

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 148G.5 and 152B.6, the Board of Respiratory Care and Polysomnography hereby amends Chapter 5, “Fees,” Iowa Administrative Code.

Iowa Code section 147.80 requires each licensing board to set its fees at a level which will be sufficient to cover its ongoing expenditures. Annual board expenditures include items such as administrative staff time, licensing staff time, board member per diem and travel expenses; board regulatory activities including investigations, administrative hearings and legal counsel; and items of general support including IT equipment and software, office supplies and office rent and utilities. The Board of Respiratory Care and Polysomnography is not currently meeting the statutory requirement to bring in sufficient revenue to cover ongoing expenses. The Board is setting fees for the new polysomnographic technologist license, fees for the new dual respiratory care and polysomnography practitioner license and changing the initial license and renewal fees for the respiratory care license. These fees are necessary for the licensure of polysomnographic technologists and respiratory care and polysomnography practitioners, which starts on January 1, 2017.

The fees are as follows: Initial and renewal for Respiratory Care Practitioner, \$75; Initial and renewal for Respiratory Care and Polysomnography Practitioner, \$90; Initial and renewal for Polysomnographic Technologist, \$330; Reactivation fee for Respiratory Care Practitioner, \$135; Reactivation fee for Respiratory Care and Polysomnography Practitioner, \$150; and Reactivation fee for Polysomnographic Technologist, \$390.

Chapter 5 is shared by all of the Boards in the Division of Professional Licensure. However, this rule making only changes the fees affecting the Board of Respiratory Care and Polysomnography.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2596C** on June 22, 2016. A public hearing was held on July 12, 2016. The Board received two public comments in support of the rule making. One nonsubstantive change has been made from the Notice of Intended Action in order to correct the title of polysomnographic technologist in paragraph 5.17(4)“b.”

Waiver provisions pertaining to these administrative rules are contained in 645—Chapter 18.

The Board of Respiratory Care and Polysomnography adopted this amendment on August 16, 2016.

After analysis and review of this rule making, no impact on jobs is expected.

This amendment is intended to implement Iowa Code sections 147.80, 148G.5, 148G.6(1), 148G.6(5), and 152B.6.

This amendment will become effective October 19, 2016.

The following amendment is adopted.

Amend subrules 5.17(1), 5.17(2) and 5.17(4) as follows:

5.17(1) ~~Initial or endorsement license fee to practice respiratory care is \$120, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).~~

a. The initial license fee for a respiratory care practitioner license is \$75, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).

b. The initial license fee for a polysomnographic technologist license is \$330, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).

c. The initial license fee for a respiratory care and polysomnography practitioner license is \$90, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).

5.17(2) ~~Biennial license renewal fee for each biennium is \$60.~~

a. The biennial license renewal fee for each biennium for a respiratory care practitioner license is \$75.

b. The biennial license renewal fee for each biennium for a polysomnographic technologist license is \$330.

c. The biennial license renewal fee for each biennium for a respiratory care and polysomnography practitioner license is \$90.

5.17(4) Reactivation fee. is \$120, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.

a. The reactivation fee to practice respiratory care is \$135, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.

b. The reactivation fee to practice as a polysomnographic technologist is \$390, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.

c. The reactivation fee to practice respiratory care and polysomnography is \$150, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.

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