

R.S. Board Minutes October 23, 2003

Called Board Meeting

The called meeting of the North Carolina Board of Sanitarian Examiners was held on Thursday, October 23, 2003 at the Parker Lincoln Building, Room 1A201 in Raleigh, N. C. Dennis Salmen, Chairman called the meeting to order at 12:25 p.m. Those in attendance were: Dennis Salmen, Ann Gilstrap, William E. Pierce, Nilla Sloop, Sheila Nichols, Mack Dendy, Tim Green and Camille Bishop. Absent: Linda Sewall and Dr. Trenton Davis.

Also in attendance: John Barkley, Attorney, Asst. Attorney General

Conflict of Interest

Mr. Salmen asked Board Members if there were any conflicts of interest or potential conflicts of interest outside of what has already been disclosed in the annual Statement of Economic Interest form. **There were no conflicts of interest stated by Board Members.**

Approval of the September 16, 2003 Minutes

One change had been made to the Minutes and these were handed out by the Secretary, Camille Bishop.

Board Action: A motion was made by Mack Dendy, seconded by Tim Green to approve the September 16, 2003 Minutes as presented. All votes affirmative.

Closed Session Minutes of September 16, 2003

Board Action: A motion made by Ann Gilstrap, seconded by Nilla Sloop to approve the Closed Session Minutes of September 16, 2003. All votes affirmative.

Financial Reports – September

Board Action: A motion was made by Mack Dendy, seconded by Tim Green to approve the September Financial Reports. All votes affirmative. (Ms. Bishop to check on the line item “Gifts Given - \$153.24” and report back to the Board.)

Mr. Salmen informed the Board that we need to address Andre Pierce’s contract at the next meeting. Ms. Sloop to invite Mr. Pierce to the next meeting.

Chair’s Report – Dennis Salmen

. Dr. Burton Ogle, Western Carolina University, has been appointed by the Governor to replace Dr. Trenton Davis. His term of office expires 12/15/05.

. The 2003 Newsletter and 2004 Renewal Form has been sent to all Registered Sanitarians.

. Mr. Salmen handed out the Board’s Report to the Environmental Health Section, NCPHA held in September.

. **Vulnerability Assessors** - Mr. Salmen received an E-mail from Sue Grayson regarding job descriptions for “vulnerability assessors” to travel around the state to retail food service facilities and assess the state of their readiness to protect the food supply from bioterrorism. Ms. Grayson asked Mr. Salmen’s opinion on whether this Board would look at these positions as practicing as an RS?”. Mr. Salmen did give Ms. Grayson his opinion but told her he would share this information with the Board before any final recommendation could be made. The Board discussed at length as to whether the “vulnerability assessors” should be registered by our Board. These positions were somewhat like the Industrial Hygienists positions that the Board had previously addressed and had voted that these positions would not require an RS. It was the consensus of the Board that more information is needed on these positions and that we need to be consistent with whatever decision is made.

Follow-up: John Barkley will follow-up on these positions and report back to Mr. Salmen. Mr. Salmen will get back in touch with Sue Grayson regarding position titles and where these persons would be working.

Shellfish Sanitation Positions – Dennis Salmen

Mr. Salmen had shared the response from John Barkley and job descriptions with the Board. Mr. Barkley commented to the Board that ultimately that it is the Board's decision whether the shellfish positions will require an RS. John Barkley, commented that if any of the positions are doing any enforcement activities under our laws they should be required to be licensed.

Follow-up: Tabled until more specific information is received. Ann Gilstrap to contact Wayne Mobley to get more specific information. Mr. Salmen also offered to meet with Mr. Mobley if needed. Mr. Mobley will need to submit his request in writing to the Board with specific job titles and job descriptions.

Out of Session – 1:45 p.m.

Back in Session – 2:00 p.m.

Closed Session Meetings – Dennis Salmen

John Barkley, Attorney General's Office, presented information and exemptions to the Open Meeting Law. He noted GS143-318.11 and 143-318.18 which states the exceptions to the Open Meeting Law. Basically, the Board does not have to follow any of the requirements of the Open Meeting Law. The RS Board is exempt. The Board does not have to follow the rules of how you announce going into a closed session or recording minutes for a closed session. However, Mr. Barkley did advise that it is a good policy to always state why you are going into Closed Sessions.

