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6lr2398 CF SB 200

#### By: **Delegate Hammen (Chair, Health and Government Operations Committee)** Introduced and read first time: February 1, 2016 Assigned to: Health and Government Operations

Committee Report: Favorable with amendments House action: Adopted Read second time: March 2, 2016

CHAPTER \_\_\_\_\_

#### 1 AN ACT concerning

## Health Occupations – Environmental Health Specialists – Regulation State Board of Environmental Health Specialists – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Environmental Health Specialists in 4  $\mathbf{5}$ accordance with the provisions of the Maryland Program Evaluation Act (sunset law) 6 by extending to a certain date the termination provisions relating to the statutory 7 and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a 8 9 certain date; requiring a certain annual report filed by the Board to include a plan 10 for special fund revenues; requiring the Board, on or before a certain date, to adopt 11 certain regulations regarding continuing education, conduct a certain review of continuing education units and providers, make certain information available 12 13through the Board's Web site, conduct a certain evaluation, implement an online continuing education unit process, overhaul the Board's Web site to include certain 14 15content, and establish a method to improve the accuracy of licensee contact 16 information; requiring the Board to monitor the Long Term Environmental Health Workforce Work Group's activities and certain recommendations and assist the 1718 Work Group in instituting certain statutory and regulatory changes and distributing 19information to licensees; requiring the Board, on or before a certain date, to provide 20a certain report to certain committees of the General Assembly; and generally 21relating to the State Board of Environmental Health Specialists. <del>repealing</del> provisions of law that establish the State Board of Environmental Health Specialists, 2223specify the membership, powers, and duties of the Board, and provide for the officers, 24meetings, compensation, and staff for the Board; repealing the State Board of Environmental Health Specialists Fund; repealing the requirement that an 25

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



individual be licensed by the Board to practice as an environmental health specialist 1  $\mathbf{2}$ in the State: repealing provisions of law relating to the licensure of environmental 3 health specialists: repealing certain prohibited acts and penalties; repealing a 4 certain short title; repealing a certain termination provision; requiring an individual 5 to obtain and maintain a certain credential and submit certain documentation to the 6 individual's employer to practice as an environmental health specialist in the State; 7 requiring the employer of an individual practicing as an environmental health specialist to verify the individual's compliance with certain provisions of this Act on 8 9 a certain basis; providing exemptions from the application of certain provisions of 10 this Act: authorizing certain individuals to practice as an environmental health 11 specialist in the State under certain circumstances and for a certain period of time: repealing the requirement that the Department of Legislative Services conduct a 1213 certain evaluation of the Board: providing that an individual who is licensed by the Board on a certain date is considered to be licensed and deemed eligible to practice 14 as an environmental health specialist for the duration of the term of the license; 1516 requiring that any balance in the Fund on a certain date be transferred to the 17General Fund; requiring the Department of Health and Mental Hygiene, on or before a certain date, to work with the National Environmental Health Association to 18 secure a certain agreement; requiring the agreement to specify certain matters; 19 20requiring the Department of Health and Mental Hygiene to notify certain legislative committees and the Department of Legislative Services about the details of the 21 22agreement at a certain time; requiring the publishers of the Annotated Code of 23Maryland, in consultation with the Department of Legislative Services, to make certain corrections in a certain manner: repealing certain definitions: defining 2425certain terms; altering a certain definition; providing for the application of certain 26provisions of this Act: and generally relating to the regulation of environmental health specialists. 27

# 28 BY repealing 29 Article - Health Occupations 30 Section 21-102 and the subtitle "Subtitle 1. General Provisions"; 21-201 through

- 3121-207 and the subtitle "Subtitle 2. State Board of Environmental Health32Specialists"; 21-301 through 21-315 and the subtitle "Subtitle 3. Licensing";3321-401 and 21-402 and the subtitle "Subtitle 4. Prohibited Acts; Penalties";34and 21-501 and 21-502 and the subtitle "Subtitle 5. Short Title; Termination35of Title"36Annotated Code of Maryland
- 37 (2014 Replacement Volume and 2015 Supplement)
- 38 BY repealing and reenacting, with amendments,
- 39 Article Health Occupations
- 40 Section 21-101
- 41 Annotated Code of Maryland
- 42 (2014 Replacement Volume and 2015 Supplement)
- 43 BY adding to
- 44 Article Health Occupations

