE
29 OBSOLETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING CRIMINAL OFFENSE
30 MUST BE DEEMED RELEVANT; AMENDING SECTION 54-2307, IDAHO CODE, TO RE-
31 MOVE OBSOLETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING CRIMINAL OF-
32 FENSE MUST BE DEEMED RELEVANT; AMENDING SECTION 54-2312, IDAHO CODE, TO
33 REMOVE OBSOLETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING CRIMINAL
34 OFFENSE MUST BE DEEMED RELEVANT; AMENDING SECTION 54-2312A, IDAHO CODE,
35 TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING CRIM-
36 INAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING SECTION 54-2409, IDAHO
37 CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE THAT A DISQUALIFYING
38 CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING SECTION 54-2916,
39 IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO REVISE A PROVISION RE-
40 GARDING A DISQUALIFYING CRIMINAL OFFENSE; AMENDING SECTION 54-2916A,
41 IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 54-3108,
42 IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE THAT A DIS-
43 QUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING SECTION
44 54-3109, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE THAT A
45

1 DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING SEC-
2 TION 54-3109A, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
3 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMEND-
4 ING SECTION 54-3115, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING
5 SECTION 54-3206, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
6 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
7 SECTION 54-3405, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
8 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
9 SECTION 54-4009, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
10 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
11 SECTION 54-4206, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO PROVIDE
12 THAT A DISQUALIFYING CRIMINAL OFFENSE MUST BE DEEMED RELEVANT; AMENDING
13 SECTION 54-5307, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO REVISE A
14 PROVISION REGARDING A DISQUALIFYING CRIMINAL OFFENSE; AND DECLARING AN
15 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

16 Be It Enacted by the Legislature of the State of Idaho:

17 SECTION 1. That Section 36-2109, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 36-2109. FORM AND TERM OF LICENSE -- NOTICE OF DENIAL. (a) Upon con-
20 currence of a majority, the board, in its discretion may issue a license to
21 any applicant who has filed an application in proper form with the board in-
22 cluding, but not limited to, payment of the license fee and furnishing of
23 bond. Said license shall be in the form prescribed by the board, shall be
24 valid for the year issued from the date issued and shall expire on March 31
25 of the following year; provided, that no outfitter's or guide's license may
26 be sold, assigned or otherwise transferred either by any holder thereof or by
27 the operation of law except as provided in this chapter. The board may pre-
28 scribe by rule that limitations or qualifications placed upon an outfitter's
29 or guide's license as provided in this chapter shall be indicated on the face
30 of the license or as an attachment to the license which shall be considered a
31 part of the license.

32 (b) A license granted by the board including any attachment thereto
33 shall specify the activities licensed and the exact territorial limits of
34 the outfitter's area of operation and shall specify the species of game to be
35 hunted. In so approving and/or licensing any outfitter's or guide's activ-
36 ity, the board shall consider the following matters, among others:

- 37 1. The length of time in which the applicant has operated in that area;
- 38 2. The extent to which the applicant is qualified by reason of experi-
39 ence, equipment or resources to operate in that area;
- 40 3. The applicant's previous safety record;
- 41 4. The accessibility of the area, the particular terrain and the
42 weather conditions normal to that area during the outfitter's or
43 guide's season;
- 44 5. The total amount of outfitter's area requested by any applicant giv-
45 ing due consideration to the effect that such area license grant would
46 have upon the environment, the amount of game that can be harvested, and
47 the number of persons that can be adequately served in the area.

1 (c) The board shall refuse to issue any license to any applicant for an
 2 outfitter's or guide's license who the board finds is not a competent per-
 3 son ~~of good moral character, who has been convicted, found guilty, or re-~~
 4 ~~ceived a withheld judgment or a suspended sentence in this state or in any~~
 5 ~~other state of a crime that is deemed relevant in accordance with section~~
 6 ~~67-9411(1), Idaho Code, who is less than eighteen (18) years of age and, or~~
 7 ~~who does not possess a working knowledge of the game and fishing laws of the~~
 8 state of Idaho and the regulations of the United States forest service. The
 9 board shall also refuse to issue an outfitter's license to any applicant who
 10 the board finds does not have sufficient financial responsibility to con-
 11 duct adequately the business of an outfitter. The board shall refuse to is-
 12 sue any license to a firm, partnership, corporation or other organization or
 13 any combination thereof that fails to have at least one (1) designated agent
 14 conducting its outfitting business who meets all of the qualifications and
 15 requirements of a licensed outfitter. The board may also refuse to grant an
 16 outfitter's or guide's license to any applicant for violation of any of the
 17 provisions hereinafter specified in this chapter as grounds for revocation
 18 or suspension of an outfitter's or guide's license. If the application is
 19 denied, the board shall notify the applicant, in writing, of the reasons for
 20 such denial within ten (10) days and if the applicant shall correct, to the
 21 satisfaction of the board, such reasons within thirty (30) days of receipt of
 22 such notice and if, thereafter, a majority of the board concur, the board may
 23 issue a license to the applicant.

24 (d) No license shall be issued by the board until a majority thereof has
 25 reported favorably thereon; except, an application for a license identical
 26 to a license held during the previous year may be issued on approval by one
 27 (1) board member providing there is no adverse information on file regarding
 28 the applicant.

29 SECTION 2. That Section 54-206, Idaho Code, be, and the same is hereby
 30 amended to read as follows:

31 54-206. DEFINITIONS. As used in this chapter:

32 (1) "AICPA" means the American institute of certified public accoun-
 33 tants.

34 (2) "Applicant" means any person having the requisite qualifications
 35 who makes application to the board for examination, or for initial issuance
 36 or renewal or reinstatement of a license under the provisions of this chap-
 37 ter.

38 (3) "Attest" means providing the following professional services:

39 (a) Any audit or other engagement to be performed in accordance with the
 40 statements on auditing standards;

41 (b) Any review of a financial statement to be performed in accordance
 42 with the statements on standards for accounting and review services;

43 (c) Any examination of prospective financial information to be per-
 44 formed in accordance with the statements on standards for attestation
 45 engagements;

46 (d) Any engagement to be performed in accordance with the standards of
 47 the PCAOB; and

48 (e) Any examination, review or agreed-upon procedures engagement to be
 49 performed in accordance with the statements on standards for attesta-

1 tion engagements, other than an examination described in paragraph (c)
2 of this subsection.

3 (4) "Board" means the Idaho state board of accountancy.

4 (5) "Certificate" means that document issued by the board upon original
5 approval of licensure. The original certificate does not constitute licen-
6 sure and a person cannot represent himself or herself as a licensee unless a
7 current and valid annual license has been issued by the board.

8 (6) "Certified public accountant" or "CPA" means any person who holds a
9 valid, unrevoked and unsuspended license under the provisions of chapter 2,
10 title 54, Idaho Code, or an equivalent provision of the laws of another state
11 designating said person as a certified public accountant.

12 (7) "Client" means the person or entity that agrees with a licensee or
13 licensee's employer to receive any professional services with or without
14 compensation and shall include all affiliates and related entities in the
15 financial statements of an attest or compilation engagement.

16 (8) "Compilation" means a service performed in accordance with state-
17 ments on standards for accounting and review services that presents, in
18 the form of historical or prospective financial statements, information
19 that is the representation of management or owners without undertaking to
20 express any assurance on the statements. The term "compilation" does not in-
21 clude financial statements accompanied by the language set forth in section
22 54-226(3), Idaho Code, whether used by a licensee or by a person not licensed
23 under this chapter, as long as the financial statements are not accompanied
24 by any other language of assurance or disclaimer.

25 (9) "Financial statements" means a presentation of historical or
26 prospective financial data, which may include accompanying notes, intended
27 to communicate an entity's economic resources or obligations at a point in
28 time, or the changes therein for a period of time, in accordance with a com-
29 prehensive basis of accounting.

30 (10) "Firm" means a proprietorship, partnership, professional corpora-
31 tion, professional limited liability company, or any other form of profes-
32 sional organization permitted by Idaho law, registered under the require-
33 ments of section 54-214, Idaho Code.

34 (11) "Good ~~moral~~ character" means lack of a history of dishonest deal-
35 ings or ~~a conviction~~ not having been convicted, found guilty, or received a
36 withheld judgment or a suspended sentence in this state or in any other state
37 of a crime that is deemed relevant in accordance with section 67-9411(1),
38 Idaho Code.

39 (12) "License" means that authorization issued by the board upon origi-
40 nal approval and on an annual basis permitting a qualified person to practice
41 as a certified public accountant or licensed public accountant in the state
42 of Idaho.

43 (13) "Licensed public accountant" or "LPA" means any person who holds a
44 valid, unrevoked and unsuspended license under the provisions of chapter 2,
45 title 54, Idaho Code, designating said person as a licensed public accoun-
46 tant.

47 (14) "Licensee" means the holder of a current valid license.

48 (15) "Member" means a person who has been admitted to membership in a
49 firm that is organized as a limited liability company.

50 (16) "PCAOB" means the public company accounting oversight board.

1 (17) "Peer review" means a board-approved study, appraisal or review of
 2 one (1) or more aspects of the professional work of a licensee or firm that
 3 performs attest services or issues compilation reports, by a person or per-
 4 sons licensed under this chapter or by another state and who are independent
 5 of the licensee or firm being reviewed.

6 (18) "Permit" means a permit to practice as a firm issued under corre-
 7 sponding provisions of the laws of other states.

8 (19) "Person" means any natural living person.

