

HOUSE BILL 556

J2

5lr1239

By: **Delegate Pendergrass**

Introduced and read first time: February 11, 2015

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2015

CHAPTER _____

1 AN ACT concerning

2 **State Board of Environmental Health Specialists – Revisions**

3 FOR the purpose of altering the frequency with which certain officers of the State Board of
4 Environmental Health Specialists must be elected; requiring the Board to appoint
5 an executive director; establishing the duties of the executive director; altering
6 certain qualifications for a certain license; altering certain requirements for applying
7 for a certain license; altering certain education requirements for qualification to take
8 a certain examination; repealing a requirement that certain examination papers
9 identify the applicant only by a certain number; repealing a requirement that certain
10 examination papers be filed with the Board secretary and kept for a certain number
11 of years; authorizing the Board to waive a certain examination requirement for a
12 certain applicant; repealing a certain provision of law prohibiting consumer
13 members of the Board from participating in certain activities related to certain
14 examinations; requiring a certain licensee to notify the Board of any changes in the
15 licensee's address within a certain period of time; making technical corrections; and
16 generally relating to the State Board of Environmental Health Specialists.

17 BY repealing and reenacting, with amendments,
18 Article – Health Occupations
19 Section 21–203, 21–204, 21–304, 21–306, and 21–309
20 Annotated Code of Maryland
21 (2014 Replacement Volume)

22 BY repealing
23 Article – Health Occupations

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 Section 21–302 and 21–303
2 Annotated Code of Maryland
3 (2014 Replacement Volume)

4 BY adding to
5 Article – Health Occupations
6 Section 21–302 and 21–303
7 Annotated Code of Maryland
8 (2014 Replacement Volume)

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

11 **Article – Health Occupations**

12 21–203.

13 (a) From among its members, the Board [annually] shall elect a chairman, a vice
14 chairman, and a secretary **ONCE EVERY 2 YEARS.**

15 (b) The Board shall determine:

16 (1) The manner of election of officers; and

17 (2) The duties of each officer.

18 21–204.

19 (a) A majority of the Board is a quorum.

20 (b) The Board shall meet at least twice a year, at the times and places that the
21 Board determines.

22 (c) A member of the Board:

23 (1) May receive compensation as provided in the State budget; and

24 (2) Is entitled to reimbursement for expenses under the Standard State
25 Travel Regulations, as provided in the State budget.

26 (d) The Board may employ a staff in accordance with the budget of the Board.

27 **(E) (1) THE BOARD SHALL APPOINT AN EXECUTIVE DIRECTOR.**

28 **(2) THE EXECUTIVE DIRECTOR SHALL:**

29 **(I) SERVE AT THE PLEASURE OF THE BOARD;**

1 (II) ACT AS THE EXECUTIVE OFFICER OF THE BOARD; AND

2 (III) CARRY OUT THE POWERS AND DUTIES ASSIGNED BY THE
3 BOARD.

4 [21-302.

5 To apply for licensure as an environmental health specialist, an applicant shall:

6 (1) Submit an application to the Board on the form that the Board requires;

7 (2) (i) Submit verification from the applicant's employer or supervisor
8 on forms required by the Board that the applicant has successfully completed an
9 environmental health specialist-in-training program; or

10 (ii) Provide independent written verification from the applicant's
11 employer or any prior work experience in the field of environmental health used by the
12 applicant to satisfy the environmental health specialist-in-training requirement of this
13 title; and

14 (3) Pay to the Board the required fees set by the Board.]

15 **21-302.**

16 TO OBTAIN A LICENSE, AN APPLICANT SHALL DEMONSTRATE TO THE
17 SATISFACTION OF THE BOARD THAT THE APPLICANT:

18 (1) IS AT LEAST 18 YEARS OLD;

19 (2) IS OF GOOD MORAL CHARACTER;

20 (3) HAS SATISFIED THE EDUCATION AND EXPERIENCE
21 REQUIREMENTS TO QUALIFY FOR EXAMINATION UNDER § 21-304 OF THIS SUBTITLE;
22 AND

23 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, HAS
24 SUCCESSFULLY PASSED AN EXAMINATION AS REQUIRED BY THE BOARD.

25 [21-303.

26 (a) To qualify for licensure under this title, an applicant shall meet the
27 requirements of this section.

