

21 NCAC 62 ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS RULES

SECTION .0100 - RULES OF ORGANIZATION

21 NCAC 62 .0201 PETITION FOR RULEMAKING

(a) Any person wishing to submit a petition requesting the adoption, amendment or repeal of a rule by the Board shall submit the petition in writing to: Chair, State Board of Environmental Health Specialist Examiners, c/o Division of Environmental Health, 1630 Mail Service Center, Raleigh, North Carolina 27699-1630.

(b) The petition shall be filed in accordance with G.S. 150B-20 and shall also contain the following:

- (1) reason for proposal;
- (2) any data supporting the proposal;
- (3) effect of the proposed rule on existing practices in the area involved, including cost factors;
- (4) names and addresses of those individual and groups most likely to be affected by the proposed rule change; and
- (5) name and address of each petitioner.

(c) The Board shall determine, based on the information contained in the petition, or any other information obtained regarding the petition whether the public interest will be served by granting the petition. All contents of the submitted petition, and any additional information deemed relevant, shall be considered.

*History Note: Authority G.S. 90A-57; 150B-20;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. July 1, 2010; November 1, 1994; April 1, 1989.*

SECTION .0400 - RULES OF OPERATION

21 NCAC 62 .0401 STATUTORY AUTHORITY AND DEFINITIONS

The definitions in G.S. 90A-51 apply to rules in this Chapter.

*History Note: Authority G.S. 90A-51; 90A-57;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. July 1, 2010; April 1, 1989; February 1, 1983.*

21 NCAC 62 .0402 APPLICATIONS

(a) Applications for registration as an environmental health specialist or environmental health specialist intern shall be filed with the Board on a form provided by the Board and available on the Board website at: www.rsboard.com or from the Division of Environmental Health, 1630 Mail Service Center, Raleigh, NC 27699-1630.

(b) The application form shall be signed by the applicant and shall contain biographical data on the applicant including education, experience, duties, and prior registration necessary to determine the applicant's qualifications for registration. The application shall also be accompanied by the following:

- (1) a certified transcript sent directly to the Board from the educational institution from which the applicant has received a degree;
- (2) certified transcripts from all other educational institutions from which the applicant has earned science credits used to comply with G.S. 90A-53;
- (3) the job description signed by the applicant's supervisor;
- (4) statement from the applicant's employer verifying dates of employment, and
- (5) a signed Code of Ethics.

*History Note: Authority G.S. 90A-53; 90A-57; 90A-59; 90A-62;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. July 1, 2010; November 1, 1994; April 1, 1989; February 1, 1983.*

21 NCAC 62 .0403 EXAMINATION

(a) The Board shall schedule an examination at least two times annually. An applicant for a certificate as a registered environmental health specialist shall pass the examination which consists of the following:

- (1) an objective written examination, designed to test the applicant's competence in the subject of environmental health;
- (2) an oral examination prepared, administered and evaluated by the Board; and
- (3) a written question prepared, administered and evaluated by the Board.

(b) Applicants taking or retaking the examination shall submit a written application to the Board. The request shall indicate which portions of the exam the applicant intends to take. The exam application shall be postmarked no later than 30 days prior to the advertised date of the examination.

(c) Every applicant shall pass the examination with a grade of at least 70 percent, with the objective written examination to count 50 percent of the total score, the oral examination to count 25 percent of the total score, and the written question to count 25 percent of the total score. An applicant shall score a minimum of 60 percent on each individual portion of the examination. All scores of any portion of the exam shall be retained by the Board and the highest score for each portion shall be applied in meeting the requirements of this Section.

(d) Applicants shall not cheat or attempt to cheat on the examination by any means, including giving or receiving assistance, and shall not communicate in any manner with any person during the examination, other than the person(s) administering the examination. Violation of this Paragraph is cause for dismissal from the examination, invalidation of the examination score, and revocation or denial of registration.

