



June 8, 2015

Susan K. Brueggeman, R.S.
Polson, Montana 59860

Economic Affairs Interim Committee
Montana Legislative Services Division
P.O. Box 201706
Helena, Montana 59620-1706

RE: SB390 – Interim Study of Department of Labor and Industry Fees

Dear Economic Affairs Interim Committee:

This letter serves to inform your committee that, as a sanitarian licensed under the Department of Labor and Industry (DLI), I have concerns regarding how professional licensing fees are established, how those fees are assigned to the licensing boards, and how the DLI can provide a fair and equitable program across all professions.

I am recently retired as the Environmental Health Director for Lake County and currently serve on the Montana Board of Sanitarians. This letter represents my opinion only and not that of the Board. Unfortunately, the Board was not aware of SB390 until its most recent meeting and did not have an opportunity to vote to participate with your committee's work. I believe that, if requested by your committee, the Board would be willing to respond to any questions you may have regarding its experience with professional licensing.

The Montana Legislature has determined that certain professions are to be licensed for public health and safety reasons. The legislature has placed the full cost of professional licensing upon the license holders, with no general fund monies allocated to support this public protection. Of greater concern is that licensing fees are a mathematical result of the services needed by each professional board divided by the number of its license holders. Very small boards, such as the Board of Sanitarians with about 200 license holders, suffer high fees based on this formula. While there are other potential strategies such as small boards combining with other boards, the interests of public health and safety suggest that specific professional licensing boards best manage their specific professions.

Registered sanitarians are part of the state's public health system. Licensing of this workforce is definitely in the interest of public health and safety as a means to provide both an educational and ethical standard. These professionals mostly work for local government and have modest salaries. I believe the sanitarian community is more than willing to pay a reasonable annual fee to maintain its licensing program. However, in comparison with the professionals we most closely associate with, our fees at \$270.00 are very high. Public health nurses (19,000+ licenses) pay \$100.00; engineers and surveyors (10,000+ licenses) pay \$90.00-100.00. The licensed sanitarians are largely paying high fees due to the small number in their licensing group.

I am including with this letter information provided by DLI that outlines the costs for our board for an 8-hour comprehensive in-person meeting and for a limited conference call to review applications. I can report that our board members were quite surprised by these costs. Of course, the in-person meeting involves travel and lodging costs for board members, even if they elect not to be reimbursed. License holders and licensing boards do not have the ability to determine if the Department of Labor and Industry fees are appropriate. It is important that your committee, with its ability to review fees in all state programs, determine fair and equitable charges.

As part of your committee's work, I urge you to also consider the following in determining how professional licensing might be improved:

1. Consider some base funding for DLI to accommodate licensing of small professional groups at a reasonable rate.
2. Consider if the DLI could be given flexibility in statute to assign board costs in a manner that addresses the impacts to small boards. Without base funding, this method would mean that some professional license groups would support other professional licensing groups. While this is somewhat unfair, government service costs are routinely equalized among payers for the greater good.
3. Consider a means by which all 97,000+ professional licenses could have a flat fee or a tiered fee. This should provide for some efficiencies in a system that has evolved in "silos" over many years. It seems reasonable that criteria could be developed to categorize professions based on the historic DLI services required. This would both simplify licensing and allow for fees to be more fairly and equitably distributed among licensing groups.

Thank you for your consideration of the above comments and for your work on this interim study.

Sincerely,

Susan K. Brueggeman, R.S.