



## Economic Affairs Interim Committee

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### 62nd Montana Legislature

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PATRICIA MURDO, Lead Staff  
BART CAMPBELL, Staff Attorney  
CJ JOHNSON, Secretary

August 29, 2012

**TO: Economic Affairs Committee**  
**FROM: Bart Campbell, staff attorney**  
**RE: Rule Review from June 2012 to September 2012**

#### Department of Agriculture

Amending two rules pertaining to aerial applicators who apply pesticides to streamline reciprocal licensing for applicators who provide interstate services.

#### Department of Labor and Industry

Amending several rules to implement the most current editions of the National Institute of Standards and Technology (NIST) as those standards govern all weighing and measuring equipment and transactions in Montana.

#### Board of Clinical Laboratory Science Practitioners

Amending one rule pertaining to continuing education to no longer allow licensees to carry over excess annual continuing education hours into the subsequent year to ensure licensees remain current in the profession, which is growing quickly with advances in health care.

#### Board of Medical Examiners

Adopting five new rules to require mandatory reporting of licensees' final discipline, misconduct, and court actions to ensure the board has accurate and current information and to enable the board to discipline licensees who do not report.

#### Board of Real Estate Appraisers

Amending several rules to ensure that examination requirements comply with new regulations promulgated by the Appraiser Qualifications Board; putting into rule existing requirements for continuing education, and requiring trainees to notify the board when a change in a mentor's status affects the trainee's supervision and ability to gain experience for licensure.

#### Board of Social Work Examiners and Professional Counselors

Adopting one rule establishing minimum qualification standards for licensees to conduct psychological assessments pursuant to SB 235 (2009 session) for which the board had previously adopted new rules and is now proposing minimum qualification standards in compliance with statutory requirements and consistent with guidelines of national associations of social workers and professional counselors.

#### Department of Livestock

Amending one rule to incorporate requirements from official orders that, subject to 81-2-

102, may not be in effect for more than five years.

Amending a rule that establishes diagnostic laboratory fees as the laboratory has implemented new tests at the request of producers. Fees for each procedure and test were evaluated determining the cost of test materials and labor for performance of the test or procedure, and the fees were set in an amount commensurate with costs.