

HOUSE BILL NO. 27

INTRODUCED BY SQUIRES  
BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE HOUSE

DECEMBER 23, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING.
JANUARY 4, 1993	FIRST READING.
JANUARY 16, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 18, 1993	PRINTING REPORT.
JANUARY 19, 1993	SECOND READING, DO PASS.
JANUARY 20, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 95; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 22, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.
	FIRST READING.
MARCH 9, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 10, 1993	SECOND READING, CONCURRED IN.
MARCH 11, 1993	THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 31, 1993	SECOND READING, AMENDMENTS CONCURRED IN.
APRIL 2, 1993	THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

HOUSE BILL NO. 27

INTRODUCED BY SQUIRES

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A UNIFORM  
DATE FOR RENEWING LICENSES TO PRACTICE RESPIRATORY CARE  
THERAPY; AMENDING SECTION 37-28-203, MCA; AND PROVIDING AN  
IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 37-28-203, MCA, is amended to read:

"37-28-203. Renewal of license -- application and fee.

(1) A respiratory care practitioner's license expires ~~1-year~~  
~~from-the-date-of-issuance~~ annually on May 1.

(2) A licensee may renew his a license by:

(a) filing an application with the board on a form  
approved by the board;

(b) paying a renewal fee in an amount established by  
the board; and

(c) ~~documenting that-he-has-completed~~ the completion of  
the continuing education requirements prescribed by the  
board.

(3) An application for renewal of a license made within  
90 days after expiration of the license is timely, and the  
rights and privileges of the applicant remain in effect

during that period."

**NEW SECTION. Section 2.** Saving clause. All licenses  
scheduled to expire between [the effective date of this act]  
and May 1, 1993, remain in effect until May 1, 1993.

**NEW SECTION. Section 3.** Transition. All licenses  
subject to renewal under [this act] must be renewed on May  
1, 1993. The amount of the renewal fee to be assessed each  
licensee must be prorated to correspond to the time period  
of licensure. A license scheduled to expire prior to May 1,  
1993, is valid until May 1, 1993.

**NEW SECTION. Section 4.** Effective date. [This act] is  
effective on passage and approval.

-End-

APPROVED BY COMM. ON  
HUMAN SERVICES AND AGING

HOUSE BILL NO. 27

INTRODUCED BY SQUIRES

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO LICENSING  
OF RESPIRATORY CARE PRACTITIONERS; ESTABLISHING A UNIFORM  
DATE FOR RENEWING LICENSES TO PRACTICE RESPIRATORY CARE  
THERAPY; PROVIDING QUALIFICATIONS FOR A TEMPORARY PERMIT;  
AMENDING ~~SECTION~~ SECTIONS 37-28-203 AND 37-28-206, MCA; AND  
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 37-28-203, MCA, is amended to read:

**"37-28-203. Renewal of license -- application and fee.**

(1) A respiratory care practitioner's license expires ~~1-year~~  
from-the-date-of-issuance annually on May 1.

(2) A licensee may renew ~~his~~ a license by:

(a) filing an application with the board on a form  
approved by the board;

(b) paying a renewal fee in an amount established by  
the board; and

(c) ~~documenting that he has completed~~ the completion of  
the continuing education requirements prescribed by the  
board.

(3) An application for renewal of a license made within

90 days after expiration of the license is timely, and the  
rights and privileges of the applicant remain in effect  
during that period."

**SECTION 2. SECTION 37-28-206, MCA, IS AMENDED TO READ:**

**"37-28-206. Temporary permit.** (1) The board may issue a  
temporary permit to practice respiratory care for a period  
of 1 year, pending receipt of an application for licensure  
and upon payment of a temporary permit fee in an amount  
established by the board. To receive the permit, the  
applicant shall demonstrate in writing, confirmed by oath,  
that ~~he~~ the applicant:

(a) has applied for licensure by reciprocity pursuant  
to 37-28-202(2). If the board considers the application and  
denies it, the temporary permit shall lapse.

(b) has taken the examination for licensure and is  
awaiting the results; or

(c) is a student respiratory care practitioner who  
expects to graduate within 30 calendar days of ~~his~~  
application for a license or is a student who has graduated  
within 6 months of application for a license.

(2) Upon expiration of the permit and payment of an  
additional fee in an amount established by the board, the  
board may issue a permit for an additional period not to  
exceed 1 year pending reexamination or compliance with the  
provisions of 37-28-202.

1       (3) An applicant who reapplies for a temporary permit  
2       after ~~he has abandoned~~ abandoning a previous application is  
3       not entitled to a permit."

