

PROFESSIONAL & OCCUPATIONAL LICENSING REPORT

FISCAL YEARS 2020-2021





The Honorable Greg Gianforte
Governor of Montana
State Capitol
Helena, MT 59620

Dear Governor Gianforte:

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, 2019 to June 30, 2021.

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 39 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,

Eric Strauss, 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 five 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 Executive Officer 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.

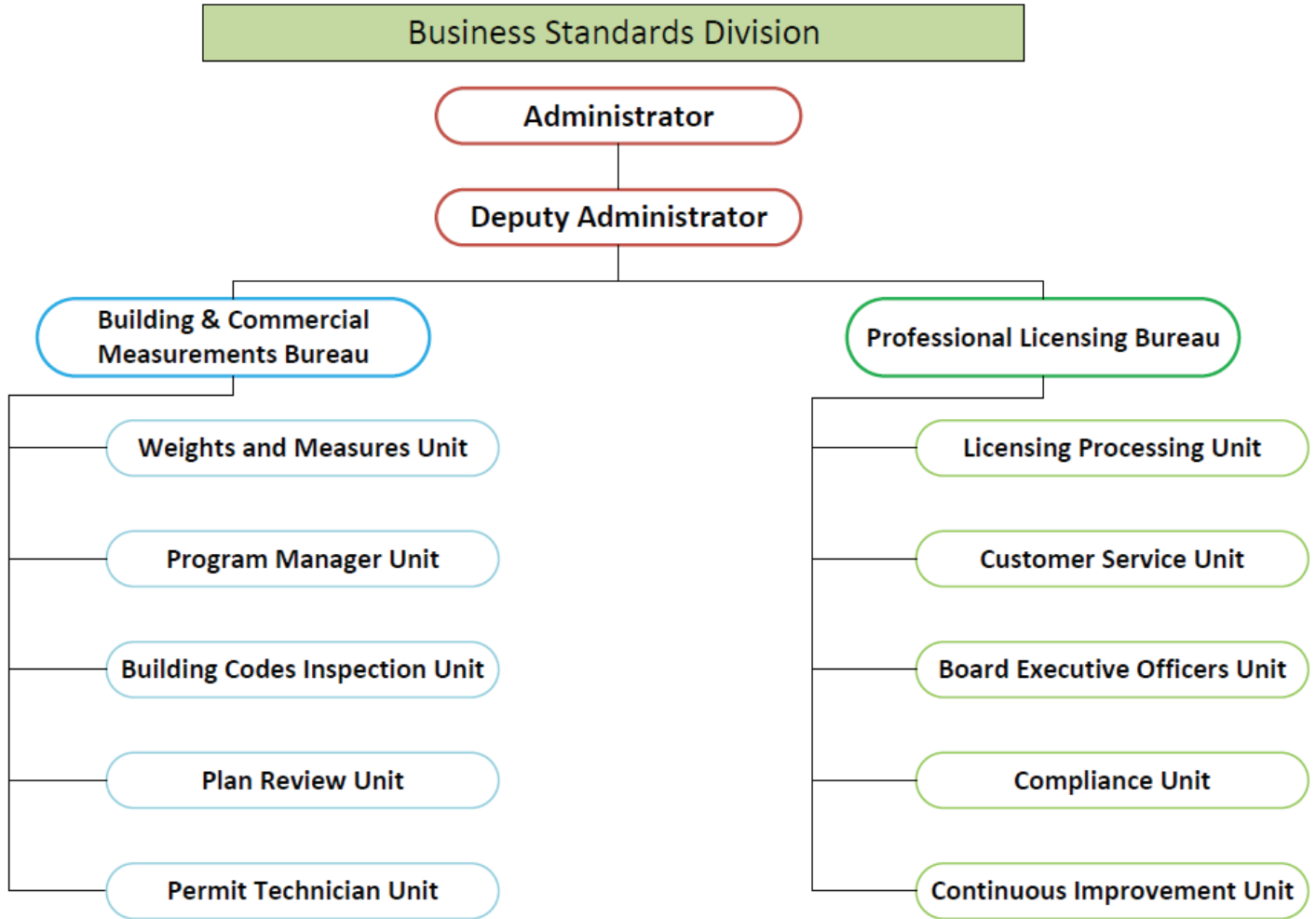
DIVISION OBJECTIVE

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 | dlibsdahc@mt.gov

The Board of Alternative Health Care currently serves 139 Naturopathic Physician, Direct-Entry Midwife and Direct-Entry Midwife apprentice licensees for protecting the health, safety, and welfare of the citizens of Montana. The Board continues to review and revise existing rules to streamline licensure and align with departmental standards.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	85	\$89,295	\$67,614
FY 21	0	92	\$94,373	\$55,595

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	13	12	142	93%	83%
FY 21	17	19	143	96%	89%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	6	0	0	5	1	0
FY 21	6	0	0	3	2	1

2021 Legislative Bills: None

Court Cases: None

Changes to Board: The board adopted rules that streamlined the Direct-Entry Midwife and Direct-Entry Midwife apprentice application process.



BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

architect.mt.gov | dlibsdark@mt.gov

The Board of Architects and Landscape Architects serves 1,717 licensees for protecting the health, safety, and welfare of the citizens of Montana. The Board continues to monitor national standards of practice to provide uniform laws and rules for the purpose of protecting the public from the unprofessional, improper, unauthorized, and unqualified practice of architecture and landscape architecture.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	83	\$148,067	\$91,065
FY 21	0	79	\$137,810	\$77,132

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	159	150	1,533	96%	88%
FY 21	199	233	1,677	98%	94%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	2	0	0	2	0	0
FY 21	3	0	0	2	1	1

2021 Legislative Bills: None

Court Cases: None

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



BOARD OF ATHLETIC TRAINERS

athletictrainer.mt.gov | dlibsdatr@mt.gov

The Board of Athletic Trainers currently serves 154 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.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	5	\$15,560	\$15,449
FY 21	0	17	\$16,705	\$23,257

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	19	19	154	99%	94%
FY 21	24	27	155	97%	96%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	0	0	0	0	0	0
FY 21	0	0	0	0	0	0

2021 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 | dlibsdbbh@mt.gov

The Board of Behavioral Health currently serves 8,331 licensees. The Board of Behavioral Health issues 13 types of professional licenses. The board's mission is to protect the health, safety, and well-being of Montana citizens through the regulation and oversight of licensed clinical professional counselors and candidates, licensed clinical social workers and candidates, licensed master (non-clinical) social workers and candidates, licensed baccalaureate social workers and candidates, licensed marriage and family therapists and candidates, licensed addiction counselors and candidates, and certified behavioral health peer support specialists. The board continues its ongoing work to review its regulations in order to address license portability across jurisdictions and reduce unnecessary barriers to licensure 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 20	0	112	\$756,067	\$726,695
FY 21	0	606	\$771,647	\$670,608

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	588	521	4,091	94%	82%
FY 21	697	909	4,346	97%	92%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	62	2	3	54	3	0
FY 21	76	0	0	65	3	8



BOARD OF BEHAVIORAL HEALTH

bbh.mt.gov | dlibsdbbh@mt.gov

2021 Legislative Bills:

- SB 39 - Generally revise laws related to sexual offender evaluations and treatment
- SB 102 - Revise behavioral health licensing laws
- SB 166 - Generally revise laws related to licensed addiction counselors
- HB 177 - Revise licensure requirements for professions under board of behavioral health
- HB 276 - Put peer support specialists on the board of behavioral health
- HB 477 - Generally revise marriage and family therapist laws

Court Cases: None

Changes to Board:

- HB 276 and HB 477 in coordination increased the seats on the board from 9 to 11 by adding an LMFT seat and a certified behavioral health peer support specialist seat. The board now consists of: 3 LCPC; 3 LCSW; 2 LAC; 1 LMFT, 1 certified behavioral health peer support specialist, and 1 public member.
- SB 102, SB 166, and HB 177 generally speaking all work to standardize licensing requirements for the professions under this board to to enhance license portability for behavioral health professionals applying for licensure in Montana.
- SB 39 created a sex offender evaluator endorsement that qualified LCSW, LCPC, and LMFT can obtain in order to perform sex offender evaluations.



BOARD OF CHIROPRACTORS

chiropractor.mt.gov | dlibschi@mt.gov

The Board of Chiropractors currently serves 470 licensees for the 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 and continues to research to repeal overburdensome and outdated regulations. The board continues to research reciprocity with States that are substantially equivalent to Montana's regulations.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	52	\$110,565	\$76,179
FY 21	0	51	\$113,235	\$81,705

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	34	41	494	93%	64%
FY 21	41	46	510	93%	97%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	4	0	0	3	0	1
FY 21	4	0	0	2	1	1

2021 Legislative Bills: None

Court Cases: None

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



BOARD OF CLINICAL LABORATORY SCIENCE PRACTITIONERS

cls.mt.gov | dlibsdccls@mt.gov

The Board of Clinical Laboratory Science Practitioners currently serves 833 licensees to protect the health, safety and well-being of Montana citizens through the regulation and oversight of clinical laboratory scientists, clinical laboratory specialists, and clinical laboratory technicians.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	102	94	\$108,290	\$67,363
FY 21	0	87	\$109,730	\$94,463

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	136	152	914	97%	88%
FY 21	155	169	912	98%	95%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	2	0	1	0	0	1
FY 21	2	0	1	1	0	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board: No changes to the board; MAR 24-129-19 final rule adoption filed on May 17- ARM 24.129.603 minimum standards for licensure, added a new credentialing entity approved by the board, NRCC.



BOARD OF BARBERS AND COSMETOLOGISTS

cosmetology.mt.gov | dlibsdcos@mt.gov

The Board of Barbers and Cosmetologists currently serves 12,067 licensees. The Board issues ten types of licenses for people and facilities. The board's mission is to protect the health, safety and well-being of Montana citizens through the regulation and oversight of barbering, barbering nonchemical, cosmetology, electrology, esthetics, and manicuring. The board continues its ongoing work to review its regulations in order to address license portability across jurisdictions and reduce unnecessary barriers to licensure while maintaining regulations and processes that protect the health and safety of the public utilizing these services in Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	1,188	21	\$839,740	\$756,793
FY 21	1,204	31	\$838,222	\$847,247

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	1,125	1,340	8,070	96%	68%
FY 21	1,023	1,384	7,883	90%	82%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	34	7	0	12	15	0
FY 21	24	0	0	12	12	0

2021 Legislative Bills: HB 593 - Generally revise barbering and cosmetology laws

Court Cases: None

Changes to Board:

- HB 593 altered the statutory makeup of the seats on the board which still is nine members but now consists of: 2 cosmetologists, 2 barbers, 1 esthetician, 1 manicurist, 2 individuals affiliated with a school, and 1 public member.
- The board completed rulemaking to issue licenses for mobile salons and shops in addition to the traditional fixed location shops and salons. It also standardized the existing shop and salon licensing rules to make them more readable and easier to follow for the public and licensees.



