

Senate Bill 386

In The Senate

February 7, 1981	Introduced and referred to Committee on Business and Industry.
February 9, 1981	Fiscal note requested.
February 12, 1981	Fiscal note returned.
February 20, 1981	Committee recommend bill do pass.
February 21, 1981	Bill printed and placed on members' desks.
February 23, 1981	Second reading do pass as amended.
February 24, 1981	Correctly engrossed.
February 25, 1981	Third reading not passed.

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Senate BILL NO. *386*
Steve Brown **STEVE BROWN**

INTRODUCED BY _____
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT BOARDS ALLOCATED TO THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING HAVE THE AUTHORITY TO ESTABLISH CONTINUING EDUCATION PROGRAMS AND REQUIREMENTS TO INSURE MAINTENANCE OF PROFESSIONAL KNOWLEDGE AND COMPETENCY OF LICENSEES."

WHEREAS, during the course of its sunset audits, the Legislative Audit Committee noted that a number of professional and occupational licensing boards do not have the authority to establish continuing education programs or requirements; and

WHEREAS, continuing education is in the public interest to insure maintenance of professional knowledge and competency of licensees.

THEREFORE, it is the intent of this act to provide to all licensing boards in the department of professional and occupational licensing the authority to establish continuing education programs and requirements.

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

Section 1. Continuing education requirements by

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licensing boards. Each board allocated to the department of professional and occupational licensing may establish by rule continuing education programs and continuing education requirements. Compliance with continuing education requirements may be used as a condition of continued licensure. In adopting rules and individual orders regarding continuing education, such a board, in its discretion:

(1) may use or rely upon guidelines and pronouncements of recognized educational and professional associations;

(2) may prescribe the content, duration, and organization of courses;

(3) shall take into account the accessibility to applicants of such continuing education as it may require; and

(4) shall avoid any impediments to interstate practice that may result from differences in continuing education requirements in other states.

-End-

INTRODUCED BILL

-2- SB 386

STATE OF MONTANA

REQUEST NO. 327-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 9, 19 81, there is hereby submitted a Fiscal Note for Senate Bill 386 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

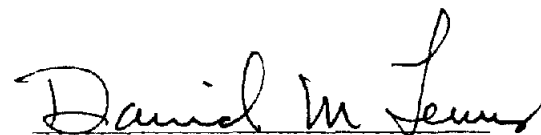
An act to provide that boards allocated to the Department of Professional and Occupational Licensing have the authority to establish continuing education programs and requirements to insure maintenance of professional knowledge and competency of licensees.

Assumptions

1. 24 of the boards currently have no continuing education requirement.
2. The cost of implementing a continuing education program could not be absorbed in these boards' current budgets. Therefore, boards interested in implementing such a program would have to seek a budget modification from the legislature.
3. The cost of continuing education programs would vary from board to board.
4. The cost of the continuing education programs will be paid from each board's earmarked account.

Fiscal Impact

It is not possible to estimate the fiscal impact since the number of boards that will implement a continuing education program, the cost of the program, and when it would begin is unknown.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-12-81

1 STATEMENT OF INTENT

2 SENATE BILL 386

3 Senate Business and Industry Committee
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5 A statement of intent is required for this bill in that
6 it delegates rulemaking authority to the various licensing
7 boards within the Department of Professional and
8 Occupational Licensing.

9 This bill grants the various licensing boards within
10 the Department of Professional and Occupational Licensing
11 the authority to establish continuing education programs and
12 requirements to insure maintenance of professional knowledge
13 and competency of licensees. It is the intent of the
14 Legislature that the continuing education programs have as
15 their primary objective the protection of the health,
16 safety, and welfare of the public, and that the programs
17 not serve primarily to limit entry into the profession or
18 occupation or to promote the personal interests of the
19 licensees.

Approved by Committee
on Business and Industry

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-End-

SECOND READING

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