Client name	Michael Ramirez
Form	Montana Licensing Reform Task Force
Matter	Michael Ramirez - Rules
Sent	August 5, 2026 at 7:03 AM
Due	
Submitted	August 5, 2026 at 7:03 AM

Michael Ramirez

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Montana Licensing Reform Task Force

This Task Force was created pursuant to Executive Order 1-2026 on January 29, 2026.

Purpose of the Licensing Reform Task Force

The Task Force shall provide the Governor with recommendations and strategies for the State of Montana to reform the professional occupational licensing system for the purposes of:

• identifying and removing burdens and barriers faced by licensees that are not necessary to protect the public; and
• improving access to and availability of professional services for citizens across Montana, including rural communities.

In developing recommendations and strategies, the Task Force shall seek input from Montana citizens, legislators, Montana associations whose members are licensed occupational professionals, professional licensing boards, relevant state agencies, advisory groups and researchers focused on occupational licensing, and other appropriate stakeholders as determined by the Task Force.

Public Record

Please note that all information received through this form is public record.

Which committee would you like to receive your comment?

Full Task Force
Construction Subcommittee
Barriers Subcommittee

We want to hear from you!

We would like to receive any comments you would like the Task Force, or one of its subcommittees, to review. In addition, we are specifically looking for feedback for:

1. Specific topics a committee or the task force should consider, and
2. Specific people or organizations you think the task force should hear from.

Do you have a general comment or a specific person or topic for the Task Force to hear from?

Specific person or topic

What are your comments?

Montana requires junk hauling and dumpster rental businesses to obtain a Class D motor carrier permit and a Certificate of Public Convenience and Necessity before operating. Existing certificate holders receive notice of applications and may protest them, forcing hearings and allowing discovery into the applicant's business records. The Public Service Commission then considers not only public need but also the impact on existing carriers when deciding whether to issue a certificate. This I believe creates an unfair advantage for large companies to keep small companies out of the industry. The current system creates an undue burden and barrier to entry that stifles new growth, Job creation, and market freedom. In addition, when contacting PSC in regard to applications for permits we were informed a lawyer would have to submit the application on our behalf only increasing the size of the barrier to entry.

Key takeaways

A business's direct competitors can delay market entry.
Competitors have incentives to oppose new entrants regardless of public benefit.
The process increases costs, delays, and uncertainty.
Consumers ultimately have fewer choices.

Although the PSC, not competitors, makes the final decision, the protest process gives incumbent businesses significant leverage over new entrants.

Client name	Diane T. Hurd
Form	Montana Licensing Reform Task Force
Matter	Diane T. Hurd - Rules
Sent	August 11, 2026 at 1:40 PM
Due	
Submitted	August 11, 2026 at 1:40 PM

Diane T. Hurd

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Full Task Force
Health Care Subcommittee
Barriers Subcommittee

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Specific person or topic

What are your comments?

I'm submitting this comment along with a one-page brief on three licensing barriers facing Psychiatric Mental Health Nurse Practitioners (PMHNPs) in Montana.

None of these barriers exist because of state law. They exist because administrative practice hasn't caught up to Montana's own laws granting PMHNPs independent practice authority. PMHNPs are filed under a generic provider category instead of being recognized as psychiatric specialists. Institutions still require physician signatures on paperwork the law doesn't actually require. And Montana Medicaid excludes PMHNPs from a treatment other major insurers already let them provide independently in this state.

I'm asking the Task Force to review these three barriers as candidates for its recommendations to the Governor. Fixing outdated administrative practice, so it matches the law Montana already has, is squarely within this Task Force's purpose.

Diane Hurd, PMHNP-BC
Owner & Clinical Director, Beginner's Mind Mental Health Services, Billings, MT

The Workforce That's Already Here

A Policy Brief on Psychiatric Mental Health Nurse Practitioners and Medicaid Reimbursement in Montana

We Are Already Solving Montana's Mental Health Shortage

Despite efforts to replace retiring psychiatrists, the national psychiatrist workforce is on track to shrink 2.5% by 2038 — even as more residents enter training. In that same window, Psychiatric Mental Health Nurse Practitioners (PMHNPs) — psychiatric specialists licensed to diagnose, prescribe, and manage psychiatric care independently — have grown 800% in under a decade. In Montana, nurse practitioners now outnumber physicians statewide. PMHNPs are not a future solution — we are the workforce already answering the shortage, *in the exam room today.*

The 22-Point Reimbursement Gap

Montana Administrative Rule 37.85.105 (effective July 1, 2016) reimburses psychiatrists at 112% of the Medicaid rate and PMHNPs at 90% of the Medicaid rate — a 22-point gap for the same billing codes and identical clinical service. The rule may have made sense in 2016 as an incentive to draw more psychiatrists into the state. A decade later, the workforce data shows the opposite outcome: PMHNPs, not psychiatrists, are the group that is growing. Montana is still paying a premium to attract growth in the group that isn't growing, while discounting the group that is.

Reimbursement Parity Saves Money

Underpaying PMHNPs doesn't just shortchange providers — it shifts costs downstream. Untreated psychiatric illness resurfaces in the emergency room, where psychiatric patients board an average of 18 hours — 3.2 times longer than other patients — at a cost of roughly $2,264 per case. That time buys stabilization, not treatment. Paying PMHNPs fairly keeps care in the outpatient clinic, where it's cheaper and better, instead of the ER, where it's expensive and worse.

