

## Idaho Athletic Commission

### Board/Commission Members:

- Tom Katsilometes, Boise – Commissioner
- James R. Stoll, J.D., Boise
- James W. Grow, Jr., J.D., Lewiston
- Jon Vestal, Boise
- Robert M. Vestal, Pocatello

**Board/Commission Composition:** The Commission currently consists of five members: one commissioner, to serve at term of four (4) years; and four (4) deputy commissioners appointed by the commissioner, to serve a term not to exceed the tenure of the commissioner. The commissioner has authority to appoint up to five (5) deputy commissioners. Idaho Code [§§ 54-401](#) and [54-403](#).

**Operating costs per licensee: \$114.73.** This number represents the dollar amount required annually to serve each applicant or licensee based on the average number of licensees and the average expenditures since Fiscal Year 2014. This includes all administrative, fiscal, legal, and investigative services.

**Total number** of current licensees in Idaho on May 19, 2018: **237**.

For the Idaho Athletic Commission, the **shortest time** from complete application to issuing a license was the **same day**. The **longest time** from complete application to issuing a license was **6 days**. The **average time** to licensure was **0.4 days**. Of all licenses, **91 percent** were issued the **same day**. The State Athletic Commission issued **133 licenses** issued between May 19, 2017 and May 19, 2018.

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**A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal**

|           |                      | <b>Statute</b><br><a href="#">Title 54,</a><br><a href="#">Chapter 4</a> | <b>Rule</b><br><a href="#">IDAPA</a><br><a href="#">03.03.01</a>                                                             | <b>*Policy</b> | <b>Application</b>          | <b>Basis to Deny</b><br><b>Issuance or Renewal</b>                                                                                                                                                         | <b>Fees</b>             |
|-----------|----------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Combatant | Initial License      | <a href="#">I.C. § 54-410</a>                                            | <a href="#">03.03.01.100</a><br><a href="#">03.03.01.101</a><br><a href="#">03.03.01.102</a><br><a href="#">03.03.01.103</a> | *              | <a href="#">Application</a> | <a href="#">I.C. § 54-416</a><br><a href="#">I.C. § 54-417</a><br><a href="#">I.C. § 54-418</a><br><a href="#">I.C. § 54-420</a><br>IDAPA<br><a href="#">03.03.01.114</a>                                  | <a href="#">\$150</a>   |
|           | Renewal Requirements | <a href="#">I.C. § 67-2614</a>                                           | <a href="#">03.03.01.150</a>                                                                                                 | *              |                             | <a href="#">I.C. § 67-2614</a>                                                                                                                                                                             | <a href="#">\$150</a>   |
| Promoter  | Initial License      | <a href="#">I.C. § 54-410</a><br><a href="#">I.C. § 54-408</a>           | <a href="#">03.03.01.100</a><br><a href="#">03.03.01.108</a><br><a href="#">03.03.01.300</a>                                 | *              | <a href="#">Application</a> | <a href="#">I.C. § 54-416</a><br><a href="#">I.C. § 54-417</a><br><a href="#">I.C. § 54-418</a><br><a href="#">I.C. § 54-419</a><br><a href="#">I.C. § 54-420</a><br>IDAPA<br><a href="#">03.03.01.114</a> | <a href="#">\$1,000</a> |
|           | Renewal Requirements |                                                                          | <a href="#">03.03.01.150</a>                                                                                                 | *              |                             | <a href="#">I.C. § 67-2614</a>                                                                                                                                                                             | <a href="#">\$750</a>   |