9 (20) "Professional services" means services arising out of or related
 10 to the specialized knowledge or skills associated with certified public ac-
 11 countants or licensed public accountants.

12 (21) "Report," when used with reference to financial statements, means
 13 an opinion or other form of language that states or implies assurance as to
 14 the reliability of any financial statements and that also includes or is ac-
 15 companied by any statement or implication that the person or firm issuing it
 16 has special knowledge or competence in accounting or auditing. Such a state-
 17 ment or implication of special knowledge or competence may arise from use by
 18 the issuer of the report of names or titles indicating that the person or firm
 19 is an accountant or auditor, or from the language of the report itself. The
 20 term "report" includes any form of language that disclaims an opinion when
 21 such form of language is conventionally understood to imply any positive as-
 22 surance as to the reliability of the financial statements referred to or spe-
 23 cial competence on the part of the person or firm issuing such language; and
 24 it includes any other form of language that is conventionally understood to
 25 imply such assurance or special knowledge or competence.

26 (22) "State" means any state of the United States, the District of Co-
 27 lumbia, Puerto Rico, the U.S. Virgin Islands, Commonwealth of the Northern
 28 Mariana Islands and Guam; except that "this state" means the state of Idaho.

29 (23) "Substantial equivalency" or "substantially equivalent" means a
 30 determination by the board that the education, examination and experience
 31 requirements contained in the statutes and administrative rules of another
 32 jurisdiction are comparable to or exceed the education, examination and ex-
 33 perience requirements for CPAs contained in this chapter or that an indi-
 34 vidual licensee's education, examination and experience qualifications are
 35 comparable to or exceed the education, examination and experience require-
 36 ments for CPAs contained in this chapter.

37 SECTION 3. That Section 54-208, Idaho Code, be, and the same is hereby
 38 amended to read as follows:

39 54-208. EXAMINATION -- EDUCATION -- QUALIFICATIONS. (1) An applicant
 40 for admission to examination as a certified public accountant shall:

41 (a) Be eighteen (18) years of age or older;

42 (b) Be of good ~~moral~~ character;

43 (c) Be a resident, have been a resident, or intend to immediately become
 44 a resident of the state of Idaho;

45 (d) Be approved by the board for admission to the examination; and

46 (e) Provide satisfactory evidence in the form of an official transcript
 47 received directly from the school registrar indicating successful com-
 48 pletion of a baccalaureate degree or its equivalent, the required cred-
 49 its and courses to be prescribed by the rules of the board.

1 (2) The examination required to be passed as a condition to granting a
 2 certificate shall test the applicant's knowledge of the subjects of account-
 3 ing and auditing, and such other related subjects as the board may specify by
 4 rule, including, but not limited to, business law and taxation. The time for
 5 holding such examination shall be determined by the board and may be changed
 6 from time to time. The board shall prescribe by rule the methods of apply-
 7 ing for and conducting the examination, including methods for grading and
 8 determining a passing grade required of an applicant for a certificate; pro-
 9 vided however, that the board shall endeavor to assure that the examination
 10 itself, grading of the examination, and the passing grades, are uniform with
 11 those of other states. The board may make use of all or any part of the uni-
 12 form certified public accountant examination and advisory grading service
 13 of the AICPA and may contract with third parties to perform such administra-
 14 tive services with respect to the examination as it deems appropriate to as-
 15 sist it in performing its duties hereunder.

16 (3) The board may charge, or provide for a third party administering the
 17 examination to charge, each applicant a fee, in an amount prescribed by the
 18 board by rule.

19 (4) None of the education requirements specified in this section shall
 20 apply to an applicant who is a licensed public accountant pursuant to this
 21 chapter.

22 SECTION 4. That Section 54-209, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-209. EXPERIENCE. An applicant of good ~~moral~~ character who success-
 25 fully passes the examination, with standards no less than those prescribed
 26 by the board's rules for examination of candidates in Idaho, and who fulfills
 27 the requirements of section 54-207, Idaho Code, shall receive a license as
 28 a certified public accountant if the applicant has completed one (1) year of
 29 experience. This experience shall include providing any type of service or
 30 advice involving the use of accounting, attest, compilation, management ad-
 31 visory, financial advisory, tax or consulting skills, all of which have been
 32 verified by an active licensee, meeting requirements prescribed by the board
 33 by rule. This experience may be gained through employment in government, in-
 34 dustry, academia or public practice.

35 SECTION 5. That Section 54-210, Idaho Code, be, and the same is hereby
 36 amended to read as follows:

37 54-210. RECIPROCITY -- TRANSFER OF EXAMINATION GRADES -- FOREIGN
 38 RECIPROCITY -- QUALIFICATIONS. (1) A person whose certificate and license
 39 have been granted by another state, whose principal place of business is
 40 located in this state, shall obtain a license by reciprocity from the board
 41 before providing professional services in this state.

42 (2) (a) An applicant for certificate and license by reciprocity to prac-
 43 tice as a certified public accountant in Idaho must:

44 (i) Be eighteen (18) years of age or older;

45 (ii) Be of good ~~moral~~ character;

46 (iii) Have obtained the education and passed the uniform CPA exam-
 47 ination with standards no less than those required in Idaho; and

1 (iv) Have completed the necessary experience, continuing profes-
2 sional education, and board approved ethics examination required
3 for issuance of a license in Idaho and hold a current license in
4 good standing in another licensing jurisdiction.

5 (b) The requirements of subsection (2) (a) of this section relating to
6 education, Idaho standards relating to passage of the uniform CPA exam-
7 ination, experience, continuing professional education and ethics ex-
8 amination shall be waived if the applicant has been licensed for no less
9 than four (4) years as a certified public accountant within the ten (10)
10 years immediately preceding the reciprocity application.

11 (3) (a) A person holding an inactive or retired certificate and license
12 granted by another state, whose principal place of business is located
13 in this state, may apply for an equivalent license by reciprocity from
14 the board, provided the applicant must:

15 (i) Meet the requirements for an inactive license as set forth
16 in section 54-211 (1) (c), Idaho Code, or the requirements for a re-
17 tired license as set forth in section 54-211 (1) (d), Idaho Code;

18 (ii) Be of good ~~moral~~ character;

19 (iii) Have obtained the education and passed the uniform CPA exam-
20 ination with standards no less than those required in Idaho; and

21 (iv) Have completed the necessary experience and board approved
22 ethics examination required for issuance of a license in Idaho.

23 (b) The requirements of subsection (3) (a) of this section relating to
24 education, Idaho standards relating to passage of the uniform CPA ex-
25 amination, experience and ethics examination shall be waived if the ap-
26 plicant has been licensed for no less than four (4) years as a certified
27 public accountant within the ten (10) years immediately preceding the
28 reciprocity application.

29 (4) An applicant for certificate and license to practice as a certified
30 public accountant in Idaho by transfer of examination grades from another
31 licensing jurisdiction must:

32 (a) Be eighteen (18) years of age or older;

33 (b) Be of good ~~moral~~ character;

34 (c) Have obtained the necessary education and have passed the uniform
35 CPA examination with standards no less than those prescribed by the
36 board's rules for examination candidates in Idaho; and

37 (d) Possess experience qualifications as required under section
38 54-209, Idaho Code, and complete a board approved ethics examination
39 required for issuance of a license in Idaho.

40 (5) The board shall issue a certificate and license to a holder of a
41 substantially equivalent designation issued by a foreign country, provided
42 that:

43 (a) The foreign authority which granted the designation makes similar
44 provision to allow a person who holds a valid certificate and license
45 issued by this state to obtain such foreign authority's comparable des-
46 ignation; and

47 (b) The designation:

48 (i) Was duly issued by an authority of a foreign country which
49 regulates the practice of public accountancy and has not expired
50 or been revoked or suspended;

- 1 (ii) Entitles the holder to issue reports upon financial state-
 2 ments; and
 3 (iii) Was issued upon the basis of substantially equivalent edu-
 4 cational, examination and experience requirements established by
 5 the foreign authority or by law; and
 6 (c) The applicant:
 7 (i) Received the designation, based on educational and examina-
 8 tion standards substantially equivalent to those in effect in this
 9 state, at the time the foreign designation was granted;
 10 (ii) Completed an experience requirement, substantially equiv-
 11 alent to the requirements set out in this chapter, in the juris-
 12 diction which granted the foreign designation or has completed
 13 four (4) years of professional experience in this state; or meets
 14 equivalent requirements prescribed by the board by rule, within
 15 the ten (10) years immediately preceding the application;
 16 (iii) Passed a uniform qualifying examination in national stan-
 17 dards acceptable to the board; and
 18 (iv) Is of good ~~moral~~ character.

19 SECTION 6. That Section 54-211, Idaho Code, be, and the same is hereby
 20 amended to read as follows:

21 54-211. LICENSES -- LICENSING PERIOD -- NONRENEWAL -- REINSTATEMENT
 22 -- INACTIVE LICENSES -- RETIREMENT -- FEES. (1) The board shall issue ini-
 23 tial certificates and licenses, and renewal and reinstatement licenses to
 24 practice as a certified public accountant, and renewal and reinstatement li-
 25 censes to practice as a licensed public accountant to persons who have quali-
 26 fied therefor in accordance with the provisions of this chapter and the rules
 27 of the board. A certificate and license, once issued, shall continue in ef-
 28 fect so long as the holder thereof complies with the provisions of this chap-
 29 ter and the rules and orders of the board.

