

HOUSE BILL NO. HB0076

Licensing boards amendments.

Sponsored by: Representative(s) Zwonitzer, Dn, Andrew, Banks, Harshman, Lawley, Newsome, Olsen, Ottman and Trujillo and Senator(s) Baldwin and Landen

A BILL

for

1 AN ACT relating to professions and occupations; removing
 2 obsolete language; removing obsolete dates; removing a
 3 requirement that examinations for cosmetology and related
 4 licensure be conducted by the state board of cosmetology;
 5 revising continuing education requirements related to
 6 occupational therapy practice; removing references to the
 7 committee on accreditation for respiratory care related to
 8 licensure as a respiratory care practitioner; repealing
 9 obsolete provisions; and providing for an effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 33-3-103, 33-7-102(b), 33-12-131(a),
 14 33-15-101(b), 33-24-102(b), 33-24-153(g)(intro),

1 33-28-401(a), 33-30-204(a), 33-35-103(a),
 2 33-35-114(a)(intro), 33-36-107, 33-39-101(b),
 3 33-40-106(b)(ii), 33-43-108(a)(ii), 33-43-110,
 4 33-43-117(b)(i) and 33-45-107(a) are amended to read:

5

6 **33-3-103. Wyoming board of certified public**
 7 **accountants; creation; members; vacancies; removal;**
 8 **reappointment.**

9

10 There is created a Wyoming board of certified public
 11 accountants. The board shall consist of five (5) members
 12 appointed by the governor. Members of the board shall be
 13 citizens of the United States and residents of Wyoming.
 14 Four (4) members of the board shall be persons who hold
 15 certified public accountant certificates issued under the
 16 laws of Wyoming and are in good standing as certified
 17 public accountants. One (1) member of the board shall be a
 18 member of the general public. The members of the board
 19 ~~first to be appointed shall hold office, one (1) for one~~
 20 ~~(1) year, two (2) for two (2) years and two (2) for three~~
 21 ~~(3) years from July 1, 1975, the term of each to be~~
 22 ~~designated by the governor. Their successors~~ shall be
 23 appointed for terms of three (3) years. Vacancies occurring

1 during a term shall be filled by appointment for the
2 unexpired term. Upon the expiration of his term of office a
3 member shall continue to serve until his successor is
4 appointed and qualified. The governor shall remove any
5 member from the board whose certificate has been revoked or
6 suspended, and may remove any member of the board as
7 provided in W.S. 9-1-202. No person, who has served two (2)
8 successive complete terms ~~of one (1), two (2) or three (3)~~
9 ~~years~~ is eligible for reappointment until after the lapse
10 of one (1) year. An appointment to fill an unexpired term
11 is not considered a complete term.

12

13 **33-7-102. State board of barber examiners; created;**
14 **designation; composition; appointment, qualifications and**
15 **term of members.**

16

17 (b) ~~Effective July 1, 1979,~~ Appointments and terms
18 shall be in accordance with W.S. 28-12-101 through
19 28-12-103.

20

21 **33-12-131. Time, place and scope of examinations.**

22

1 (a) Examinations shall be held at least six (6) times
2 a year at a time and place designated by the board.—~~The~~
3 ~~examinations shall be conducted by the board or a majority~~
4 ~~thereof.~~

5

6 **33-15-101. Board of dental examiners; generally.**

7

8 (b) The term for board members is four (4) years⁷ and
9 expires on March 1. ~~Effective July 1, 1979,~~ Appointments
10 and terms shall be in accordance with W.S. 28-12-101
11 through 28-12-103.

12

13 **33-24-102. State board of pharmacy; generally.**

14

15 (b) The term for board members shall be six (6)
16 years⁷ and shall expire on March 1. Each member, unless
17 removed, shall serve until his successor is appointed and
18 qualified. ~~Effective July 1, 1979,~~ Appointments and terms
19 shall be in accordance with W.S. 28-12-101 through
20 28-12-103.

