

1 HOUSE BILL NO. 525

2 INTRODUCED BY J. MCNIVEN

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

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

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

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

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

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

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

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

27 (d) qualifications for licensure are justified;

28 (e) a public benefit is provided by licensure;

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

30 (g) public support exists for licensure.