30 (a) Initial. The board shall collect an initial license fee upon board
 31 approval of an initial license to practice as a certified public accoun-
 32 tant in the state of Idaho as set forth in section 54-212, Idaho Code,
 33 and as prescribed by the rules of the board. Those individuals meeting
 34 the requirements for initial licensure in Idaho, pursuant to the provi-
 35 sions of this chapter and the rules of the board, shall be issued a li-
 36 cense effective for no more than twelve (12) months. The license shall
 37 then be subject to annual renewal.

38 (b) Renewal. The board shall collect an annual license fee from all li-
 39 censees each year as set forth in section 54-212, Idaho Code, and as pre-
 40 scribed by the rules of the board. Those persons meeting the require-
 41 ments of this subsection for license renewal shall be issued a license
 42 effective for a period of one (1) year after its issuance. Requirements
 43 include:

- 44 (i) Good ~~moral~~ character;
 45 (ii) Completion of continuing professional education as speci-
 46 fied by the board's rules;
 47 (iii) Identification, in the renewal application, of the firm with
 48 which the licensee is affiliated; and

1 (iv) Where applicable, verification of satisfactory completion
2 of a peer review program by the firm with which the licensee is
3 affiliated, pursuant to section 54-214, Idaho Code, and the rules
4 prescribed by the board. Any licensee who issues compilation
5 reports for the public other than through a firm must undergo no
6 more frequently than once every three (3) years, a peer review
7 conducted in accordance with rules prescribed by the board, and
8 such review shall include verification that such licensee has met
9 the competency requirements set out in professional standards for
10 such service.

11 (c) Inactive status. Any licensee in current compliance with the pro-
12 visions of this chapter who chooses not to perform or offer to perform
13 for the public one (1) or more kinds of attest or compilation services
14 may apply to place his or her license in inactive status. The annual re-
15 newal fee for inactive status shall be as set forth in section 54-212,
16 Idaho Code, and as prescribed by the rules of the board. Licensees with
17 inactive status must place the word "inactive" adjacent to their CPA or
18 LPA title on any business card, letterhead or any other document or de-
19 vice when using the title, with the exception of their certificate on
20 which their title appears.

21 (d) Retired. After a person reaches the age of fifty-five (55) years,
22 or in the event of a disability preventing continued practice, the
23 certificate of a certified public accountant or licensed public ac-
24 countant, upon application to the board by the holder, may be placed
25 by the board in retired status. Retired status shall allow the holder
26 to retain the wall certificate and remain on the board's mailing list.
27 The annual renewal fee for retired status shall be as set forth in sec-
28 tion 54-212, Idaho Code, and as prescribed by the rules of the board.
29 Licensees with retired status must place the word "retired" adjacent
30 to their CPA or LPA title on any business card, letterhead or any other
31 document or device when using the title, with the exception of their
32 certificate on which their title appears. An individual who performs or
33 offers to perform for the public attest or compilation services shall
34 not qualify for retired status.

35 (e) Nonrenewal. A licensee may place the license into lapsed status as
36 prescribed by the rules of the board rather than renew the license. Any
37 license not renewed or placed into lapsed status within thirty (30) days
38 after the expiration of the previous license shall be automatically
39 placed into lapsed status.

40 (f) Reinstatement. Any certificate and license placed in lapsed sta-
41 tus may be reinstated upon completion of an application supplied by the
42 board along with payment of a reinstatement fee as set forth in section
43 54-212, Idaho Code, and as prescribed by the rules of the board. In
44 addition, the board shall require the applicant to meet the qualifi-
45 cations of subsection (b) of this section. Reinstatement following
46 involuntary suspension shall be governed by the terms of the board's
47 order of involuntary suspension.

48 (g) Reentry. A license in inactive or retired status may reenter active
49 status upon completion of an application supplied by the board along
50 with payment of a reentry fee as prescribed by the rules of the board. In

1 addition, the board shall require the applicant to meet the qualifica-
2 tions set forth in subsection (1) (b) of this section.

3 (2) Applicants for initial issuance or reinstatement of licenses under
4 this section shall in their application list all states in which they have
5 applied for or hold a license and list any past disciplinary action against
6 or denial, revocation or suspension of a certificate, license or permit.

7 (3) Applicants and licensees shall notify the board in writing, within
8 thirty (30) days after its occurrence of:

9 (a) Any charges or convictions of, or guilty pleas to, a felony; or

10 (b) Any disciplinary action against or the denial, restriction, re-
11 vocation or suspension of a certificate, license or permit by another
12 state or by any federal agency.

13 SECTION 7. That Section 54-606, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 54-606. STATE BOARD OF PODIATRY -- EXAMINATION FOR LICENSES. (1) Every
16 person, except as hereinafter provided, desiring to commence the practice of
17 podiatry within this state shall make written application to the state board
18 of podiatry upon forms to be prescribed and furnished by the board for a li-
19 cense so to do. Such applications shall be accompanied by a fee as estab-
20 lished by board rule not to exceed four hundred dollars (\$400). Each appli-
21 cant shall be at least twenty-one (21) years of age, ~~of good moral character,~~
22 shall not have been convicted, found guilty, or received a withheld judgment
23 or a suspended sentence in this state or in any other state of a crime that
24 is deemed relevant in accordance with section 67-9411(1), Idaho Code, shall
25 have completed an accredited podiatric residency as defined by board rule,
26 and shall be a graduate of some reputable school of podiatry accredited by
27 the board. A reputable school of podiatry for the purposes herein shall mean
28 a school of podiatry requiring for graduation the graduation from an accred-
29 ited high school, credits granted for at least two (2) full years of general
30 college study in a college or university of recognized standing, and four (4)
31 full years of study in such school of podiatry or its equivalent.

32 (2) Each applicant shall take and pass a competency exam approved by
33 board rule. The examination shall test for entry level competency to provide
34 podiatric medical services.

35 (3) The examination fee shall not exceed the amount charged by the
36 board approved exam provider. The applicant shall pay the examination fee
37 directly to the exam provider.

38 SECTION 8. That Section 54-607, Idaho Code, be, and the same is hereby
39 amended to read as follows:

40 54-607. LICENSES -- ISSUANCE -- RENEWALS -- DISPLAY. (1) If the appli-
41 cant passes a satisfactory examination and shows that he is a person ~~of good~~
42 ~~moral character~~ who has not been convicted, found guilty, or received a with-
43 held judgment or a suspended sentence in this state or in any other state of
44 a crime that is deemed relevant in accordance with section 67-9411(1), Idaho
45 Code, and that he possesses the qualifications required by this chapter to
46 entitle him to a license as a podiatrist, he shall be entitled to a license
47 authorizing him to practice podiatry within the state of Idaho. The success-

1 ful applicant shall be issued his license by the board upon payment of the
2 original license fee that shall be established by board rule and shall not
3 exceed the annual renewal fee.

4 (2) All licenses issued under the provisions of this chapter shall be
5 subject to annual renewal and shall expire unless renewed in the manner pre-
6 scribed by the board regarding applications for renewal, continuing educa-
7 tion, and fees. License renewal and reinstatement shall be in accordance
8 with section 67-2614, Idaho Code. An annual renewal license fee established
9 by board rule shall not exceed six hundred fifty dollars (\$650) for podia-
10 trists. Payment of fees herein provided and satisfactory evidence of having
11 complied with continued education requirements as established by board rule
12 are conditions precedent for issuance of a license.

13 (3) Every person to whom a license is granted shall have such license
14 displayed continuously in a conspicuous part of his office wherein his prac-
15 tice of podiatry is conducted.

16 (4) The board shall keep on file a register of all applicants for li-
17 cense, rejected applicants and licensees.

18 (5) The fee for reinstatement of a license shall be as provided in sec-
19 tion 67-2614, Idaho Code. All fees shall be paid to the ~~bureau~~ division of
20 occupational and professional licenses.

21 SECTION 9. That Section 54-915, Idaho Code, be, and the same is hereby
22 amended to read as follows:

23 54-915. QUALIFICATIONS REQUIRED FOR DENTIST, DENTAL THERAPIST, OR
24 DENTAL HYGIENIST LICENSURE. No person hereafter shall be eligible for licen-
25 sure to practice dentistry, dental therapy, or dental hygiene in this state
26 unless the applicant:

27 ~~(1) Is of good moral character and has not pled guilty to or been con-~~
28 ~~victed~~ Has not been convicted, found guilty, or received a withheld judgment
29 or a suspended sentence in this state or in any other state of a crime that
30 is deemed relevant in accordance with section 67-9411(1), Idaho Code, unless
31 the person demonstrates that he has been sufficiently rehabilitated to war-
32 rant the public trust;

33 (2) Shall, for dentistry, have successfully completed the course of
34 study in dentistry, and graduated and received a degree of doctor of dental
35 surgery or doctor of dental medicine from a dental school accepted and ap-
36 proved by the board;

37 (3) Shall, for dental therapy, have:

38 (a) Successfully completed a course of study in dental therapy;

39 (b) Graduated from a dental therapy school accredited by the commis-
40 sion on dental accreditation of the American dental association, pro-
41 vided that such school has been accepted and approved by the board; and

42 (c) Completed five hundred (500) hours of supervised clinical practice
43 under the direct supervision of a dentist;

44 (4) Shall, for dental hygiene, have successfully completed the course
45 of study in dental hygiene, and received a degree from a dental hygiene
46 school accepted and approved by the board;

47 (5) Shall, for dentistry, dental therapy, and dental hygiene, pass the
48 examinations provided for in section 54-918, Idaho Code.