21

22 **33-24-153. Manufacturer or wholesaler registration;**
23 **requirements for registration; bonds or other security;**

1 fees; renewal; denial, revocation or suspension; record
2 keeping; summary orders; administrative penalties;
3 definitions.

4
5 (g) ~~By January 1, 2009,~~ The board shall require every
6 drug distributor license holder and applicant to submit a
7 bond in the amount of one hundred thousand dollars
8 (\$100,000.00), or other security acceptable to the board
9 such as an irrevocable letter of credit or deposit in a
10 trust account or financial institution, payable to a fund
11 established by the board pursuant to paragraph (h) of this
12 section. The purpose of the bond or other security shall
13 be to secure payment of any fines or penalties imposed by
14 the board and any fees and costs incurred by the board
15 regarding the drug distributor's license which are
16 authorized under state law and which remain unpaid thirty
17 (30) days after liability for the payment is final. The
18 board shall release the bond or security one (1) year after
19 the distributor's license ceases to be valid. The bond or
20 security shall cover all facilities operated by the
21 applicant and licensed by the board. The board may waive
22 the requirement of a bond or other security if:

23

1 **33-28-401. Errors and omissions insurance; rulemaking**
2 **authority; commission duties; certificate of coverage;**
3 **administrative fee.**

4
5 (a) ~~Beginning January 1, 2008,~~ An applicant for a
6 real estate license pursuant to W.S. 33-28-106, a licensee
7 renewing a license or an inactive licensee activating a
8 license pursuant to W.S. 33-28-118, shall submit proof of
9 insurance coverage through the group program provided
10 pursuant to this section or through certification of
11 individual coverage. All licensees shall obtain and
12 maintain errors and omissions insurance coverage under the
13 group program or individual coverage.

14

15 **33-30-204. Board of veterinary medicine.**

16

17 (a) A Wyoming board of veterinary medicine shall be
18 appointed by the governor, by and with the consent of the
19 senate, and shall consist of five (5) members who shall
20 hold office for a term of six (6) years. Four (4) members
21 shall be licensed veterinarians, one (1) member shall be a
22 consumer of veterinary services. Members of the state board
23 of veterinary examiners previously appointed under this act

1 shall continue as members of the board until the expiration
2 of the term for which they were appointed. ~~Initial~~
3 ~~appointments to the board may be for less than six (6)~~
4 ~~years so that the terms of not more than two (2) members~~
5 ~~shall expire in any one (1) biennium.~~ Whenever the occasion
6 arises for an appointment of a licensed veterinarian under
7 this section the Wyoming Veterinary Medical Association
8 shall nominate three (3) or more qualified persons and
9 forward the nominations to the governor at least thirty
10 (30) days prior to the convening date of the senate.
11 Vacancies due to death, resignation or removal shall be
12 filled by appointment by the governor in accordance with
13 W.S. 28-12-101 upon nominations being made as otherwise
14 provided in this section for appointment. No person shall
15 serve two (2) consecutive six (6) year terms, but a person
16 appointed for a term of fewer than six (6) years, or to
17 fill a vacancy, may succeed himself. ~~Effective July 1,~~
18 ~~1979,~~ Appointments and terms shall be made in accordance
19 with W.S. 28-12-101 through 28-12-103.

20

21 **33-35-103. License required to sell, dispense or fit**
22 **hearing aids.**

23

1 (a) ~~After July 1, 1977 anyone~~ Any person involved in
2 either the direct or indirect sale or distribution of
3 hearing aids shall be licensed under this act. The license
4 shall be conspicuously posted in the licensee's office or
5 place of business. Duplicate licenses shall be issued by
6 the board to valid license holders operating more than one
7 (1) office, without additional payment. A license under
8 this act confers upon the holder the right to select, fit
9 or sell hearing aids.