BOARD OF DENTISTRY

dentistry.mt.gov | dlibsdden@mt.gov

The Board of Dentistry currently serves 1,728 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 20	0	11	\$423,639	\$311,438
FY 21	0	84	\$456,122	\$363,372

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	62	92	1,751	97%	76%
FY 21	142	175	1,776	97%	93%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	19	0	1	16	1	1
FY 21	27	0	0	21	3	3

2021 Legislative Bills: None

Court Cases: None

Changes to Board: None



BOARD OF ELECTRICAL

electrician.mt.gov | dlibsdele@mt.gov

The Board of Electrical serves 5,390 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The Board emphasizes the need to have electricians that meet minimum safety and qualification standards in order 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 with other states and additional protection against unlicensed practice. The board continues to research to repeal overburdensome and outdated regulations.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	225	40	\$495,107	\$347,649
FY 21	100	1,672	\$673,353	\$435,074

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	338	686	2,254	94%	52%
FY 21	462	944	1,891	89%	76%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	16	0	0	10	6	0
FY 21	17	0	0	14	3	0

2021 Legislative Bills: None

Court Cases: None

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



BOARD OF FUNERAL SERVICE

funeral.mt.gov | dlibsdfnr@mt.gov

The Board of Funeral Service currently serves 362 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 20	126	256	\$177,166	\$120,459
FY 21	209	254	\$172,791	\$94,847

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	21	44	388	89%	65%
FY 21	33	48	369	98%	60%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	5	0	0	5	0	0
FY 21	4	0	0	0	0	1

2021 Legislative Bills: None

Court Cases: None

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



BOARD OF HEARING AID DISPENSERS

hearingaid.mt.gov | dlibsddhad@mt.gov

The Board of Hearing Aid Dispensers serves 54 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The board ensures protection of the public by regulation and oversight of the selling, dispensing and fitting of hearing aids.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	9	\$38,130	\$49,229
FY 21	0	11	\$46,140	\$52,156

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	4	12	60	95%	33%
FY 21	9	25	62	95%	44%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	0	0	0	0	0	0
FY 21	1	0	0	0	1	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board: 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.

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



BOARD OF MASSAGE THERAPY

massagetherapists.mt.gov | dlibsdmt@mt.gov

The Board of Massage Therapy currently serves 1,790 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 20	0	51	\$185,135	\$154,159
FY 21	0	52	\$198,850	\$128,572

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	153	142	1,760	93%	86%
FY 21	196	208	1,770	94%	86%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	4	1	0	3	0	0
FY 21	3	1	0	2	0	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board: None



BOARD OF MEDICAL EXAMINERS

medicalboard.mt.gov | dlibsmed@mt.gov

The Board of Medical Examiners currently serves 13,696 licensees for the purpose of protecting the health, safety, and well-being of Montana citizens through the licensing of competent health professionals and by the regulation of the related practices to promote the delivery of quality healthcare. The board issues the following licenses: physician, physician assistant, podiatrist, emergency care provider (including emergency medical responder, emergency medical technician, advanced emergency medical technician, and paramedic), nutritionist, and acupuncturist.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	166	\$2,483,837	\$1,423,241
FY 21	0	52	\$911,090	\$1,208,895

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	2,131	2,300	5,791	95%	67%
FY 21	2,411	2,684	6,140	95%	74%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	79	4	1	62	6	6
FY 21	113	0	4	84	5	20

2021 Legislative Bills: The board did not pursue any legislation; it did, however, implement the creation of a sexual offender evaluator endorsement as required by SB 39.

Court Cases: None

Changes to Board:

The following administrative rule changes were included in MAR 24-156-87:

- MAR 24-156-87 reformed the supervision agreement application process for physicians and physician assistants by replacing board member interviews with online educational courses. This change reduced applicant waiting times and reduced board expenses.
- MAR 24-156-88 allows for simulated patients to be used for up to 50% of the patient encounters required during the clinical portion of AEMT and paramedic courses.
- MAR 24-156-90 responded to comments from wildland firefighting agencies and involved changes to allow Emergency Care Providers who are licensed in other states to practice in declared emergencies up to the Emergency Medical Technician level without requiring a medical director.
- MAR 24-156-91 included standardization of procedures for license renewal, administrative suspension, and auditing.



BOARD OF NURSING HOME ADMINISTRATORS

nha.mt.gov | dlibsdnha@mt.gov

The Board of Nursing Home Administrators serves 187 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

The Board participated in the annual meeting of the National Association of Long Term Care Administrator Board, where members networked, discussed regulation issues, and acquired information on national trends for nursing home administrators.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	23	\$73,635	\$65,937
FY 21	0	14	\$88,265	\$83,606

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	63	102	187	91%	77%
FY 21	104	150	203	95%	76%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	0	0	0	0	0	0
FY 21	2	0	0	1	1	0

2021 Legislative Bills: None

Court Cases: None

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



BOARD OF NURSING

nurse.mt.gov | nurse@mt.gov

The Board of Nursing currently serves 22,198 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 20	0	719	\$1,416,190	\$1,668,236
FY 21	0	78	\$1,605,040	\$1,588,614

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	2,147	2,644	9,473	94%	81%
FY 21	2,660	3,351	10,451	96%	93%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	113	7	14	78	11	3
FY 21	135	11	13	92	9	10

2021 Legislative Bills:

HB 495 – revise laws related to health care providers (third-party bill)

SB 39 – generally revise laws related to sexual offender evaluations and treatment (third-party bill)

Court Cases:

- 2020-NUR-9, Montana Twelfth Judicial District Court Case # DV-21-125-JR
- 2020-NUR-445, Montana Sixteenth Judicial District Court Case DV-2021-116

Changes to Board:

- In FY20, the Board expanded their education program rules to address limitations for faculty and clinical resource nurse, and later addressed clinical simulation to allow for increased use during a state of emergency.
- In FY21, the Board waived continuing education requirements for all nurses who renewed their licenses in 2020 and 2021 in recognition of the continuous development many licensees were completing throughout the COVID-19 pandemic and also to reduce barriers to maintain licensure.