*\*All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

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|                                |                      | <b>Statute</b><br><a href="#">Title 54,</a><br><a href="#">Chapter 4</a> | <b>Rule</b><br><a href="#">IDAPA</a><br><a href="#">03.03.01</a> | <i>*Policy</i> | <b>Application</b>          | <b>Basis to Deny</b><br><b>Issuance or Renewal</b>                                                                                                                        | <b>Fees</b>           |
|--------------------------------|----------------------|--------------------------------------------------------------------------|------------------------------------------------------------------|----------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| Matchmaker                     | Initial License      | <a href="#">I.C. § 54-410</a>                                            | <a href="#">03.03.01.100</a>                                     | *              | <a href="#">Application</a> | <a href="#">I.C. § 54-416</a><br><a href="#">I.C. § 54-417</a><br><a href="#">I.C. § 54-418</a><br><a href="#">I.C. § 54-420</a><br>IDAPA<br><a href="#">03.03.01.114</a> | <a href="#">\$250</a> |
|                                | Renewal Requirements |                                                                          | <a href="#">03.03.01.150</a>                                     | *              |                             | <a href="#">I.C. § 67-2614</a>                                                                                                                                            | <a href="#">\$250</a> |
| Manager                        | Initial License      | <a href="#">I.C. § 54-410</a>                                            | <a href="#">03.03.01.100</a>                                     |                | <a href="#">Application</a> | <a href="#">I.C. § 54-416</a><br><a href="#">I.C. § 54-417</a><br><a href="#">I.C. § 54-418</a><br><a href="#">I.C. § 54-420</a><br>IDAPA<br><a href="#">03.03.01.114</a> | <a href="#">\$150</a> |
|                                | Renewal Requirements |                                                                          | <a href="#">03.03.01.150</a>                                     | *              |                             | <a href="#">I.C. § 67-2614</a>                                                                                                                                            | <a href="#">\$150</a> |
| Seconds/Corner men/<br>Glovers | Initial License      | <a href="#">I.C. § 54-410</a>                                            | <a href="#">03.03.01.100</a>                                     | *              | <a href="#">Application</a> | <a href="#">I.C. § 54-416</a><br><a href="#">I.C. § 54-417</a><br><a href="#">I.C. § 54-418</a><br><a href="#">I.C. § 54-420</a><br>IDAPA<br><a href="#">03.03.01.114</a> | <a href="#">\$150</a> |
|                                | Renewal Requirements |                                                                          | <a href="#">03.03.01.150</a>                                     | *              |                             | <a href="#">I.C. § 67-2614</a>                                                                                                                                            | <a href="#">\$150</a> |

*\*All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

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|                    |                      | <b>Statute</b><br><a href="#">Title 54,</a><br><a href="#">Chapter 4</a> | <b>Rule</b><br><a href="#">IDAPA</a><br><a href="#">03.03.01</a> | <i>*Policy</i> | <b>Application</b>          | <b>Basis to Deny</b><br><b>Issuance or Renewal</b>                                                                                                                        | <b>Fees</b>           |
|--------------------|----------------------|--------------------------------------------------------------------------|------------------------------------------------------------------|----------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| Ring Official      | Initial License      | <a href="#">I.C. § 54-410</a>                                            | <a href="#">03.03.01.100</a><br><a href="#">03.03.01.111</a>     | *              | <a href="#">Application</a> | <a href="#">I.C. § 54-416</a><br><a href="#">I.C. § 54-417</a><br><a href="#">I.C. § 54-418</a><br><a href="#">I.C. § 54-420</a><br>IDAPA<br><a href="#">03.03.01.114</a> | <a href="#">\$150</a> |
|                    | Renewal Requirements |                                                                          | <a href="#">03.03.01.150</a>                                     | *              |                             | <a href="#">I.C. § 67-2614</a>                                                                                                                                            | <a href="#">\$150</a> |
| Ringside Physician | Initial License      | <a href="#">I.C. § 54-410</a>                                            | <a href="#">03.03.01.100</a><br><a href="#">03.03.01.112</a>     | *              | <a href="#">Application</a> | <a href="#">I.C. § 54-416</a><br><a href="#">I.C. § 54-417</a><br><a href="#">I.C. § 54-418</a><br><a href="#">I.C. § 54-420</a><br>IDAPA<br><a href="#">03.03.01.114</a> | No Fee                |
|                    | Renewal Requirements |                                                                          | <a href="#">03.03.01.150</a>                                     | *              |                             | <a href="#">I.C. § 67-2614</a>                                                                                                                                            |                       |

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## Idaho Athletic Commission

### B. Applications and Renewals Denied, May 19, 2017 - May 19, 2018

Refusal to Issue Initial License [Total Number: 0]

|  | Basis in Statute and/or Rule | Summary of Factual Basis |
|--|------------------------------|--------------------------|
|  | None                         |                          |

Refusal to Renew License [Total Number: 0]

|  | Basis in Statute and/or Rule | Summary of Factual Basis |
|--|------------------------------|--------------------------|
|  | None                         |                          |

### C. Disciplinary Actions in the Last Five (5) Years\*\*

The Idaho Athletic Commission received **6 complaints** from Fiscal Year 2013 through May 19, 2018. During this time frame, **3 complaints were closed** by the Commission with no disciplinary action, and **3 complaints resulted in disciplinary action**.

