

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 705

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO THE OCCUPATIONAL LICENSING REFORM ACT; AMENDING CHAPTER 94, TI-
2 TLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-9416, IDAHO CODE,
3 TO ESTABLISH PROVISIONS REGARDING UNIVERSAL OCCUPATIONAL LICENSURE
4 RENEWAL REFORM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
5 DATE.
6

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

8 SECTION 1. That Chapter 94, Title 67, Idaho Code, be, and the same is
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
10 ignated as Section 67-9416, Idaho Code, and to read as follows:

11 67-9416. UNIVERSAL OCCUPATIONAL LICENSURE RENEWAL REFORM. (1) A li-
12 censing authority shall establish procedures for the efficient renewal of
13 licenses to licensed professionals in good standing to practice in Idaho.
14 Such procedures shall include the following renewal conditions, if continu-
15 ing education is required by a licensing authority as a condition of licen-
16 sure renewal:

17 (a) The required number of annual hours of continuing education shall
18 not exceed the average annual hours of continuing education required of
19 the same licensed professionals in contiguous states; and

20 (b) Flexibility shall be provided to licensed professionals in terms of
21 the courses, providers, and formats that qualify for continuing educa-
22 tion credit.

23 (2) The provisions of subsection (1) of this section shall not apply if
24 the Idaho licensing authority reports evidence that compels a more stringent
25 requirement for Idaho-licensed professionals relative to the same licensed
26 professionals in other jurisdictions.

27 (3) Licensed professionals who reside outside the state of Idaho shall
28 not be required to comply with Idaho continuing education requirements if:

29 (a) The licensed professional's primary residence on file with the li-
30 censing authority is outside the state of Idaho;

31 (b) The licensed professional holds an equivalent license in their pri-
32 mary state of residence;

33 (c) The primary state of residence requires mandatory continuing edu-
34 cation for the same profession; and

35 (d) The licensed professional has met the mandatory continuing edu-
36 cation requirements of their primary state of residence and is able to
37 prove such continuing education compliance upon request of the licens-
38 ing authority.

39 (4) Notwithstanding the provisions of subsection (3) of this section,
40 any licensed professional residing outside the state of Idaho shall comply
41 with any continuing education requirement that provides for a licensee to
42 maintain familiarity with Idaho-specific practices or laws relevant to a li-

1 censee's profession, provided that such requirement is in effect before July
2 1, 2024.

3 (5) A licensing authority shall grant waivers or partial waivers for
4 continuing education requirements for such time that military service mem-
5 bers are serving on active duty.

6 (6) Licensing authorities may approve relevant education, training, or
7 service towards continuing education requirements.

8 (7) Licensing authorities shall seek education-based alternatives to
9 formal discipline for first time offenses related to continuing education
10 noncompliance, such as requiring two (2) continuing education hours for ev-
11 ery hour a licensed professional failed to complete continuing education.

12 (8) A licensing authority shall seek to minimize the burden of audits on
13 licensed professionals. Accordingly, a licensing authority shall seek in-
14 formation from continuing education providers and monitoring services, to
15 the extent that such information is available, before requesting such infor-
16 mation from a licensed professional. A licensing authority shall seek the
17 minimum information that is necessary to determine compliance.

18 (9) No provision in this section shall apply to a licensed profession
19 that has entered into a licensing compact under Idaho Code if the require-
20 ments of the licensing compact would conflict with such provision.

21 (10) A licensing authority shall review its administrative rules and
22 eliminate or modify any continuing education provisions in conflict with
23 this section.

24 (11) A licensing authority shall comply with the provisions of this sec-
25 tion no later than July 1, 2025.

26 SECTION 2. An emergency existing therefor, which emergency is hereby
27 declared to exist, this act shall be in full force and effect on and after
28 July 1, 2024.