

BEFORE THE 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, STATE ELECTRICAL BOARD, BOARD OF MEDICAL  
EXAMINERS, BOARD OF NURSING, BOARD OF NURSING HOME  
ADMINISTRATORS, BOARD OF OPTOMETRY, BOARD OF PHYSICAL THERAPY  
EXAMINERS, BOARD OF PRIVATE SECURITY, BOARD OF PUBLIC  
ACCOUNTANTS, BOARD OF REALTY REGULATION, BOARD OF  
RESPIRATORY CARE PRACTITIONERS, BOARD OF VETERINARY MEDICINE,  
BOARD OF PERSONNEL APPEALS, HUMAN RIGHTS COMMISSION, AND  
UNEMPLOYMENT INSURANCE APPEALS BOARD  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the amendment of )  
ARM 24.7.101, 24.9.101, 24.26.201, )  
24.114.201, 24.114.202, 24.118.101, )  
24.118.201, 24.121.102, 24.121.201, )  
24.126.101, 24.126.201, 24.126.202, )  
24.129.101, 24.129.201, 24.129.202, )  
24.141.101, 24.141.201, 24.141.202, )  
24.156.202, 24.159.101, 24.159.201, )  
24.159.202, 24.162.101, 24.162.201, )  
24.162.202, 24.168.101, 24.168.201, )  
24.168.202, 24.177.101, 24.177.201, )  
24.177.202, 24.182.101, 24.182.202, )  
24.201.201, 24.201.202, 24.210.101, )  
24.210.201, 24.210.202, 24.213.101, )  
24.213.201, 24.213.202, 24.219.201, )  
24.219.204, 24.225.101, 24.225.201, )  
and 24.225.202, and the adoption of )  
NEW RULES I, II, and III, regarding )  
organizational, procedural, and public )  
participation rules )

NOTICE OF PUBLIC HEARING ON  
PROPOSED AMENDMENT AND  
ADOPTION

TO: All Concerned Persons

1. On July 7, 2022, at 10:00 a.m., the Department of Labor and Industry (department) will hold a public hearing via remote conferencing to consider the proposed amendment and adoption of the above-stated rules. There will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

a. Join Zoom Meeting, <https://mt-gov.zoom.us/j/82327314819>;  
Meeting ID: 823 2731 4819, Passcode: 432828; or

b. Dial by telephone, +1 406 444 9999 or +1 646 558 8656;  
Meeting ID: 823 2731 4819, Passcode: 432828.

The hearing will begin with a brief introduction by department staff to explain the use of the videoconference and telephonic platform. All participants will be muted except when it is their time to speak.

2. The 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 department no later than 5:00 p.m., on June 30, 2022, to advise us of the nature of the accommodation that you need. Please contact Brandon Kirchgasser, Department of Labor and Industry, P.O. Box 1728, Helena, Montana 59624-1728; telephone (406) 444-3359, facsimile (406) 444-4140, or Montana Relay Service at 711; or e-mail [laborlegal@mt.gov](mailto:laborlegal@mt.gov).

3. GENERAL STATEMENT OF REASONABLE NECESSITY: In 2001, the Montana Legislature transferred professional and occupational licensing functions from the Department of Commerce (DOC) to the Department of Labor and Industry (department) via Senate Bill 445. With the transfer, the professional and occupational licensing boards and programs became allocated to the department for administrative purposes. Because the department had not previously promulgated public participation rules, and to maintain procedural continuity and afford licensees, license applicants, and the public the right of public participation per 2-3-103, MCA, all references to DOC's citizen participation rules remained in place in the boards' administrative rules. Following the transfer to the department, the professional and occupational licensing boards and programs have continuously operated so as to permit and encourage the public to participate in agency decisions that are of significant interest to the public.

The department proposed to adopt three new rules regarding public participation to fully comply with the requirements of 2-3-103, MCA, and meet the needs of the department, its customers, and the Montana public. MAR Notice No. 24-2-390 was published April 29, 2022, and public comments were accepted through May 27, 2022. The department intends to file the final notice in this project on May 31, 2022, adopting the three rules exactly as proposed. These new rules will be effective June 11, 2022.

