



Eric Milstead
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Senators PATRICK, Agenbroad, Ward-Engelking and,
Representatives DIXON, DeMordaunt, Smith

FROM: Matt Drake - Legislative Drafting Attorney

DATE: October 20, 2020

SUBJECT: Temporary Rule

IDAPA 24.20.01 - Rules of the Division of Occupational and Professional Licenses - Adoption of
Temporary Rule - Docket No. 24-2001-2002

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

Attachment: Temporary Rule

Kristin Ford, Manager
Research & Legislation

Paul Headlee, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.20.01 – RULES OF THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

DOCKET NO. 24-2001-2002

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 7, 2020.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 67-2609(13) and 67-2609(17), Idaho Code.

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

Certain licensing agencies within the Division of Occupational and Professional Licenses allow a licensee to renew a lapsed license or registration within five (5) years of the expiration date. This process is known as reinstatement and involves additional administrative cost. The additional cost is primarily the staff time to process an application for reinstatement, to ensure compliance with relevant licensing regulations such as continuing education. This fee will cover the added expense of administering renewals for expired licenses, so that the extra cost will be borne by the individual applicant, rather than all licensees.

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

Adoption of this temporary rule is necessary for the protection of public health, safety, and welfare. The continuity of the reinstatement fee is necessary for the Division to maintain reinstatement services. Agencies within the Division rely on the revenue from the reinstatement fee to offset the administrative cost incurred when processing an expired application, as well as ensure that the extra expenses are not subsidized by all licensees, but rather the particular licensee inducing the additional cost.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: for licensing agencies that do not have a reinstatement fee listed within their administrative rules, the reinstatement fee will be \$35.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Rob McQuade at (208) 334-3233.

Dated this 18th Day of September, 2020.

Russell Barron
Administrator
Division of Occupational and Professional Licenses
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-2001-2002
(Only Those Sections With Amendments Are Shown.)

202. FEES.

Unless otherwise specified in board law or rule, boards served by the Division may charge a reinstatement fee of thirty-five dollars (\$35). (8-7-20)T

2023. -- 999. (RESERVED)