

# PROFESSIONAL & OCCUPATIONAL LICENSING REPORT

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FISCAL YEARS 2018-2019



Montana Department of  
**LABOR & INDUSTRY**



The Honorable Steve Bullock  
Governor of Montana  
State Capitol  
Helena MT 59620

Dear Governor Bullock:

Pursuant to Sections 37-1-106 MCA, the Department of Labor and Industry, in cooperation with each professional and occupational licensing board and program, respectfully submits this biennial report for the fiscal periods of July 1, 2017 to June 30, 2019.

The report contains a general description of the Professional Licensing Bureau and the accomplishments of the boards and programs during the last biennium. The report also includes a breakdown of revenue and expenditures, legislation, court actions, and statistical reports of the boards' activities. Finally, the report lists statistics regarding the number of complaints on licensees received and reviewed by each board.

The Department of Labor & Industry is committed to working with the boards and programs, ensuring the health, safety, and welfare of the citizens of Montana. During this time, we performed work for 37 individual legislatively mandated boards and programs affecting all Montanans and continue to contribute positively to the State's workforce development and business community.

Respectfully submitted,

Todd Younkin, Administrator  
Business Standards Division  
Department of Labor & Industry



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# PROFESSIONAL LICENSING

Title 2, Ch. 15, part 17, MCA, Establishes the Department of Labor and Industry and professional boards.

Title 37, 23, 39, 50, MCA, Governs the boards/programs attached to the department.

## DIVISION DESCRIPTION

The Business Standards Division is one of six divisions in the Department of Labor & Industry. It is currently organized into two bureaus, one of which is dedicated to administering licensing and compliance activities for the boards and programs.

The various units of the Professional Licensing Bureau provide all licensing and renewal functions for the boards and programs.

- The Processing Unit administers all licensing application analysis and renewal processes.
- The Audit Section conducts random audits related to board and program requirements, such as continuing education, maintenance of annual certifications of licensees, and internal compliance audits of division policies and procedures.
- The Board Support Unit provides professional and administrative support to all boards and programs by preparing agendas, facilitating meetings of the boards, providing information to the public, and other administrative and financial responsibilities.
- The Analysis, Inspection, & Investigation Sections of the Compliance Unit provide technical and administrative support to all boards and programs regarding misconduct, practice complaints, inspections, and investigations.

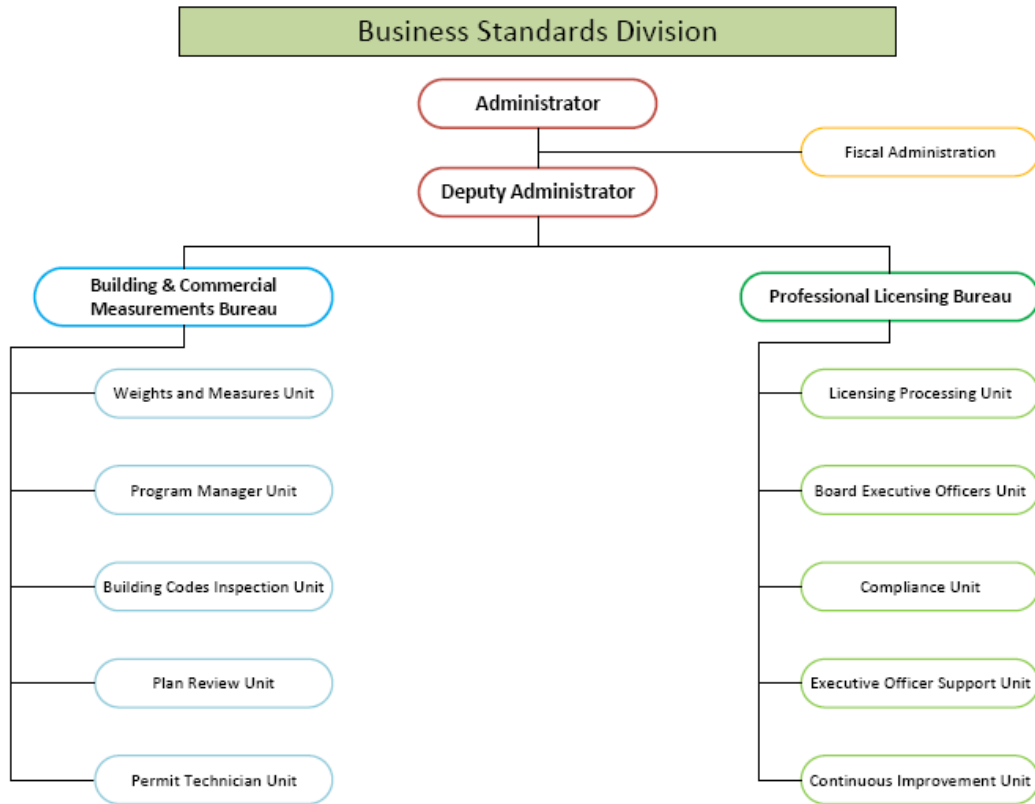
## DIVISION OBJECTIVE

The primary objective of the Professional Licensing Bureau is to facilitate the boards' processes by providing professional, technical, and administrative services. In addition, division staff provides standardized, streamlined, and efficient processes for all boards and programs. This enables boards to carry out their policy-making duties and responsibilities to safeguard the public health, safety, and welfare of the citizens of the State of Montana while ensuring the public is provided an opportunity to observe and participate in their deliberations.

The bureau works closely with the department's legal unit. Together they ensure licensees are complying with laws by investigating allegations made against licensees, preparing administrative rule modifications, and explaining statutory requirements.



# ORGANIZATIONAL CHART





# BOARD OF ALTERNATIVE HEALTH CARE

[althealth.mt.gov](http://althealth.mt.gov) | [dlibsdohc@mt.gov](mailto:dlibsdohc@mt.gov)

The Board of Alternative Health Care currently serves 140 licensees for protecting the health, safety, and welfare of the citizens of Montana. The Board revised their licensing rules for Direct-Entry Midwife Apprentices to follow the national accredited program for education and pre-licensure requirements rather than requiring a separate Montana-specific program. The Board continues to review and revise existing rules to streamline licensure and align with departmental standards.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	97	\$78,852	\$69,222
FY 19	0	87	\$78,638	\$64,924

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	12	12	132	96%	92%
FY 19	11	12	132	96%	75%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	5	0	1	4	1	0
FY 19	1	0	0	1	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:** There have been no substantive changes to the board's operations.



# BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

[architect.mt.gov](http://architect.mt.gov) | [dlibs@arc.mt.gov](mailto:dlibs@arc.mt.gov)

The Board of Architects and Landscape Architects serves 1,732 licensees for protecting the health, safety, and welfare of the citizens of Montana. The Board's emphasis is the need to have Architects and Landscape Architects that meet minimum safety and qualification standards and that the practice of architecture is a privilege granted by legislative authority and is not a natural right of individuals. It is necessary, as a matter of such policy and in the interests of the health, safety, and welfare of the people of Montana, to provide laws covering the granting of that privilege and its subsequent use, control, and regulation for the purpose of protecting the public from the unprofessional, improper, unauthorized, and unqualified practice of architecture. The Board's goals include streamlining of licensure and continuing education requirements, expansion of reciprocity agreements with other states and or countries, and additional protection against unlicensed practice.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	119	\$144,903	\$131,344
FY 19	0	105	\$147,173	\$107,844

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	127	150	1,533	96%	83%
FY 19	143	148	1,630	98%	89%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	3	0	4	2	1	0
FY 19	5	0	5	5	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The board adopted new rule amendments to clarify, add consistency, and update licensing requirements as a result of the biennial rule review.