BOARD OF OPTOMETRY

optometry.mt.gov | dlibsdopt@mt.gov

The board currently serves 256 Optometrist 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 the 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 20	0	129	\$52,600	\$29,924
FY 21	1	1	\$53,140	\$26,673

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	13	13	268	95%	76%
FY 21	16	20	257	98%	75%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	3	0	0	3	0	0
FY 21	4	0	0	4	0	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board: The Board refined the definitions of both "routine" and "nonroutine" applications for consistency with current standardized processes. The Board also adopted amendments to standardize the criminal conviction rules for all 32 professional licensing Boards.



BOARD OF OCCUPATIONAL THERAPY PRACTICE

ot.mt.gov | dlibsdotp@mt.gov

The board currently serves 587 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	53	\$27,080	\$56,587
FY 21	0	61	\$90,632	\$48,034

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	82	98	596	97%	67%
FY 21	97	101	630	97%	83%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	1	0	0	1	0	0
FY 21	1	0	0	1	0	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board: None



BOARD OF OUTFITTERS

outfitter.mt.gov | dlibsout@mt.gov

The Board of Outfitters currently serves 2,933 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 20	29	82	\$386,376	\$426,356
FY 21	37	76	\$451,844	\$352,006

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	427	466	2,750	90%	45%
FY 21	525	598	2,913	91%	57%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	59	0	0	46	11	2
FY 21	28	1	0	22	5	0

2021 Legislative Bills: SB 279: Reorganized a seven member board to five members

Court Cases: None

Changes to Board: Change in membership from seven to five board members



BOARD OF PUBLIC ACCOUNTANTS

publicaccountant.mt.gov | dlibsdpac@mt.gov

The Board of Public Accountants serves 2,665 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. The board continues its ongoing work to review its regulations in order to address license portability across jurisdictions and reduce unnecessary barriers to licensure while maintaining regulations and processes that protect the health and safety of the public utilizing these services in Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	396	\$374,086	\$297,268
FY 21	0	373	\$194,073	\$240,316

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	225	21 ¹	3,190	97%	N/A ¹
FY 21	262	25 ¹	3,293	97%	N/A ¹

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	10	0	0	9	1	0
FY 21	7	0	0	7	0	0

¹Applications 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.

2021 Legislative Bills: None

Court Cases: None

Changes to Board:

- The board updated its rules: to allow registered volunteer professionals offering services during a state of emergency to receive remuneration; and, standardized application rules to allow department staff review and process routine applications with regard to experience and qualifications and issue those licenses as opposed to requiring board review in order to streamline efficiencies while still ensuring public safety.



BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

engineer.mt.gov | dlibsdpels@mt.gov

The Board of Professional Engineers and Professional Land Surveyors currently serves 8,254 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The board works to accomplish its mission of protecting the public through the performance of three key functions: licensure, discipline, and regulation. The board issues the following licenses: professional engineer, professional land surveyor, engineer-surveyor, engineer intern, land surveyor intern, and certificate of authorization.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	174	\$490,261	\$360,017
FY 21	0	173	\$503,417	\$230,885

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	730	896	7,676	98%	94%
FY 21	802	979	1,403	97%	94%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	26	0	1	24	0	1
FY 21	16	0	0	15	1	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board:

- The board revised its application forms and processes to simplify the process for applicants.
- The following administrative rule changes were included in MAR 24-183-44:
 - Standardization of procedures for license renewal, administrative suspension, and auditing.
 - Adding requirement that applicants for licensure as professional land surveyors in Montana have some experience in the Public Land Survey System.



BOARD OF PHARMACY

pharmacy.mt.gov | mpdr.mt.gov | dlibsdp@mt.gov | dlibsdpdr@mt.gov

The Board of Pharmacy currently serves 6,035 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
FY 20	264	113	\$1,034,920	\$324,360	\$1,001,220	\$180,418
FY 21	215	127	\$1,090,530	\$353,400	\$1,104,521	\$230,200

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	984	1,043	6,007	98%	61%
FY 21	1,115	1,219	6,135	99%	63%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	21	0	1	13	7	0
FY 21	19	1	0	15	3	0



2021 Legislative Bills: SB 374- Dispensing of drugs by medical practitioners

Court Cases: None

Changes to Board:

- The Board issued rules related to 2019 legislation to clarify requirements for positive identification for controlled substances prescriptions.
- Regarding MPDR, a Request for Proposal was issued in April 2020 to identify a new MPDR system vendor to support expanded prescription drug monitoring services in Montana. The new MPDR system, Bamboo Health PMP AWA RxE (formerly Appriss), was launched in March 2021, and provides new clinical tools for health care providers registered with MPDR and improves procedures for administering the program. On average, there are over 55,000 MPDR searches per month. The new MPDR system also addresses issues identified in the 2019 legislative audit.
 - To help improve utilization, MPDR data can now be integrated directly into the workflow of health information systems, including electronic health records, pharmacy dispensing systems, and the health information exchange.
 - To assist Montana facilities with MPDR data integration costs, the Board is collaborating with the Montana Department of Public Health and Human Services to cover integration fees with federal Overdose Data to Action Grant funds from the Centers for Disease Control and Prevention.
- The Board addressed many issues related to the COVID-19 pandemic and issued two temporary emergency rules related to: 1) telepharmacy operations, and; 2) immunizations and pharmacy staffing challenges and the need to address the pharmacist/pharmacy technician ratio and use of other qualified health care licensees to assist pharmacists in administering vaccines. The Board continued to work on a permanent solution through rulemaking.
- SB 374 authorizes medical practitioners to register with the Board to dispense medications, within their scope of practice, directly to their own patients from their medical office or practice location in Montana, with the intent that patients take medications home and not have the prescription filled at a pharmacy. The Board started rulemaking regarding qualifications, dispenser requirements, and record-keeping requirements for implementation in FY2022.