28 (b) The applicant must be of good moral character.

- 1 (c) The applicant must be at least 18 years old.
- 2 (d) An applicant shall be licensed by the Board if the applicant:
- 3 (1) Qualifies for the examination required under § 21–304 of this subtitle;
- 4 and
- 5 (2) Takes and attains a passing score on the examination.
- 6 (e) The Board may waive any examination requirement under this section if the
- 7 Board considers the applicant to be recognized as outstanding in the field of environmental
- 8 health.]

9 **21–303.**

10 **TO APPLY FOR A LICENSE, AN APPLICANT SHALL:**

- 11 **(1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT THE**
- 12 **BOARD REQUIRES;**
- 13 **(2) SUBMIT AN OFFICIAL TRANSCRIPT FROM AN ACCREDITED**
- 14 **COLLEGE OR UNIVERSITY;**
- 15 **(3) SUBMIT WRITTEN VERIFICATION FROM THE APPLICANT’S**
- 16 **EMPLOYER OR SUPERVISOR ON FORMS REQUIRED BY THE BOARD THAT THE**
- 17 **APPLICANT HAS SUCCESSFULLY COMPLETED AN ENVIRONMENTAL HEALTH**
- 18 **SPECIALIST–IN–TRAINING PROGRAM; AND**
- 19 **(4) PAY TO THE BOARD THE APPLICATION FEE SET BY THE BOARD.**

20 21–304.

- 21 (a) An applicant who otherwise qualifies for licensure is entitled to be examined
- 22 as provided in this section.
- 23 (b) An applicant qualifies to take the examination if the applicant:
- 24 [(1) (i) Has graduated from an accredited college or university with a
- 25 baccalaureate degree in environmental science or environmental health; and
- 26 (ii) Has obtained 12 months of experience in an environmental
- 27 health specialist–in–training program approved by the Board;]

- 28 [(2)](1) (i) Has graduated from an accredited college or university
- 29 with a baccalaureate degree in the **CHEMICAL**, physical, biological, or environmental
- 30 sciences, **AS DEFINED IN REGULATION**, including:

1 1. A minimum of 60 semester credit hours or the equivalent
2 quarter credit hours of **CHEMICAL**, physical, biological, and environmental sciences
3 acceptable to the Board which includes at least one laboratory course in two of the following
4 fields:

5 A. Chemistry;

6 B. Physics; [and]

7 C. Biology; [and]

8 **D. GEOGRAPHIC INFORMATION SYSTEMS; OR**

9 **E. SOIL SCIENCE; AND**

10 2. A course in mathematics; and

11 (ii) Has obtained 12 months of experience in an environmental
12 health specialist-in-training program approved by the Board;

13 **[(3)](2)** (i) Has graduated from an accredited college or university
14 with a baccalaureate degree that includes:

15 1. 30 semester credit hours or the equivalent quarter credit
16 hours in the **CHEMICAL**, physical, biological, and environmental sciences acceptable to the
17 Board, which includes at least one laboratory course in two of the following fields:

18 A. Chemistry;

19 B. Physics; [and]

20 C. Biology; [and]

21 **D. GEOGRAPHIC INFORMATION SYSTEMS; OR**

22 **E. SOIL SCIENCE; AND**

23 2. A course in mathematics; and

24 (ii) Has obtained 24 months of experience in an environmental
25 health specialist-in-training program approved by the Board; or

26 **[(4)](3)** Has graduated from an accredited college or university with a
27 master's degree in public or environmental health science that includes:

1 (i) 30 semester credit hours or 45 quarter credit hours of
2 **CHEMICAL**, physical, biological, or environmental sciences acceptable to the Board and
3 obtained at the baccalaureate or master's level, which includes at least one laboratory
4 course in two of the following fields:

5 1. Chemistry;

6 2. Physics; [and]

7 3. Biology;

8 4. **GEOGRAPHIC INFORMATION SYSTEMS; OR**

9 5. **SOIL SCIENCE;**

10 (ii) A course in mathematics; and

11 (iii) 3 months of internship approved by the Board if not previously
12 completed.

13 (c) (1) This subsection does not alter the requirement that an applicant
14 demonstrate completion of a baccalaureate or master's degree to qualify for examination.

