

HOUSE BILL 1258

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By: ~~Delegate Pendergrass~~ Delegates Pendergrass and Donoghue

Introduced and read first time: February 7, 2014

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2014

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Maryland Environmental Health Specialists Act –**
3 **Revisions**

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

16 BY repealing and reenacting, with amendments,
17 Article – Health Occupations
18 Section 21–305
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2013 Supplement)

21 BY repealing
22 Article – Health Occupations
23 Section 21–310

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 Annotated Code of Maryland
2 (2009 Replacement Volume and 2013 Supplement)

3 BY adding to
4 Article – Health Occupations
5 Section 21–310
6 Annotated Code of Maryland
7 (2009 Replacement Volume and 2013 Supplement)

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

10 **Article – Health Occupations**

11 21–305.

12 The Board shall adopt regulations that include:

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

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

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

22 **(II) A CONDITION THAT AN INDIVIDUAL MAY NOT**
23 **PARTICIPATE IN A SEASONAL ENVIRONMENTAL HEALTH**
24 **SPECIALIST–IN–TRAINING PROGRAM FOR MORE THAN 6 MONTHS WITHIN A**
25 **CONSECUTIVE 12–MONTH PERIOD.**

26 [21–310.

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

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

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

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

2 **21-310.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 **(I) THE DATE THE LICENSE EXPIRED;**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.