BOARD OF PLUMBERS

plumber.mt.gov | dlibsdp@mt.gov

The Board of Plumbers serves 1,502 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The Board emphasizes the need to have plumbers that meet minimum safety and qualification standards in order to ensure that the installation of potable drinking water systems and sanitary plumbing systems are safe to the public from contamination. The Board's goals include streamlining of licensure requirements, expansion of reciprocity with other states and additional protection against unlicensed practice. The board continues to research to repeal overburdensome and outdated regulations.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	153	381	\$330,635	\$307,833
FY 21	45	156	\$363,936	\$294,483

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	107	208	1,285	89%	49%
FY 21	124	238	1,328	90%	77%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	21	0	0	14	7	0
FY 21	13	0	0	6	5	2

2021 Legislative Bills: HB180 - Reverse previous HB751 language associated with the qualifications on how experience was obtained for the Journeyman Plumbers and the attestation and observation of the work by the supervising Master.

Court Cases: None

Changes to Board: None



BOARD OF PRIVATE SECURITY

privatesecurity.mt.gov | dlibsdsp@mt.gov

The Board of Private Security currently serves 1,477 licensees. The mission of the Board of Private Security is to protect the health, safety and well-being of Montana citizens through the regulation and oversight of security alarm installers, private security guards, security alarm runners, private investigators, private investigator trainee's, process servers, certified firearm instructors, resident managers, electronic security companies, contract security companies, proprietary security organizations, and branch offices.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	120	\$299,175	\$310,209
FY 21	0	188	\$320,338	\$305,244

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	480	663	1,687	77%	29%
FY 21	496	677	1,721	78%	57%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	5	0	0	4	1	0
FY 21	10	0	0	8	2	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board: No changes to the board; new board appointments were noticed to our office on May 3, 2022. Our City Police and Sheriff representatives were replaced by new appointees.



BOARD OF PSYCHOLOGISTS

psy.mt.gov | dlibspsy@mt.gov

The Board of Psychologists currently serves 288 licensees. The mission of the board 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 20	0	12	\$178,670	\$147,370
FY 21	0	7	\$188,645	\$145,972

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	23	56	268	93%	23%
FY 21	36	63	276	95%	73%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	11	0	0	11	0	0
FY 21	7	0	0	4	0	3

2021 Legislative Bills:

- SB 90 added a psychologist by experience license type which allows licensure of out-of-state applicants who demonstrate a significant period of practice without discipline. The bill also added licensure of postdoctoral supervisees.

Court Cases: None

Changes to Board:

- The Board removed the oral examination as a requirement for licensure, replacing it with an online jurisdictional course.



BOARD OF PHYSICAL THERAPY EXAMINERS

pt.mt.gov | dlibsdp@mt.gov

The Board of Physical Therapy Examiners currently serves 1,857 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	150	\$142,299	\$122,318
FY 21	0	7	\$169,700	\$131,506

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	143	186	1,787	99%	84%
FY 21	238	276	1,859	99%	91%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	5	0	0	5	0	0
FY 21	6	0	0	5	0	1

2021 Legislative Bills: SB 70 - A BILL FOR AN ACT ENTITLED: “AN ACT CLARIFYING TITLE PROTECTION FOR PHYSICAL THERAPIST ASSISTANTS; REMOVING THE ORAL INTERVIEW FOR PHYSICAL THERAPIST LICENSURE APPLICANTS; ALLOWING PHYSICAL THERAPIST LICENSURE APPLICANTS TO TAKE THE LICENSURE EXAMINATION PRIOR TO GRADUATION; ALLOWING LICENSEES TO DISPLAY UNNOTARIZED COPIES OF THEIR LICENSES; AMENDING SECTIONS 37-11-301, 37-11-303, 37-11-304, AND 37-11-311, MCA; AND 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

Court Cases: None

Changes to Board: Effective July 1, 2021 Montana officially begin issuing and accepting PT Compact Privileges. The purpose of this compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. This allows for better portability of licensees, including military spouses, and better serves patients in rural and underserved areas.

The Board issued multiple rule changes to implement legislation, address evolving practice issues, and clarify existing rules.

The Board amended and adopted several rules to align with and further facilitate the Department’s standardization for all boards.



BOARD OF RESPIRATORY CARE PRACTITIONERS

respcare.mt.gov | dlibsdrpc@mt.gov

The Board of Respiratory Care Practitioners currently serves 643 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 20	0	47	\$56,875	\$32,792
FY 21	0	58	\$69,632	\$36,662

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	90	94	604	98%	96%
FY 21	155	206	643	98%	98%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	2	0	0	2	0	0
FY 21	0	0	0	0	0	0

2021 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 | dlibsirea@mt.gov

The Board of Real Estate Appraisers serves 1,098 Licensed Residential, Certified Residential, Certified General, and Appraisal Management Company 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 20	0	122	\$469,225	\$276,388
FY 21	0	0	\$491,430	\$267,602

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	336	345	545	97%	12%
FY 21	327	349	553	97%	32%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	17	0	0	15	2	0
FY 21	23	0	0	22	0	1

2021 Legislative Bills: None

Court Cases: None

Changes to Board: The Board adopted the January 1, 2021 version of the Real Property Appraiser Qualifications Criteria. The Board also removed the restriction on online continuing education to allow synchronous continuing education courses.



BOARD OF REALTY REGULATION

realestate.mt.gov | dlibsdrre@mt.gov

The Board of Realty Regulation currently serves 8,082 real estate broker, salesperson, and property manager licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana.