15 (2) The Board may waive any of the specific course requirements for an
16 applicant to qualify for examination in subsection (b) of this section if the Board determines
17 that an applicant:

18 (i) Has obtained an equivalent number of credit hours in a course
19 relevant to practice as an environmental health specialist; or

20 (ii) Has work experience that is an acceptable substitute for a course
21 required in subsection (b) of this section.

22 (3) The Board may waive the experience requirement in subsection
23 **[(b)(3)(ii)] (B)(2)(II)** of this section if the Board determines that an applicant:

24 (i) Has obtained at least 12 months of experience in an
25 environmental health specialist-in-training program; and

26 (ii) Has the written support of the applicant's employer.

27 (d) The examination shall include a written examination in the physical,
28 biological, and environmental sciences that relates to practices and principles of
29 environmental health.

30 (e) The Board shall give examinations to applicants at least once a year, at the
31 times and places that the Board determines.

1 (f) The Board shall notify each qualified applicant of the time and place of
2 examination.

3 (g) (1) Except as otherwise provided in this subtitle, the Board shall determine
4 the subjects, scope, form, and passing score for examinations given under this subtitle.

5 (2) The Board shall use professional examinations prepared by recognized
6 examination agencies.

7 [(3) Examination papers shall identify the applicant only by a number
8 assigned by the Board secretary.]

9 [(h) Examination papers shall be filed with the Board secretary and kept at least
10 1 year.]

11 [(i)](H) (1) An applicant who fails an examination may retake the
12 examination as provided in the rules and regulations adopted by the Board.

13 (2) An applicant for reexamination shall:

14 (i) Submit to the Board an application on the form the Board
15 requires; and

16 (ii) Pay to the Board a reexamination fee set by the Board.

17 [(j) Unless authorized by the Board, the consumer members of the Board may not
18 participate in any activity related to examinations under this subtitle.]

19 **(I) THE BOARD MAY WAIVE ANY EXAMINATION REQUIREMENT UNDER THIS**
20 **SECTION IF THE BOARD RECOGNIZES THE APPLICANT AS BEING OUTSTANDING IN**
21 **THE FIELD OF ENVIRONMENTAL HEALTH.**

22 21-306.

23 (a) Subject to subsection (b) of this section, the Board may waive any examination
24 requirement of this title for an applicant who is licensed or registered as an environmental
25 health specialist or its equivalent in another state.

26 (b) The Board may grant a waiver only if the applicant:

27 (1) Pays the application fee required by [§ 21-302] § 21-303 of this
28 subtitle; and

29 (2) Provides adequate evidence that the applicant:

- 1 (i) Meets the qualifications otherwise required by this title;
- 2 (ii) Became licensed or registered to practice as an environmental
3 health specialist or its equivalent in the other state after passing in that state an
4 examination as a condition of licensure or registration; and
- 5 (iii) Has performed at least 24 months of compensated work as an
6 environmental health specialist or its equivalent in the other state.

7 21–309.

8 (a) A license expires on the date specified on the license, unless it is renewed for
9 a 2–year term as provided in this section.

10 (b) At least 1 month before the license expires, the Board shall send to the
11 licensee, by first–class mail or electronic means to the last known address or electronic mail
12 address of the licensee, a renewal notice that states:

- 13 (1) The date on which the current license expires;
- 14 (2) The date by which the renewal application must be received by the
15 Board for the renewal to be issued and mailed before the license expires;
- 16 (3) The amount of the renewal fee; and
- 17 (4) The hours of approved training required for renewal of licensure.

18 (c) Before the license expires, the licensee may renew it for an additional 2–year
19 term, if the licensee:

- 20 (1) Otherwise is entitled to be licensed;
- 21 (2) Pays to the Board the renewal fee set by the Board;
- 22 (3) Submits to the Board a renewal application on the form that the Board
23 requires; and
- 24 (4) Submits to the Board proof that during the previous 2–year period, the
25 licensee has acquired 20 hours of approved training in environmental health or other
26 equivalent education as approved by the Board.

27 (d) The renewal license shall bear the same serial number assigned to the licensee
28 at the time of the original registration or licensure.

29 **(E) A LICENSEE SHALL NOTIFY THE BOARD OF ANY CHANGE IN THE**
30 **ADDRESS OF THE LICENSEE WITHIN 60 DAYS AFTER THE CHANGE OCCURS.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.