# BOARD OF ATHLETIC TRAINERS

[athletictrainer.mt.gov](http://athletictrainer.mt.gov) | [dlibsdatr@mt.gov](mailto:dlibsdatr@mt.gov)

The Board of Athletic Trainers currently serves 179 licensees for protecting the health, safety, and welfare of the citizens of Montana. The board continues to streamline its regulations to align with departmental and national standards. In doing so, the board has lessened the burden on its applicants and licensees while ensuring the public's protection.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	15	\$28,325	\$15,481
FY 19	0	1	\$5,180	\$21,521

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	0	24	135	98%	79%
FY 19	23	21	144	99%	86%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	0	0	0	0	0	0
FY 19	1	0	0	1	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:** There have been no substantive changes to the board's operations.





# BOARD OF BEHAVIORAL HEALTH

[bbh.mt.gov](http://bbh.mt.gov) | [dlibsdbbh@mt.gov](mailto:dlibsdbbh@mt.gov)

The Board of Behavioral Health currently serves 8,468 licensees. The mission of the Board of Behavioral Health is to protect the health, safety, and well-being of Montana citizens through the regulation and oversight of licensed clinical professional counselors, licensed social workers, licensed marriage and family therapists, licensed addiction counselors, and certified behavioral health peer support specialists. To that end, the board continues to review its regulations to promote process standardization and efficiency for all license types. Additionally, the board continues to review its regulations to address license portability across jurisdictions while maintaining regulations and processes that protect the health and safety of the public utilizing those behavioral health services in Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	1,296	\$689,368	\$586,400
FY 19	0	1,155	\$746,499	\$583,108

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	1,368	1,298	3,542	90%	16%
FY 19	1,758	1,680	3,770	93%	17%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	62	0	5	44	12	5
FY 19	49	1	4	34	14	1



# BOARD OF BEHAVIORAL HEALTH

[bbh.mt.gov](http://bbh.mt.gov) | [dlibsdbbh@mt.gov](mailto:dlibsdbbh@mt.gov)

## 2019 Legislative Bills:

- HB 626: Created four new types of social worker licenses: licensed master's social workers (LMSW), LMSW candidates, licensed baccalaureate social workers (LBSW), and LBSW candidates. These licenses are in addition to the existing social worker licenses for licensed clinical social worker (LCSW) and LCSW candidate.

## Court Cases: None

## Changes to Board:

- The board had slightly higher revenues in FY19 as this was the first year the board began issuing licenses for certified behavioral health peer support specialists. The Legislature enacted the new license type during the 2017 Session and the board completed rulemaking in FY19.



# BOARD OF CHIROPRACTORS

[chiropractor.mt.gov](http://chiropractor.mt.gov) | [dlibsdchi@mt.gov](mailto:dlibsdchi@mt.gov)

The Board of Chiropractors currently serves 467 licensees for purpose of protecting the health, safety, and welfare of the citizens of Montana. The board continues to review potential new modalities which have become recognized procedures in the scope of chiropractic. Rather than impose new and costly regulations on an already licensed professional, the board's approach has been right touch regulation.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	49	\$105,905	\$85,068
FY 19	0	12	\$105,140	\$71,294

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	26	32	474	91%	63%
FY 19	33	31	471	91%	90%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	0	0	0	0	0	0
FY 19	7	0	0	5	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board made significant revisions to the board's rules to streamline licensure and existing processes and align with departmental standards.



# BOARD OF CLINICAL LABORATORY SCIENCE PRACTITIONERS

[cls.mt.gov](http://cls.mt.gov) | [dlibsdccls@mt.gov](mailto:dlibsdccls@mt.gov)

The Board of Clinical Laboratory Science Practitioners currently serves 953 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The Board ensures the protection of the public by enforcing and continually updating its laws and rules; keeping informed at a national level; and seeking public participation. The Board's independent contract inspector will continue to perform license checks and assure competency requirements have been met by those checks.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	408	89	\$107,855	\$66,262
FY 19	628	88	\$104,075	\$68,391

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	143	184	878	97%	83%
FY 19	130	150	885	99%	83.3%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	1	0	3	1	0	0
FY 19	2	0	5	1	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

### Changes to Board:

- The board amended rules to align with standardized renewal procedures which resulted in establishing a fee for inactive renewals that could result in approximately \$600 additional annual revenue. Rules were reorganized and reformatted to address questions and confusion among licensees and department staff. Further amendments were made to standardize and simplify continuing education (CE) requirements and the reporting processes.



# BOARD OF BARBERS AND COSMETOLOGISTS

[cosmetology.mt.gov](http://cosmetology.mt.gov) | [dlibsdcos@mt.gov](mailto:dlibsdcos@mt.gov)

The Board of Barbers and Cosmetologists currently serves 13,136 licensees for purpose of protecting the health, safety, and welfare of the citizens of Montana. Additionally, the board continues to review its regulations to address license portability across jurisdictions while maintaining regulations and processes that protect the health and safety of the public utilizing those services in Montana.

<b>Activities</b>				
	<b>Inspections</b>	<b>Audits</b>	<b>Revenues</b>	<b>Expenditures</b>
<b>FY 18</b>	6,290	28	\$859,085	\$633,947
<b>FY 19</b>	6,535	1	\$859,230	\$715,315

<b>Statistics</b>					
	<b>New Licenses</b>	<b>Applications</b>	<b>Renewed</b>	<b>% Online renewal</b>	<b>% Online application</b>
<b>FY 18</b>	1,159	1,319	7,662	86%	63%
<b>FY 19</b>	1,220	1,325	8,044	90%	72%

<b>Complaint Summary</b>						
	<b>New</b>	<b>Revoked</b>	<b>Suspended</b>	<b>Dismissed</b>	<b>Sanctioned</b>	<b>Investigations</b>
<b>FY 18</b>	47	1	5	26	19	2
<b>FY 19</b>	57	2	5	33	24	0



# BOARD OF BARBERS AND COSMETOLOGISTS

[cosmetology.mt.gov](http://cosmetology.mt.gov) | [dlibsdcos@mt.gov](mailto:dlibsdcos@mt.gov)

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The board had slightly higher revenues in FY18/19 as the numbers of licenses issued and renewed is trending upward from FY16/17. Operationally in FY18 the board enacted some changes to its rules for standardization and clarification.
- One change was to specifically define foreign education. This was to ensure that official results were received from a certified third party due to a rise in forged education documents from schools outside of the United States and Canada. Also, see above regarding revenue.



# BOARD OF DENTISTRY

[dentistry.mt.gov](http://dentistry.mt.gov) | [dlibsdden@mt.gov](mailto:dlibsdden@mt.gov)

The Board of Dentistry currently serves 1,787 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The board is currently in the process of a top-down review of its regulations in order to better provide applicants and licensees with clarity when reviewing their responsibilities.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	2	177	\$435,858	\$339,926
FY 19	15	20	\$423,779	\$346,167

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	120	155	1,660	96%	54%
FY 19	111	132	1,703	98%	66%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	16	0	1	11	2	0
FY 19	29	0	0	25	2	1

## 2019 Legislative Bills:

- SB 157: Revision of dental auxiliary laws to allow for practice under general supervision for board-determined procedures.

## Court Cases: None

## Changes to Board:

- Began review and revision of denturist licensure rules in addition to a clinical exam review.
- Finalized Clinical Licensure examination revisions and implementation of rule changes.
- Continued to review and update rules in order to standardize language and ease restrictions on licensees, both new and already existing practitioners.