*\*\* The Commission did not take any disciplinary action between May 19, 2017 and May 19, 2018. Cases are not always closed within the same fiscal year they are opened, and sometimes multiple complaints are included in one disciplinary action. The Commission's full [disciplinary action information](#) is available online.*

## Idaho Athletic Commission

### **D. Changes or Attempted Changes to Address the Protection and Safety of Combatants, Debt Reduction, and Fiscal Solvency**

#### Background

Prior to 2006, the State Athletic Commission (Commission) had a history of financial shortfalls. The following legislation was proposed to assist the Commission with its operational expenses. In Fiscal Year (FY) 2003, [House Bill 350](#) provided a supplemental appropriation for the Commission which provided funding for a one-time pay-off of outstanding expenses which had accrued since FY 2002, and funding for FY 2003 operating and personnel costs. In 2004, [House Bill 762](#) directed the Commission to remit a minimum of \$500 to the Department of Administration for past due interagency bills. In 2005, [House Bill 359](#) directed the Department of Administration to use 50 percent of the FY 2005 fund balance to pay outstanding bills, and 30 percent of revenue accruing in FY 2006 to pay outstanding bills. Additionally, between FY 2000 and 2003, requests for general funds support for the Commission were not approved by the Legislature.

In 2006, the Legislature passed [Senate Bill 1469](#). This bill, effective FY 2007, directed the Commission and the Director of the Bureau of Occupational Licenses (Bureau) to create a written agreement for which the Bureau will act as authorized agent for the Commission. This bill also authorized payment of the Commission's outstanding bills. Following this legislation, the Commission's administrative support was transferred from the Department of Administration to the Bureau.

It was also during this time that the Legislature added regulation of mixed martial arts to the Commission. The Commission incurred additional expenses related to mixed martial arts, including drafting of the rules.

Law and Rule Changes in the Last Five (5) Years

| Date | Legislation or Rule                     | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2013 | <a href="#">House Bill 245</a>          | <p>House Bill 245 was passed during the 2013 legislative session. It accomplishes the following:</p> <ul style="list-style-type: none"> <li>• Provides for the recovery of certain costs and fees incurred from contested decisions and the resolution of disputes.</li> <li>• Provides for the recovery of costs incurred in the investing and prosecution of a violation of a licensee or permit holder.</li> <li>• Increases an event promoter’s initial event tax from \$400 to \$1,000.</li> <li>• Increases the event tax percentage from five to nine percent.</li> <li>• Requires all tickets for any contest or exhibition to be issued, sold, and distributed by an independent distributor.</li> <li>• Establishes provisions relating to the suspension of operations if the Commission’s debt reaches \$200,000. In order for the Commission’s operations to be reinstated, all outstanding debt owed to the Bureau must be paid in full.</li> </ul> <p><b>Impact:</b> At this time, the Commission’s debt was over \$179,000. This legislation was proposed in order to assist in debt reduction, fiscal solvency, and financial independence.</p> |
| 2013 | <a href="#">Docket No. 03-0101-1201</a> | <p>These rule changes accomplish the following:</p> <ul style="list-style-type: none"> <li>• Increase the sanctioning event permit fee from \$200 to \$1,000 per event to offset the Commission’s expenses incurred in approving and overseeing an event.</li> <li>• Clarify requirements for male and female combatants, age twelve and under.</li> <li>• Clarify the term of a license and fees to establish there is no penalty for non-renewal.</li> <li>• Clarify fees to establish that an applicant pays a combined application license fee each year.</li> <li>• Require promoters to report event results and injuries to a relevant reporting organization. Glove requirements for combatants are also clarified.</li> </ul> <p><b>Impact:</b> These rules were proposed in order to assist with the protection and safety of combatants and debt reduction.</p> <p>At one point, the Commission’s debt reached over \$191,000. As of the end of May 2018, the Commission’s debt was just over \$9,400. It anticipates being in the black in FY 2019.</p>                                                                                              |