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1	Section 21–102 through 21–104			
2	Annotated Code of Maryland			
3	(2014 Replacement Volume and 2015 Supplement)			
4	BY repealing			
<b>5</b>	Article – State Government			
6	<del>Section 8–403(b)(20)</del>			
$\overline{7}$	Annotated Code of Maryland			
8	(2014 Replacement Volume and 2015 Supplement)			
9	BY renumbering			
10	Article – State Government			
11	Section 8–403(b)(21) through (57), respectively			
12	to be Section 8–403(b)(20) through (56), respectively			
13	Annotated Code of Maryland			
14	(2014 Replacement Volume and 2015 Supplement)			
15	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,			
16	That Section(s) 21-102 and the subtitle "Subtitle 1. General Provisions"; 21-201 through			
17	21-207 and the subtitle "Subtitle 2. State Board of Environmental Health Specialists";			
18	21-301 through 21-315 and the subtitle "Subtitle 3. Licensing"; 21-401 and 21-402 and			
19	the subtitle "Subtitle 4. Prohibited Acts; Penalties"; and 21-501 and 21-502 and the			
20	subtitle "Subtitle 5. Short Title; Termination of Title" of Article - Health Occupations of			
21	the Annotated Code of Maryland be repealed.			
22	BY repealing and reenacting, with amendments,			
23	Article – Health Occupations			
24	Section 21–205 and 21–502			
25	Annotated Code of Maryland			
26	(2014 Replacement Volume and 2015 Supplement)			
27	BY repealing and reenacting, without amendments,			
28	Article – State Government			
29	<u>Section 8–403(a)</u>			
30	<u>Annotated Code of Maryland</u>			
31	(2014 Replacement Volume and 2015 Supplement)			
32	BY repealing and reenacting, with amendments,			
33	Article – State Government			
34	Section $8-403(b)(20)$			
35	Annotated Code of Maryland			
36	(2014 Replacement Volume and 2015 Supplement)			
37	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read			
38	<del>as follows:</del>			

Article - Health Occupations

	4	HOUSE BILL 497
1	<del>21–101.</del>	
2	<del>(a)</del>	In this title the following words have the meanings indicated.
3	<del>(b)</del>	<del>["Board" means the State Board of Environmental Health Specialists.</del>
4	<del>(c)]</del>	"Environmental health specialist" means an individual who practices as an
<b>5</b>	environmen	i <del>tal health specialist.</del>
6	<del>[(d)]</del>	(C) <u>"Environmental health specialist-in-training" means an individual</u>
$\overline{7}$	who meets	the educational qualifications FOR AN REHS/RS CREDENTIAL required
8		itle but has not yet-fcompleted the environmental health specialist-in-training
9		quired under § 21–305 of this title] ACQUIRED THE WORK EXPERIENCE
10		TO QUALIFY FOR AN REHS/RS CREDENTIAL.
10	REQUIRED	TO QUALIFT FOR AN REITONNO CREDENTIAL.
11	<b>[</b> (_)	
11	, <del>[(e)</del>	"Environmental health specialist-in-training program" means a program of
12		d experience under the supervision of a licensed environmental health specialist
13	<del>or other ind</del>	ividual acceptable to the Board.
14	(0	
14	, <del>(f)</del>	"Hours of approved training" means the value given to participation in
15	<del>continuing (</del>	education or experience as approved by the Board.
10		
16 17	<del>(g)</del> Decend to no	"License" means, unless the context requires otherwise, a license issued by the
17	<del>Doara to pr</del> a	actice as an environmental health specialist.
18	<del>(h)</del>	"Licensed environmental health specialist" means an individual licensed by
19	the Board to	<del>» practice as an environmental health specialist.]</del>
20		
20	, <del>(D)</del>	"NEHA" MEANS THE NATIONAL ENVIRONMENTAL HEALTH
21	Associati	<del>ON.</del>
22	<del>[(i)] (</del>	
23		of employment, to apply academic principles, methods and procedures of the
24		tal, physical, biological, and health sciences to the inspections and
25		ns necessary to collect and analyze data and to make decisions necessary to
26		pliance with federal, State, and local health and environmental laws and
27		specifically relating to control of the public health aspects of the environment
28	<del>including:</del>	
29		(1) The manufacture, preparation, handling, distribution, or sale of food
30	<del>and milk;</del>	
31		(2) Water supply and treatment;
32		(3) Wastewater treatment and disposal;

