

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY,
ALTERNATIVE HEALTH CARE BOARD, BOARD OF ARCHITECTS AND
LANDSCAPE ARCHITECTS, BOARD OF ATHLETIC TRAINERS, BOARD OF
BARBERS AND COSMETOLOGISTS, BOARD OF BEHAVIORAL HEALTH,
BOARD OF CHIROPRACTORS, BOARD OF CLINICAL LABORATORY SCIENCE
PRACTITIONERS, BOARD OF DENTISTRY, STATE ELECTRICAL BOARD,
BOARD OF FUNERAL SERVICE, BOARD OF HEARING AID DISPENSERS,
BOARD OF MASSAGE THERAPY, BOARD OF MEDICAL EXAMINERS, BOARD
OF NURSING, BOARD OF NURSING HOME ADMINISTRATORS, BOARD OF
OCCUPATIONAL THERAPY PRACTICE, BOARD OF OPTOMETRY, BOARD OF
OUTFITTERS, BOARD OF PHARMACY, BOARD OF PHYSICAL THERAPY
EXAMINERS, BOARD OF PLUMBERS, BOARD OF PRIVATE SECURITY, BOARD
OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS,
BOARD OF PSYCHOLOGISTS, BOARD OF PUBLIC ACCOUNTANTS, BOARD OF
RADIOLOGIC TECHNOLOGISTS, BOARD OF REAL ESTATE APPRAISERS,
BOARD OF REALTY REGULATION, BOARD OF RESPIRATORY CARE
PRACTITIONERS, BOARD OF SANITARIANS, BOARD OF SPEECH-LANGUAGE
PATHOLOGISTS AND AUDIOLOGISTS, BOARD OF VETERINARY MEDICINE
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT AND
ARM 24.111.407, 24.118.502,) ADOPTION
24.121.406, 24.126.301, 24.129.606,)
24.138.304, 24.141.509, 24.155.613,)
24.159.403, 24.162.503, 24.165.302,)
24.168.407, 24.171.403, 24.180.405,)
24.182.508, 24.189.613, 24.189.911,)
24.201.532, 24.210.301, 24.210.418,)
24.222.405, and 24.225.425, and the)
adoption of New Rules I through)
XLVIII pertaining to nonroutine)
applications and criminal convictions)

TO: All Concerned Persons

1. On March 26, 2021, the Department of Labor and Industry (department) published MAR Notice No. 24-101-310 regarding the public hearing on the proposed amendment and adoption of the above-stated rules, at page 290 of the 2021 Montana Administrative Register, Issue No. 6.

2. On April 16, 2021, a public hearing was held on the proposed amendment and adoption of the above-stated rules in Helena via the remote conferencing platform. One comment was received by the April 23, 2021 deadline.

3. A summary of the comment and the board response are as follows:

COMMENT: Several commenters supported the Board of Veterinary Medicine's changes and thanked the board for its work on the project.

RESPONSE: The board appreciates all comments received during the rulemaking process.

4. The boards have amended and adopted the following rules exactly as proposed:

ALTERNATIVE HEALTH CARE BOARD

Amended: ARM 24.111.407

Adopted: NEW RULE I (ARM 24.111.408)

ALTERNATIVE HEALTH CARE BOARD
SHEEHAN EDNIE-ROSEN, DEM
PRESIDING OFFICER

BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

Adopted: NEW RULE II (ARM 24.114.506)

NEW RULE III (ARM 24.114.507)

BOARD OF ARCHITECTS AND
LANDSCAPE ARCHITECTS
DALE NELSON
PRESIDENT

BOARD OF ATHLETIC TRAINERS

Amended: ARM 24.118.502

Adopted: NEW RULE IV (ARM 24.118.503)

BOARD OF ATHLETIC TRAINERS
JANET TRETHERWEY
CHAIRPERSON

BOARD OF BARBERS AND COSMETOLOGISTS

Amended: ARM 24.121.406

Adopted: NEW RULE V (ARM 24.121.408)

