

BEFORE THE BOARD OF RESPIRATORY CARE PRACTITIONERS  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the repeal of ARM ) NOTICE OF PROPOSED REPEAL  
24.213.412 renewals, and 24.213.421 )  
board seal ) NO PUBLIC HEARING  
) CONTEMPLATED

TO: All Concerned Persons

1. On August 7, 2015, the Board of Respiratory Care Practitioners proposes to 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 and need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Respiratory Care Practitioners (board) no later than 5:00 p.m., on March 27, 2015, to advise us of the nature of the accommodation that you need. Please contact Ian Marquand, Board of Respiratory Care Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2360; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or dlibsdrpc@mt.gov (board's e-mail).

3. The rules proposed to be repealed are as follows:

24.213.412 RENEWALS located at ARM page 24-24526.

AUTH: 37-1-131, 37-28-104, MCA

IMP: 37-1-131, 37-1-141, MCA

REASON: The board determined it is reasonably necessary to repeal this rule since it merely references division rules on the standardized renewal process, which the department administers for all division programs and boards.

24.213.421 BOARD SEAL located at ARM page 24-24526.

AUTH: 37-28-103, 37-28-104, MCA

IMP: 37-28-103, MCA

REASON: The department is repealing this rule as it is unnecessary to prescribe the specific parameters of the board seal in rule.

4. Concerned persons may submit their data, views, or arguments concerning the proposed repeal in writing to the Board of Respiratory Care Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-

0513, by facsimile to (406) 841-2305, or e-mail to [dlibsdrpc@mt.gov](mailto:dlibsdrpc@mt.gov), and must be received no later than 5:00 p.m., April 10, 2015.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to the Board of Respiratory Care Practitioners at the above address no later than 5:00 p.m., April 10, 2015.

6. If the board receives requests for a public hearing on the proposed repeals 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 is determined to be 58 persons based on current board licensees.

7. An electronic copy of this notice is available at [www.respcare.mt.gov](http://www.respcare.mt.gov) (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.

8. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this program. 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 program 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 Respiratory Care Practitioners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to [dlibsdrpc@mt.gov](mailto:dlibsdrpc@mt.gov); or made by completing a request form at any rules hearing held by the agency.

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

10. With regard to the requirements of 2-4-111, MCA, the board has determined that the repeal of ARM 24.213.412 and 24.213.421 will not significantly and directly impact small businesses.

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

BOARD OF RESPIRATORY CARE  
PRACTITIONERS  
MARIA CLEMONS, 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 March 2, 2015