1		(4)	Solid waste management and disposal;
2		<del>(5)</del>	Vector control;
3		<del>(6)</del>	Insect and rodent control;
4		<del>(7)</del>	Air-quality;
5		<del>(8)</del>	Noise control;
6		<del>(9)</del>	Product safety;
7		<del>(10)</del>	Recreational sanitation; and
8		<del>(11)</del>	Institutional and residential sanitation.
9	<del>(F)</del>	<u>"RFI</u>	HS/RS CREDENTIAL" MEANS THE REGISTERED ENVIRONMENTAL
10	(-)		LIST/REGISTERED SANITARIAN CREDENTIAL ISSUED BY NEHA.
11	<del>(G)</del>	<u>"RE</u> ]	HS/RS-IT" MEANS AN INDIVIDUAL WHO HAS OBTAINED AN
12	"In-Train	ING" S	TATUS REGISTRATION FROM NEHA TO ACQUIRE THE EXPERIENCE
13	MEGEGGADI		
19	NECESSARY	-rok	AN REHS/RS CREDENTIAL.
15 14	NECESSARY 21–102.	<del>-ruk</del>	AN KERD/KO CKEDENTIAL.
	<del>21-102.</del>		AN KEHO/KO CKEDENTIAL. DOES NOT APPLY TO:
14 15	<del>21-102.</del>	TITLE	DOES NOT APPLY TO:
14 15 16	<del>21–102.</del> <del>This</del>	<del>TITLI</del> <del>(1)</del>	<del>DOES NOT APPLY TO:</del> A student participating in a field experience as part of
14 15	<del>21–102.</del> <del>This</del>	<del>TITLI</del> <del>(1)</del>	DOES NOT APPLY TO:
14 15 16 17	<del>21–102.</del> <del>This</del>	TITLI ( <del>1)</del> HONAI	<del>: DOES NOT APPLY TO:</del> A <del>STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF</del> <del>- PROGRAM; OR</del>
14 15 16 17 18	<del>21–102.</del> <del>This</del> <del>AN EDUCAT</del>	TITLE (1) TONAI (2)	DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB
14 15 16 17	<del>21–102.</del> <del>This</del>	TITLE (1) TONAI (2)	DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB
14 15 16 17 18 19	<del>21–102.</del> <del>This</del> <del>AN EDUCAT</del>	TITLE (1) TONAI (2)	DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S:
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	21–102. This An educat Classifica	TITLE ( <del>1)</del> TONAL ( <del>2)</del> (TION	DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S: (1) INDUSTRIAL HYGIENISTS AS DEFINED BY THE AMERICAN
14 15 16 17 18 19	21–102. This An educat Classifica	TITLE ( <del>1)</del> TONAL ( <del>2)</del> (TION	DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S:
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	21–102. This An educat Classifica	TITLE ( <del>1)</del> TONAL ( <del>2)</del> (TION	- DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF - PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S: (1) INDUSTRIAL HYGIENISTS AS DEFINED BY THE AMERICAN SHENE ASSOCIATION;
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	21–102. This An educat Classifica Industria	TITLE (1) TONAI (2) TION; L HY(	- DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF - PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S: (1) INDUSTRIAL HYGIENISTS AS DEFINED BY THE AMERICAN SHENE ASSOCIATION; (1) CERTIFIED INDUSTRIAL HYGIENISTS AND INDUSTRIAL
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	21–102. This An educat Classifica Industria Hygienist	TITLE (1) TONAI (2) TION; L HY(	- DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF - PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S: (1) INDUSTRIAL HYGIENISTS AS DEFINED BY THE AMERICAN SHENE ASSOCIATION;
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	21–102. This An educat Classifica Industria	TITLE (1) TONAI (2) TION; L HY(	- DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF - PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S: (1) INDUSTRIAL HYGIENISTS AS DEFINED BY THE AMERICAN SHENE ASSOCIATION; (1) CERTIFIED INDUSTRIAL HYGIENISTS AND INDUSTRIAL
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol>	21–102. This An educat Classifica Industria Hygienist	TITLE (1) TONAI (2) TION; L HY(	DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S: (I) INDUSTRIAL HYGIENISTS AS DEFINED BY THE AMERICAN HENE ASSOCIATION; (II) CERTIFIED INDUSTRIAL HYGIENISTS AND INDUSTRIAL RAINING AS DEFINED BY THE AMERICAN BOARD OF INDUSTRIAL
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	21–102. This An educat Classifica Industria Hygienist	TITLE (1) TONAI (2) TION; L HY(	- DOES NOT APPLY TO: A STUDENT PARTICIPATING IN A FIELD EXPERIENCE AS PART OF - PROGRAM; OR A QUALIFIED INDIVIDUAL IN ANY OF THE FOLLOWING JOB S: (1) INDUSTRIAL HYGIENISTS AS DEFINED BY THE AMERICAN SHENE ASSOCIATION; (1) CERTIFIED INDUSTRIAL HYGIENISTS AND INDUSTRIAL