1 SECTION 10. That Section 54-916, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-916. APPLICATION FOR LICENSURE -- FEE. Any person desiring to prac-
4 tice dentistry, a dental specialty, dental therapy, or dental hygiene within
5 the state of Idaho shall make an application for licensure in dentistry, a
6 dental specialty, dental therapy, or dental hygiene, as the case may be, on
7 forms furnished by the board, which forms shall call for information from
8 the applicant as shall show his full, true name and that he possesses all
9 the qualifications required by law for the license applied for. The applica-
10 tion and supporting instruments as shall be required, together with payment
11 of an application fee of not more than three hundred dollars (\$300) for den-
12 tists, the fee to be set by the rules of the board and not more than two hun-
13 dred fifty dollars (\$250) for dental therapists and dental hygienists, the
14 fee to be set by the rules of the board, and not more than six hundred dollars
15 (\$600) for dental specialists, the fee to be set by the rules of the board,
16 shall be filed with the board at a sufficient time to permit the board to in-
17 vestigate ~~into the moral character of the applicant in order to determine he~~
18 has not been convicted, found guilty, or received a withheld judgment or sus-
19 pended sentence in this state or in any other state of a crime deemed relevant
20 in accordance with section 67-9411(1), Idaho Code, and his possession of the
21 other qualifications for licensure. The fee shall not be refunded.

22 SECTION 11. That Section 54-920, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 54-920. LICENSING -- LICENSE FEES -- BIENNIAL RENEWAL OF LICENSES --
25 LATE FEES AND RETURNED CHECKS -- CLASSIFICATIONS OF LICENSES -- RIGHTS OF LI-
26 CENSEES -- NOTIFICATION OF CHANGE OF ADDRESS. (1) Each person determined by
27 the board as qualified for licensure under this chapter shall pay the pre-
28 scribed biennial license fee to the board prior to issuance of a license. Un-
29 less otherwise specified on a license, licenses issued by the board shall be
30 effective for the biennial licensing period specified in this section. The
31 biennial licensing period for dental and dental therapy licenses shall be
32 a two (2) year period from October 1 of each even-numbered calendar year to
33 September 30 of the next successive even-numbered calendar year. The bien-
34 nial licensing period for dental hygiene licenses shall be a two (2) year pe-
35 riod from April 1 of each odd-numbered calendar year to March 31 of the next
36 successive odd-numbered calendar year. Unless otherwise specified on a li-
37 cense, any license issued during a biennial licensing period shall be effec-
38 tive until the beginning date of the next successive biennial licensing pe-
39 riod and the board may prorate the amount of the license fee from the date of
40 issuance of the license until the beginning date of the next applicable bien-
41 nial licensing period at the discretion of the board. A license issued by the
42 board shall expire unless renewed in the manner specified in this section.

43 (2) The nonrefundable biennial license fees shall be fixed by the
44 board, but shall not exceed the following amounts:

- 45 (a) Four hundred dollars (\$400) for a dentist with an active status;
46 (b) Two hundred dollars (\$200) for a dentist with an inactive status;
47 (c) Three hundred dollars (\$300) for a dental therapist with an active
48 status;

1 (d) One hundred fifty dollars (\$150) for a dental therapist with an in-
2 active status;

3 (e) Two hundred twenty dollars (\$220) for a dental hygienist with an ac-
4 tive status;

5 (f) One hundred twelve dollars (\$112) for a dental hygienist with an in-
6 active status; or

7 (g) Four hundred dollars (\$400) for a dentist with a specialist status.

8 (3) A license issued by the board shall be renewed as prescribed in this
9 section. Prior to the expiration of the effective period of a license, the
10 board shall provide notice of renewal to the licensee's address of record on
11 file with the board. To renew a dental license, each licensee shall submit a
12 properly completed renewal application and the appropriate biennial license
13 fee to the board prior to September 30 of every even-numbered calendar year.
14 To renew a dental hygiene license, each licensee shall submit a properly com-
15 pleted renewal application and the appropriate biennial license fee to the
16 board prior to March 31 of each odd-numbered calendar year. Each licensee
17 determined by the board as qualified for renewal of a license shall be issued
18 a license for the applicable biennial licensing period.

19 (4) Failure to timely submit a complete renewal application and li-
20 cense fee shall result in expiration of the license and termination of the
21 licensee's right to practice. Failure to submit a complete renewal applica-
22 tion, license fee and fifty dollar (\$50.00) late fee within thirty (30) days
23 of expiration of the license shall result in cancellation of the license.

24 (5) Any person who delivers a check or other payment to the board that is
25 returned to the board unpaid by the financial institution upon which it was
26 drawn shall pay to the board as an administrative cost, in addition to any
27 other amount owing, the amount of fifty dollars (\$50.00). Following notifi-
28 cation by the board of the returned check or other payment, the person shall
29 make payment of all moneys owing to the board by certified check or money or-
30 der within thirty (30) days of the date of notification. A failure to submit
31 the necessary remittance within the thirty (30) day period may result in the
32 expiration of a license or constitute grounds for the board to deny, cancel,
33 suspend or revoke a license.

34 (6) The board of dentistry may issue different classes of licenses as
35 defined in this subsection.

36 (a) The term "license with active status" means a license issued by the
37 board to a qualified person who is authorized to practice dentistry,
38 dental therapy, or dental hygiene in the state of Idaho.

39 (b) The term "license with an inactive status" means a license issued
40 by the board to a qualified person who is not authorized to be an ac-
41 tive practitioner of dentistry, dental therapy, or dental hygiene in
42 the state of Idaho. A person issued a license with an inactive status is
43 not entitled to practice dentistry, dental therapy, or dental hygiene
44 in the state of Idaho.

45 (c) The terms "license with special status" and "license with provi-
46 sional status" mean licenses issued by the board to a qualified person
47 on a provisional, conditional, restricted or limited basis under the
48 terms of which the licensee is authorized to practice dentistry, den-
49 tal therapy, or dental hygiene in the state of Idaho subject to condi-
50 tions, limitations and requirements imposed by the board. The condi-

1 tions, limitations and requirements imposed by the board may include,
2 but are not limited to, a limitation on the effective period of the li-
3 cense, a requirement that specific conditions must be fulfilled in or-
4 der for the license to remain effective, a requirement that specified
5 education, examinations and skills testing be successfully completed
6 during the effective period of the license, a restriction on the scope
7 of permissible services that the licensee is authorized to perform, a
8 restriction on the type of patients for whom treatment may be rendered
9 and a restriction on the locations at which the licensee can perform au-
10 thorized services.

11 (7) (a) The board may issue a license with active status to any quali-
12 fied applicant or qualified licensee who is authorized to practice den-
13 tistry, dental therapy, or dental hygiene in the state of Idaho. Re-
14 newal of a license with active status requires compliance with require-
15 ments specified in rule.

16 (b) The board may issue a license with inactive status to any qualified
17 applicant or qualified licensee who fulfilled the licensure require-
18 ments but does not practice in the state of Idaho. Renewal of a license
19 with inactive status requires compliance with requirements specified
20 in rule.

21 (c) The board may issue a license with provisional status or special
22 status to any person who fulfills, or substantially fulfills, the
23 applicable licensure requirements when the board, acting in its dis-
24 cretion, determined that special circumstances existed which, for the
25 protection of the public health, safety and welfare, required that
26 specific conditions, restrictions or limitations be imposed on the li-
27 cense. A license with special status or provisional status entitles
28 the holder thereof to practice dentistry, dental therapy, or dental
29 hygiene in the state of Idaho subject to the conditions, restrictions
30 and limitations specifically determined by the board and for the period
31 of time prescribed. A provisional license is effective for the period
32 specified by the board and may not be renewed. The board shall develop
33 rules to include definitions, application and renewal requirements,
34 limitations of practice and other conditions regarding provisional and
35 special status licenses.

36 (d) The board may convert a license with inactive status to a li-
37 cense with active status in the event the holder pays the license fee
38 prescribed for licenses with active status and submits to the board sat-
39 isfactory evidence of:

40 (i) Compliance with the requirements of this chapter and all
41 rules promulgated under the provisions of this chapter;

42 (ii) Good ~~moral character and good~~ professional conduct; and

43 (iii) Completion of accumulated continuing education as required
44 of a license with uninterrupted active status.

45 (e) Persons unable to otherwise fully meet the requirements for conver-
46 sion of an inactive status license to an active status license must ap-
47 ply as a first-time applicant.

48 (8) Each person licensed under this chapter shall notify the board in
49 writing of any change in the person's name or address of record within thirty
50 (30) days after the change has taken place.

1 SECTION 12. That Section 54-1112, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-1112. REQUIREMENTS FOR RESIDENT TRAINEE LICENSE. The board shall
4 issue to any person a resident trainee license to practice as a resident
5 trainee and perform services at a particular establishment under the per-
6 sonal supervision of a specified licensed mortician within the state of
7 Idaho who has complied with and fulfilled all of the following requirements:

8 (1) Has attained the age of eighteen (18) years, and is a resident of the
9 state of Idaho.

10 (2) ~~Is of good moral character~~ Has not been convicted, found guilty,
11 or received a withheld judgment or a suspended sentence in this state or in
12 any other state of a crime that is deemed relevant in accordance with section
13 67-9411(1), Idaho Code.

14 (3) Has graduated from an accredited high school or has received an
15 equivalent education as determined by the standards set and established by
16 the state board of education.