# BOARD OF ELECTRICAL

[electrician.mt.gov](http://electrician.mt.gov) | [dlibsdele@mt.gov](mailto:dlibsdele@mt.gov)

The Board of Electrical currently serves 5,936 licensees for protecting the health, safety, and welfare of the citizens of Montana. The Board emphasized the need to have electricians that meet minimum safety and qualification standards to ensure the protection of property and life against hazards of electrically caused fires and explosions and electrically caused shocks. The board's goals include streamlining of licensure requirements, expansion of reciprocity agreements with other states, and additional protection against unlicensed practice.

Activities				
	Inspections	Audits	Revenues	Expenditures
<b>FY 18</b>	207	25	\$586,498	\$301,211
<b>FY 19</b>	252	1,463	\$585,638	\$368,232

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
<b>FY 18</b>	446	585	1,841	85%	34%
<b>FY 19</b>	498	571	2,106	82%	42%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
<b>FY 18</b>	11	0	1	8	1	1
<b>FY 19</b>	39	0	2	17	6	3





# BOARD OF ELECTRICAL

[electrician.mt.gov](http://electrician.mt.gov) | [dlibsdele@mt.gov](mailto:dlibsdele@mt.gov)

## 2019 Legislative Bills:

- HB 68: an act repealing a lapsed license renewal option for electricians to be consistent with lapsed license renewal provisions governing other professional and occupational licensees; repealing section 37-68-310, MCA; and providing an effective date.

**Court Cases:** None

## Changes to Board:

- HB 68 repeals 37-68-310, MCA, which provides that an electrician's license lapses after one year of nonrenewal and instead allows umbrella statute of 37-1-141, MCA, to operate, which provides for a two-year period. This change will make this license the same as all other license types at BSD.
- Board Business: The Board is abating fees for the FY 20 renewals at 50% for all license types. A drop in expenses and a substantial increase in applicants has been seen in FY 19 to FY 20.



# BOARD OF FUNERAL SERVICE

[funeral.mt.gov](http://funeral.mt.gov) | [dlibsdfnr@mt.gov](mailto:dlibsdfnr@mt.gov)

The Board of Funeral Service currently serves 404 licensees. The mission of the board is to protect the health, safety, and well-being of Montana citizens through the regulation and oversight of funeral industry professionals and facilities.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	127	279	\$146,196	\$222,992
FY 19	299	270	\$127,885	\$197,690

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	32	45	419	87%	51%
FY 19	34	27	398	83%	63%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	8	0	0	6	1	1
FY 19	39	0	2	32	6	0

## 2019 Legislative Bills:

- HB 196: Generally revise licensing requirements to practice mortuary science.
- SB 63: Generally revise licensing, other regulations for Board of Funeral Service.

**Court Cases:** None

## Changes to Board:

- The Board amended rules to update facility rules and implement trust account rules.



# BOARD OF HEARING AID DISPENSERS

[hearingaid.mt.gov](http://hearingaid.mt.gov) | [dlibs@mt.gov](mailto:dlibs@mt.gov)

The Board of Hearing Aid Dispensers currently serves 62 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	62	\$7,620	\$41,954
FY 19	0	9	\$35,415	\$60,880

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	8	11	61	97%	64%
FY 19	6	6	60	93%	50%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	4	0	1	4	0	0
FY 19	3	0	1	2	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

### Changes to Board:

- The Board worked diligently with the licensees and the Department to significantly improve the Board's financial situation.
- The Board adopted several rules and repeals to align with and further facilitate the Department's standardization for all boards. The Board will keep a watchful eye on changes to the federal Over the Counter (OTC) Hearing Aid Act as future decisions may have an impact on the Board's licensees.



# BOARD OF MASSAGE THERAPY

[massagetherapists.mt.gov](http://massagetherapists.mt.gov) | [dlibsdmt@mt.gov](mailto:dlibsdmt@mt.gov)

The Board of Massage Therapy currently serves 1,916 licensees. The mission of the Board is to protect the health, safety and well-being of Montana citizens through the regulation and oversight of the massage therapy industry.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	83	\$190,415	\$144,390
FY 19	0	117	\$200,165	\$174,501

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	162	196	1,617	89%	69%
FY 19	205	230	1,658	90%	39%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	8	0	5	3	5	1
FY 19	6	2	13	6	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board amended rules removing requirements for letters of good moral character for applicants.
- The Board amended rules related to continuing education to broaden opportunities for licensees.
- The Board included failure to display license as grounds for unprofessional conduct and required licensure for instructors of massage therapy programs.



# BOARD OF MEDICAL EXAMINERS

[medicalboard.mt.gov](http://medicalboard.mt.gov) | [dlibsdmed@mt.gov](mailto:dlibsdmed@mt.gov)

The Board of Medical Examiners currently serves 14,343 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	300	\$2,107,362	\$1,618,227
FY 19	0	165	\$2,163,500	\$1,668,216

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	1,655	2,294	5,228	96%	50%
FY 19	2,110	2,589	5,151	96%	49%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	122	1	12	105	12	3
FY 19	122	1	3	105	18	3

## 2019 Legislative Bills:

- SB 38: Implement Community Integrated Health Care.

## Court Cases:

- 2013-MED-LIC-372, District Court Case DDV-2016-283
- DV-16-414

## Changes to Board:

- One physician assistant, one medical doctor, one nutritionist, and two public members were appointed to the Board.
- One osteopath doctor of medicine, one podiatrist, and one doctor of medicine were appointed to the board.



# BOARD OF NURSING HOME ADMINISTRATORS

[nba.mt.gov](http://nba.mt.gov) | [dlibsdnha@mt.gov](mailto:dlibsdnha@mt.gov)

The Board of Nursing Home Administrators currently serves 217 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The Board will continue to research the license portability with other states. The research will help the Board determine in what manner the Board could approach this avenue of licensure. The Board will continue the review of its laws and rules to assure that qualifications are adequate and meet the national trends while addressing the needs of the rural communities. The Board actively participated in the annual meeting of the National Association of Long-Term Care Administrator Boards, which afforded the opportunity to meet with other jurisdiction members and discuss regulation issues and acquire information on national trends for nursing home administrators.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	16	\$65,113	\$66,802
FY 19	0	19	\$67,680	\$64,860

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	18	39	186	89%	60%
FY 19	32	50	188	85%	66%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	2	0	0	2	0	0
FY 19	0	0	0	0	0	0



# BOARD OF NURSING HOME ADMINISTRATORS

[nha.mt.gov](http://nha.mt.gov) | [dlibsdnha@mt.gov](mailto:dlibsdnha@mt.gov)

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board adopted several rules and repeals to align with and further facilitate the Department's standardization for all boards.



# BOARD OF NURSING

[nurse.mt.gov](http://nurse.mt.gov) | [nurse@mt.gov](mailto:nurse@mt.gov)

The Board of Nursing currently serves 22,970 licensees. The mission of the Board of Nursing is to protect the health, safety, and well-being of Montana citizens through the licensing of competent nursing professionals and by the regulation of the practice to promote the delivery of quality health care.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	311	\$1,340,921	\$1,322,343
FY 19	0	632	\$907,502	\$1,619,966

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	2,091	2,374	212	87%	62%
FY 19	2,045	2,337	9,771	98%	97%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	93	8	17	63	22	2
FY 19	120	8	23	75	36	3

## 2019 Legislative Bills:

- SB 94: Provide signature authority to advanced practice registered nurses (third-party bill).

## Court Cases:

- 2015-NUR-LIC-946, Administrative Hearing Office Case # 1051-2017
- 2017-NUR-499, Administrative Hearing Office Case # 174-2019

## Changes to Board:

- In FY18 the Board implemented the enhanced Nurse Licensure Compact and split nurse licensees so that half renew in odd years and half renew in even years.
- In FY19 the Board updated the nursing education rules to address simulation use and expanded role of LPN in clinical education.





