

BEFORE THE BOARD OF CLINICAL LABORATORY SCIENCE PRACTITIONERS  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PROPOSED  
ARM 24.129.603 and the repeal of ) AMENDMENT AND REPEAL  
24.129.601 and 24.129.602 licensing )  
) NO PUBLIC HEARING  
) CONTEMPLATED

TO: All Concerned Persons

1. On November 16, 2015, the Board of Clinical Laboratory Science Practitioners (board) proposes to amend and repeal the above-stated rules.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Clinical Laboratory Science Practitioners no later than 5:00 p.m., on October 30, 2015, to advise us of the nature of the accommodation that you need. Please contact Linda Grief, Board of Clinical Laboratory Science Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2395; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or [dlibsdcsls@mt.gov](mailto:dlibsdcsls@mt.gov) (board's e-mail).

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

24.129.603 MINIMUM STANDARDS FOR LICENSURE (1) through (2)(e) remain the same.

- (f) American Board of Medical Genetics (ABMG); ~~or~~
- (g) National Certification Agency (NCA); or
- (h) American Association of Bioanalysts (AAB).

AUTH: 37-1-131, 37-34-201, MCA  
IMP: 37-34-303, MCA

REASON: Although the board has approved the American Association of Bioanalysts (AAB) as a national examination certification agency, it was inadvertently missed from inclusion in rule. The board is now amending this rule to clarify to applicants the board's approval of AAB.

4. The board proposes to repeal the following rules:

24.129.601 APPLICATIONS FOR LICENSE found at ARM page 24-10551.

AUTH: 37-34-201, MCA  
IMP: 37-34-201, 37-34-305, MCA

REASON: The board is repealing this unnecessary rule, along with ARM 24.129.602, because the department administers a standardized application process for all professional and occupational licensure boards, and these rules merely reference the department rules on applications.

24.129.602 RENEWALS found at ARM page 24-10552.

AUTH: 37-1-141, 37-34-201, MCA  
IMP: 37-1-141, 37-34-201, 37-34-305, MCA

5. Concerned persons may submit their data, views, or arguments concerning the proposed amendment and repeal in writing to the Board of Clinical Laboratory Science Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to [dlibsdcsls@mt.gov](mailto:dlibsdcsls@mt.gov), and must be received no later than 5:00 p.m., November 13, 2015.

6. If persons who are directly affected by the proposed actions wish to express their data, views, or arguments orally or in writing at a public hearing, they must make a written request for a hearing and submit this request along with any written comments to the Board of Clinical Laboratory Science Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to [dlibsdcsls@mt.gov](mailto:dlibsdcsls@mt.gov), and must be received no later than 5:00 p.m., November 13, 2015.

7. If the board receives requests for a public hearing on the proposed amendment and repeal from either 10 percent or 25, whichever is less, of the persons who are directly affected by the proposed rules; from the appropriate administrative rule review committee of the legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected by the AAB clarification has been determined to be 9 persons based on 92 licensure applicants last year.

8. An electronic copy of this notice of amendment and repeal is available at [www.cls.mt.gov](http://www.cls.mt.gov) (department and board's web site). The department strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the department strives to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems, and that technical

difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

9. 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 Clinical Laboratory Science Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to [dlibsdcsls@mt.gov](mailto:dlibsdcsls@mt.gov); or made by completing a request form at any rules hearing held by the agency.

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

11. With regard to the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.129.603 will not significantly and directly impact small businesses.

With regard to the requirements of 2-4-111, MCA, the board has determined that the repeal of ARM 24.129.601 and 24.129.602 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determinations is available upon request to the Board of Clinical Laboratory Science Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to [dlibsdcsls@mt.gov](mailto:dlibsdcsls@mt.gov).

BOARD OF CLINICAL LABORATORY  
SCIENCE PRACTITIONERS  
ALISON MIZNER, PRESIDING OFFICER

/s/ DARCEE L. MOE

Darcee L. Moe  
Rule Reviewer

/s/ PAM BUCY

Pam Bucy, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State October 5, 2015