17 (4) Has filed an application with the board as required by this chap-
18 ter and paid the required filing fee. Provided further, that the board shall
19 make the determination of qualifications of all applicants within a reason-
20 able time after the filing of an application with the board. Provided fur-
21 ther, no person shall be eligible to be licensed as a resident trainee for
22 a total cumulative period of more than three (3) years in the state of Idaho
23 unless approved by the board for good cause. The three (3) year limitation
24 includes all time practicing as a resident trainee or apprentice for a mort-
25ician license, funeral director license, or both.

26 SECTION 13. That Section 54-1520, Idaho Code, be, and the same is hereby
27 amended to read as follows:

28 54-1520. LICENSE -- QUALIFICATIONS OF APPLICANTS -- ISSUANCE. (1) Ev-
29 ery applicant for a license to practice optometry shall:

30 (a) ~~Be a person of good moral character~~ Not have been convicted, found
31 guilty, or received a withheld judgment or suspended sentence in this
32 state or in any other state of a crime that is deemed relevant in accor-
33 dance with section 67-9411(1), Idaho Code;

34 (b) Be more than twenty-one (21) years of age;

35 (c) Present certified evidence of graduation from an accredited col-
36 lege or university of optometry that meets the requirements in rules of
37 the board;

38 (d) Pass an examination as provided in rules of the board; and

39 (e) Be certified to use therapeutic pharmaceutical agents as provided
40 in section 54-1501(3), Idaho Code, and in rules of the board.

41 (2) An applicant meeting the qualifications required in this chapter
42 shall be issued a license to practice optometry in this state.

43 SECTION 14. That Section 54-1605, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 54-1605. QUALIFICATIONS FOR EXAMINATION FOR LICENSE. (1) The board
46 shall admit to examination for licensure as a nursing home administrator any

1 candidate who pays a fee as determined by the board, ~~submits evidence of good~~
 2 ~~moral character and suitability prescribed by the board~~ has not been con-
 3 victed, found guilty, or received a withheld judgment or suspended sentence
 4 in this state or in any other state of a crime deemed relevant in accordance
 5 with section 67-9411(1), Idaho Code, and is at least eighteen (18) years old
 6 except that no applicant for license as a nursing home administrator shall be
 7 admitted to such licensing examination nor shall such applicant be entitled
 8 to or be granted a license as a nursing home administrator unless such appli-
 9 cant shall submit written evidence, on forms provided for such purpose by the
 10 board, that he has successfully completed a course of study for a baccalaure-
 11 ate degree and has been awarded such degree from an accredited institution
 12 of higher learning or its equivalent as provided in subsection (3) of this
 13 section.

14 (2) Additionally, the applicant shall have completed an administrator-
 15 in-training program as described in section 54-1610, Idaho Code.

16 (3) A candidate who applies for examination under and pursuant to sub-
 17 section (1) of this section, in lieu of the educational requirements pro-
 18 vided for therein, may submit evidence satisfactory to the board that such
 19 applicant has obtained two (2) years of satisfactory practical experience
 20 in management in a health care facility for each year of required post-high
 21 school education.

22 SECTION 15. That Section 54-1803, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-1803. DEFINITIONS. As used in this chapter:

25 (1) "Practice of medicine" means:

26 (a) The investigation, diagnosis, treatment, correction, or preven-
 27 tion of or prescription for any human disease, ailment, injury, infir-
 28 mity, deformity or other condition, physical or mental, by any means
 29 or instrumentality that involves the application of principles or tech-
 30 niques of medical science; or

31 (b) Offering, undertaking, or holding oneself out as able to do any of
 32 the acts described in paragraph (a) of this subsection.

33 (2) "Board" means the state board of medicine.

34 (3) "Physician" means any person who holds a license to practice
 35 medicine and surgery, osteopathic medicine and surgery, or osteopathic
 36 medicine, provided further, that others authorized by law to practice any of
 37 the healing arts shall not be considered physicians for the purposes of this
 38 chapter.

39 (4) "Supervising physician" and "alternate supervising physician"
 40 mean a physician who is registered with the board as set forth in board rule
 41 and who is responsible for the direction and supervision of the activities of
 42 and patient services provided by a physician assistant or graduate physician
 43 assistant.

44 (5) "License to practice medicine " means a license issued by the board
 45 to a person who has graduated from an acceptable school of medicine and who
 46 has fulfilled the licensing requirements of this chapter.

47 (6) "License to practice osteopathic medicine " means a license issued
 48 by the board to a person who either graduated from an acceptable osteopathic
 49 school of medicine subsequent to January 1, 1963, or who has been licensed by

1 endorsement of a license to practice osteopathic medicine issued by another
2 state and who has fulfilled the licensing requirements of this chapter.

3 (7) "Acceptable school of medicine" means any school of medicine or
4 school of osteopathic medicine that meets the standards or requirements of a
5 national medical school accrediting organization acceptable to the board.

6 (8) "Intern" or "resident" means any person who has completed a course
7 of study at an acceptable school of medicine and who is enrolled in a post-
8 graduate medical training program.

9 (9) "Physician assistant" means any person who is a graduate of an ac-
10 ceptable physician assistant training program and who is qualified by spe-
11 cialized education, training, experience and ~~personal character~~ and who has
12 been licensed by the board to render patient services under the direction of
13 a supervising and alternate supervising physician.

14 (10) "Graduate physician assistant" means a person who is a graduate of
15 an approved program for the education and training of physician assistants
16 and who meets all of the requirements in this chapter for licensure, but who:

17 (a) Has not yet taken and passed the certification examination and who
18 has been authorized by the board to render patient services under the
19 direction of a supervising physician for a period of six (6) months; or

20 (b) Has passed the certification examination but who has not yet ob-
21 tained a college baccalaureate degree and who has been authorized by the
22 board to render patient services under the direction of a supervising
23 physician for a period of not more than five (5) years.

24 SECTION 16. That Section 54-1806A, Idaho Code, be, and the same is
25 hereby amended to read as follows:

26 54-1806A. MEDICAL DISCIPLINARY ENFORCEMENT. The board of medicine
27 shall create a committee on professional discipline which shall have the
28 authority under the direct supervision and control of the board to conduct
29 professional disciplinary enforcement investigations under this chapter
30 and particularly under sections 54-1810 and 54-1814, Idaho Code, and to rec-
31 ommend appropriate action to the board with respect thereto. The committee
32 on professional discipline shall have no authority to impose sanctions or
33 limitations or conditions on licenses issued under this chapter and shall be
34 authorized only to make recommendations to the board with respect thereto.
35 The board shall provide as follows respecting the committee on professional
36 discipline:

37 (1) Membership. The committee shall consist of five (5) members ap-
38 pointed by the board: four (4) members licensed to practice medicine and
39 surgery in the state of Idaho, two (2) of whose terms shall expire at mid-
40 night on June 30 in each of two (2) successive years, and one (1) member who is
41 an adult Idaho citizen of good ~~character~~ and reputation who shall not be li-
42 censed to practice medicine in the state of Idaho, whose term shall expire at
43 midnight on June 30 in the year in which no physician member's term shall ex-
44 pire. All terms of appointment shall be for three (3) years. No member of the
45 committee on professional discipline may be appointed to serve more than two
46 (2) terms.

47 (2) Chairman. The board of medicine shall designate one (1) member of
48 the committee as its chairman who shall serve and function in that capacity
49 for one (1) year or until a successor is duly appointed, whichever is later.

1 (3) Quorum. Three (3) members shall constitute a quorum.

2 (4) Compensation. Members of the committee shall be compensated as
3 provided by section 59-509(p), Idaho Code, from the state board of medicine
4 fund for expenses incurred in the course of serving on the committee.

5 (5) Conflicts and Disqualification. Members shall disqualify them-
6 selves and, on motion of any interested party may, on proper showing, be
7 disqualified in any proceeding concerning which they have an actual conflict
8 of interest or bias which interferes with their fair and impartial service.

9 (6) Powers of the Committee on Professional Discipline. The committee
10 shall be empowered and authorized:

11 (a) To investigate or inquire into misconduct or unprofessional be-
12 havior and to recommend that the board take such action with respect
13 thereto as it deems best in the interest of the public and justice, and
14 to obtain the assistance of staff and legal counsel hired by the board of
15 medicine to administer, process and assist in its work.

16 (b) To recommend that the board initiate, for good cause, proceedings
17 under the disabled physicians and physician assistant act for any li-
18 censed physician or physician assistant incapacitated by illness, se-
19 nility, disability, or addiction to drugs, intoxicants or other chemi-
20 cal or like substances.

21 (c) To recommend that the board provide by order for reciprocal dis-
22 cipline in cases involving the discipline of a licensed physician or
23 physician assistant disciplined in any other jurisdiction, provided
24 that such licensee or applicant shall be entitled to appear and show
25 cause why such order should not apply in his or her case.

26 (7) Openness. All formal hearings under the board's direction and con-
27 trol shall be open to the public. Formal dispositions or other formal ac-
28 tions taken by the board under sections 54-1806 and 54-1806A, Idaho Code,
29 also shall be public. Proceedings, studies and investigations which do not
30 result in formal hearings, formal dispositions or other formal actions by
31 the board shall be conducted in private and shall remain confidential.

