

SB0200/384733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 200
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Environmental Health Specialists – Regulation” and substitute “State Board of Environmental Health Specialists – Sunset Extension and Revisions”.

On page 1, in line 3, after the first “of” insert “continuing the State Board of Environmental Health Specialists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory 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 certain date; requiring a certain annual report filed by the Board to include a plan for special fund revenues; requiring the Board, on or before a certain date, to adopt certain regulations regarding continuing education, conduct a certain review of continuing education units and providers, make certain information available through 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 content, and establish a method to improve the accuracy of licensee contact information; requiring the Board to monitor the Long Term Environmental Health Workforce Work Group’s activities and certain recommendations and assist the Work Group in instituting certain statutory and regulatory changes and distributing information to licensees; requiring the Board, on or before a certain date, to report to certain committees of the General Assembly on the implementation of the requirements of certain provisions of this Act; requiring the Board to develop a certain plan, submit certain legislation to certain committees of the General Assembly on or before a certain date, and report certain information to certain committees of the General Assembly on or before certain dates; and generally relating to the State Board of Environmental Health Specialists.”.

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On pages 1 and 2, strike beginning with “repealing” in line 3 on page 1 down through “specialists.” in line 3 on page 2.

On page 2, strike in their entirety lines 4 through 41, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 21-205 and 21-502

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8-403(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8-403(b)(20)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On pages 3 through 9, strike in their entirety the lines beginning with line 1 on page 3 through line 9 on page 9, inclusive, and substitute:

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

Article – Health Occupations

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21-205.

- (a) In addition to the powers set forth elsewhere in this title, the Board may:
- (1) Adopt rules, regulations, and bylaws to carry out the provisions of this title;
 - (2) Sue to enforce any provision of this title by injunction; and
 - (3) Issue subpoenas, summon witnesses, administer oaths, take affidavits, and take testimony about matters that relate to the jurisdiction of the Board.
- (b) In addition to the duties set forth elsewhere in this title, the Board shall:
- (1) Keep a current record of all licensed environmental health specialists;
 - (2) Collect and account for fees provided under this title;
 - (3) Pay all necessary expenses of the Board in accordance with the State budget;
 - (4) Keep a complete record of its proceedings;
 - (5) File an annual report of its activities[, including a financial statement,] with the Governor and the Secretary **THAT INCLUDES:**
 - (I) **A FINANCIAL STATEMENT; AND**
 - (II) **A PLAN FOR SPECIAL FUND REVENUES; and**

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(6) Adopt an official seal.

21-502.

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] 2022.

Article – State Government

8-403.

(a) On or before December 15 of the evaluation year specified, the Department shall:

(1) conduct a preliminary evaluation of each governmental activity or unit to be evaluated under this section; and

(2) prepare a report on each preliminary evaluation conducted.

(b) Each of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units are subject to preliminary evaluation in the evaluation year specified:

(20) Environmental Health Specialists, State Board of (§ 21-201 of the Health Occupations Article: [2014] 2021);

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 2017, the Board of Environmental Health Specialists shall:

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(1) adopt regulations regarding continuing education that include:

(i) a list of continuing education unit providers who are automatically approved; and

(ii) for continuing education units that are not automatically approved, a deadline by which the continuing education unit shall be submitted to the Board for approval;

(2) review the list of preapproved continuing education units and providers on the Board's Web site, remove the units and providers that are obsolete, and list the preapproved units and providers in a user-friendly format;

(3) make available, through the Board's Web site and by e-mail to licensees, a summary of the continuing education process, including any deadlines and preapproved providers;

(4) evaluate whether to implement an audit-based continuing education unit review system through which the Board will conduct a random audit of a minimum of 10% of licensees to determine compliance with the continuing education unit requirement;

(5) implement an online continuing education unit process;

(6) overhaul the Board's Web site to include the following specific content:

(i) fees;

(ii) application forms;

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- (iii) examination study links and resources;
 - (iv) board meeting minutes;
 - (v) continuing education training opportunities; and
 - (vi) links to National Environmental Health Association study aids and training; and
- (7) establish a method to improve the accuracy of licensee contact information.

(b) The Board shall:

- (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
- (2) assist the Work Group in instituting any statutory or regulatory changes necessary to implement the recommendations of the Work Group and distributing information to licensees in a timely manner.

(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."

AMENDMENT NO. 3

On page 9, after line 9, insert:

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“SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Environmental Health Specialists shall:

(1) develop a plan for prospective licensees that will:

(i) better align current licensure requirements with the requirements of the National Environmental Health Association (NEHA);

(ii) encourage licensees to acquire the education and training necessary to obtain the NEHA credential, or to otherwise overcome any obstacles to obtaining the NEHA credential;

(iii) provide assistance to licensees in obtaining the NEHA credential; and

(iv) review State policy relating to the environmental health specialist profession in order to address any shortages in the availability of environmental health specialists and, as part of the review, examine the regulatory structure of the profession;

(2) on or before November 1, 2016, submit to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, draft legislation needed to implement the plan developed under item (1) of this section; and

(3) on or before December 1, 2017, December 1, 2018, and December 1, 2019, report to the Governor and, 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 regarding:

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(i) the number of licensees who meet the requirements to obtain the NEHA credential; and

(ii) the number of licensees who are unable to meet the requirements to obtain the NEHA credential, including a detailed explanation of why the licensees are unable to meet the requirements.”;

and in line 10, strike “8.” and substitute “4.”.