The department determined it is reasonably necessary to combine the boards' related rule amendments into two rulemaking notices for timeliness, efficiency, and cost effectiveness. Implementing the rules simultaneously for as many boards as possible will reduce confusion regarding the rulemaking process and ensure that most boards operate under the same public participation rules at the same time. Therefore, 20 of the boards administratively attached to the department are amending their rules to incorporate and align with the department's new public participation rules at this time. Where necessary, authority and implementation citations are amended to accurately reflect all statutes implemented through a rule and provide the complete sources of a board's rulemaking authority. Where additional specific bases for a proposed action exist, the individual board will identify those reasons immediately following that rule.

4. The department is proposing to amend the following rules. The rules proposed to be amended are as follows, stricken matter interlined, new matter underlined:

UNEMPLOYMENT INSURANCE APPEALS BOARD

24.7.101 ORGANIZATION AND PUBLIC PARTICIPATION OF THE UNEMPLOYMENT INSURANCE APPEALS BOARD

(1) remains the same.

(2) The board adopts the public participation rules of the Department of Labor and Industry as listed in chapter 2 of this title to the extent they do not conflict with statute or rule.

AUTH: 2-3-103, 2-4-201, MCA

IMP: 2-3-103, 2-4-201, MCA

UNEMPLOYMENT INSURANCE  
APPEALS BOARD  
LAURA FIX, CHAIR

HUMAN RIGHTS COMMISSION

24.9.101 ORGANIZATION AND PUBLIC PARTICIPATION OF THE HUMAN RIGHTS COMMISSION (1) and (2) remain the same.

(3) The commission adopts the public participation rules of the Department of Labor and Industry as listed in chapter 2 of this title to the extent they do not conflict with statute or rule.

AUTH: 2-3-103, 2-4-201, 49-2-204, 49-3-106, MCA

IMP: 2-3-103, 2-4-201, 49-2-501, 49-2-505, 49-2-510, 49-2-511, 49-3-315,  
MCA

HUMAN RIGHTS COMMISSION  
PETER M. DAMROW, CHAIR

BOARD OF PERSONNEL APPEALS

24.26.201 ADOPTION OF ATTORNEY GENERAL MODEL RULES ORGANIZATIONAL AND PUBLIC PARTICIPATION RULES ~~(1) To the extent that they do not conflict with statute or rule, the Board of Personnel Appeals of the Department of Labor and Industry adopts the model rules proposed by the Attorney General as adopted by the Department of Labor and Industry.~~

(1) The Board of Personnel Appeals adopts the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title.

(2) The Board of Personnel Appeals adopts procedural rules and public participation rules of the Department of Labor and Industry as listed in chapter 2 of this title to the extent they do not conflict with statute or rule.

AUTH: 2-3-103, 2-4-201, MCA  
IMP: 2-3-103, 2-4-201, MCA

BOARD OF PERSONNEL APPEALS  
BRIAN HOPKINS, PRESIDING OFFICER

5. Several boards administratively attached to the department are proposing to adopt and amend specific board rules to align with the department's proposed new public participation rules within this notice and correct references from the Department of Commerce to the Department of Labor and Industry. The proposed amendments and new rules are presented in alphabetical order and grouped according to each board or program for clarity, readability, and ease of reference within this notice. The rules proposed to be adopted or amended provide as follows, stricken matter interlined, new matter underlined:

BOARD OF ARCHITECTS AND LANDSCAPE ARCHITECTS

24.114.201 PROCEDURAL RULES (1) remains the same.

AUTH: 2-4-201, ~~37-65-204~~, MCA  
IMP: 2-4-201, MCA

24.114.202 PUBLIC PARTICIPATION (1) The Board of Architects and Landscape Architects adopts and incorporates ~~by this reference~~ the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in ARM Title 8, chapter 2 of this title, ~~except that the board does not adopt ARM 8.2.202(1)(b), which allows for public participation in the granting or denying of a license for which a hearing is required. The public is entitled to observe, but not participate in the licensing decisions and other contested cases as allowed by law.~~