10

11 **33-35-114. Continuing education.**

12

13 (a) ~~On and after January 1, 1978,~~ Each hearing aid
14 specialist applying for a renewal of his license shall
15 furnish to the board evidence that during the preceding
16 year he has completed one (1) of the following continuing
17 education programs:

18

19 **33-36-107. Conducting ambulance business without**
20 **license prohibited.**

21

22 No person shall operate, conduct, maintain or otherwise
23 engage in an ambulance business in this state ~~after January~~

1 ~~1, 1978,~~ unless he holds an ambulance business license
2 issued by the division.

3

4 **33-39-101. Short title; license required.**

5

6 (b) ~~Beginning July 1, 1991,~~ It is unlawful for any
7 person to directly or indirectly engage in, advertise,
8 conduct the business of or act in any capacity as a
9 certified real estate appraiser for compensation within
10 this state without first obtaining certification as
11 provided in this act.

12

13 **33-40-106. Requirements for licensure; continuing**
14 **education.**

15

16 (b) The board may establish continuing education
17 requirements for an active license provided that:

18

19 (ii) Continuing education taken any time in the
20 ~~three (3)~~ two (2) years preceding the annual license
21 renewal may be counted toward fulfilling the requirement
22 but it shall not be counted more than once.

23

1 **33-43-108. Application for license; qualifications.**

2

3 (a) An applicant for a license to practice
4 respiratory care shall submit to the board written
5 evidence, verified by oath, that the applicant:

6

7 (ii) Has completed a respiratory care
8 educational program. ~~A respiratory care educational program~~
9 ~~means a program accredited by the council on allied health~~
10 ~~education programs (CAHEP) in collaboration with the~~
11 ~~committee on accreditation for respiratory care (CoARC) or~~
12 ~~their successor organizations~~ approved by the board.

13

14 **33-43-110. Temporary permits.**

15

16 Upon payment of a fee set by the board in accordance with
17 W.S. 33-1-201, the board may issue a temporary permit to
18 practice respiratory care for a period of six (6) months to
19 an applicant for licensing, pending compliance with the
20 requirements for licensing, providing the applicant shows
21 written evidence, verified by oath, that the applicant is
22 currently practicing, or has within the last six (6) months
23 practiced respiratory care in another state, territory or

1 country and was licensed to practice respiratory care in
2 that state or is a student in a ~~committee on accreditation~~
3 ~~for respiratory care (CoARC) approved~~ respiratory care
4 education program approved by the board who expects to
5 graduate within the next thirty (30) calendar days. Upon
6 notification that a student in an approved program who has
7 received a temporary permit under this section fails to
8 successfully complete the program, the board shall revoke
9 the temporary permit. On expiration of the permit and on
10 payment of an additional fee set by the board in accordance
11 with W.S. 33-1-201, the board may issue a permit to perform
12 respiratory care for an additional period not to exceed
13 twelve (12) months from the date of issuance of the
14 original permit. Reapplication following abandonment of an
15 application shall not entitle the applicant to a permit.

16

17 **33-43-117. Exceptions.**

18

19 (b) This act does not prohibit:

20

21 (i) ~~The practice of respiratory care which is an~~
22 ~~integral part of the program of study by students enrolled~~
23 ~~in a respiratory care education program recognized by the~~

1 ~~committee on accreditation for respiratory care (CoARC) or~~
2 ~~its successor.~~—Students enrolled in a respiratory therapy
3 care education program ~~shall be~~ who are identified as a
4 "student-respiratory care practitioner" and ~~shall~~ who only
5 provide respiratory care under direct clinical supervision;
6

7 **33-45-107. Licenses required; persons and practices**
8 **not affected.**
9

10 (a) ~~After July 1, 2010,~~ No person shall use any card,
11 title, letters, insignia or abbreviation indicating that
12 the person is an athletic trainer, except under a license
13 issued in accordance with this chapter and rules adopted
14 pursuant to this chapter.
15

16 **Section 2.** W.S. 33-21-121(f), 33-36-104(c),
17 33-42-112(g), 33-43-111, 33-43-113(d) and 33-47-106(b) are
18 repealed.
19

20 **Section 3.** This act is effective July 1, 2023.
21

22 (END)