

BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
AND THE BOARD OF NURSING
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 24.101.413 renewal dates) PROPOSED AMENDMENT

TO: All Concerned Persons

1. On September 28, 2018, at 10:00 a.m., a public hearing will be held in the Large Conference Room, 301 South Park Avenue, 4th Floor, Helena, Montana, to consider the proposed amendment of the above-stated rule.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Nursing (board) no later than 5:00 p.m., on September 21, 2018, to advise us of the nature of the accommodation that you need. Please contact the Board of Nursing, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2380; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or nurse@mt.gov (board's e-mail).

3. The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

24.101.413 RENEWAL DATES AND REQUIREMENTS (1) through (5)(s) remain the same.

	BOARD OR PROGRAM JURISDICTION	LICENSE CATEGORY	FREQUENCY	RENEWAL DATE
(t)	Nursing	Clinical Nurse Specialist	Biennially, Even Numbered Years	December 31
		Nurse Anesthetist	Biennially, Even Numbered Years	December 31
		Nurse Midwife	Biennially, Even Numbered Years	December 31
		Nurse Practitioner	Biennially, Even Numbered Years	December 31
		APRN Prescriptive Authority	Biennially, Even Numbered Years	December 31
		Practical Nurse - Licensed	Biennially, Even Numbered Years	December 31
		Professional Nurse -Registered	Biennially, Even Numbered Years	December 31
		Medication Aide	Annually	March 31

(u) through (7) remain the same.

AUTH: 37-1-101, 37-1-141, MCA

IMP: 37-1-101, 37-1-141, MCA

REASON: Currently, the department is preparing for the biennial renewal of nursing licenses at the end of 2018. With over 22,000 licensees associated with the board, nursing renewals involve a significant effort in a short amount of time, requiring reassignment of licensing staff and resulting in delayed licensure time and stress on both staff and the telephone system. To improve the renewal experience for licensees and ensure more efficient workflow, the board and the department have determined it is reasonably necessary to split licensees into two groups to allow the burden of renewal to be balanced between even- and odd-numbered years. Therefore, the board and department are amending this rule now to allow biennial renewal groups for even- and odd-numbered years and to have this change in effect by the 2018 renewal period. The board is working with the department to implement this transition by clearly communicating to licensees what to expect especially during the first renewal period following the rule changes.

4. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Nursing, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to nurse@mt.gov, and must be received no later than 5:00 p.m., October 5, 2018.

5. An electronic copy of this notice of public hearing is available at nurse.mt.gov (department and board's web site). Although the department strives to keep its web sites accessible at all times, concerned persons should be aware that web sites may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing a web site do not excuse late submission of comments.

6. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Nursing, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to nurse@mt.gov; or made by completing a request form at any rules hearing held by the agency.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. Regarding the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.101.413 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determination is available upon request to the Board of Nursing, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2380; facsimile (406) 841-2305; or to nurse@mt.gov.

9. Missy Poortenga, Executive Officer, has been designated to preside over and conduct this hearing.

BOARD OF NURSING
SHARON SWEENEY FEE, RN
PRESIDENT

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

/s/ GALEN HOLLENBAUGH
Galen Hollenbaugh, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State August 28, 2018.