# BOARD OF OPTOMETRY

[optometry.mt.gov](http://optometry.mt.gov) | [dlibsdopt@mt.gov](mailto:dlibsdopt@mt.gov)

The board currently serves 271 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The Board actively participated in the annual meeting of Association of Regulatory Boards of Optometry, which afforded the opportunity to meet with other jurisdiction members and discuss regulation issues and acquire information on national trends for optometrists.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	56	\$58,490	\$55,865
FY 19	1	4	\$54,860	\$50,757

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	12	14	281	95%	29%
FY 19	18	14	271	97%	64%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	3	0	0	2	1	0
FY 19	4	0	0	4	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board of Optometry no longer required affidavits regarding good moral character.
- The Board concluded that adequate information to demonstrate this is obtained through the applicant’s disciplinary/criminal history questions and the results of each applicant’s National Practitioner Data Bank (NPDB) self-query.
- The Board aligned its screening panel makeup with the increase to five board members through Senate Bill 70 (2017).
- The Board aligned its rules with the standardized department complaint procedure, which provides for preliminary review and informal investigation of anonymous complaints.



# BOARD OF OCCUPATIONAL THERAPY PRACTICE

[ot.mt.gov](http://ot.mt.gov) | [dliibsdotp@mt.gov](mailto:dliibsdotp@mt.gov)

The board currently serves 620 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	53	\$82,770	\$60,146
FY 19	0	55	\$86,650	\$76,310

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	88	133	541	97%	41%
FY 19	91	106	578	98%	63%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	0	0	1	0	1	0
FY 19	1	0	0	2	0	0

## 2019 Legislative Bills:

- SB 59: an act eliminating the requirement for occupational therapists to obtain an endorsement to utilize sound and electrical physical agent modalities in their practices.

**Court Cases:** None

## Changes to Board:

- The Board amended rules related to the passage of SB59 and related definitions and removed a fee. The Board clarified rules related to military experience.



# BOARD OF OUTFITTERS

[outfitter.mt.gov](http://outfitter.mt.gov) | [dlibsout@mt.gov](mailto:dlibsout@mt.gov)

The Board of Outfitters currently serves 2,935 licensees. The mission of the board is to protect the health, safety, and well-being of Montana citizens through the regulation and oversight of outfitter industry professionals.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	1,068	\$667,619	\$465,632
FY 19	0	723	\$705,834	\$430,968

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	412	477	2,404	86%	36%
FY 19	457	501	2,532	88%	40%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	29	0	0	21	6	0
FY 19	24	0	1	16	0	2

## 2019 Legislative Bills:

- SB 222: Revise rulemaking authority of the Board of Outfitters.

**Court Cases:** None

## Changes to Board:

- The Board amended rules related to outfitter assistants to implement the provisions of SB 222.
- The Board amended rules related to fees by reducing renewal fees for all licensees.
- The Board amended rules related to records to broaden language used by other agencies.
- The Board amended rules to allow staff to review and approve potential first aid providers.
- The Board amended rules related to insurance requirements clarifying clients covered while in transport.
- The Board amended rules clarifying hands-on first aid is required for all new applicants.



# BOARD OF PUBLIC ACCOUNTANTS

[publicaccountant.mt.gov](http://publicaccountant.mt.gov) | [dliibsdpac@mt.gov](mailto:dliibsdpac@mt.gov)

The Board of Public Accountants serves 2,691 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The mission of the Montana Board of Public Accountants is to protect the public by regulating Certified Public Accountants and their firms to ensure their compliance with professional standards and the laws of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	259	\$277,479	\$388,928
FY 19	0	159	\$373,345	\$263,584

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	186	182	3,071	97%	N/A <sup>1</sup>
FY 19	127	157	3,150	97%	N/A <sup>1</sup>

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	23	0	33	16	7	0
FY 19	8	0	6	7	1	0

<sup>1</sup>Applications for this board are processed by the National Association of State Boards of Accountancy (NASBA) \*\*only have firm, % shown is for firm only, renewal is all licensees. NASBA only processes applications.

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board adopted rules to amend Continuing Professional Education, CPE requirements, inactive and retired statutes and rules, and adopting the American Institute of Certified Public Accountants, AICPA, Code of Professional Conduct.
- The Board amended rules streamlining reciprocal licensing and updating peer review requirements.



# BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

[engineer.mt.gov](http://engineer.mt.gov) | [dlibsdpels@mt.gov](mailto:dlibsdpels@mt.gov)

The Board of Professional Engineers and Professional Land Surveyors currently serves 8,392 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	48	\$443,338	\$327,782
FY 19	0	123	\$461,402	\$334,298

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	537	732	6,867	97%	57%
FY 19	745	803	1,452	96%	83%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	14	1	1	12	2	0
FY 19	33	0	5	29	4	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board appointed two professional engineers (civil) to the board. In 2019, one professional land surveyor, one public member, and one professional engineer (chemical) were appointed to the board.



# BOARD OF PHARMACY

[pharmacy.mt.gov](http://pharmacy.mt.gov) | [mpdr.mt.gov](http://mpdr.mt.gov) | [dlibsdpba@mt.gov](mailto:dlibsdpba@mt.gov) | [dlibsdpdr@mt.gov](mailto:dlibsdpdr@mt.gov)

The Board of Pharmacy currently serves 7,082 licensees to protect the health, safety, and welfare of the citizens of Montana regarding the practice of pharmacy. The Board also administers the Montana Prescription Drug Registry (MPDR). The MPDR program is an online tool to provide a list of controlled substance prescriptions to health care providers for improving patient safety, including the identification of possible misuse and/or diversion of controlled substances.

Activities						
	Inspections	Audits	Revenues	MPDR	Expenditures	MPDR
<b>FY 18</b>	323	135	\$1,050,063	\$220,410	\$912,707	\$178,802
<b>FY 19</b>	480	31	\$198,493	\$244,325	\$891,686	\$248,021

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
<b>FY 18</b>	1,028	1,126	5,595	95%	37%
<b>FY 19</b>	1,070	1,077	5,867	98%	51%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
<b>FY 18</b>	15	0	0	12	3	0
<b>FY 19</b>	19	1	3	12	5	0



# BOARD OF PHARMACY

[pharmacy.mt.gov](http://pharmacy.mt.gov) | [mpdr.mt.gov](http://mpdr.mt.gov) | [dlibsdpdpha@mt.gov](mailto:dlibsdpdpha@mt.gov) | [dlibsdpdmpdr@mt.gov](mailto:dlibsdpdmpdr@mt.gov)

## 2019 Legislative Bills:

- SB 61: Revise prescription drug registry
- SB 274: Revise drug scheduling laws
- HB 86: Generally revise prescription drug laws
- HB 137: Create a statewide drug takeback day
- HB 231: Revise pharmacy laws regarding vaccines
- HB 654: Generally revise laws for funding of treatment courts

## Court Cases: None

## Changes to Board:

- The Board issued multiple rule changes to implement legislation, address evolving practice issues, and clarify existing rules.
- SB 61 secured permanent MPDR funding, requires MPDR registration for prescribers and pharmacists, and authorizes MPDR data integration into prescriber and pharmacist workflows.
- HB 86 requires: MPDR registration, MPDR use by prescribers before writing certain prescriptions, photo identification at the pharmacy for controlled substance prescriptions, and other patient safety measures.
- The Legislative Audit Committee completed an extensive 18-month audit of the MPDR program that helped support efforts to evaluate options for replacing the MPDR online system vendor. As a result, a Request for Proposal will be issued in Fiscal Year 2020 to identify a new vendor to expand and improve overall functionality, improve administrative and compliance tools, and implement secure MPDR data integration.
- The Board and the Department continue to collaborate on MPDR activities.



