HOUSE BILL 1258

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By: **Delegate Pendergrass**
Introduced and read first time: February 7, 2014
Assigned to: Health and Government Operations

A BILL ENTITLED

AN ACT concerning

Health Occupations – Maryland Environmental Health Specialists Act – Revisions

FOR the purpose of requiring the Board of Environmental Health Specialists to adopt regulations that include the establishment of a certain seasonal environmental health specialist–in–training program and a certain condition regarding participation in the program; repealing the requirement that the Board, under certain circumstances, reinstate the license of certain licensed environmental health specialists; requiring the Board, under certain circumstances, to place licensed environmental health specialists on inactive or nonrenewed status for a period not to exceed a certain number of years; requiring the Board to provide certain licensed environmental health specialists with written notification of certain information; requiring the Board, under certain circumstances, to reactivate the license of certain licensed environmental health specialists; and generally relating to the Maryland Environmental Health Specialists Act.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 21–305
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing
Article – Health Occupations
Section 21–310
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to
Article – Health Occupations
Section 21–310

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

21–305.

The Board shall adopt regulations that include:

(1) **(I)** The establishment of an environmental health specialist–in–training program for applicants to obtain the necessary experience to qualify to take the examination; and

[(2)**] (II)** A condition that a person may not participate in an environmental health specialist–in–training program for more than 3 years, unless granted an extension by the Board**; AND**

(2) (I) THE ESTABLISHMENT OF A SEASONAL ENVIRONMENTAL HEALTH SPECIALIST–IN–TRAINING PROGRAM FOR INDIVIDUALS TO BE TEMPORARILY EMPLOYED AS ENVIRONMENTAL HEALTH SPECIALISTS; AND

(II) A CONDITION THAT AN INDIVIDUAL MAY NOT PARTICIPATE IN A SEASONAL ENVIRONMENTAL HEALTH SPECIALIST–IN–TRAINING PROGRAM FOR MORE THAN 6 MONTHS.

[21–310.

The Board shall reinstate the license of a licensed environmental health specialist who has failed to renew the license for any reason if the licensed environmental health specialist:

(1) Pays the Board all lapsed renewal fees and demonstrates that training as required by the Board has been completed;

(2) Reapplies and meets the qualifications and requirements for licensure; and

(3) Pays to the Board a reinstatement fee set by the Board.**]**

21–310.

(A) (1) THE BOARD SHALL PLACE A LICENSED ENVIRONMENTAL HEALTH SPECIALIST ON INACTIVE STATUS FOR A PERIOD NOT TO EXCEED 4 YEARS IF THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST:

(I) SUBMITS TO THE BOARD A WRITTEN APPLICATION FOR INACTIVE STATUS ON A FORM THE BOARD REQUIRES; AND

(II) PAYS TO THE BOARD THE INACTIVE STATUS FEE SET BY THE BOARD.

(2) THE BOARD SHALL PROVIDE TO A LICENSED ENVIRONMENTAL HEALTH SPECIALIST WHO IS PLACED ON INACTIVE STATUS WRITTEN NOTIFICATION OF:

(I) THE DATE THE LICENSE HAS EXPIRED OR WILL EXPIRE;

(II) THE DATE THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST'S INACTIVE STATUS BECAME EFFECTIVE;

(III) THE DATE THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST'S INACTIVE STATUS EXPIRES; AND

(IV) THE CONSEQUENCES OF NOT REACTIVATING THE LICENSE BEFORE THE INACTIVE STATUS EXPIRES.

(3) THE BOARD SHALL REACTIVATE THE LICENSE OF A LICENSED ENVIRONMENTAL HEALTH SPECIALIST WHO IS ON INACTIVE STATUS IF THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST:

(I) APPLIES TO THE BOARD FOR REACTIVATION OF THE LICENSE BEFORE THE INACTIVE STATUS EXPIRES;

(II) COMPLIES WITH THE LICENSE RENEWAL REQUIREMENTS THAT ARE IN EFFECT WHEN THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST APPLIES FOR REACTIVATION;

(III) HAS COMPLETED THE NUMBER OF CREDIT HOURS OF APPROVED CONTINUING EDUCATION SET BY THE BOARD; AND

(IV) PAYS TO THE BOARD THE REACTIVATION PROCESSING FEE SET BY THE BOARD.

(B) (1) THE BOARD SHALL PLACE A LICENSED ENVIRONMENTAL HEALTH SPECIALIST ON NONRENEWED STATUS FOR A PERIOD NOT TO EXCEED 4 YEARS IF THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST FAILED TO RENEW THE LICENSE FOR ANY REASON.

(2) THE BOARD SHALL PROVIDE TO A LICENSED ENVIRONMENTAL HEALTH SPECIALIST WHO IS PLACED ON NONRENEWED STATUS WRITTEN NOTIFICATION OF:

(I) THE DATE THE LICENSE EXPIRED;

(II) THE DATE THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST'S NONRENEWED STATUS BECAME EFFECTIVE;

(III) THE DATE THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST'S NONRENEWED STATUS EXPIRES; AND

(IV) THE CONSEQUENCES OF NOT REACTIVATING THE LICENSE BEFORE THE NONRENEWED STATUS EXPIRES.

(3) THE BOARD SHALL REACTIVATE THE LICENSE OF A LICENSED ENVIRONMENTAL HEALTH SPECIALIST WHO IS PLACED ON NONRENEWED STATUS IF THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST:

(I) APPLIES TO THE BOARD FOR REACTIVATION OF THE LICENSE BEFORE THE NONRENEWED STATUS EXPIRES;

(II) COMPLIES WITH THE LICENSE RENEWAL REQUIREMENTS THAT ARE IN EFFECT WHEN THE INDIVIDUAL APPLIES FOR REACTIVATION;

(III) HAS COMPLETED THE NUMBER OF CREDIT HOURS OF APPROVED CONTINUING EDUCATION SET BY THE BOARD; AND

(IV) PAYS TO THE BOARD THE REACTIVATION PROCESSING FEE SET BY THE BOARD.

(C) NOTWITHSTANDING SUBSECTION (A) OR (B) OF THIS SECTION, THE BOARD SHALL REACTIVATE THE LICENSE OF A LICENSED ENVIRONMENTAL HEALTH SPECIALIST WHO WAS PLACED ON INACTIVE OR NONRENEWED STATUS IF THE LICENSED ENVIRONMENTAL HEALTH SPECIALIST:

(1) APPLIES TO THE BOARD FOR REACTIVATION AFTER THE INACTIVE OR NONRENEWED STATUS EXPIRED;

(2) PAYS TO THE BOARD THE REACTIVATION PROCESSING FEE SET BY THE BOARD AND ANY OTHER FEES REQUIRED BY THE BOARD;

(3) PROVIDES ANY DOCUMENTATION REQUIRED BY THE BOARD ON THE FORM THE BOARD REQUIRES; AND

(4) PASSES THE EXAMINATION, IF ANY, THAT IS REQUIRED BY THE BOARD IN REGULATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.