*History Note: Authority G.S. 90A-53; 90A-57; 90A-59; 90A-64;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. July 1, 2010; November 1, 1994; January 1, 1990; April 1, 1989; February 1, 1983.*

21 NCAC 62 .0404 INVESTIGATION OF COMPLAINTS

The Board shall receive complaints and appoint two members to investigate any matter which may lead to suspension or revocation of a certificate. The two members shall initiate administrative hearings and present the case for suspension or revocation. The two members shall not participate in the final decision.

*History Note: Authority G.S. 90A-64;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. April 1, 1989; February 1, 1983.*

21 NCAC 62 .0405 AUTHORIZED EXPENDITURES AND FEES

(a) The following fees apply:

- (1) application for registration of environmental health specialist--\$50.00;
- (2) examination--actual cost of the environmental health specialist exam purchased by the Board. The cost of the examination on July 1, 2010 is one hundred fifteen dollars (\$115.00) or one hundred twenty-five dollars (\$125.00) depending on the number of applicants for the examination;
- (3) an administration fee of fifty dollars (\$50.00) for each examination application received;
- (4) issuance of a certificate as provided in G.S. 90A-62--\$50.00; and
- (5) annual renewal postmarked prior to January 1 of the year--\$50.00; postmarked January 1 or later--\$75.00.

(b) Applications for registration, renewal, and examinations shall be accompanied by the payment of the appropriate fees.

- (c) An additional fee of twenty dollars (\$20.00) plus the actual cost charged by the bank shall be charged for all returned checks.
- (d) Fees for copies shall be in accordance with G.S. 12-3.1 and G.S. 132-6.2(b).

History Note: Authority G.S. 12-3.1; 25-3-506; 90A-53; 90A-62; 90A-63; 132-6.2(b);
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. July 1, 2010; November 1, 1994; January 1, 1990; April 1, 1989; February 1, 1983.

21 NCAC 62 .0406 OUT-OF-STATE APPLICANTS

An out-of-state applicant shall include an official statement by the Board of registration in the applicant's state testifying to the applicant's registration status.

History Note: Authority G.S. 90A-57; 90A-62;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. April 1, 1989; February 1, 1983.

21 NCAC 62 .0407 RENEWAL

- (a) Applications for renewal shall be filed with the Board on a form provided by the Board and available from the Board website at: www.rsboard.com or from the Division of Environmental Health, 1630 Mail Service Center, Raleigh, NC 27699-1630. The renewal form may also be generated by the Registered Sanitarian Training and Authorization (RSTAS) computer system at: <http://apps.bluelizard.com/RSTAS/>.
- (b) The renewal application shall be completed and signed by the applicant.
- (c) Renewal fees shall be paid in accordance with Rule .0405(a)(5) of this Section. The renewal application shall be posted on the Board's website at www.rsboard.com by October 1 of each year. The individual shall download and submit the application for renewal to the Board. Individuals may also contact the Board at the Division of Environmental Health, 1630 Mail Service Center, Raleigh, NC 27699-1630 for a copy.
- (d) Registered environmental health specialists or registered environmental health specialists interns who fail to renew by December 31 shall be notified by the Board that their registration has expired and that they may not practice as a registered environmental health specialist or a registered environmental health specialist intern until they have met the requirements for renewal.
- (e) An environmental health law course based on North Carolina laws and rules with at least 15 contact hours approved by the Board shall be completed within the first four years of the date of most recent registration by the Board.
- (f) Registered environmental health specialists or registered environmental health specialists interns shall complete a minimum of 15 instructional clock hours of continuing education acceptable to the Board each year. Continuing education acceptable to the Board includes:
- (1) the specialized training course required in Rule .0411 of this Section;
 - (2) District Environmental Health Section Educational meetings;
 - (3) professional association courses and educational meetings;
 - (4) seminars or courses offered by the North Carolina State of Practice Committee;
 - (5) completion of a job related course offered by a college or university accredited by the Council of Higher Education Accreditation with the hours credited for the year that the course is completed;
 - (6) successful completion of a job related course offered by the Centers for Disease Control and Prevention, the Food and Drug Administration, or the Environmental Protection Agency;
 - (7) other practice-related training which:
 - (A) is technical in nature, related to the environment, environmental health or improving the practice of environmental health;
 - (B) is relevant to the actual job being performed by the participants or applicant;
 - (C) includes a method for determining the number of hours spent;
 - (D) includes a method of documentation for verification of completion;