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1	<del>(V)</del> Geologists;
2	(VI) CHEMISTS;
3	(VII) METEOROLOGISTS;
4	(VIII) LABORATORY SCIENTISTS;
5	(IX) PROFESSIONAL ENGINEERS WHO ARE LICENSED IN THE
6	STATE UNDER TITLE 14 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS
7	ARTICLE AND WHOSE NORMAL PROFESSIONAL ACTIVITIES ARE AMONG THE
8	ACTIVITIES SPECIFIED IN § 21–101(E) OF THIS TITLE;
0	
9	(X) PUBLIC HEALTH ENGINEERS AND WATER RESOURCES
10	ENGINEERS EMPLOYED BY THE STATE OR A LOCAL SUBDIVISION;
11	(XI) HYDROGRAPHERS AND HYDROGRAPHIC ENGINEERS;
12	(XII) NATURAL RESOURCES MANAGERS;
13	(XIII) NATURAL RESOURCES BIOLOGISTS;
14	(XIV) Program administrators, administration
15	DIRECTORS, ADMINISTRATORS, ADMINISTRATIVE OFFICERS, AND ADMINISTRATIVE
16	SPECIALISTS:
10	
17	(XV) PARAPROFESSIONAL PERSONNEL, AIDES, AND
18	TECHNICIANS WHOSE ROUTINE DUTIES INCLUDE MONITORING, SAMPLING, AND
19	RECORDING OF DATA;
10	· · · · · · · · · · · · · · · · · · ·
20	<del>(xvi)</del> Individuals employed by the Department of
21	NATURAL RESOURCES OR RELATED COUNTY DEPARTMENTS WHO PERFORM DUTIES
22	AND HAVE RESPONSIBILITIES UNDER THE NATURAL RESOURCES ARTICLE;
23	(xvii)Individuals employed by the Department of the
24	Environment or related county departments who perform duties and
25	HAVE RESPONSIBILITIES FOR:
26	1. EROSION AND SEDIMENT CONTROL, STORMWATER
27	MANAGEMENT, OR OIL POLLUTION CONTROL UNDER TITLE 4 OF THE ENVIRONMENT
28	Article;