AUTH: 2-3-103, 2-4-201, MCA  
IMP: 2-3-103, 2-4-201, MCA

BOARD OF ARCHITECTS AND  
LANDSCAPE ARCHITECTS  
MAIRE EITHNE O'NEILL, PRESIDENT

BOARD OF ATHLETIC TRAINERS

24.118.101 BOARD ORGANIZATION (1) remains the same.

AUTH: 2-4-201, ~~37-36-102~~, MCA  
IMP: 2-4-201, MCA

24.118.201 PROCEDURAL RULES (1) The Board of Athletic Trainers adopts and incorporates ~~by this reference~~ the ~~public participation~~ procedural rules of

the Department of Labor and Industry as listed in ~~ARM chapter 101, subchapters 3 and 4~~ chapter 2 of this title.

AUTH: 2-4-201, ~~37-36-102~~, MCA  
IMP: 2-4-201, MCA

NEW RULE I PUBLIC PARTICIPATION (1) The Board of Athletic Trainers adopts and incorporates the public participation rules of the Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-3-103, MCA  
IMP: 2-3-103, MCA

NEW RULE II FEE ABATEMENT (1) The Board of Athletic Trainers adopts and incorporates the fee abatement rule of the Department of Labor and Industry as found at ARM 24.101.301.

AUTH: 37-1-131, 37-36-102, MCA  
IMP: 17-2-302, 17-2-303, 37-1-134, MCA

REASON: The Board of Athletic Trainers is proposing New Rule II to adopt and incorporate the department's fee abatement rule. This board was established in 2007, but delayed the adoption of this rule to coincide with the department's public participation rules notice for cost savings and efficiency. Most other licensure boards already have this rule in place.

BOARD OF ATHLETIC TRAINERS  
JOHN WEIDA, CHAIR

#### BOARD OF BARBERS AND COSMETOLOGISTS

24.121.102 BOARD ORGANIZATION (1) The Board of Barbers and Cosmetologists adopts and incorporates the organizational rules of the Department of Labor and Industry (~~department~~) as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-31-203~~, MCA  
IMP: 2-4-201, MCA

24.121.201 PROCEDURAL RULES (1) The Board of Barbers and Cosmetologists adopts and incorporates the procedural rules of the ~~department~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, ~~37-31-203~~, MCA  
IMP: 2-4-201, ~~37-31-203~~, MCA

NEW RULE III PUBLIC PARTICIPATION (1) The Board of Barbers and Cosmetologists adopts and incorporates the public participation rules of the Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-3-103, MCA  
IMP: 2-3-103, MCA

BOARD OF BARBERS AND  
COSMETOLOGISTS  
ANGELA PRINTZ, PRESIDENT

BOARD OF CHIROPRACTORS

24.126.101 BOARD ORGANIZATION (1) The Board of Chiropractors ~~hereby~~ adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-12-201~~, MCA  
IMP: 2-4-201, MCA

24.126.201 PROCEDURAL RULES (1) The Board of Chiropractors ~~hereby~~ adopts and incorporates the procedural rules of the Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, ~~37-12-201~~, MCA  
IMP: 2-4-201, MCA

24.126.202 PUBLIC PARTICIPATION RULES (1) The Board of Chiropractors ~~hereby~~ adopts and incorporates ~~by this reference~~ the public participation rules of the ~~department of commerce~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-3-103, ~~37-12-201~~, MCA  
IMP: 2-3-103, MCA

BOARD OF CHIROPRACTORS  
MARCUS NYNAS, D.C., PRESIDENT

BOARD OF CLINICAL LABORATORY SCIENCE PRACTITIONERS

24.129.101 BOARD ORGANIZATION (1) The ~~board of clinical laboratory science practitioners hereby~~ Board of Clinical Laboratory Science Practitioners adopts and incorporates the organizational rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-34-201~~, MCA  
IMP: 2-4-201, MCA

24.129.201 PROCEDURAL RULES (1) ~~The board of clinical laboratory science practitioners hereby~~ Board of Clinical Laboratory Science Practitioners adopts and incorporates the procedural rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, 37-34-201, MCA  
IMP: 2-4-201, MCA