# BOARD OF PLUMBERS

[plumber.mt.gov](http://plumber.mt.gov) | [dlibsdplu@mt.gov](mailto:dlibsdplu@mt.gov)

The Board of Plumbers currently serves 1,596 licensees for protecting the health, safety, and welfare of the citizens of Montana. The Board emphasized the need to have plumbers that meet minimum safety and qualification standards to ensure that the installation of potable drinking water and sanitary plumbing systems are safe to the public from contamination. The Board's goals include streamlining of licensure requirements, expansion of reciprocity agreements with other states, and additional protection against unlicensed practice.

<b>Activities</b>				
	<b>Inspections</b>	<b>Audits</b>	<b>Revenues</b>	<b>Expenditures</b>
<b>FY 18</b>	175	262	\$325,588	\$258,517
<b>FY 19</b>	187	380	\$328,114	\$327,710

<b>Statistics</b>					
	<b>New Licenses</b>	<b>Applications</b>	<b>Renewed</b>	<b>% Online renewal</b>	<b>% Online application</b>
<b>FY 18</b>	94	152	1,232	86%	39%
<b>FY 19</b>	107	154	1,239	86%	28%

<b>Complaint Summary</b>						
	<b>New</b>	<b>Revoked</b>	<b>Suspended</b>	<b>Dismissed</b>	<b>Sanctioned</b>	<b>Investigations</b>
<b>FY 18</b>	23	1	1	16	5	1
<b>FY 19</b>	33	0	0	16	9	8





# BOARD OF PLUMBERS

[plumber.mt.gov](http://plumber.mt.gov) | [dlibsdplu@mt.gov](mailto:dlibsdplu@mt.gov)

## 2019 Legislative Bills:

- HB 751: An act generally revising licensure of plumbers; requiring a licensed master plumber to personally observe and attest to skills of licensed journeyman plumbers or apprentices employed by the licensed master plumber; providing a penalty of false swearing; providing rulemaking, and amending MCA 37-69-304, 305, and 323.

## Court Cases:

- 2016-PLU-LIC-823, 1236-2017, DV-18-04

**Changes to Board:** There have been no substantive changes to the board's operations.



# BOARD OF PRIVATE SECURITY

[privatesecurity.mt.gov](http://privatesecurity.mt.gov) | [dlibsdp@mt.gov](mailto:dlibsdp@mt.gov)

The Board of Private Security currently serves 2,026 licensees. The mission of the board is to protect the health, safety, and well-being of Montana citizens through the regulation and oversight of the private security industry.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	109	\$284,000	\$230,424
FY 19	0	121	\$108,937	\$286,850

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	486	663	1,469	68%	29%
FY 19	593	750	1,665	80%	33%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	10	0	0	8	2	0
FY 19	9	0	1	8	1	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board amended rules to reorganize and standardized their rules to better serve their licensees and general public. Rules amended include, but are not limited to, consistently refer to the board by its correct name, clarify temporary practice permits and direct supervision, update definitions, update fees which decreased annual revenue by about \$9,200, and update and streamline the application process for its various licensees.



# BOARD OF PSYCHOLOGISTS

[psy.mt.gov](http://psy.mt.gov) | [dlibsdpsy@mt.gov](mailto:dlibsdpsy@mt.gov)

The Board of Psychologists currently serves 288 licensees. The mission of the Board of Psychologists is to protect the health, safety, and well-being of Montana citizens through the licensing of competent psychologists and behavior analysis professionals, and by the regulation of the related practices to promote the delivery of quality health care.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	6	\$159,035	\$130,781
FY 19	0	7	\$172,650	\$166,127

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	42	56	214	86%	23%
FY 19	30	45	250	89%	51%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	8	0	0	6	2	0
FY 19	13	0	0	11	0	0

## 2019 Legislative Bills:

- SB 74: Authorized and clarified a process for FBI fingerprint-based criminal record background checks for Behavior Analyst and Assistant Behavior Analyst license applicants.

**Court Cases:** None

## Changes to Board:

- The Board of Psychologists set forth the standards for practicing psychology and behavior analysis services via telehealth methods.
- The Board of Psychologists no longer required reference forms regarding good moral character for Behavior Analysts as it was determined that the required fingerprint background check was enough character check.



# BOARD OF PHYSICAL THERAPY EXAMINERS

[pt.mt.gov](http://pt.mt.gov) | [dlibsdptp@mt.gov](mailto:dlibsdptp@mt.gov)

The Board of Physical Therapy Examiners currently serves 1,927 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	16	\$140,730	\$125,633
FY 19	0	11	\$147,960	\$94,936

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	175	194	1,713	97%	57%
FY 19	198	197	1,603	99%	69%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	3	0	3	3	0	1
FY 19	1	0	2	0	0	0

## 2019 Legislative Bills:

- HB 518: Authorize Physical Therapy Assistant Supervision via Telemedicine.
- SB 74: Revise authorization language on fingerprinting for licensing of Physical Therapists and Physical Therapy Assistants.

**Court Cases:** None

## Changes to Board:

- The Board adopted several rules and repeals to align with and further facilitate the Department's standardization for all boards.
- Board continued its work for implementation of the PT Compact. Continued Board review of all rules for possible amendment or repeal.



# BOARD OF RESPIRATORY CARE PRACTITIONERS

[respcare.mt.gov](http://respcare.mt.gov) | [dlibsdrop@mt.gov](mailto:dlibsdrop@mt.gov)

The Board of Respiratory Care Practitioners currently serves 669 licensees. The mission of the Board of Respiratory Care Practitioners is to protect the health, safety, and well-being of Montana citizens through the licensing of competent respiratory care practitioners and by the regulation of the practices to promote the delivery of quality health care. An ongoing goal of the board is to identify and decrease barriers to licensure without foregoing quality health care for Montana citizens including: non-routine application procedures and the continuing education approval process; clear, concise, and logical regulations; and processes that safely and efficiently increase access to quality respiratory care services throughout Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	12	\$56,980	\$55,648
FY 19	0	69	\$55,623	\$55,945

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	92	101	582	98%	77%
FY 19	71	85	595	99%	80%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	2	0	1	1	1	0
FY 19	3	0	6	3	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:** There have been no substantive changes to the board's operations.



# BOARD OF REAL ESTATE APPRAISERS

[realestateappraiser.mt.gov](http://realestateappraiser.mt.gov) | [dlibsirea@mt.gov](mailto:dlibsirea@mt.gov)

The Board of Real Estate Appraisers serves 1,175 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The Board establishes standards of licensure for real estate appraisers and regulates their compliance with the law in their professional practice.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	122	\$463,440	\$284,013
FY 19	0	116	\$434,520	\$251,926

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	318	333	520	94%	0.5%
FY 19	352	308	520	95%	14%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	18	0	0	18	0	0
FY 19	43	0	1	42	1	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board allowed distance education (online) to total 100 percent of qualifying education requirements for each level of licensure.
- The Board incorporated by reference the Real Property Appraiser Qualification Criteria.



# BOARD OF REALTY REGULATION

[realestate.mt.gov](http://realestate.mt.gov) | [dlibsdrre@mt.gov](mailto:dlibsdrre@mt.gov)

The Board of Realty Regulation currently serves 8,320 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The Board is implementing the new legislation requirement that all licensees carry Errors & Omissions Insurance and recruiting a company to provide an elective group statewide policy; they are restructuring the salesperson pre-licensing course to expand the number of required hours and incorporate the post-licensure rookie course; and they are continuing to review and revise existing rules to streamline licensure and align with departmental standards.