Activities						
	Inspections	Audits	Revenues	Recovery Account	Expenditures	Recovery Account
FY 20	6	252	\$1,163,805	N/A	\$546,733	N/A
FY 21	0	169	\$487,322	N/A	\$520,747	N/A

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	755	824	6,561	93%	81%
FY 21	1,281	1,456	6,920	94%	92%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	103	5	2	83	13	0
FY 21	103	3	1	76	13	10

2021 Legislative Bills: None

Court Cases: None

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



BOARD OF RADIOLOGIC TECHNOLOGISTS

radiology.mt.gov | dlibsdrad@mt.gov

The Board of Radiologic Technologists currently serves 1,530 licensees. The mission of the Board of Radiologic Technologists is to protect the health, safety, and well-being of Montana citizens through the regulation and oversight of radiography and the licensing of competent professionals.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	141	41	\$141,255	\$77,205
FY 21	0	26	\$147,855	\$101,297

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	206	254	1,511	98%	88%
FY 21	265	285	1,576	99%	95%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	5	0	1	3	1	0
FY 21	4	1	1	2	0	0

2021 Legislative Bills: None

Court Cases: None

Changes to Board:

- No changes to the board; new board appointments notice to our office on May 3, 2022. Two new RT's and a new LPH appointee will be added to the board.



BOARD OF SANITARIANS

sanitarian.mt.gov | dlibsdsan@mt.gov

The Board of Sanitarians currently serves 130 licensees for the purpose of protecting the health, safety, and welfare of the citizens of Montana. The board continues to research to repeal overburdensome and outdated regulations.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	7	\$41,920	\$19,751
FY 21	0	0	\$45,805	\$23,875

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	15	17	150	89%	88%
FY 21	27	27	155	94%	88%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	1	0	0	1	0	0
FY 21	2	0	0	2	0	0

2021 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 | dlibsdsip@mt.gov

The Board of Speech-Language Pathologists and Audiologists currently serves 673 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.

Activities				
	Inspections	Audits	Revenues	Expenditures
FY 20	0	8	\$89,526	\$33,054
FY 21	0	63	\$99,469	\$65,260

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	111	113	619	94%	93%
FY 21	113	139	664	96%	97%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	1	0	0	0	1	0
FY 21	0	0	0	0	0	0

2021 Legislative Bills: HB 210 - AN ACT PROVIDING FOR LICENSURE OF SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY ASSISTANTS; REMOVING THE TERM "AIDES" BUT PROVIDING AN OPTION FOR LICENSING; EXTENDING RULEMAKING AUTHORITY; AMENDING SECTIONS 37-15-102, 37-15-301, 37-15-302, 37-15-303, 37-15-307, 37-15-311, AND 37-15-314, MCA; AND REPEALING SECTION 37-15-313, MCA.

Court Cases: None

Changes to Board: Under HB 210, effective October 1, 2021, there is no longer registration for unlicensed speech-language pathology or audiology aides.

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



BOARD OF VETERINARY MEDICINE

vet.mt.gov | dlibsdrvvet@mt.gov

The Board of Veterinary Medicine currently serves 1,172 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 20	2	43	\$182,404	\$96,649
FY 21	2	40	\$191,044	\$140,012

Statistics					
	New Licenses	Applications	Renewed	% Online renewal	% Online application
FY 20	82	77	1,102	92%	88%
FY 21	101	116	1,127	95%	93%

Complaint Summary						
	New	Revoked	Suspended	Dismissed	Sanctioned	Investigations
FY 20	23	0	1	21	1	0
FY 21	21	0	1	15	3	2

2021 Legislative Bills: SB 106 implementation- MAR 24-225-42 proposal notice filed with SOS on May 17. Official publishing date May 27th. Legislative bill to be finally adopted and implemented by January 1, 2023.

Court Cases: None

Changes to Board: No changes to the board; new DVM board appointee Jan 1, 2021.



EXPLANATION OF DATA

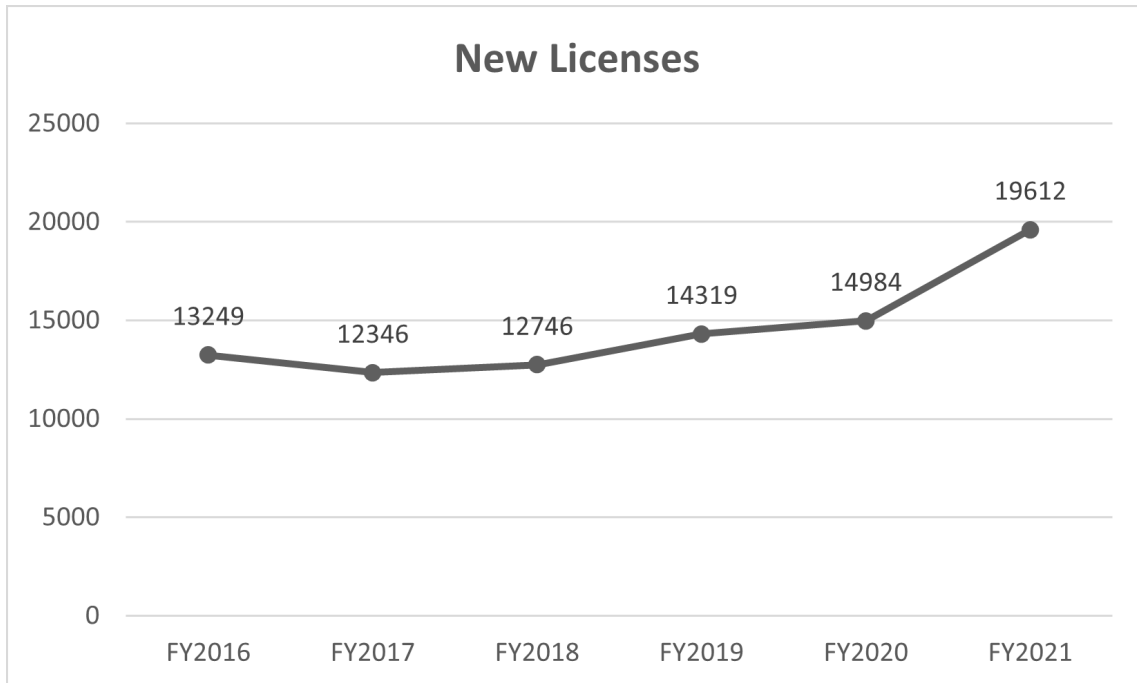
The following is a list of events that impacted board license numbers or budget figures. These events help us understand the board's reported data.

