



State of Utah Department of Commerce

Division of Occupational and Professional Licensing

GARY R. HERBERT
Governor

FRANCINE A. GIANI
Executive Director

MARK B. STEINAGEL
Division Director

Division of Occupational and Professional Licensing Amendments

Business and Labor Interim Committee

Representative Jim Dunnigan

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Purpose of Legislation

1. Governor Herbert has requested that all departments, including the Department of Commerce reduce unnecessary business regulation.
2. Each new statute or administrative rule we propose is evaluated to determine whether it increases business regulation.
3. If a proposal increases regulation, a strong reason must exist to consider the provision.
4. Our goal in this bill is to decrease unnecessary regulation, clean up the statute, and improve regulation in other ways that are not burdensome to businesses or citizens.

Substantive Provisions

- Eliminate nursing education oversight by DOPL and the Board of Nursing.
- Reduce the Factory Built Housing Fee from \$75 to \$25
- Eliminate the Controlled Substance Precursor Board
- Eliminate the statutory requirement for the factory build housing dispute resolution program. The program hasn't ever existed and is not necessary
- Simplify board member removal processes for board members who have engaged in unlawful or unprofessional conduct
- Allow a licensee to designate an email address as their address of record for DOPL correspondence and mailings
- Revise DOPL due process provisions for diversion to be more consistent with probation. Remove the extra step between termination of diversion and license discipline
- Add more flexibility to DOPL licensure by endorsement by allowing individuals from other states to get licensed if their experience and education are "substantially" equal, rather than solely "equal"
- Clarify DOPL fine authority to enforce violations of probation as citable offenses
- Change level of supervision required for medical assistants from "direct and immediate supervision" to "indirect supervision." Also specify a list of things a medical assistant cannot do
- Allow the Physician Education Fund to be used for general education and enforcement purposes
- Revise language from HB 76, 2012 General Session, so that any pharmacist, not only a Utah licensed pharmacist, may act as an auditor for a pharmacy benefits manager