32 (8) Voluntary Restriction of Licensure. A physician may request in
33 writing to the board a restriction of his license to practice medicine and
34 the board is authorized to grant such request and, if it deems it appropriate
35 to do so, to attach conditions to the licensure of the physician to practice
36 medicine. The board is also authorized in such cases thereafter to waive
37 the commencement of proceedings under this act or other provisions of the
38 medical practice act if in the interest of justice it determines that such
39 voluntary restrictions have rendered the same unnecessary. Removal of a
40 voluntary restriction on or suspension of licensure to practice medicine
41 shall be subject to the procedures for reinstatement elsewhere in this act
42 or by rule of the board; provided also, such reinstatements may be subject to
43 further conditions specially imposed in the individual case as a condition
44 of the order entered therein.

45 (9) Adjudication of Discipline or Exoneration. The board shall make a
46 determination of the merits of all proceedings, studies and investigations
47 and, if grounds therefor are found to exist, may issue its order:

48 (a) Revoking the respondent physician's or physician assistant's li-
49 cense to practice medicine;

1 (b) Suspending or restricting the respondent physician's or physician
2 assistant's license to practice medicine;

3 (c) Imposing conditions or probation upon the respondent physician or
4 physician assistant's license, including requiring rehabilitation or
5 remediation;

6 (d) Issuing a public reprimand;

7 (e) Imposing an administrative fine not to exceed ten thousand dollars
8 (\$10,000) for each count or offense; and/or

9 (f) Assessing costs and attorney's fees against the respondent physi-
10 cian for any investigation and/or administrative proceeding.

11 Every person subject to disciplinary proceedings shall be afforded an op-
12 portunity for hearing after reasonable notice, and all investigations,
13 proceedings, and hearings conducted pursuant to this act shall be conducted
14 in accordance with the administrative procedure act, chapter 52, title 67,
15 Idaho Code, and any rules adopted by the board pursuant thereto.

16 (10) Temporary Suspension or Restriction Pending Final Order. The
17 board may temporarily suspend or restrict the license of any physician or
18 physician assistant on its own motion or on verified petition of any per-
19 son, pending further or final order, without prior hearing, simultaneously
20 with or at any time after the institution of proceedings under this chap-
21 ter, if it finds, that the physician or physician assistant, for reasons set
22 forth by petition, affidavit, or other verified showing, or determined in
23 reliance upon other reliable proof, is causing great harm to the public or
24 to any patient or group of patients, or is imminently likely to cause such
25 harm, for which reason he or she and his or her license to practice medicine
26 should be immediately suspended or restricted or he or she should be spe-
27 cially controlled, suspended in or restricted from the practice of medicine.
28 Thereafter the physician or physician assistant may, for good cause, request
29 dissolution or amendment of any such temporary order by petition filed with
30 the board, which petition shall be set for prompt hearing before a designated
31 hearing officer, which officer shall forthwith hear said matter and report
32 to the board his report and recommendations. The board, consistent with due
33 process and the administrative procedure act, chapter 52, title 67, Idaho
34 Code, shall rule on such petition for dissolution or amendment with the least
35 amount of delay reasonably possible.

36 (11) Judicial Review. All final decisions by the board shall be subject
37 to judicial review pursuant to the administrative procedure act, chapter 52,
38 title 67, Idaho Code.

39 (12) Protected Action and Communication. There shall be no liability on
40 the part of and no action for damages against:

41 (a) Any member of the board, the committee on professional discipline
42 or the staff or officials thereof for any action undertaken or performed
43 within the scope of the functions of the board or the committee under
44 this chapter when acting in good faith and in the reasonable belief that
45 such action is warranted; or

46 (b) Any person providing information or testimony to the board, the
47 committee, or their staff or officials in good faith and in the reason-
48 able belief that such information is accurate.

49 SECTION 17. That Section 54-2210, Idaho Code, be, and the same is hereby
50 amended to read as follows:

1 54-2210. QUALIFICATIONS FOR LICENSURE. To be eligible for licensure
2 as a physical therapist or physical therapist assistant, a person must:

3 (1) ~~Be of good moral character~~ Not have been convicted, found guilty,
4 or received a withheld judgment or suspended sentence in this state or
5 in any other state of a crime deemed relevant in accordance with section
6 67-9411(1), Idaho Code; and

7 (2) Submit a completed written application to the board on forms fur-
8 nished by the board which shall require proof of graduation from a nationally
9 accredited school, with a curriculum acceptable to the board, for physical
10 therapists or physical therapist assistants, and have completed the appli-
11 cation process; and

12 (3) Have either passed to the satisfaction of the board, an examination
13 authorized by the board to determine his or her fitness to practice as a phys-
14 ical therapist or physical therapist assistant, or be entitled to and apply
15 for licensure by endorsement as provided for in section 54-2211, Idaho Code.

16 SECTION 18. That Section 54-2212, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 54-2212. QUALIFICATIONS FOR LICENSURE OF FOREIGN-EDUCATED PHYSICAL
19 THERAPISTS. (1) An applicant for licensure as a physical therapist or phys-
20 ical therapist assistant who has been educated outside of the United States
21 shall:

22 (a) ~~Be of good moral character~~ Not have been convicted, found guilty,
23 or received a withheld judgment or suspended sentence in this state or
24 in any other state of a crime deemed relevant in accordance with section
25 67-9411(1), Idaho Code;

26 (b) Submit a completed written application to the board on forms fur-
27 nished by the board which shall require proof of graduation from a
28 school for physical therapists or physical therapist assistants with a
29 curriculum acceptable to the board;

30 (c) Have his or her education credentials evaluated by a board approved
31 credential evaluation agency and provide satisfactory evidence that
32 his or her education is substantially equivalent to the requirements
33 of physical therapists or physical therapist assistants educated in
34 accredited educational programs as determined by the board. If the
35 board determines that a foreign-educated applicant's education is not
36 substantially equivalent, it may require successful completion of ad-
37 ditional coursework before proceeding with the application process;

38 (d) Provide written proof that the school of physical therapy educa-
39 tion is recognized by its own ministry of education and that such educa-
40 tion would qualify the person for a license to practice physical therapy
41 without limitation in that country;

42 (e) If the applicant has actually practiced as a physical therapist or
43 physical therapist assistant abroad, the applicant shall provide writ-
44 ten proof of authorization to practice as a physical therapist without
45 limitation in the country where the professional education occurred;

46 (f) Provide proof of legal authorization to reside and seek employment
47 in the United States or its territories;

1 (g) Provide proof of passing scores on standardized English profi-
2 ciency examinations as approved by the board if English is not the
3 applicant's native language; and

4 (h) Have successfully passed competency examinations authorized by the
5 board.

6 (2) Notwithstanding the provisions of this section, if the foreign-ed-
7 ucated physical therapist or physical therapist assistant applicant is a
8 graduate of a professional physical therapy education program accredited
9 by an agency approved by the board, requirements in subsections (1) (c) and
10 (1) (d) of this section shall be waived.

11 SECTION 19. That Section 54-2307, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 54-2307. QUALIFICATIONS FOR LICENSE -- APPLICANTS FOR WHOM AN EXAM-
14 INATION MAY BE REQUIRED. An applicant shall be qualified for a license to
15 practice psychology provided proof satisfactory to the board has been re-
16 ceived showing:

17 (1) ~~Acceptable moral character~~ That the applicant has not been con-
18 victed, found guilty, or received a withheld judgment or suspended sentence
19 in this state or in any other state of a crime deemed relevant in accordance
20 with section 67-9411(1), Idaho Code; and

21 (2) Either one of the following:

22 (a) Graduation from an accredited college or university with a doc-
23 toral degree in psychology and two (2) years of supervised experience
24 acceptable to the board, one (1) year of which may include a predoctoral
25 practicum or internship and one (1) of which must be postdoctoral; or

26 (b) Graduation from an accredited college or university with a doctoral
27 degree in a field related to psychology, provided experience and train-
28 ing are acceptable to the board; and

29 (3) Successful passage of an examination if such examination is re-
30 quired by the rules duly adopted by the board; and

31 (4) Receipt of a completed application accompanied by an application
32 fee as established by board rules not to exceed three hundred dollars (\$300),
33 and when an examination is required a processing fee of twenty-five dollars
34 (\$25.00) payable to the bureau of occupational licenses. The fee for any re-
35 quired examination or reexamination shall be submitted directly to the na-
36 tional examining entity. The application fee and the processing fee are not
37 refundable.

38 SECTION 20. That Section 54-2312, Idaho Code, be, and the same is hereby
39 amended to read as follows:

40 54-2312. QUALIFICATIONS FOR LICENSE -- ENDORSEMENT. The board may
41 recommend the granting of a license to any person who is licensed or certi-
42 fied by a regulatory board of psychologists in the United States or Canada
43 where such certification or licensure was based on a doctoral degree and who:

44 (1) Submits a complete application, including the application fee and
45 a license fee not to exceed three hundred dollars (\$300) as established by
46 board rule;

1 (2) ~~Is of good moral character~~ Has not been convicted, found guilty,
2 or received a withheld judgment or suspended sentence in this state or
3 in any other state of a crime deemed relevant in accordance with section
4 67-9411(1), Idaho Code;

5 (3) Has not had a certification or license revoked, suspended or other-
6 wise sanctioned; and

7 (4) Has certified under oath that they have reviewed and will abide by
8 the laws and rules governing the practice of psychology in Idaho and the code
9 of ethics of the American psychological association and either:

10 (a) Holds a current certificate of professional qualification in psy-
11 chology or holds a certificate of professional standing issued by a na-
12 tional credentialing entity approved by the board by rule; or

13 (b) Meets the requirements of section 54-2307(2), Idaho Code, and board
14 rules relating to endorsement and educational and credentialing re-
15 quirements for licensure.