24.129.202 PUBLIC PARTICIPATION RULES (1) ~~The board of clinical laboratory science practitioners hereby~~ Board of Clinical Laboratory Science Practitioners adopts and incorporates ~~by this reference~~ the public participation rules of the ~~department of commerce~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-3-103, 37-34-201, MCA  
IMP: 2-3-103, MCA

BOARD OF CLINICAL LABORATORY  
SCIENCE PRACTITIONERS  
MATTHEW KALANICK, CLS, CHAIR

#### STATE ELECTRICAL BOARD

24.141.101 BOARD ORGANIZATION (1) ~~The state electrical board hereby~~ State Electrical Board adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, 37-68-201, MCA  
IMP: 2-4-201, MCA

24.141.201 PROCEDURAL RULES (1) ~~The state electrical board hereby~~ State Electrical Board adopts and incorporates the procedural rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, 37-68-201, MCA  
IMP: 2-4-201, MCA

24.141.202 PUBLIC PARTICIPATION (1) ~~The state electrical board hereby~~ State Electrical Board adopts and incorporates ~~by this reference~~ the public participation rules of the ~~department of commerce~~ Department of Labor and Industry as listed in chapter 2 of ~~ARM Title 8~~ this title.

AUTH: 2-3-103, 37-68-201, MCA  
IMP: 2-3-103, MCA

STATE ELECTRICAL BOARD  
DERRICK HEDALEN, PRESIDENT

BOARD OF MEDICAL EXAMINERS

24.156.202 CITIZEN PUBLIC PARTICIPATION RULES (1) The ~~Montana State~~ Board of Medical Examiners hereby adopts and incorporates by this reference the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in chapter 2 of ~~Title 8~~ this title.

AUTH: 2-3-103, MCA  
IMP: 2-3-103, MCA

BOARD OF MEDICAL EXAMINERS  
CHRISTINE EMERSON, R.D.,  
PRESIDENT

BOARD OF NURSING

24.159.101 BOARD ORGANIZATION (1) The Board of Nursing hereby adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-8-202~~, MCA  
IMP: 2-4-201, MCA

24.159.201 PROCEDURAL RULES (1) The Board of Nursing hereby adopts and incorporates the procedural rules of the Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, ~~37-8-202~~, MCA  
IMP: 2-4-201, MCA

24.159.202 PUBLIC PARTICIPATION (1) The Board of Nursing hereby adopts and incorporates by this reference the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in chapter 2 of ~~Title 8~~ this title.

AUTH: 2-3-103, ~~37-8-202~~, MCA  
IMP: 2-3-103, MCA

BOARD OF NURSING  
SARAH SPANGLER, R.N., PRESIDENT

BOARD OF NURSING HOME ADMINISTRATORS



24.162.101 BOARD ORGANIZATION (1) The Board of Nursing Home Administrators ~~hereby~~ adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-9-201~~, MCA  
IMP: 2-4-201, MCA

24.162.201 PROCEDURAL RULES (1) The Board of Nursing Home Administrators ~~hereby~~ adopts and incorporates the procedural rules of the Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, ~~37-9-201~~, MCA  
IMP: 2-4-201, MCA

24.162.202 PUBLIC PARTICIPATION RULES (1) The Board of Nursing Home Administrators ~~hereby~~ adopts and incorporates ~~by this reference~~ the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in chapter 2 of ~~Title 8~~ this title.

AUTH: 2-3-103, ~~37-9-201~~, MCA  
IMP: 2-3-103, MCA

BOARD OF NURSING HOME  
ADMINISTRATORS  
KATHRYN BEATY, PRESIDING OFFICER

#### BOARD OF OPTOMETRY

24.168.101 BOARD ORGANIZATION (1) The Board of Optometry ~~hereby~~ adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in Chapter 1 of this title.

AUTH: 2-4-201, ~~37-10-202~~, MCA  
IMP: 2-4-201, MCA

24.168.201 PROCEDURAL RULES (1) The Board of Optometry ~~hereby~~ adopts and incorporates the procedural rules of the Department of Labor and Industry as listed in Chapter 2 of this title.

