

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 reducing the number of practice years required for a
6 license to practice veterinary medicine without an
7 examination; revising continuing education requirements
8 related to occupational therapy practice; removing
9 references to the committee on accreditation for
10 respiratory care related to licensure as a respiratory care
11 practitioner; repealing obsolete provisions; and providing
12 for an effective date.

13

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

1

2 **Section 1.** W.S. 33-3-103, 33-7-102(b), 33-12-131(a),
3 33-15-101(b), 33-24-102(b), 33-24-153(g)(intro),
4 33-28-401(a), 33-30-204(a), 33-30-208(a)(i), 33-35-103(a),
5 33-35-114(a)(intro), 33-36-107, 33-39-101(b),
6 33-40-106(b)(ii), 33-43-108(a)(ii), 33-43-110,
7 33-43-117(b)(i) and 33-45-107(a) are amended to read:

8

9 **33-3-103. Wyoming board of certified public**
10 **accountants; creation; members; vacancies; removal;**
11 **reappointment.**

12

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

1 ~~(3) years from July 1, 1975, the term of each to be~~
2 ~~designated by the governor. Their successors~~ shall be
3 appointed for terms of three (3) years. Vacancies occurring
4 during a term shall be filled by appointment for the
5 unexpired term. Upon the expiration of his term of office a
6 member shall continue to serve until his successor is
7 appointed and qualified. The governor shall remove any
8 member from the board whose certificate has been revoked or
9 suspended, and may remove any member of the board as
10 provided in W.S. 9-1-202. No person, who has served two (2)
11 successive complete terms ~~of one (1), two (2) or three (3)~~
12 ~~years~~ is eligible for reappointment until after the lapse
13 of one (1) year. An appointment to fill an unexpired term
14 is not considered a complete term.

15

16 **33-7-102. State board of barber examiners; created;**
17 **designation; composition; appointment, qualifications and**
18 **term of members.**

19

20 (b) ~~Effective July 1, 1979,~~ Appointments and terms
21 shall be in accordance with W.S. 28-12-101 through
22 28-12-103.

23

1 **33-12-131. Time, place and scope of examinations.**

2

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

7

8 **33-15-101. Board of dental examiners; generally.**

9

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

14

15 **33-24-102. State board of pharmacy; generally.**

16

17 (b) The term for board members shall be six (6)
18 years⁷ and shall expire on March 1. Each member, unless
19 removed, shall serve until his successor is appointed and
20 qualified. ~~Effective July 1, 1979,~~ ~~A~~ppointments and terms
21 shall be in accordance with W.S. 28-12-101 through
22 28-12-103.

23

1 33-24-153. Manufacturer or wholesaler registration;
2 requirements for registration; bonds or other security;
3 fees; renewal; denial, revocation or suspension; record
4 keeping; summary orders; administrative penalties;
5 definitions.

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

1 applicant and licensed by the board. The board may waive
2 the requirement of a bond or other security if:

3

4 **33-28-401. Errors and omissions insurance; rulemaking**
5 **authority; commission duties; certificate of coverage;**
6 **administrative fee.**

7

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

17

18 **33-30-204. Board of veterinary medicine.**

19

20 (a) A Wyoming board of veterinary medicine shall be
21 appointed by the governor, by and with the consent of the
22 senate, and shall consist of five (5) members who shall
23 hold office for a term of six (6) years. Four (4) members

1 shall be licensed veterinarians, one (1) member shall be a
2 consumer of veterinary services. Members of the state board
3 of veterinary examiners previously appointed under this act
4 shall continue as members of the board until the expiration
5 of the term for which they were appointed. ~~Initial~~
6 ~~appointments to the board may be for less than six (6)~~
7 ~~years so that the terms of not more than two (2) members~~
8 ~~shall expire in any one (1) biennium.~~ Whenever the occasion
9 arises for an appointment of a licensed veterinarian under
10 this section the Wyoming Veterinary Medical Association
11 shall nominate three (3) or more qualified persons and
12 forward the nominations to the governor at least thirty
13 (30) days prior to the convening date of the senate.
14 Vacancies due to death, resignation or removal shall be
15 filled by appointment by the governor in accordance with
16 W.S. 28-12-101 upon nominations being made as otherwise
17 provided in this section for appointment. No person shall
18 serve two (2) consecutive six (6) year terms, but a person
19 appointed for a term of fewer than six (6) years, or to
20 fill a vacancy, may succeed himself. ~~Effective July 1,~~
21 ~~1979,~~ Appointments and terms shall be made in accordance
22 with W.S. 28-12-101 through 28-12-103.