16 SECTION 21. That Section 54-2312A, Idaho Code, be, and the same is
17 hereby amended to read as follows:

18 54-2312A. SENIOR PSYCHOLOGIST. The board may grant a license to any
19 person who submits a completed application, including the application fee
20 and a license fee not to exceed three hundred dollars (\$300) as established
21 by board rule, and who:

22 (1) ~~Is of good moral character~~ Has not been convicted, found guilty,
23 or received a withheld judgment or suspended sentence in this state or
24 in any other state of a crime deemed relevant in accordance with section
25 67-9411(1), Idaho Code;

26 (2) Has maintained a valid psychology license based on a doctoral de-
27 gree in the United States or Canada for a period of not less than twenty (20)
28 years;

29 (3) Has a documented record of psychology practice for five (5) of the
30 last seven (7) years immediately prior to the date of application;

31 (4) Has a documented record of meeting the continuing education re-
32 quirement of the jurisdiction where they practiced for not less than five (5)
33 calendar years immediately prior to the date of application;

34 (5) Has not been the subject of any disciplinary action within the last
35 seven (7) years prior to application or has never voluntarily surrendered a
36 license to practice psychology in any jurisdiction; and

37 (6) Has certified under oath that he has reviewed and will abide by the
38 laws and rules governing the practice of psychology in Idaho and the code of
39 ethics of the American psychological association.

40 SECTION 22. That Section 54-2409, Idaho Code, be, and the same is hereby
41 amended to read as follows:

42 54-2409. APPLICATION FORM -- LICENSE CATEGORIES -- QUALIFICATIONS FOR
43 REGISTRATION AND LICENSE. (1) The board shall approve an application form
44 for the use of applicants. Each applicant shall submit an original appli-
45 cation to the board and provide information and documentation as the board
46 may require including, but not limited to, information relating to the ed-
47 ucation and experience of the applicant. The board shall accept for review

1 the complete application of any person whose application, accompanied by the
 2 necessary documentation and fees, is submitted. The board shall carefully
 3 evaluate each application, and shall approve the registration and issuance
 4 of a license to any applicant ~~of good moral character~~ who has not been con-
 5 victed, found guilty, or received a withheld judgment or suspended sentence
 6 in this state or in any other state of a crime deemed relevant in accordance
 7 with section 67-9411(1), Idaho Code, and who has met the education, expe-
 8 rience and examination requirements set forth in this chapter and the rules
 9 adopted pursuant to the provisions of this chapter. If the board finds upon
 10 the basis of evidence submitted, and in accordance with the provisions of
 11 this chapter, that the applicant does not meet the requirements, the appli-
 12 cation shall be denied and any fees submitted shall not be refunded.

13 (2) The board shall issue licenses in the following categories:

14 (a) Drinking water distribution operator and drinking water treatment
 15 operator classes;

16 (b) Wastewater treatment operator, wastewater collection system oper-
 17 ator, and wastewater laboratory analyst classes;

18 (c) Backflow assembly tester.

19 (3) Each applicant for licensure as a water system operator or wastewa-
 20 ter system operator shall submit to the board a complete application with the
 21 required fee and provide documentation of having met the following require-
 22 ments prior to being considered for a license:

23 (a) Be a lawful resident of the United States;

24 (b) Possess a high school diploma, GED, or the equivalent;

25 (c) Document additional education as outlined by rule;

26 (d) Document such experience as is required by rule;

27 (e) Successful completion of and a passing grade on the required exami-
 28 nation; and

29 (f) Other such requirements as may be determined by board rule.

30 SECTION 23. That Section 54-2916, Idaho Code, be, and the same is hereby
 31 amended to read as follows:

32 54-2916. QUALIFICATIONS FOR LICENSURE -- HEARING AID DEALER AND FIT-
 33 TER. To be eligible for licensure as a hearing aid dealer and fitter, the ap-
 34 plicant shall:

35 (1) Provide verification acceptable to the board of:

36 (a) Being at least twenty-one (21) years of age;

37 (b) ~~Good moral character and temperate habits;~~

38 ~~(c) Never having had a license revoked or otherwise sanctioned as part~~
 39 ~~of disciplinary action from this or any other state;~~

40 ~~(d) Never having been convicted, found guilty, or received a withheld~~
 41 ~~judgment for any felony or suspended sentence in this state or in any~~
 42 ~~other state of a crime that is deemed relevant in accordance with sec-~~
 43 ~~tion 67-9411(1), Idaho Code; and~~

44 ~~(e)~~ (ed) Never having been found by the board to have engaged in conduct
 45 prohibited by this chapter, provided however, the board may take into
 46 consideration the rehabilitation of the applicant and other mitigating
 47 circumstances when considering applications for licensure;

1 (2) Provide educational documentation satisfactory to the board that
 2 the applicant has successfully graduated from a four (4) year course at an
 3 accredited high school or the equivalent; and

4 (3) Provide documentation that the applicant has successfully passed
 5 an examination approved by the board.

6 SECTION 24. That Section 54-2916A, Idaho Code, be, and the same is
 7 hereby amended to read as follows:

8 54-2916A. QUALIFICATIONS FOR LICENSURE -- SIGN LANGUAGE INTER-
 9 PRETER. To be eligible for licensure as a sign language interpreter, the
 10 applicant shall:

11 (1) File a written application with the board on forms prescribed and
 12 furnished by the board. A nonrefundable application fee shall accompany the
 13 completed written application. Such fees shall be established by the admin-
 14 istrative rules of the board and shall be in such amounts as are reasonable
 15 and necessary for the proper execution and enforcement of this chapter;

16 (2) Provide verification acceptable to the board of the following:

17 (a) ~~Good moral character;~~

18 ~~(b)~~ Never having had a license or certification revoked or otherwise
 19 sanctioned as part of disciplinary action from this or any other state;

20 (eb) Never having been convicted of, found guilty of, or received a
 21 withheld judgment or a suspended sentence in this state or in any other
 22 state for any crime that is deemed relevant in accordance with section
 23 67-9411 (1), Idaho Code; and

24 (dc) Never having been found by the board to have engaged in conduct
 25 prohibited by this chapter.

26 The board may take into consideration the rehabilitation of the applicant
 27 and other mitigating circumstances when considering applications for licen-
 28 sure.

29 (3) Provide evidence satisfactory to the board of having successfully
 30 passed a nationally recognized competency examination approved by the board
 31 or achieved certification defined by board rule;

32 (4) Provide educational documentation satisfactory to the board that
 33 the applicant has successfully graduated from a four (4) year course at an
 34 accredited high school or the equivalent; and

35 (5) Provide documentation that the applicant has successfully passed
 36 an examination approved by the board.

37 SECTION 25. That Section 54-3108, Idaho Code, be, and the same is hereby
 38 amended to read as follows:

39 54-3108. QUALIFICATIONS -- REQUIRED EXAMINATION -- RENEWAL OF CER-
 40 TIFICATES. (1) Applicants for certification must take and pass the Idaho
 41 certified shorthand reporter examination. Alternatively, applicants for
 42 certification must provide proof, satisfactory to the board, of having
 43 passed one (1) of the following examinations within the two (2) years prior
 44 to the date of the application:

45 (a) The registered professional reporter (RPR) examination;

46 (b) The registered merit reporter (RMR) examination;

47 (c) The registered diplomate reporter (RDR) examination;

1 (d) The certified realtime reporter (CRR) examination; or

2 (e) The certified realtime captioner (CRC) examination.

3 (2) Any applicant who is a lawful resident of the United States ~~of good~~
4 ~~moral character, having,~~ who has not been convicted, found guilty, or re-
5 ceived a withheld judgment or a suspended sentence in this state or in any
6 other state of a crime that is deemed relevant in accordance with section
7 67-9411(1), Idaho Code, and who has graduated from an accredited high school
8 ~~or having had~~ has an equivalent education, shall be entitled to receive a
9 certificate as a certified shorthand reporter upon payment of the fees re-
10 quired by this chapter. All applications shall be in such form as prescribed
11 by the board and filed with the board at least thirty (30) days prior to the
12 announced date of the reporter examination. The board in its discretion may
13 make such additional investigation and inquiry, or require additional in-
14 formation from the applicant, as it shall deem necessary in determining the
15 qualifications of the applicant. The board shall thereupon notify the ap-
16 plicant as to whether their application to take the reporter examination is
17 accepted.

18 (3) All certified shorthand reporter certificates shall be issued for
19 a period of one (1) year and shall be renewable upon payment of a renewal
20 fee. The renewal and reinstatement of all certificates issued under the pro-
21 visions of this chapter shall be in accordance with section 67-2614, Idaho
22 Code.

23 SECTION 26. That Section 54-3109, Idaho Code, be, and the same is hereby
24 amended to read as follows:

25 54-3109. QUALIFICATIONS FOR TEMPORARY PERMIT -- RENEWAL. (1) A tempo-
26 rary certified shorthand reporter permit may be issued to an applicant who
27 pays the required fees and who:

28 (a) ~~Is of good moral character~~ Has not been convicted, found guilty, or
29 received a withheld judgment or a suspended sentence in this state or
30 in any other state of a crime that is deemed relevant in accordance with
31 section 67-9411(1), Idaho Code; and

32 (b) Has graduated from an accredited high school or has an equivalent
33 education; and

34 (i) Is currently licensed in good standing in another state as
35 a certified shorthand reporter, or its equivalent, or has other-
36 wise demonstrated proficiency by a certificate from an agency of
37 another state; or

38 (ii) Has graduated from a national court reporters association
39 (NCRA) approved school.

