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STATE OF MONTANA

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Date: April 20, 2022
To: All Interested Parties
From: Lieutenant Governor Kristen Juras *KJuras*
Subject: Professional & Occupational Licensing Red Tape Reforms

As part of the Governor's Red Tape Relief initiative, we continue to look for ways to reduce excessive, outdated, and unnecessary regulations. The goal of this comprehensive review is to produce a package of reforms that will open Montana for business, grow our economy, and bring good-paying jobs to Montana. One area we feel confident is worthy of considerable review is the current framework, structure, and processes associated with professional and occupational licensing.

The primary purpose for professional and occupational licensing boards is to ensure protection of public safety and health, to create a nimble and flexible regulatory system without unnecessary bureaucracy and minimize anti-trust liability for the state. I've asked the Department of Labor & Industry to conduct a thorough analysis of best practices to achieve these primary goals. As requested, their leadership has provided well-researched recommendations that are aligned with the Governor's objectives.

The types of reforms we will be prioritizing include:

- 1) Restructuring Board Governance –
 - a. Determine what professions are better managed as programs or through voluntary certification rather than investing in the full board infrastructure
 - b. Review where multiple boards may be combined
 - c. Evaluate board composition for number of appointees, terms of service, qualifications, and conflicts of interest. Standardize these processes across all boards to promote additional efficiencies
- 2) Modernize Licensing Laws (Title 37 of Montana state statutes)
 - a. Modernize and standardize language to reduce redundancies, ensure sound licensing practices, and remove obsolete language
 - b. Review legal-technical language to minimize unnecessary red tape
- 3) Increase License Mobility and Processing Efficiency
 - a. Strengthen the department's ability to recognize licenses issued in another state when those licensing requirements are substantially equal to Montana's requirements
 - b. Expand license exemptions for military spouses
 - c. Address licensing delays created by fingerprint background checks
 - d. Increase availability and duration of temporary licenses
 - e. Standardize continuing education

To achieve our objectives of protecting public safety, reducing red tape, and building a more agile regulatory framework, it is imperative that we receive feedback from our stakeholders. As the department prepares and conducts stakeholder outreach on these proposals, I look forward to working with you to build a licensing system that is appealing to current and prospective licensees as well as our Montana businesses that depend on a strong, safe, and qualified workforce.