23

1 **33-30-208. When examination not required.**

2

3 (a) The board may, but is not required to, issue a
4 license without a written examination to a qualified
5 applicant who:

6

7 (i) Has for the ~~five (5)~~ three (3) years next
8 prior to filing his application been a practicing
9 veterinarian licensed in a state, territory, or district of
10 the United States having license requirements at the time
11 the applicant was first licensed which were substantially
12 equivalent to the requirements of this act, and who has the
13 recommendation for Wyoming licensure by the examining board
14 of his state of residence;

15

16 **33-35-103. License required to sell, dispense or fit**
17 **hearing aids.**

18

19 (a) ~~After July 1, 1977 anyone~~ Any person involved in
20 either the direct or indirect sale or distribution of
21 hearing aids shall be licensed under this act. The license
22 shall be conspicuously posted in the licensee's office or
23 place of business. Duplicate licenses shall be issued by

1 the board to valid license holders operating more than one
2 (1) office, without additional payment. A license under
3 this act confers upon the holder the right to select, fit
4 or sell hearing aids.

5

6 **33-35-114. Continuing education.**

7

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

13

14 **33-36-107. Conducting ambulance business without**
15 **license prohibited.**

16

17 No person shall operate, conduct, maintain or otherwise
18 engage in an ambulance business in this state ~~after January~~
19 ~~1, 1978,~~ unless he holds an ambulance business license
20 issued by the division.

21

22 **33-39-101. Short title; license required.**

23

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

7

8 **33-40-106. Requirements for licensure; continuing**
9 **education.**

10

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

13

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

18

19 **33-43-108. Application for license; qualifications.**

20

21 (a) An applicant for a license to practice
22 respiratory care shall submit to the board written
23 evidence, verified by oath, that the applicant:

1

2 (ii) Has completed a respiratory care
3 educational program. ~~A respiratory care educational program~~
4 ~~means a program accredited by the council on allied health~~
5 ~~education programs (CAHEP) in collaboration with the~~
6 ~~committee on accreditation for respiratory care (CoARC) or~~
7 ~~their successor organizations~~ approved by the board.

8

9 **33-43-110. Temporary permits.**

10

11 Upon payment of a fee set by the board in accordance with
12 W.S. 33-1-201, the board may issue a temporary permit to
13 practice respiratory care for a period of six (6) months to
14 an applicant for licensing, pending compliance with the
15 requirements for licensing, providing the applicant shows
16 written evidence, verified by oath, that the applicant is
17 currently practicing, or has within the last six (6) months
18 practiced respiratory care in another state, territory or
19 country and was licensed to practice respiratory care in
20 that state or is a student in a ~~committee on accreditation~~
21 ~~for respiratory care (CoARC) approved~~ respiratory care
22 education program approved by the board who expects to
23 graduate within the next thirty (30) calendar days. Upon

1 notification that a student in an approved program who has
2 received a temporary permit under this section fails to
3 successfully complete the program, the board shall revoke
4 the temporary permit. On expiration of the permit and on
5 payment of an additional fee set by the board in accordance
6 with W.S. 33-1-201, the board may issue a permit to perform
7 respiratory care for an additional period not to exceed
8 twelve (12) months from the date of issuance of the
9 original permit. Reapplication following abandonment of an
10 application shall not entitle the applicant to a permit.

11

12 **33-43-117. Exceptions.**

13

14 (b) This act does not prohibit:

15

16 (i) ~~The practice of respiratory care which is an~~
17 ~~integral part of the program of study by students enrolled~~
18 ~~in a respiratory care education program recognized by the~~
19 ~~committee on accreditation for respiratory care (CoARC) or~~
20 ~~its successor.~~ Students enrolled in a respiratory therapy
21 care education program ~~shall be~~ who are identified as a
22 "student-respiratory care practitioner" and ~~shall~~ who only
23 provide respiratory care under direct clinical supervision;

1

2 **33-45-107. Licenses required; persons and practices**
3 **not affected.**

4

5 (a) ~~After July 1, 2010,~~ No person shall use any card,
6 title, letters, insignia or abbreviation indicating that
7 the person is an athletic trainer, except under a license
8 issued in accordance with this chapter and rules adopted
9 pursuant to this chapter.

10

11 **Section 2.** W.S. 33-21-121(f), 33-36-104(c),
12 33-42-112(g), 33-43-111, 33-43-113(d) and 33-47-106(b) are
13 repealed.

14

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

16

17

(END)