AUTH: 2-4-201, ~~37-10-202~~, MCA  
IMP: 2-4-201, MCA

24.168.202 CITIZEN PUBLIC PARTICIPATION RULES (1) The Board of Optometry ~~hereby~~ adopts and incorporates ~~by this reference~~ the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in ~~Chapter~~ chapter 2 of this title.

AUTH: 2-3-103, ~~37-10-202~~, MCA  
IMP: 2-3-103, MCA

BOARD OF OPTOMETRY  
DR. DOUGLAS KIMBALL, PRESIDENT

BOARD OF PHYSICAL THERAPY EXAMINERS

24.177.101 ORGANIZATIONAL RULE BOARD ORGANIZATION (1) The Board of Physical Therapy Examiners adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-11-201~~, MCA  
IMP: 2-4-201, MCA

24.177.201 PROCEDURAL RULES (1) remains the same.

AUTH: 2-4-201, ~~37-11-201~~, MCA  
IMP: 2-4-201, MCA

24.177.202 PUBLIC PARTICIPATION RULES (1) The Board of Physical Therapy Examiners adopts and incorporates ~~by this reference~~ the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in chapter 2 of ~~Title 8~~ this title.

AUTH: 2-3-103, ~~37-11-201~~, MCA  
IMP: 2-3-103, MCA

BOARD OF PHYSICAL THERAPY  
EXAMINERS  
HOLLY CLAUSSEN, PT,  
PRESIDING OFFICER

BOARD OF PRIVATE SECURITY

24.182.101 BOARD ORGANIZATION (1) remains the same.

AUTH: 2-4-201, MCA  
IMP: 2-4-201, MCA

24.182.202 PUBLIC PARTICIPATION (1) The Board of Private Security adopts and incorporates the public participation rules of the Department of ~~Commerce~~ Labor and Industry as ~~set out~~ listed in chapter 2 of ~~ARM Title 8~~ this title.

AUTH: 2-3-103, ~~2-4-201~~, MCA  
IMP: 2-3-103, MCA

BOARD OF PRIVATE SECURITY  
HOLLY DERSHEM-BRUCE, PRESIDENT

BOARD OF PUBLIC ACCOUNTANTS

24.201.201 PROCEDURAL RULES (1) ~~The board of public accountants~~ Board of Public Accountants adopts and incorporates the procedural rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, ~~37-50-201~~, ~~37-50-203~~, MCA  
IMP: 2-4-201, MCA

24.201.202 PUBLIC PARTICIPATION RULES (1) The Board of Public Accountants adopts and incorporates ~~by this reference~~, the public participation rules of the department of commerce Department of Labor and Industry as listed in ~~Title 8, chapter 2 of this title~~, ~~except that the board does not adopt ARM 8.2.202(1)(b), which allows for public participation in the granting or denying of a license for which a hearing is required. The public is entitled to observe, but not participate in the licensing decisions and other contested cases as allowed by law.~~

AUTH: 2-3-103, ~~37-50-201~~, ~~37-50-203~~, MCA  
IMP: ~~2-3-102~~, 2-3-103, MCA

BOARD OF PUBLIC ACCOUNTANTS  
DAN VUCKOVICH, CPA,  
PRESIDING OFFICER

BOARD OF REALTY REGULATION

24.210.101 BOARD ORGANIZATION (1) ~~The board of realty regulation hereby~~ Board of Realty Regulation adopts and incorporates the organizational rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-51-203~~, MCA  
IMP: 2-4-201, MCA

24.210.201 PROCEDURAL RULES (1) ~~The board of realty regulation hereby~~ Board of Realty Regulation adopts and incorporates the procedural rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, ~~37-51-203~~, MCA  
IMP: 2-4-201, MCA

24.210.202 PUBLIC PARTICIPATION (1) The Board of Realty Regulation adopts and incorporates ~~by reference~~ the public participation rules of the Department of Commerce Labor and Industry, as listed in chapter 2 of this title ARM Title 8, chapter 2, ~~except that the board does not adopt ARM 8.2.202(1)(b), which allows for public participation in the granting or denying of a license for which a hearing is required. The public is entitled to observe, but not participate in licensing decisions and other contested cases as allowed by law.~~