BOARD OF BARBERS AND
COSMETOLOGISTS
ANGELA PRINTZ
PRESIDENT

BOARD OF BEHAVIORAL HEALTH

Adopted: NEW RULE VI (ARM 24.219.411)
NEW RULE VII (ARM 24.219.412)

BOARD OF BEHAVIORAL HEALTH
ELAINE MARONICK, LCPC, LMFT
CHAIRPERSON

BOARD OF CHIROPRACTORS

Amended: ARM 24.126.301
Adopted: NEW RULE VIII (ARM 24.126.505)
NEW RULE IX (ARM 24.126.506)

BOARD OF CHIROPRACTORS
MARCUS NYNAS, DC
PRESIDENT

BOARD OF CLINICAL LABORATORY SCIENCE PRACTITIONERS

Amended: ARM 24.129.606
Adopted: NEW RULE X (ARM 24.129.608)

BOARD OF CLINICAL LABORATORY
SCIENCE PRACTITIONERS
MATTHEW KALANICK
CHAIRPERSON

BOARD OF DENTISTRY

Amended: ARM 24.138.304
Adopted: NEW RULE XI (ARM 24.138.305)

BOARD OF DENTISTRY
LESLIE HAYES, DDS
PRESIDENT

STATE ELECTRICAL BOARD

Amended: ARM 24.141.509
Adopted: NEW RULE XII (ARM 24.141.511)

STATE ELECTRICAL BOARD
HARRY FREEBOURN
PRESIDENT

BOARD OF FUNERAL SERVICE

Adopted: NEW RULE XIII (ARM 24.147.414)
NEW RULE XIV (ARM 24.147.415)

BOARD OF FUNERAL SERVICE
JOHN TARR
PRESIDING OFFICER

BOARD OF HEARING AID DISPENSERS

Adopted: NEW RULE XV (ARM 24.150.512)
NEW RULE XVI (ARM 24.150.513)

BOARD OF HEARING AID
DISPENSERS
MICHAEL SPINTI
PRESIDING OFFICER

BOARD OF MASSAGE THERAPY

Amended: ARM 24.155.613
Adopted: NEW RULE XVII (ARM 24.155.615)

BOARD OF MASSAGE THERAPY
ELIZABETH CAVIN, ND
CHAIRPERSON

BOARD OF MEDICAL EXAMINERS

Adopted: NEW RULE XVIII (ARM 24.156.418)
NEW RULE XIX (ARM 24.156.419)

BOARD OF MEDICAL EXAMINERS
TAMMY SCOTT, PA-C
PRESIDENT

BOARD OF NURSING

Amended: ARM 24.159.403
Adopted: NEW RULE XX (ARM 24.159.413)
NEW RULE XXI (ARM 24.159.414)

BOARD OF NURSING
SHARON SWEENEY FEE, PHD, RN, CNE
PRESIDENT

BOARD OF NURSING HOME ADMINISTRATORS

Amended: ARM 24.162.503
Adopted: NEW RULE XXII (ARM 24.162.512)

BOARD OF NURSING HOME
ADMINISTRATORS
KATHRYN BEATY
PRESIDING OFFICER

BOARD OF OCCUPATIONAL THERAPY PRACTICE

Amended: ARM 24.165.302
Adopted: NEW RULE XXIII (ARM 24.165.413)
NEW RULE XXIV (ARM 24.165.414)

BOARD OF OCCUPATIONAL
THERAPY PRACTICE
TWYLLA KIRCHEN, OTR/L
PRESIDING OFFICER, ACTING

BOARD OF OPTOMETRY

Amended: ARM 24.168.407
Adopted: NEW RULE XXV (ARM 24.168.409)

BOARD OF OPTOMETRY
DOUG KIMBALL, O.D.
PRESIDENT

BOARD OF OUTFITTERS

Amended: ARM 24.171.403
Adopted: NEW RULE XXVI (ARM 24.171.414)

BOARD OF OUTFITTERS
JOHN WAY
CHAIRPERSON

BOARD OF PHARMACY

Adopted: NEW RULE XXVII (ARM 24.174.508)
NEW RULE XXVIII (ARM 24.174.509)