Activities						
	Inspections	Audits	Revenues	Recovery Account	Expenditures	Recovery Account
FY 18	84	5,422	\$1,210,827	\$37,745	\$749,070	\$1,657
FY 19	17	423	\$1,256,554	\$41,817	\$577,103	\$746

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	1,126	1,321	5,857	92%	41%
FY 19	1,303	1,290	6,192	94%	55%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	131	0	2	99	16	12
FY 19	73	0	0	61	4	4

## 2019 Legislative Bills:

- HB 376: Repeal the Real Estate Recovery Account.
- HB 416: Requiring professional liability insurance coverage for salespersons and brokers.

**Court Cases:** None

**Changes to Board:** There have been no substantive changes to the board's operations.



# BOARD OF RADIOLOGIC TECHNOLOGISTS

[radiology.mt.gov](http://radiology.mt.gov) | [dlibsdrad@mt.gov](mailto:dlibsdrad@mt.gov)

The Board of Radiologic Technologists currently serves 1,721 licensees. The Board emphasizes the need to have Radiologic Technologists and Limited Permit Holders that meet minimum safety and qualification standards and to protect the public from the unprofessional, improper, unauthorized, or unqualified practice of radiologic technology. The Board's goals include streamlining of licensure and continuing education requirements, expansion of reciprocity agreements with other states and countries, and additional protection against unlicensed practice.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	696	21	\$131,575	\$94,600
FY 19	1,088	45	\$137,315	\$81,990

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	170	205	1,424	97%	83%
FY 19	217	242	1,441	98%	87%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	2	0	0	2	0	0
FY 19	5	0	1	5	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board is continuing to review and revise existing rules to streamline licensure and align with departmental standards.





# BOARD OF SANITARIANS

[sanitarian.mt.gov](http://sanitarian.mt.gov) | [dlibsdsan@mt.gov](mailto:dlibsdsan@mt.gov)

The Board of Sanitarians currently serves 146 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	0	15	\$42,760	\$37,192
FY 19	0	3	\$48,825	\$39,447

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	21	34	141	87%	38%
FY 19	37	37	167	87%	62%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	0	0	0	0	0	0
FY 19	0	0	0	0	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:** There have been no substantive changes to the board's operations.



# BOARD OF SPEECH-LANGUAGE PATHOLOGISTS & AUDIOLOGISTS

[slpaud.mt.gov](http://slpaud.mt.gov) | [dlibsdslp@mt.gov](mailto:dlibsdslp@mt.gov)

The Board of Speech-Language Pathologists and Audiologists currently serves 732 licensees. The mission of the Board of Speech-Language Pathologists and Audiologists is to protect the health, safety, and well-being of Montana citizens through regulation of the practice of speech-language pathology and audiology and the licensing of competent professionals.

<b>Activities</b>				
	<b>Inspections</b>	<b>Audits</b>	<b>Revenues</b>	<b>Expenditures</b>
<b>FY 18</b>	0	53	\$84,973	\$85,505
<b>FY 19</b>	0	93	\$95,468	\$56,090

<b>Statistics</b>					
	<b>New Licenses</b>	<b>Applications</b>	<b>Renewed</b>	<b>% Online renewal</b>	<b>% Online application</b>
<b>FY 18</b>	94	167	549	94%	40%
<b>FY 19</b>	105	102	586	95%	79%

<b>Complaint Summary</b>						
	<b>New</b>	<b>Revoked</b>	<b>Suspended</b>	<b>Dismissed</b>	<b>Sanctioned</b>	<b>Investigations</b>
<b>FY 18</b>	0	1	3	0	0	0
<b>FY 19</b>	1	0	1	0	0	0



# BOARD OF SPEECH-LANGUAGE PATHOLOGISTS & AUDIOLOGISTS

[slpaud.mt.gov](http://slpaud.mt.gov) | [dlibsdslp@mt.gov](mailto:dlibsdslp@mt.gov)

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The board had lower revenues in FY18/19 due to decreasing licensing fees to be in compliance with 37-1-134, MCA. However, the number of licensees and applicants remained consistent with previous years.
- Expenditures in FY18/19 decreased from those in FY17 because the board had completed its review and needed updates to statutes, rules, and processes which it conducted mainly in FY17 and into FY18.



# BOARD OF VETERINARY MEDICINE

[vet.mt.gov](http://vet.mt.gov) | [dlibsdrvvet@mt.gov](mailto:dlibsdrvvet@mt.gov)

The Board of Veterinary Medicine currently serves 1,168 licensees. The mission of the Board of Veterinary Medicine is to protect the health, safety, and well-being of Montana citizens through the regulation and oversight of veterinary medicine and the licensing of competent professionals.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 18	4	76	\$193,537	\$139,993
FY 19	10	75	\$189,031	\$96,212

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 18	68	91	1,057	87%	58%
FY 19	76	78	1,072	88%	87%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 18	17	0	1	15	0	0
FY 19	10	0	5	8	0	0

**2019 Legislative Bills:** None

**Court Cases:** None

**Changes to Board:**

- The Board reworked and refined the rules regarding veterinarian recordkeeping; simplified and streamlined the continuing education requirements for embryo transfer technicians to facilitate the department's standardized audit and administrative suspension procedures, and the board will no longer approve continuing education programs for these technicians; removed the requirement that applicants be employed at a certified euthanasia agency to qualify for a certified euthanasia tech (CET) license; and amended and updated the CET rules regarding training programs, applications, license exams, agency operations and inspections, and unprofessional conduct.



## EXPLANATION OF DATA

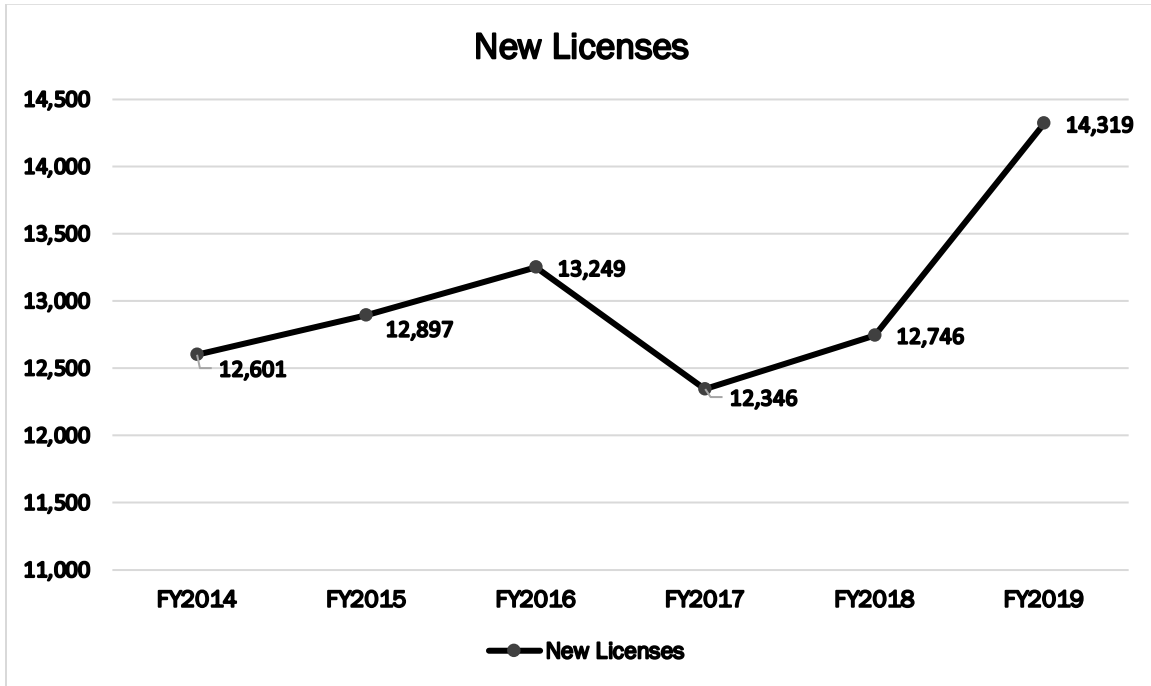
The following is a list of events that impacted board license numbers or budget figures. These events help us understand the board's reported data.

