

Department of Legislative Services  
Maryland General Assembly

**FISCAL NOTE**

House Bill 325 (Delegate Frank)

Economic Matters

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**Industrial Hygienists - Title Protection**

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This bill states that it is the intent of the General Assembly to provide legal recognition to the professional practice of industrial hygiene. It prohibits an individual from representing that the individual is an industrial hygienist, certified industrial hygienist, or industrial hygienist in training unless the individual meets the appropriate training, educational, or certification requirements. A business may not represent itself as a provider of industrial hygiene services furnished by an industrial hygienist, certified industrial hygienist, or industrial hygienist in training unless the individuals are qualified to use the title as specified by the bill. A person who violates these provisions is guilty of a misdemeanor and subject to a maximum fine of \$1,000.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues due to the bill's penalty provision. No effect on expenditures.

**Local Effect:** None.

**Small Business Effect:** Minimal effect on small businesses.

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**Fiscal Analysis**

**State Expenditures:** Currently, the Division of Labor and Industry within the Department of Labor, Licensing and Regulation employs 20 individuals under the classification of "industrial hygienist". Some of these "industrial hygienists" may not meet the qualifications to use the title as specified in the bill.

As a result of this bill, the State could either: (1) rename the classification for those positions and not use the title "industrial hygienist"; or (2) retain the classification of "industrial

hygienist” and ensure that the employees are qualified to use the title. The former option would impose no cost to the State while the latter may involve either some training costs if the State provides the training or some hiring costs if the State replaces those individuals who do not meet the requirements of the title. In any event, any such costs could be handled with existing resources. The Division of Labor and Industry indicates that it intends to rename the classification of “industrial hygienist”.

Renaming the classification would not affect the finances of the Department of Budget and Management’s Office of Human Relations.

**Small Business Effect:** As a result of this bill, some small businesses may have to reclassify their employees or take steps to ensure that their employees meet the qualifications of their title, either by training them or hiring new employees. Some self-employed industrial hygienists may incur additional training and educational costs.

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**Information Source(s):** Department of Health and Mental Hygiene; Department of Labor, Licensing and Regulation (Division of Labor and Industry); Department of Budget and Management; Department of Legislative Services

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