AUTH: 2-3-103, ~~37-51-203~~, MCA  
IMP: 2-3-103, MCA

BOARD OF REALTY REGULATION  
DAN WAGER, PRESIDING OFFICER

#### BOARD OF RESPIRATORY CARE PRACTITIONERS

24.213.101 BOARD ORGANIZATION (1) The ~~board of respiratory care practitioners (hereinafter "board") hereby~~ Board of Respiratory Care Practitioners adopts and incorporates the organizational rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: 2-4-201, ~~37-28-104~~, MCA  
IMP: 2-4-201, MCA

24.213.201 PROCEDURAL RULES (1) The ~~board~~ Board of Respiratory Care Practitioners ~~hereby~~ adopts and incorporates the procedural rules of the ~~department of labor and industry~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-4-201, ~~37-28-104~~, MCA  
IMP: 2-4-201, MCA

24.213.202 PUBLIC PARTICIPATION RULES (1) The ~~board~~ Board of Respiratory Care Practitioners ~~hereby~~ adopts and incorporates the public participation rules of the ~~department of commerce~~ Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: 2-3-103, ~~37-28-104~~, MCA  
IMP: ~~2-4-201~~, 2-3-103, MCA

BOARD OF RESPIRATORY CARE  
PRACTITIONERS  
JUSTIN O'BRIEN, PRESIDING OFFICER

#### BOARD OF BEHAVIORAL HEALTH

24.219.201 PROCEDURAL RULES (1) remains the same.

AUTH: ~~2-4-201, 37-22-201~~, MCA  
IMP: 2-4-201, MCA

24.219.204 PUBLIC PARTICIPATION (1) The Board of Behavioral Health adopts and incorporates ~~by this reference~~, the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in chapter 2 of this title ARM Title 8, chapter 2, except that the board does not adopt ~~ARM 8.2.202(1)(b)~~, which allows for public participation in the granting or denying of a license for which a hearing is required. ~~The public is allowed to observe, but not participate in the licensing decisions and other contested cases as allowed by law.~~

AUTH: 2-3-103, MCA  
IMP: 2-3-103, MCA

BOARD OF BEHAVIORAL HEALTH  
ELAINE MARONICK, LCSW-LMFT, CHAIR

BOARD OF VETERINARY MEDICINE

24.225.101 BOARD ORGANIZATION (1) The Board of Veterinary Medicine ~~hereby~~ adopts and incorporates the organizational rules of the Department of Labor and Industry as listed in chapter 1 of this title.

AUTH: ~~2-4-201, 37-18-202~~, MCA  
IMP: 2-4-201, MCA

24.225.201 PROCEDURAL RULES (1) The Board of Veterinary Medicine ~~hereby~~ adopts and incorporates the procedural rules of the Department of Labor and Industry as listed in chapter 2 of this title.

AUTH: ~~2-4-201, 37-18-202~~, MCA  
IMP: 2-4-201, MCA

24.225.202 PUBLIC PARTICIPATION RULES (1) The Board of Veterinary Medicine ~~hereby~~ adopts and incorporates ~~by this reference~~ the public participation rules of the Department of ~~Commerce~~ Labor and Industry as listed in chapter 2 of ~~Title 8~~ this title.

AUTH: ~~2-3-103, 37-18-202~~, MCA  
IMP: 2-3-103, MCA

BOARD OF VETERINARY MEDICINE  
BARBARA CALM, DVM, PRESIDENT

6. 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 Department of Labor and Industry, P.O. Box 1728, Helena, Montana 59624-1728; facsimile (406) 444-4140; or e-mail laborlegal@mt.gov, and must be received no later than 5:00 p.m., July 8, 2022.

7. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request, which includes the name and e-mail or mailing address of the person to receive notices and specifies the particular subject matter or matters regarding which the person wishes to receive notices. Such written request may be mailed or delivered to the contact person in paragraph 2 above or may be made by completing a request form at any rules hearing held by the agency.

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

9. Pursuant to 2-4-111, MCA, the boards have determined that the rule changes proposed in this notice will not have a significant and direct impact upon small businesses.

10. Department staff has been designated to preside over and conduct this hearing.

/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 31, 2022.