1	2. MOTOR VEHICLE POLLUTION CONTROL UNDER TITLE
<b>2</b>	<b>2 OF THE ENVIRONMENT ARTICLE OR TITLE 23 OF THE TRANSPORTATION ARTICLE;</b>
3	<del>OR</del>
4	<b>3. SEWAGE SLUDGE, WATER POLLUTION CONTROL, OR</b>
<b>5</b>	DRINKING WATER UNDER TITLE 9 OF THE ENVIRONMENT ARTICLE;
6	(XVIII) INDIVIDUALS EMPLOYED BY THE DEPARTMENT OF
7	THE ENVIRONMENT WHO ARE CLASSIFIED AS:
0	
8	1. A REGULATORY AND COMPLIANCE ENGINEER OR
9	ARCHITECT; OR
10	2. AN ENVIRONMENTAL COMPLIANCE SPECIALIST;
10	
11	(XIX) INDIVIDUALS EMPLOYED BY THE DIVISION OF LABOR AND
12	INDUSTRY OF THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION WHO
13	PERFORM DUTIES AND HAVE RESPONSIBILITIES UNDER THE MARYLAND
14	OCCUPATIONAL SAFETY AND HEALTH ACT;
15	(XX) Occupational safety and health technologists as
16	DEFINED BY THE AMERICAN BOARD OF INDUSTRIAL HYGIENE AND THE BOARD OF
17	CERTIFIED SAFETY PROFESSIONALS;
18	(xxi) Safety professionals as defined by the American
19	Society of Safety Engineers;
20	(XXII) CERTIFIED SAFETY PROFESSIONALS AND ASSOCIATE
21	SAFETY PROFESSIONALS AS DEFINED BY THE BOARD OF CERTIFIED SAFETY
22	PROFESSIONALS;
0.0	
23	(XXIII) INDIVIDUALS EMPLOYED BY INDUSTRIAL
24	OPERATIONS WHOSE ENVIRONMENTAL SERVICES ARE PERFORMED SOLELY FOR
25	THEIR-EMPLOYER; OR
26	(xxiv) State milk safety inspectors performing
$\frac{20}{27}$	DUTIES-UNDER THE NATIONAL CONFERENCE ON INTERSTATE MILK SHIPMENTS
21 28	WHO ARE EMPLOYED BY THE DEPARTMENT.
40	WHO MUL DAILED DI THE DEL MULHENT.
29	$\frac{21-103}{21-103}$
_	
30	(A) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, TO PRACTICE AS AN
31	ENVIRONMENTAL HEALTH SPECIALIST IN THE STATE AN INDIVIDUAL SHALL:

	8 HOUSE BILL 497
1	(1) OBTAIN THE REHS/RS CREDENTIAL ISSUED BY NEHA BEFORE
2	BEGINNING PRACTICE AS AN ENVIRONMENTAL HEALTH SPECIALIST;
0	(9) MAINTAIN THE DELC/DC ODDENTIAL LOCKED BY NELLA WITH D
3	(2) MAINTAIN THE REHS/RS CREDENTIAL ISSUED BY NEHA WHILE
4	ACTIVELY IN PRACTICE AS AN ENVIRONMENTAL HEALTH SPECIALIST IN THE STATE;
<b>5</b>	AND
6	(3) SUBMIT DOCUMENTATION BIENNIALLY TO THE INDIVIDUAL'S
7	EMPLOYER VERIFYING THAT THE INDIVIDUAL IS IN COMPLIANCE WITH THE
8	REQUIREMENTS OF THIS TITLE.
U	
9	(B) THE EMPLOYER OF AN INDIVIDUAL WHOSE PRIMARY DUTIES REQUIRE
10	PRACTICE AS AN ENVIRONMENTAL HEALTH SPECIALIST:
11	(1) INITIALLY SHALL VERIFY THAT THE INDIVIDUAL HAS OBTAINED
12	THE CREDENTIAL AS REQUIRED UNDER SUBSECTION (A)(1) OF THIS SECTION; AND
13	(2) <b>BIENNIALLY THEREAFTER SHALL VERIFY THAT THE INDIVIDUAL</b>
14	IS MAINTAINING THE CREDENTIAL AS REQUIRED UNDER SUBSECTION $(A)(2)$ OF THIS
15	SECTION.
16	<del>21–104.</del>
17	NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ENVIRONMENTAL
18	HEALTH SPECIALIST-IN-TRAINING OR AN REHS/RS IT MAY PRACTICE AS AN
19	ENVIRONMENTAL HEALTH SPECIALIST IN THE STATE:
20	(1) For no more than 3 years in order to acquire the work
21	EXPERIENCE REQUIRED TO QUALIFY FOR AN REHS/RS CREDENTIAL; AND
22	(2) ONLY UNDER THE SUPERVISION OF AN INDIVIDUAL WHO HOLDS A
23	VALID REHS/RS CREDENTIAL OR ANOTHER INDIVIDUAL ACCEPTABLE TO THE
24	DEPARTMENT.
25	<del>Article – State Government</del>
26	<del>8–403.</del>
27	(b) Each of the following governmental activities or units and the statutes and
$\frac{2}{28}$	regulations that relate to the governmental activities or units are subject to preliminary
$\overline{29}$	evaluation in the evaluation year specified:
30	[(20) Environmental Health Specialists, State Board of (§ 21–201 of the
31	Health Occupations Article: 2014);]