4       NEW SECTION. **Section 3.** Saving clause. All licenses  
5       scheduled to expire between [the effective date of this act]  
6       and May 1, 1993, remain in effect until May 1, 1993.

7       NEW SECTION. **Section 4.** Transition. All licenses  
8       subject to renewal under [this act] must be renewed on May  
9       1, 1993. The amount of the renewal fee to be assessed each  
10      licensee must be prorated to correspond to the time period  
11      of licensure. A license scheduled to expire prior to May 1,  
12      1993, is valid until May 1, 1993.

13      NEW SECTION. **Section 5.** Effective date. [This act] is  
14      effective on passage and approval.

-End-

## HOUSE BILL NO. 27

INTRODUCED BY SQUIRES

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO LICENSING OF RESPIRATORY CARE PRACTITIONERS; ESTABLISHING A UNIFORM DATE FOR RENEWING LICENSES TO PRACTICE RESPIRATORY CARE THERAPY; PROVIDING QUALIFICATIONS FOR A TEMPORARY PERMIT; AMENDING SECTION SECTIONS 37-28-203 AND 37-28-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 37-28-203, MCA, is amended to read:**"37-28-203. Renewal of license -- application and fee.**

(1) A respiratory care practitioner's license expires ~~1-year~~ from-the-date-of-issuance annually on May 1.

(2) A licensee may renew ~~his~~ a license by:

(a) filing an application with the board on a form approved by the board;

(b) paying a renewal fee in an amount established by the board; and

(c) ~~documenting that he has completed~~ the completion of the continuing education requirements prescribed by the board.

(3) An application for renewal of a license made within

90 days after expiration of the license is timely, and the rights and privileges of the applicant remain in effect during that period."

**SECTION 2.** SECTION 37-28-206, MCA, IS AMENDED TO READ:

**"37-28-206. Temporary permit.** (1) The board may issue a temporary permit to practice respiratory care for a period of 1 year, pending receipt of an application for licensure and upon payment of a temporary permit fee in an amount established by the board. To receive the permit, the applicant shall demonstrate in writing, confirmed by oath, that he the applicant:

(a) has applied for licensure by reciprocity pursuant to 37-28-202(2). If the board considers the application and denies it, the temporary permit shall lapse.

(b) has taken the examination for licensure and is awaiting the results; or

(c) is a student respiratory care practitioner who expects to graduate within 30 calendar days of his application for a license or is a student who has graduated within 6 months of application for a license.

(2) Upon expiration of the permit and payment of an additional fee in an amount established by the board, the board may issue a permit for an additional period not to exceed 1 year pending reexamination or compliance with the provisions of 37-28-202.

1       (3) An applicant who reapplies for a temporary permit  
2       after he-has-abandoned abandoning a previous application is  
3       not entitled to a permit."

4       NEW SECTION. Section 3. Saving clause. All licenses  
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12      1993, is valid until May 1, 1993.

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14      effective on passage and approval.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 9, 1993

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 27 (first reading copy -- white), respectfully report that House Bill No. 27 be amended as follows and as so amended be concurred in.

Signed: *Dorothy Eck*  
Senator Dorothy Eck, Chair

That such amendments read:

1. Page 2, line 19.

Following: "or"

Strike: "is a student who has graduated"

Insert: "who applies for a license"

2. Page 2, line 20.

Following: "months"

Strike: "of application for a license"

Insert: "after the person has graduated"

-END-

M Amd. Coord.  
rv Sec. of Senate

Sen. Franklin  
Senator Carrying Bill

HB 27  
SENATE  
531046SC.Sma



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(a) has applied for licensure by reciprocity pursuant to 37-28-202(2). If the board considers the application and denies it, the temporary permit shall lapse.

(b) has taken the examination for licensure and is awaiting the results; or

(c) is a student respiratory care practitioner who expects to graduate within 30 calendar days of his application for a license or is-a-student-who-has--graduated WHO APPLIES FOR A LICENSE within 6 months of-application-for a-license AFTER THE PERSON HAS GRADUATED.

(2) Upon expiration of the permit and payment of an additional fee in an amount established by the board, the board may issue a permit for an additional period not to exceed 1 year pending reexamination or compliance with the

1 provisions of 37-28-202.

2 (3) An applicant who reapplies for a temporary permit  
3 after he-has-abandoned abandoning a previous application is  
4 not entitled to a permit."

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12 of licensure. A license scheduled to expire prior to May 1,  
13 1993, is valid until May 1, 1993.

14 NEW SECTION. **Section 5.** Effective date. [This act] is  
15 effective on passage and approval.

-End-