- (E) is available to all registered environmental health specialists and environmental health specialist interns; and
- (F) has been granted approval by the Board based on the above standards; and
- (g) Registrations that have expired may be renewed within 12 months after expiration upon submittal of application and payment of the renewal fee. The applicant shall provide verification to the Board that continuing education clock hours were obtained during the year since the expiration to comply with the requirements of this Section. Registrations that have expired for more than 12 months may not be renewed.
- (h) Interns that are no longer employed in the field of environmental health in North Carolina may not renew.
- (i) A registered environmental health specialist or a registered environmental health specialist intern in good standing whose active military service has impaired their ability to obtain the continuing education requirements in Paragraph (f) of this Rule are exempt from the continuing education requirement if written orders from their military unit are provided to the Board. In addition, the renewal fee is waived for each calendar year the environmental health specialist is on active duty.
- (j) A registered environmental health specialist or registered environmental health specialist intern who is disabled may request a variance in continuing education hours during the period of the disability. The Board may grant or deny requests for variance in continuing education hours based on a disabling condition on a case by case basis, taking into consideration the particular disabling condition involved and its effect on the registered environmental health specialist or registered environmental health specialist's ability to complete the required hours. In considering the request, the Board may require additional documentation substantiating any specified disability.
- (k) A maximum of five clock hours of approved continuing education, that is in excess of the required 15 clock hours, may be applied toward the continuing education requirements for the following year.

History Note: Authority G.S. 90A-57; 90A-63; 90A-67; 93B-15;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. July 1, 2010; November 1, 1994; May 1, 1990; April 1, 1989; February 1, 1983.

21 NCAC 62 .0408 PUBLIC INSPECTION

History Note: Authority G.S. 90A-57;
Eff. February 1, 1976;
Readopted Eff. December 22, 1978;
Amended Eff. November 1, 1994; April 1, 1989;
Repealed Eff. July 1, 2010.

21 NCAC 62 .0411 SPECIALIZED TRAINING

Every applicant for registration as a registered environmental health specialist intern shall complete the course entitled "Orientation and Initial Internship Training for Environmental Health Interns" offered by the Division of Environmental Health at the centralized training site within 12 months of registration as a registered environmental health specialist intern.

History Note: Authority G.S. 90A-50; 90A-51; 90A-53; 90A-57;
Eff. February 1, 1983;
Amended Eff. July 1, 2010; November 1, 1994; May 1, 1990.

21 NCAC 62 .0414 ENVIRONMENTAL HEALTH SPECIALIST INTERN EXPERIENCE

Every applicant for registration as an environmental health specialist intern shall be under the direction of a registered environmental health specialist in order to obtain acceptable environmental health field experience required to be a registered environmental health specialist.

History Note: Authority G.S. 90A-50; 90A-51; 90A-52; 90A-53; 90A-63;
Eff. November 1, 1994;
Amended Eff. July 1, 2010.

21 NCAC 62 .0415 CODE OF ETHICS

The Board hereby incorporates by reference the code of ethics adopted by the Environmental Health Section of the North Carolina Public Health Association on September 30, 2009 as the professional code to be followed by registered environmental health specialists and environmental health specialist interns. This incorporation does include subsequent amendments and editions. Copies may be obtained from the Board at no charge. The canons in the code of ethics are part of the registration application.

*History Note: Authority G.S. 90A-53; 90A-67;
 Eff. July 1, 2010*

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