BOARD OF PHARMACY
TONY KING, RPh
PRESIDENT

BOARD OF PHYSICAL THERAPY EXAMINERS

Adopted: NEW RULE XXIX (ARM 24.177.512)
NEW RULE XXX (ARM 24.177.513)

BOARD OF PHYSICAL THERAPY
EXAMINERS
KELSEY WADSWORTH, PT, DPT, OCS
PRESIDING OFFICER

BOARD OF PLUMBERS

Amended: ARM 24.180.405
Adopted: NEW RULE XXXI (ARM 24.180.406)

BOARD OF PLUMBERS
JEFF GRUIZENGA
PRESIDING OFFICER

BOARD OF PRIVATE SECURITY

Amended: ARM 24.182.508
Adopted: NEW RULE XXXII (ARM 24.182.510)

BOARD OF PRIVATE SECURITY
HOLLY DERSHEM-BRUCE
PRESIDENT

BOARD OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS

Adopted: NEW RULE XXXIII (ARM 24.183.514)
NEW RULE XXXIV (ARM 24.183.515)

BOARD OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS
RON DRAKE, PROFESSIONAL ENGINEER
PRESIDING OFFICER

BOARD OF PSYCHOLOGISTS

Amended: ARM 24.189.613
ARM 24.189.911
Adopted: NEW RULE XXXV (ARM 24.189.614)
NEW RULE XXXVI (ARM 24.189.912)

BOARD OF PSYCHOLOGISTS
LORETTA BOLYARD, Ph.D.
CHAIRPERSON

BOARD OF PUBLIC ACCOUNTANTS

Amended: ARM 24.201.532
Adopted: NEW RULE XXXVII (ARM 24.201.533)

BOARD OF PUBLIC ACCOUNTANTS
JOHN JACOBSEN, CPA
PRESIDING OFFICER

BOARD OF RADIOLOGIC TECHNOLOGISTS

Adopted: NEW RULE XXXVIII (ARM 24.204.417)
NEW RULE XXXIX (ARM 24.204.418)

BOARD OF RADIOLOGIC
TECHNOLOGISTS
MIKE NIELSEN, RPA
PRESIDING OFFICER

BOARD OF REAL ESTATE APPRAISERS

Adopted: NEW RULE XL (ARM 24.207.411)
NEW RULE XLI (ARM 24.207.412)

BOARD OF REAL ESTATE APPRAISERS
PETER FONTANA
CERTIFIED RESIDENTIAL APPRAISER
PRESIDING OFFICER

BOARD OF REALTY REGULATION

Amended: ARM 24.210.301
ARM 24.210.418
Adopted: NEW RULE XLII (ARM 24.210.420)

BOARD OF REALTY REGULATION
RIC SMITH
PRESIDING OFFICER

BOARD OF RESPIRATORY CARE PRACTITIONERS

Adopted: NEW RULE XLIII (ARM 24.213.406)
NEW RULE XLIV (ARM 24.213.407)

BOARD OF RESPIRATORY CARE
PRACTITIONERS
LEONARD BATES, RCP
PRESIDING OFFICER

BOARD OF SANITARIANS

Adopted: NEW RULE XLV (ARM 24.216.511)
NEW RULE XLVI (ARM 24.216.512)

BOARD OF SANITARIANS
MEGAN BULLOCK, R.S.
PRESIDING OFFICER

BOARD OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

Amended: ARM 24.222.405
Adopted: NEW RULE XLVII (ARM 24.222.407)

BOARD OF SPEECH-LANGUAGE
PATHOLOGISTS AND AUDIOLOGISTS
KELSEY MANN, AuD
PRESIDING OFFICER, ACTING

BOARD OF VETERINARY MEDICINE

Amended: ARM 24.225.425
Adopted: NEW RULE XLVIII (ARM 24.225.427)

BOARD OF VETERINARY MEDICINE
PAUL MCCANN, DVM
PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ LAURIE ESAU
Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State May 4, 2021.