Additional Barriers Eliminated/Opportunities Provided

| <b>Date</b> | <b>Barriers/Opportunities</b>  | <b>Summary</b>                                                                                                                                                                                                                       |
|-------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2007        | <a href="#">House Bill 110</a> | This bill removes members of the Idaho Athletic Commission from the Public Employee Retirement System of Idaho (PERSI) by changing the payment they receive from compensation to an honorarium under I.C. <a href="#">§ 59-509</a> . |

### **E. Assessment of Public Interest**

Licensure is in the public interest. The Commission works diligently to ensure public safety through fair regulation and effective supervision. Unregulated combat sports are dangerous. Referees of unregulated combat sports are often unqualified and may fail to step in to end a match before a combatant is seriously injured. Promoters in areas where combat sports are unregulated are not required to provide a qualified ringside physician, which can result in a delay in medical attention to address an injured combatant. A lack of regulation also means that combatants cannot be protected from themselves. Although the National Association of Boxing Commissions maintains a database of combatants who have been suspended due to injury, a recent knockout or bad blood work, unregulated promoters are not required to report or consult the database. Finally, there are no other state organizations dedicated to the safety of the participants of unarmed combatants. No other organizations work to ensure the fairness of combat sports. Simply put, unregulated contests would endanger the health, safety and welfare of all competitors, officials and spectators of combat sports.

**F. Recommendations for Improvement, Modification, or Elimination of Requirements**

1. Consider eliminating licensure renewal requirements and/or issue licenses per event. Licenses issued by the Idaho Athletic Commission are not typical; they may be used once or several times a year.
2. Once the Commission is in the black:
  - Reduce licensure fees for combatants, eliminate licensure fees for ring officials, and lower the event tax for promoters. Much like the ringside physician, ring officials provide an important service for the State, and recruitment and retention is difficult with a \$150 fee.
  - Review and rewrite the Act.
3. After review, the Commission does not have additional recommendations for elimination of requirements. The only requirements are a clean drug test; blood work that is absent HIV, Hepatitis B and C; a physical by a medical doctor; and a review of criminal and substance abuse history.

## Idaho Athletic Commission

### Summary of Objectives

The Licensing Freedom Act asked that all of Idaho's professional licensing entities critically look at their processes, laws and rules. The goal is to document the elimination of barriers and make recommendations for future changes that improve, modify or eliminate laws and rules governing professional licensure. In response, the Idaho Athletic Commission respectfully submits the above report and summarizes with a checklist to ensure all of the objectives were met:

#### Objectives of Executive Order

- ✓ Protect the public. (*I.C. [§ 54-409](#)*)
- ✓ Portability of licensure. (*For boxers, the state in which the competitor lives must issue a federal identification card. This card allows them to box in other states.*)
- ✓ Eliminate barriers to entry to work. (*See Section F*)
- ✓ Do away with unnecessary regulation. (*See Section F*)
- ✓ Modernize licensure and regulatory requirements. (*See Section F*)

#### Comprehensive Review - consider some of the issues raised in the background material, such as,

- ✓ Telework – Idaho has recently passed laws related to telehealth but other occupations may be facing similar issues regarding telework. (*N/A*)
- ✓ Distance/Online Learning/Testing – distance/online education and testing are increasingly available and may influence the resources that applicants or licensees can access to obtain education, continuing education or to test. (*N/A*)
- ✓ Criminal History – What barriers or additional obstacles do applicants/licensees face who have a criminal conviction? Do our laws consider the relevance or proximity in time of a conviction to the individuals applying for licensure or for those currently in practice? (*IDAPA [03.03.01.114](#)*)
- ✓ Early Examination – What can be addressed in the timing of processes to eliminate unnecessary delays? (*N/A*)
- ✓ CE Hardship – Is there an allowance for extenuating circumstances? (*no continuing education required*)
- ✓ Temporary Permits – Are there opportunities to work while minimum requirements are being met? (*N/A*)