- 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 2019 Montana Legislature enacted House Bill 376 which repealed all the statutes related to the real estate recovery account, including 37-51-502, MCA, effective February 1, 2021. Following the statutes' repeal, the Board of Realty Regulation has no remaining authority to collect the recovery fee.
- An amendment was added to Montana Code Annotated Title 37, Chapter 1, Part 3, Section 37-1-304 stating that a board shall issue a license to practice without examination to a person licensed in another state if the board determines the individual meets certain criteria from a state that is in a reciprocity agreement with the state of Montana.
- The number of current licensees reported for each board include the total number of active licensees. In previous fiscal years, the total number of active and inactive licensees were reported.



TOTAL NEW LICENSES BY FISCAL YEAR

The number of new licenses issued in Montana has grown by almost 6.7% from 2016 to 2021



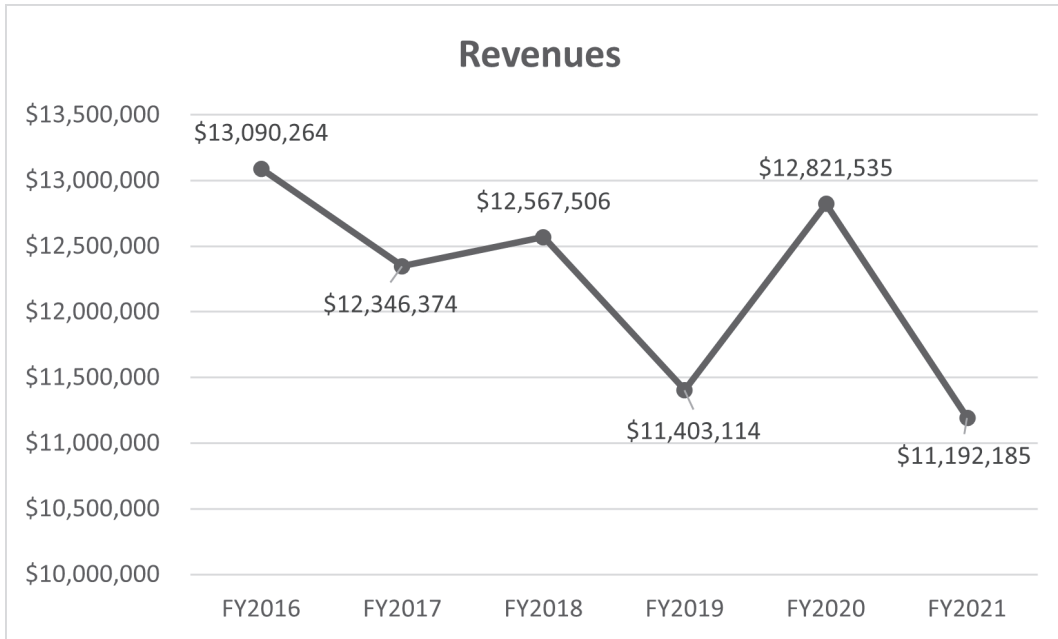
The data above represents the total number of new licensees issued during a fiscal year. Boards set licensure requirements for those individuals and businesses who wish to work in their professions or occupations. The fundamental purpose of the licensure requirements is to ensure those individuals have 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.