1	SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 8-403(b)(21)
2	through (57), respectively, of Article - State Government of the Annotated Code of
3	Maryland be renumbered to be Section(s) 8–403(b)(20) through (56), respectively.
4	SECTION 4. AND BE IT FURTHER ENACTED, That any individual who, on the
<b>5</b>	effective date of this Act, is licensed by the State Board of Environmental Health
6	Specialists, which is repealed by this Act, is considered for all purposes to be licensed and
$\overline{7}$	deemed eligible to practice as an environmental health specialist for the duration of the
8	term for which the license was issued.
9	SECTION 5. AND BE IT FURTHER ENACTED, That any balance remaining in the
10	State Board of Environmental Health Specialists Fund on the effective date of this Act shall
11	be transferred to the General Fund.
12	SECTION 6. AND BE IT FURTHER ENACTED, That:
13	(a) On or before October 1, 2016, the Department of Health and Mental Hygiene
14	shall work with the National Environmental Health Association (NEHA) to secure an
15	agreement for a grace period to allow individuals who hold an environmental health
16	specialist license issued by the State Board of Environmental Health Specialists to obtain
17	an REHS/RS-credential through reciprocity.
18	(b) Any agreement under subsection (a) of this section must specify:
19	(1) that all individuals who held a valid environmental health specialist
20	license as of the termination date of the State Board of Environmental Health Specialists
$\overline{21}$	are eligible to receive the REHS/RS credential through reciprocity during the grace period;
$\overline{22}$	and
23	(2) any fees required to obtain an REHS/RS credential by reciprocity
24	during the grace period.
25	(c) Within 30 days after securing an agreement with NEHA, the Department
26	shall notify the Senate Education, Health, and Environmental Affairs Committee, the
27	House Health and Government Operations Committee, and the Department of Legislative
28	Services, in accordance with § 2-1246 of the State Government Article, about the details of
29	the agreement.
30	SECTION 7. AND BE IT FURTHER ENACTED, That the publishers of the
31	Annotated Code of Maryland, in consultation with and subject to the approval of the
32	Department of Legislative Services, shall correct, with no further action required by the
33	
00	General Assembly, cross-references and terminology rendered incorrect by this Act or any
34	

36 <del>section affected.</del>

	10		HOUSE BILL 497			
$rac{1}{2}$	<u>SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,</u> <u>That the Laws of Maryland read as follows:</u>					
3		<u>Article – Health Occupations</u>				
4	<u>21–205.</u>					
5	<u>(a)</u>	<u>In ac</u>	ldition to the powers set forth elsewhere in this title, the Board may:			
$6 \\ 7$	<u>title:</u>	<u>(1)</u>	Adopt rules, regulations, and bylaws to carry out the provisions of this			
8		<u>(2)</u>	Sue to enforce any provision of this title by injunction; and			
9 10	and take tes	<u>(3)</u> stimon	<u>Issue subpoenas, summon witnesses, administer oaths, take affidavits,</u> ay about matters that relate to the jurisdiction of the Board.			
11	<u>(b)</u>	<u>In ac</u>	ldition to the duties set forth elsewhere in this title, the Board shall:			
12		<u>(1)</u>	Keep a current record of all licensed environmental health specialists;			
13		<u>(2)</u>	Collect and account for fees provided under this title;			
$\begin{array}{c} 14 \\ 15 \end{array}$	<u>budget;</u>	<u>(3)</u>	Pay all necessary expenses of the Board in accordance with the State			
16		<u>(4)</u>	<u>Keep a complete record of its proceedings;</u>			
17 18	with the Go	<u>(5)</u> vernoi	<u>File an annual report of its activities[, including a financial statement,]</u> and the Secretary <b>THAT INCLUDES:</b>			
19			(I) A FINANCIAL STATEMENT; AND			
20			(II) A PLAN FOR SPECIAL FUND REVENUES; and			
21		<u>(6)</u>	Adopt an official seal.			
22	<u>21–502.</u>					
$\begin{array}{c} 23\\ 24\\ 25 \end{array}$	Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, the provisions of this title and of any rule or regulation adopted under this title shall terminate and be of no effect after July 1, [2017] <b>2027</b> .					
26			<u> Article – State Government</u>			
27	<u>8–403.</u>					