40 (2) The application shall be upon such forms as are prescribed by the
41 board and the board may in its discretion make additional investigation and
42 inquiry, or require further information from the applicant, as it shall deem
43 necessary in order to make a determination of the qualifications of the ap-
44 plicant.

45 (3) An individual shall only be issued one (1) temporary certified
46 shorthand reporter permit. The permit shall be valid for a period of one (1)
47 year and may be renewed for a single additional period of one (1) year upon
48 the payment of required fees and upon a showing of just cause.

1 SECTION 27. That Section 54-3109A, Idaho Code, be, and the same is
2 hereby amended to read as follows:

3 54-3109A. ENDORSEMENT -- CERTIFICATION. The board, upon application
4 and the payment of the required fee, may issue a shorthand reporter certifi-
5 cate by endorsement to a person who ~~is of good moral character~~ has not been
6 convicted, found guilty, or received a withheld judgment or a suspended sen-
7 tence in this state or in any other state of a crime that is deemed relevant
8 in accordance with section 67-9411(1), Idaho Code, who holds a shorthand re-
9 porter certificate of qualification or license issued to that person by the
10 proper authority of any state or territory of the United States, and who:

11 (1) Provides official documentation that the individual has passed
12 at any time one (1) of the examinations set forth in section 54-3108, Idaho
13 Code; and

14 (2) Provides documentation that the individual has continually worked
15 as a certified shorthand reporter for at least three (3) of the last five (5)
16 years immediately prior to application.

17 SECTION 28. That Section 54-3115, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 54-3115. REINSTATEMENT OF CERTIFICATION. A temporary permit or certi-
20 fied shorthand reporter certificate which has been revoked or suspended, may
21 be reinstated at the discretion of the board upon a finding that the grounds
22 for suspension or revocation no longer exist or that the reporter has made
23 adequate restitution for any damages caused by any misconduct and has demon-
24 strated ~~good moral character sufficient to indicate~~ that the misconduct will
25 not recur. An application for reinstatement shall be in such form as pre-
26 scribed by the board by rule, and shall be accompanied by an application fee
27 and a reinstatement fee. In the event the certificate was originally sus-
28 pended or revoked for incompetence, the applicant for reinstatement shall
29 also be required to take and pass the reporters examination and pay an exami-
30 nation fee.

31 SECTION 29. That Section 54-3206, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 54-3206. LICENSING -- QUALIFICATIONS. The board shall issue licenses
34 to qualified applicants who have passed an examination conducted or approved
35 by the board, ~~are of good moral character~~ have not been convicted, found
36 guilty, or received a withheld judgment or a suspended sentence in this state
37 or in any other state of a crime that is deemed relevant in accordance with
38 section 67-9411(1), Idaho Code, and meet one (1) of the following:

39 (1) For a clinical social worker license, possess a master's degree or
40 doctorate in social work and two (2) years of postgraduate supervised clini-
41 cal experience approved by the board;

42 (2) For a master social worker license, possess a master's degree or
43 doctorate in social work from a college or university approved by the board;
44 or

45 (3) For a bachelor social worker license, possess a baccalaureate de-
46 gree in social work from a college or university approved by the board.

1 SECTION 30. That Section 54-3405, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 54-3405. QUALIFICATIONS FOR LICENSURE. (1) Licensure as a "licensed
4 professional counselor" shall be restricted to persons ~~of good moral charac-~~
5 ~~ter~~ who have not been convicted, found guilty, or received a withheld judg-
6 ment or a suspended sentence in this state or in any other state of a crime
7 that is deemed relevant in accordance with section 67-9411(1), Idaho Code,
8 and who have successfully completed each of the following requirements:

9 (a) A master's degree or higher in counseling or a related field
10 of study, as approved by the board, which includes completion of a
11 practicum of supervised clinical contact as defined by rule;
12 (b) An examination if required by the board's rules; and
13 (c) One thousand (1,000) hours of supervised experience in counseling
14 acceptable to the board.

15 (2) A license will not be allowed an individual whose license, certi-
16 fication or registration has been revoked or suspended in this or any other
17 state and in this or any other related field. Such an individual may not be
18 licensed under this chapter unless the period of revocation or suspension
19 has been completed and the board has conducted a competency review and deter-
20 mined that an acceptable degree of rehabilitation has been accomplished.

21 SECTION 31. That Section 54-4009, Idaho Code, be, and the same is hereby
22 amended to read as follows:

23 54-4009. REQUIREMENTS FOR ISSUANCE OF LICENSE. Upon application to
24 the board and the payment of the required fees, an applicant may be licensed
25 as a massage therapist if the applicant meets all the requirements of this
26 chapter and provides documentation acceptable to the board that he or she:

27 (1) Has obtained a high school diploma or equivalent;
28 (2) Is eighteen (18) years of age or older;
29 (3) ~~Is of good moral character~~ Has not been convicted, found guilty,
30 or received a withheld judgment or a suspended sentence in this state or in
31 any other state of a crime that is deemed relevant in accordance with section
32 67-9411(1), Idaho Code;

33 (4) Has successfully completed a massage program registered pursuant
34 to chapter 24, title 33, Idaho Code, or a comparable authority in another
35 state that consists of the minimum of five hundred (500) in-class supervised
36 hours of coursework and clinic work; and

37 (5) Has successfully passed a nationally recognized competency exami-
38 nation in massage therapy that is approved by the board. The passage of this
39 exam may have occurred prior to the effective date of this chapter.

40 SECTION 32. That Section 54-4206, Idaho Code, be, and the same is hereby
41 amended to read as follows:

42 54-4206. QUALIFICATIONS FOR EXAMINATION FOR LICENSE. (1) The board
43 shall admit to the examination for licensure as a residential care facility
44 administrator any candidate who submits the required application, pays a
45 fee as determined by the board, ~~submits evidence of good moral character and~~
46 ~~suitability prescribed by the board~~ has not been convicted, found guilty,

1 or received a withheld judgment or a suspended sentence in this state or in
 2 any other state of a crime that is deemed relevant in accordance with section
 3 67-9411(1), Idaho Code, and is at least twenty-one (21) years old; and

4 (2) Each applicant shall submit evidence satisfactory to the board that
 5 he has successfully completed specialized courses or a program of study in
 6 the area of residential care facility administration as required and ap-
 7 proved by the rules of the board; and

8 (3) Each applicant shall meet one (1) of the following combinations of
 9 education and experience:

10 (a) A high school diploma or equivalent and eight hundred (800) hours of
 11 on-site experience in a residential care facility under the supervision
 12 of a licensed administrator;

13 (b) An associate degree from an accredited college or university or
 14 equivalent and four hundred (400) hours of on-site experience in a
 15 residential care facility under the supervision of a licensed adminis-
 16 trator; or

17 (c) A bachelor's degree from an accredited college or university and
 18 two hundred (200) hours of on-site experience in a residential care fa-
 19 cility under the supervision of a licensed administrator.

20 (4) A candidate who applies for examination under and pursuant to this
 21 section, but who does not otherwise meet the experience requirements pro-
 22 vided for in subsection (3) of this section, may submit evidence satisfac-
 23 tory to the board that such applicant has satisfactory practical experience
 24 obtained in an internship training program in residential care facility ad-
 25 ministration as approved by the board or in a medical or health care facility
 26 as approved by the board.

27 SECTION 33. That Section 54-5307, Idaho Code, be, and the same is hereby
 28 amended to read as follows:

29 54-5307. QUALIFICATIONS FOR A DEALER'S LICENSE. Except as herein oth-
 30 erwise provided, the following shall be considered minimum requirements for
 31 a dealer's license. All applicants shall:

32 (1) Provide verification acceptable to the board of:

33 (a) Being at least eighteen (18) years of age; and

34 (b) ~~Good moral character; and~~

35 ~~(c) Never having had a license revoked or otherwise sanctioned as part~~
 36 ~~of disciplinary action from this or any other state; and~~

37 ~~(d) Never having been convicted of, found guilty of, or received a~~
 38 ~~withheld judgment or suspended sentence in this state or in any other~~
 39 ~~state for any crime that is deemed relevant in accordance with section~~
 40 ~~67-9411(1), Idaho Code; and~~

41 ~~(e) Never having been found by the board to have engaged in conduct~~
 42 ~~prohibited by this chapter.~~

43 The board may take into consideration the rehabilitation of the applicant
 44 and other mitigating circumstances when considering applications for a li-
 45 cense.

46 (2) Provide documentation satisfactory to the board that the appli-
 47 cant has successfully completed a certified educational training program
 48 approved by the board.

1 (3) Provide documentation satisfactory to the board that the applicant
2 has successfully completed such experience as may be required by the board.

3 (4) Provide documentation that the applicant has successfully passed
4 an examination approved by the board.

5 (5) Prior to July 1, 2006, the board may deem other education, experi-
6 ence, or examinations equivalent to the licensing requirements set forth in
7 this chapter, provided that the board is satisfied, and the applicant pro-
8 vides documentation acceptable to the board that such applicant has:

9 (a) Documented experience in this state prior to July 1, 2005, in the
10 LPG industry; and

11 (b) Practiced for not less than five (5) years in the field for which
12 such applicant is applying for a license; and

13 (c) Applied for a license prior to July 1, 2006.

14 SECTION 34. An emergency existing therefor, which emergency is hereby
15 declared to exist, this act shall be in full force and effect on and after
16 July 1, 2022.