Three More Barriers — Administrative, Not Clinical

- **Taxonomy classification.** All medical providers are filed under a national taxonomy code that Montana didn't create and can't change — but Montana chooses how much weight that classification carries in its own fee schedules and credentialing rules. In practice, search Montana Medicaid's provider website under "Psychiatry" and only psychiatrists appear. A psychiatric specialist who has managed a patient's psychiatric care for years is filed instead under a generic "Mid-Level Practitioners" heading, alongside all other nurse practitioners and physician assistants — not among the other psychiatric specialists, where a patient or consumer would expect to find them. The taxonomy or category dictates lower fee schedules and steeper credentialing hurdles for PMHNPs than for psychiatrists doing the same work.
- **Certificate of Need (CON) signatures.** A Certificate of Need is the paperwork required to place a child in residential psychiatric treatment. Montana Code Annotated § 37-8-410 already allows PMHNPs to sign wherever state law requires a physician's signature. Yet institutions routinely still require a physician signature on this paperwork, even when the PMHNP has done the entire clinical workup and managed the child's care for years. This often means scrambling to find a physician willing to sign the CON — usually the child's pediatrician or primary care provider. This gets even harder when the child's primary care provider turns out to be a physician assistant or family nurse practitioner, not a physician at all. This administrative barrier places an undue burden on MDs who may not have specific knowledge of the child's psychiatric needs and leaves the child's own psychiatric provider unable to sign.
- **TMS supervision (Medicaid Policy 475).** Transcranial Magnetic Stimulation (TMS) is a non-drug treatment for depression that hasn't responded to medication. Montana Medicaid's Policy 475 says PMHNPs cannot provide TMS and cannot bill for it — no matter how much training they have. This is true even if a psychiatrist is collaborating and prior authorization is approved. Only a physician may order or supervise TMS treatment. Other payers operating in Montana disagree: as of April 2026, Optum/UnitedHealthcare allows PMHNPs with independent practice authority to order and provide TMS without physician supervision in every full-practice-authority state, Montana included. Same provider, same state, same procedure — different rules depending on which insurance the patient carries.

The Ask

Review reimbursement parity under ARM 37.85.105, alongside the taxonomy and TMS barriers, as candidates for the Task Force's recommendations to the Governor — each is fixable at the state level and removes an obstacle standing between Montana patients and care that's already available. The Task Force should also consider how administrative practice can limit the independent scope of practice already outlined in Montana law, as seen in the CON example above.

Diane Hurd, PMHNP-BC | Owner & Clinical Director, Beginner's Mind Mental Health Services | Billings, MT

Client name	Dawn R. Anderson
Form	Montana Licensing Reform Task Force
Matter	Dawn R. Anderson - Rules
Sent	August 12, 2026 at 9:38 AM
Due	
Submitted	August 12, 2026 at 9:38 AM

Dawn R. Anderson

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Specific person or topic

What are your comments?

Creating a Supervised Experiential Learning Pathway option for Montana Cosmetology and Barbering Students enrolled in licensed schools.

Proposal to the Governor's Licensing Reform Task Force

Creating a Supervised Experiential Learning Pathway for Montana Cosmetology and Barbering Students

Submitted by

Dawn Anderson
Director of Cosmetology
Helena College

Issue

Current Montana law prohibits unlicensed cosmetology and barbering students from providing services outside of a licensed school. Specifically, MCA 37-31-301(1)(b) makes it unlawful for an unlicensed student to provide services other than in a licensed school. As a result, students cannot participate in supervised educational experiences in salons, community agencies, nursing homes, schools, healthcare facilities, or other approved settings while earning credit toward licensure.

While this restriction protects public safety, it also limits opportunities for students to gain exposure to real-world workplace environments and serve Montana communities that often have limited access to personal care services.

Proposed Legislative Reform

Create a statutory exception allowing licensed schools of cosmetology and barbering to offer a structured, school-supervised externship or experiential learning program for advanced students. The exception would permit eligible students to perform services in approved locations under specified conditions while remaining enrolled in a licensed school and under school oversight.

Purpose

Improve student workforce readiness; increase graduate confidence and employability; strengthen partnerships between schools and Montana employers; expand service opportunities in underserved communities; support Montana's growing demand for licensed professionals; and provide meaningful educational experiences while maintaining public protection.

Recommended Eligibility Requirements

Students would be actively enrolled in a licensed Montana school, have completed a majority of required training hours, be in good academic standing, demonstrate competency in the services performed, and receive school approval.

Approved Training Sites

Licensed salons and barbershops, long-term care facilities, assisted-living facilities, hospitals or rehabilitation facilities, public schools, community service events approved by the school, and other Board-approved sites.

School Responsibilities

Maintain supervision, verify competency, track hours and outcomes, maintain liability coverage, ensure sanitation compliance, and establish written agreements with participating sites.

Public Safety Protections

Limit services to demonstrated competencies, document supervision, disclose student status, comply with sanitation and infection-control requirements, and remove students who fail to meet standards.

Expected Benefits for Montana

Students gain workplace readiness and experience; employers gain access to future professionals; communities receive expanded service opportunities.

Conclusion

A carefully designed experiential learning pathway would strengthen workforce development, expand community service opportunities, and modernize professional education in Montana while preserving public safety through strong oversight and accountability measures.