- The Board of Public Accountant's applications are processed through The National Association of State Boards of Accountancy, NASBA. Thus, all applications are processed 100% online.
- The Board of Outfitters initiated a review of the administrative process in 2017. The Board identified areas of automation within the platform utilized by individual licensees to maintain compliance within board regulation. The result has been a reduction in staff time dedicated to these processes and the board opted to reduce fees for all license types by an average of 55%.
- HB 581 provides requirements for timely action on professional and occupational licensing applications, including timely notification of missing application information. Specifically, in issuing routine licenses for a board, the department shall issue a license within 45 days from the time of receiving a completed application or, within 10 calendar days, provide notice and response timelines to the applicant of deficiencies in the application or provide information as to any exigent circumstances that may delay issuing a license. For nonroutine licenses, the department shall confer with the board to which the licensure application is made and provide an expected timeline to an applicant for issuing a license, including notifying the applicant from that time forward of any deviations from the expected timeline.
- HB 105 revised the process for licensure of applicants holding a license from another state. HB 105 replaced the word "may" with the word "shall" in the language authorizing professional licensing boards to consider whether the previous state's licensing requirements were "substantially equivalent" to Montana's, clarifying the Legislature's intent that substantial equivalency be considered by all boards. HB 105 did not alter application review processes for any board.



# TOTAL NEW LICENSES BY FISCAL YEAR

The number of new licenses issued in Montana has grown by almost 14% from 2014 to 2019



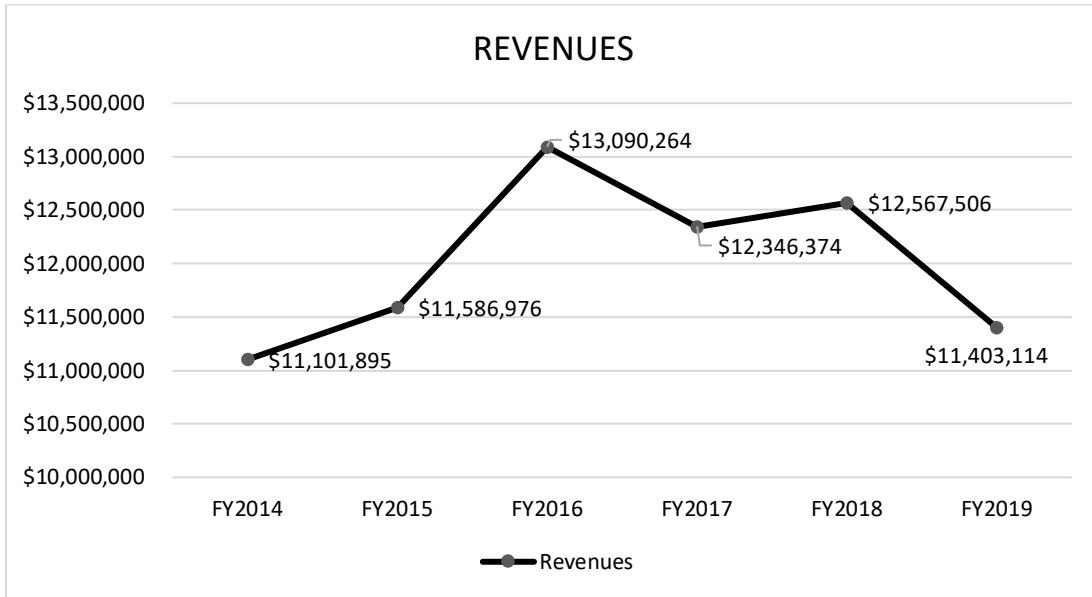
The data above represents the total number of new licensees issued during a fiscal year. Boards set licensure requirements for those individuals and businesses who wish to work in their professions or occupations. The fundamental purpose of the licensure requirements is to ensure those individuals have the appropriate knowledge, skills, and abilities. These requirements provide for public safety. All boards require an application be made to the department. The applicant must meet the qualifications and demonstrate the minimum competencies established by statute or board rule. While each profession or occupation has its own unique qualifications, common requirements are listed below:

- a. Name, contact information, and other necessary demographic data
- b. Proof they have qualifications such as education, experience, and age requirements
- c. Proof they have passed appropriate national, state, and/or regional examinations

Detailed requirements for each license type can be found on the specific board website.