$\frac{1}{2}$	<u>(a)</u> <u>shall:</u>	On or before December 15 of the evaluation year specified, the Department
$\frac{3}{4}$	<u>to be evalua</u>	(1) <u>conduct a preliminary evaluation of each governmental activity or unit</u> ated under this section; and
5		(2) prepare a report on each preliminary evaluation conducted.
6 7 8	-	Each of the following governmental activities or units and the statutes and that relate to the governmental activities or units are subject to preliminary n the evaluation year specified:
9 10	Health Occ	(20) <u>Environmental Health Specialists</u> , State Board of (§ 21–201 of the apations Article: [2014] <b>2026</b> );
11	SEC.	TION 2. AND BE IT FURTHER ENACTED, That:
$\begin{array}{c} 12\\ 13 \end{array}$	<u>(a)</u> <u>shall:</u>	On or before January 1, 2017, the Board of Environmental Health Specialists
14		(1) adopt regulations regarding continuing education that include:
$\begin{array}{c} 15\\ 16\end{array}$	automatica	(i) a list of continuing education unit providers who are lly approved; and
17 18 19	<u>approved, a</u> Board for a	(ii) for continuing education units that are not automatically deadline by which the continuing education unit shall be submitted to the opproval;
20 21 22		(2) review the list of preapproved continuing education units and providers rd's Web site, remove the units and providers that are obsolete, and list the d units and providers in a user-friendly format;
$23 \\ 24 \\ 25$	<u>licensees, a</u> preapprove	(3) <u>make available, through the Board's Web site and by e-mail to</u> <u>summary of the continuing education process, including any deadlines and</u> <u>d providers;</u>
26 27 28		(4) evaluate whether to implement an audit-based continuing education system through which the Board will conduct a random audit of a minimum of sees to determine compliance with the continuing education unit requirement;
29		(5) <u>implement an online continuing education unit process;</u>
30		(6) overhaul the Board's Web site to include the following specific content:
31		$\underline{(i)}$ <u>fees;</u>

	12		HOUSE BILL 497		
1		<u>(ii)</u>	application forms;		
2		<u>(iii)</u>	examination study links and resources;		
3		<u>(iv)</u>	board meeting minutes;		
4		<u>(v)</u>	continuing education training opportunities; and		
$5 \\ 6$	and training; and	<u>(vi)</u>	links to National Environmental Health Association study aids		
7 8	(7) information.	<u>estab</u>	lish a method to improve the accuracy of licensee contact		
9	<u>(b)</u> <u>The I</u>	Board	shall:		
10 11 12	(1) monitor the Long Term Environmental Health Workforce Work Group's activities and recommendations for improving recruitment and retention of environmental health specialists and for statutory licensing exemptions; and				
$\begin{array}{c} 13\\14\\15\end{array}$	(2) <u>assist the Work Group in instituting any statutory or regulatory</u> <u>changes necessary to implement the recommendations of the Work Group and distributing</u> <u>information to licensees in a timely manner.</u>				
16 17 18 19 20	(c) On or before January 1, 2017, the Board shall report, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee on the implementation of the requirements of subsections (a) and (b) of this section.				
$\frac{21}{22}$	SECTION € July 1, 2016.	8 <del>.</del> <u>3.</u> A	ND BE IT FURTHER ENACTED, That this Act shall take effect		

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Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.