

Murdo, Patricia

Subject: FW: Request for HAD information
Attachments: SUMMARY OF DEPOSITS TO GENERAL FUND FINES IN ACCELA FY 12-14 FOR BSD.xlsx; ATT00001.htm

From: Elsie Arntzen
Sent: Wednesday, March 26, 2014 3:42 PM
To: Murdo, Patricia
Subject: Fwd: Request for HAD information

Sent from my iPhone

Begin forwarded message:

From: "de Yong, Adam" <ADeYong2@mt.gov>
Date: March 25, 2014 at 3:22:31 PM MDT
To: "'emarntzen@gmail.com'" <emarntzen@gmail.com>
Subject: Request for HAD information

Senator Arntzen,

I hope the information provided in this email is what you are looking for. I have pasted the legislative wishlist from the board below and attached you will find the information on fines deposited in the General Fund, I believe that Pat Murdo was going to provide you with this document as well.

I would also note, as I will at the meeting, that while no progress has been made in regards to the MOU with DOJ we have begun to send them complaints as if the MOU was in place. The status of the MOU as I understand it, is that it is at DOJ waiting for approval or revision.

HAD	2-15-1740	MCA/Board member make up. The Department bill in 2013 proposed changing the board member make up to 3 hearing aid dispensers and 2 public members (1 who had to be an audiologist, otolaryngologist, or hearing impaired public member). Also, the bill proposed removing language from the statute regarding audiology requirements for hearing aid dispenser members, since audiologists are no longer affiliated with the Board.	The Board voted for a 4:1 ratio of 4 hearing aid dispensers to 1 public member, and the Governor's office responded in 2012 with the 3:2 ratio that was presented in the bill. The Board will likely want to remove audiologist requirements from the statute, but will probably want to revisit the options for board member make up related to what the Board wanted and what was proposed in the 2013 bill.
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HAD	37-16-402	MCA/Removing audiologist references from statute	This was included in the Department bill in 2013, given that audiologists are no longer part of the Board. Because the statute reads "or" – it may not need to be a high priority for 2015.
HAD	New	New statute allowing Board to recover fines.	This issue has come up before, although the Board has never expressly requested it. I know that DOJ has suggested this to the EAIC before and reference to special revenue accounts for the Board of Pharmacy (37-7-1513(6) and 37-7-324, MCA) and the Board of Outfitters (37-47-306(4) and 37-47-318, MCA), was documented in the memo re: <i>Joint Proposal re: Prosecuting Authority for Consumer Complaints...</i> that was submitted to the EAIC in Sept. 2012

Regards,

Adam de Yong
841-2243