

4A.3 Board reviews.

1. The committee shall review the usefulness, performance, and efficacy of each board as provided in [subsection 2](#). After completing a review, the committee shall prepare and publish a report of its findings and recommendations as provided in [section 4A.4](#).

2. The committee shall establish a schedule for the committee to review each board such that the committee reviews approximately one-fourth of all boards each calendar year. Each board shall be reviewed once between the calendar years 2025 and 2029, and once every four years thereafter. The committee may modify the schedule as necessary to facilitate the efficient administration of the committee.

3. A board that is scheduled for review shall submit a report to the committee thirty days prior to the date that it is scheduled for review that includes but is not limited to all of the following:

- a. The board's primary purpose and its goals and objectives.
- b. The board's past and anticipated workload, the number of staff required to complete that workload, and the board's total number of staff.
- c. The board's past and anticipated budgets and its sources of funding.
- d. The number of members that compose the governing board or other governing entity of the board and member compensation, if any.

4. A board subject to review shall bear the burden of demonstrating to the committee a public need for its continued existence. In determining whether a board has met that burden, the committee shall consider the following, as applicable, in addition to any other information deemed relevant by the committee:

a. Whether continuation of the board is necessary to protect the health or safety of the public, and if so, whether the board's authority is narrowly tailored to protect against present, recognizable, and significant harms to the health or safety of the public.

b. Whether the public could be protected or served in an alternate or less restrictive manner.

c. Whether rules adopted by the board are consistent with the legislative mandate of the board as expressed in the statutes that created and empowered the board.

d. The extent to which the board's jurisdiction and programs overlap or duplicate those of other boards, the extent to which the board coordinates with those other boards, and the extent to which the board's programs could be consolidated with the programs of other state departments or boards.

e. The number of other states that regulate the occupation, whether a license is required to engage in the occupation in other states, whether the initial licensing and license renewal requirements for the occupation are substantially equivalent in every state, and the amount of regulation exercised by the board compared to the regulation, if any, in other states.

f. Whether the board recognizes national uniform licensure requirements for the occupation.

g. Whether private contractors could be used, in an effective and efficient manner, either to assist the board in the performance of its duties or to perform the board's duties in place of the board.

h. The cost-effectiveness of the board in terms of the number of employees, services rendered, and administrative costs incurred, both past and present.

i. The efficiency with which formal public complaints filed with the board have been processed to completion.

j. Whether the purpose for which the board was created has been fulfilled, has changed, or no longer exists.

k. Whether federal law requires that the board exist in some form.

l. Whether the requirement for an occupational license is consistent with the principles expressed in [section 4A.4, subsection 2](#), serves the public health or safety, and provides the least restrictive form of regulation that adequately protects the public health or safety.

m. The extent to which licensing ensures that practitioners have occupational skill sets or competencies that are substantially related to protecting consumers from present, significant, and substantiated harms that threaten the public health or safety, and the impact that those

criteria have on applicants for a license, particularly those with moderate or low incomes, seeking to enter the occupation or profession.

n. The extent to which the requirement for the occupational license stimulates or restricts competition, affects consumer choice, and affects the cost of services.

[2024 Acts, ch 1170, §45](#)

Referred to in [§4A.4](#), [4A.6](#)

NEW section