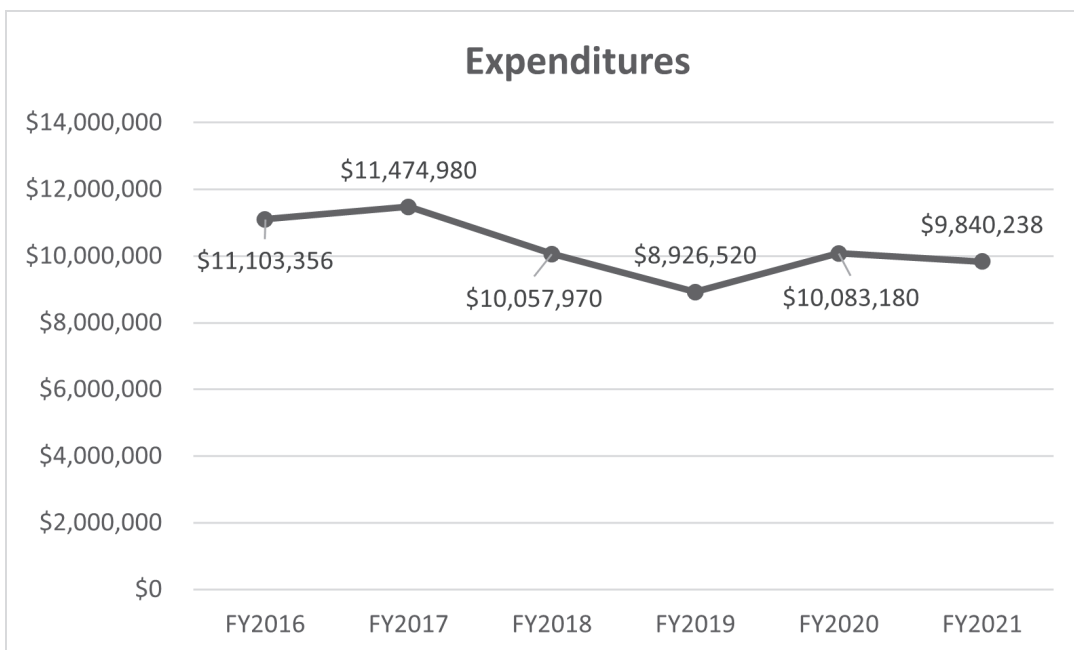


REVENUES AND EXPENDITURES



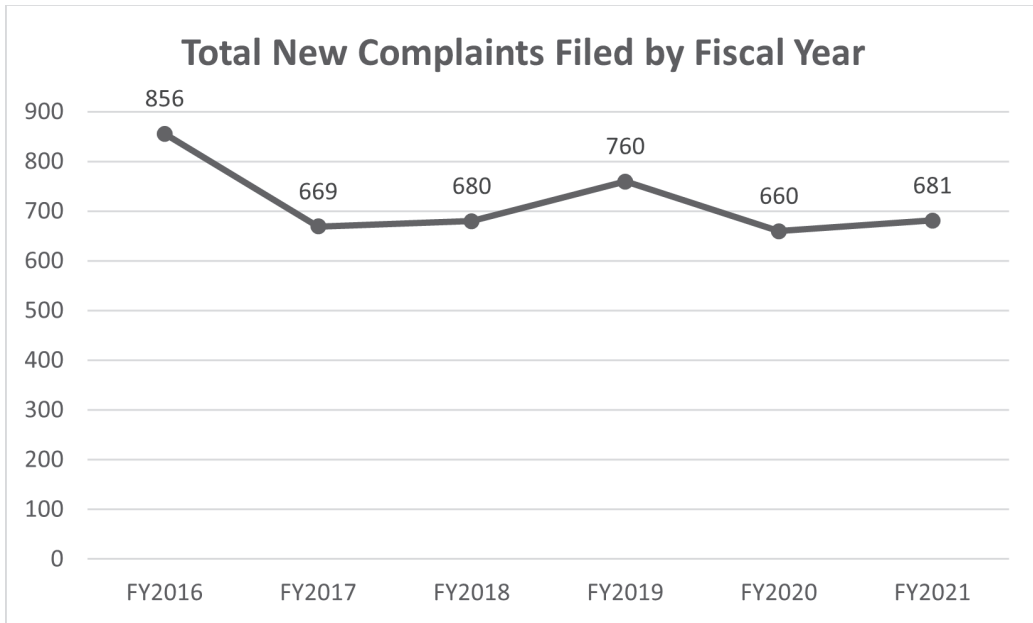
Revenues have decreased by 2.4% as a compound annual growth rate and expenditures have decreased by 1.9% compound annual growth rate over the last biennium. Revenue is created by charging the license applicant and licensee a variety of fees such as application and renewal fees. Each board is self-supported 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.

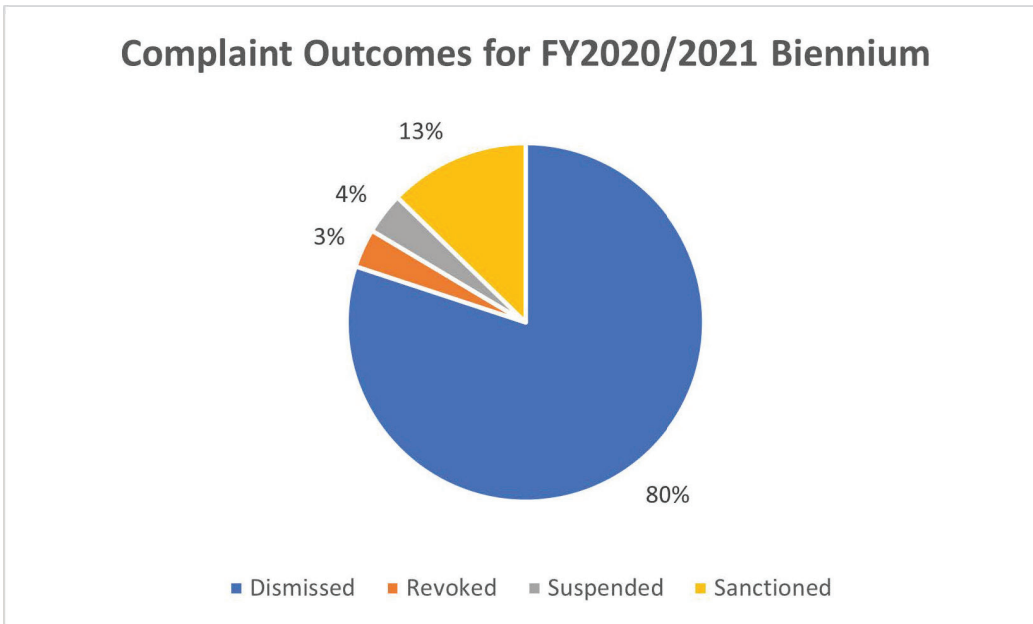




COMPLIANCE STATISTICS



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.



Complaints are reviewed by the boards to determine if they have merit. In FY2020 and FY2021 the boards received a total of 1,341 new complaints. The graph above shows the percentage of each board action for 1,259* 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.

Board	FY 2020	FY 2021
	Licenses Administratively Suspended	Licenses Administratively Suspended
AHC	0	0
ARC	0	0
ATR	0	0
BAR/COS	0	0
BBH	0	2
CHI	1	0
CLS	0	0
DEN	0	0
ELE	1	11
FNR	0	0
HAD	0	0
LMT	0	1
MED	8	0
NHA	0	0
NUR	10	12
OPT	0	0
OTP	0	0
OUT	0	0
PAC	4	5
PEL	1	6
PHA	0	0
PLU	7	5
PSP	13	16
PSY	1	0
PTP	3	0
RCP	3	2
REA	0	0
RRE	6	3
RTS	0	0
SAN	0	0
SLP	0	0
VET	0	1
TOTALS	58	64



Thank you for reading our report.

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