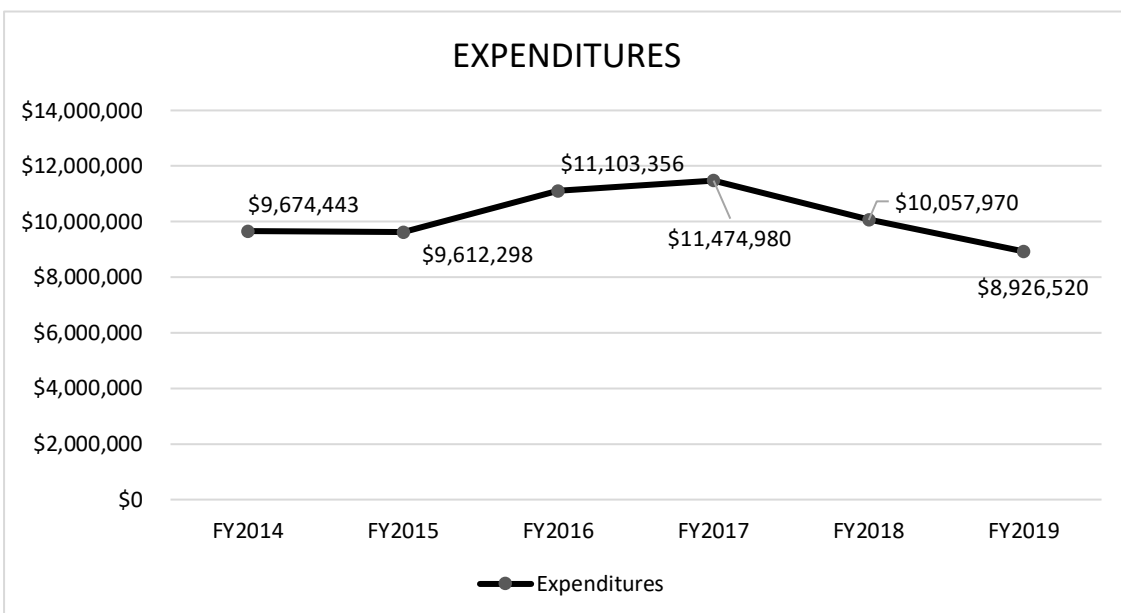


# REVENUES AND EXPENDITURES



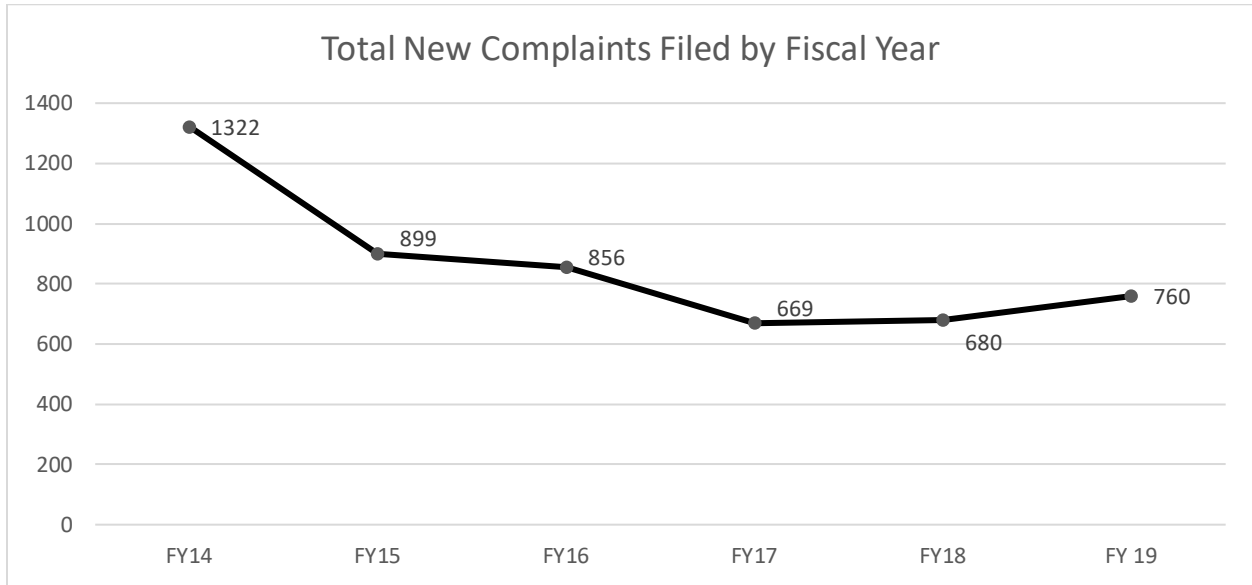
Revenues have decreased by 5.8% and expenditures have decreased by 15.9% over the last biennium. Revenue is created by charging the license applicant and licensee a variety of fees such as application and renewal fees. Each board is self-supported through the fees they collect, and they may not maintain more than two times their annual appropriation. Monies collected are deposited in each board's special revenue account.

The largest expenditure of each board, like many businesses, is personal services - payroll and benefits for the employees who provide the administrative services to the board. Other expenditures include information technology, legal representation, office equipment, rent, supplies, meeting costs, association fees, and board member per diem.



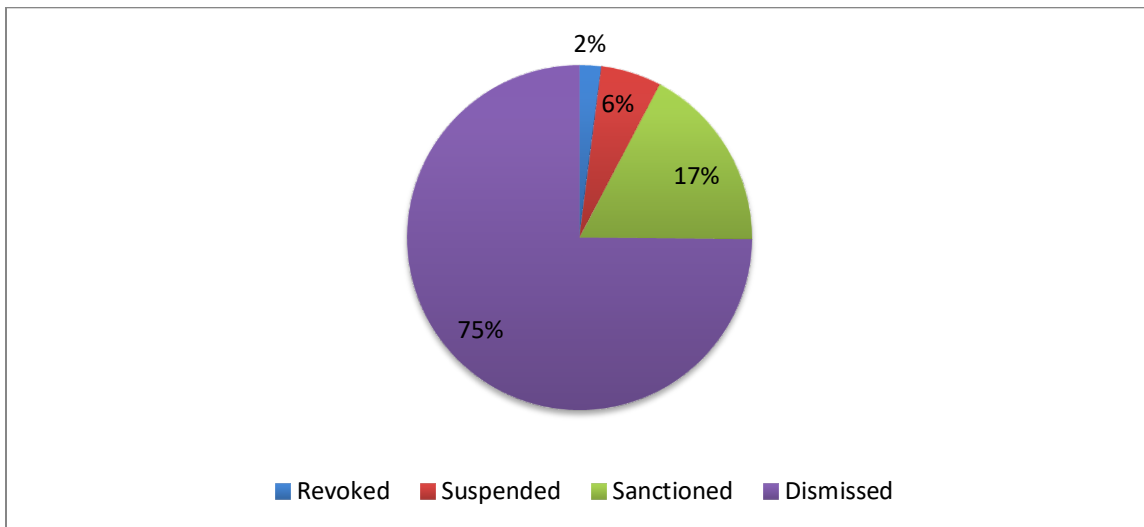


# COMPLIANCE STATISTICS



Allegations of unprofessional conduct, illegal activity, or unlicensed practice can be filed upon a licensee by anyone. The compliance unit receives, processes, and investigates information and presents the information to the appropriate board for a decision. Each board determines the merit of the allegations and decides the appropriate discipline to administer, if any.

## COMPLAINT OUTCOMES FOR FY2018/19 BIENNIUM



Complaints are reviewed by the boards to determine if they have merit. In FY18 and FY19 the boards received a total of 1,440 new complaints. The graph above shows the percentage of each board action for 1,436\* complaints (revoked, suspended, sanctioned and dismissed).

More information on the complaint process and how to file a complaint can be found on any board website, under [How to File a Complaint](#).

\*Not all complaints have a disposition in the same biennium as when it was filed.





# LICENSES ADMINISTRATIVELY SUSPENDED

Administrative Suspension status is not a negative, adverse, or disciplinary action. The basis of an administrative suspension includes only a technical or administrative violation not connected to the delivery of services by a licensee or based on a licensee’s competency to practice. The law allows licensing boards and programs to administratively suspend a license for noncompliance with requirements for continuing education (CE), certification, reporting requirements, or other qualifications necessary for continued licensure as established by an audit; failure to respond to an audit for CE, certification, or other qualifications necessary for continued licensure; non-sufficient funds (NSF) in an account used to pay for an administrative fee, board or program fee, or fine; reasonable grounds exist to believe the licensee did not possess the qualifications for initial issuance of the license; or failure to comply with any term of a final order imposed by a licensing board or program. While the deficiency remains uncured, the administrative suspension status will remain in effect and is in conjunction with any final order of disciplinary action that may exist. A licensee may not practice in Montana while their license is on an administratively suspended status.

<b>Boards</b>	<b>FY2018 Licenses Administratively Suspended</b>	<b>FY2019 Licenses Administratively Suspended</b>
Alternative Health Care	1	-
Architects and Landscape Architects	4	5
Barbers and Cosmetologists	7	1
Behavioral Health	6	28
Clinical Laboratory Science Practitioners	3	5
Dentistry	1	-
Electrical	2	16
Funeral Services	-	2
Hearing Aid Dispensers	1	1
Massage Therapy	5	13
Medical Examiners	6	23
Nursing	55	26
Nursing Home Administrators	1	-
Occupational Therapy Practice	1	-
Outfitters	31	22
Pharmacy	-	2
Physical Therapy Examiners	3	2
Plumbers	7	6
Private Security	2	1
Professional Engineers and Professional Land Surveyors	1	5
Public Accountants	33	6
Radiologic Technologists	-	1
Real Estate Appraisers	-	1
Realty Regulation	17	5
Respiratory Care Practitioners	1	6
Speech-Language Pathologists and Audiologists	3	1
Veterinary Medicine	5	1
<b>Total</b>	<b>196</b>	<b>179</b>



Thank you for reading our report.

Please contact the Business Standards Division administrator if you have any questions or concerns regarding this report.