Complaint Form

Mr. Barkley does not see a problem with putting this form on the Web.

Military Hardships

The Board discussed and feels that we will probably be addressing military hardships and continuing education in the near future. **John Barkley will follow-up and send any information to Dennis Salmen.**

Rules

Ann Gilstrap relayed some concerns of the Legislative Committee to Mr. Barkley in G.S. 90A-52 regarding changing "Registered Sanitarian" to "Environmental Health Specialist"; that this is a "generic term" and needs to be clarified. Mr. Barkley commented that perhaps this is a policy issue and that from a legal standpoint, you need to make sure the definitions in all of the statutes reflect it properly so that just anyone can't use this term unless registered by our Board.

Out of Session at 2:55 p.m.

Back In Session at 3:10 p.m.

Renewal Cards for 2004 – Nilla Sloop

Nilla Sloop presented a quote from Reprographics in Raleigh of \$250.00 to print the 2004 Renewal Cards.

Board Action: A motion was made by Nilla Sloop, seconded by Ann Gilstrap to have the 2004 Renewal Cards printed again by Wake County Reprographics at a cost of \$250. All votes affirmative.

Contested Case Hearing – Nilla Sloop

The Contest Case Hearing was cancelled. Ms. Sloop read a letter from James T. Rhodes dated October 15, 2003. In the letter Mr. James T. Rhodes surrendered his Registered Sanitarian certification as he was unable to complete a public health law course within 4 years of employment as required in 21 NCAC 62.0411 (2) (b) of the N. C. Administrative Code (NCAC). He also agreed to the cancellation of his right to a contested case hearing before the Board which was scheduled for October 23, 2003. The letter is filed with the minutes and entered into record on October 23, 2003.

Complaint Investigation Follow-up – Ann Gilstrap reported that the investigation is ongoing.

Legislative Committee – Ann Gilstrap clarified several issues on the rules with John Barkley. The next Legislative Committee meeting will be set at the time of the next Board meeting.

2002 Audit – Ann Gilstrap presented the 2002 Audit. Ms. Bishop distributed copies of the audit to Board Members.

Board Action: A motion was made by Ann Gilstrap, seconded by Tim Green to approve the 2002 Audit as presented. It was also the consensus of the Board to put the 2002 Audit on the Board's Website.

Permanent Registration Approval Procedure

Mr. Salmen brought to the Board's attention that at present, we are approving intern applications, but when the intern meets all of the requirements for RS license, that the Board is not giving formal approval to permanent registration. Ms. Bishop is now notifying persons when they have met the requirements for permanent registration. Employment and experience requirements need to be verified prior to issuance of permanent registration. Candidates for permanent registration will be approved by the Board. A form also needs to be developed for permanent registration. **Ms. Sloop to develop a form for permanent registration and bring back to the next Board meeting for approval**

Exam Score Approval – The Board can continue as they are presently doing in approving exam scores.

Board Action: A motion was made by Nilla Sloop, seconded by William Pierce that a letter be sent to all employers when an intern has met all the requirements for permanent registration. All votes affirmative.

Out of Session at 4:00 p.m.

Back in Session at 4:10 p.m.

Dennis Salmen handed out information from the Council for Higher Education Accreditation and College Accreditation in the United States. CHEA is a private-non-profit organization which coordinates accreditation activities in the United States. Dr. Trenton Davis had recommended this information and that accredited organizations are generally members of CHEA or they are approved the US Department of Education. Both are posted on their websites.

Education Committee Report – Nilla Sloop

1. College Accreditation

The Committee recommends that the statutory phrase of degrees "...rated as acceptable by the Board..." for intern registration be defined more accurately.

Baccalaureate degrees rated as acceptable shall be those awarded by a college or university which has been accredited by an accrediting organization recognized by the U.S. Department of Education or one that is a member of the Council For Higher Education Accreditation (CHEA)". Universities outside of the United States will be considered on a case by case basis. Ann Gilstrap suggested that this information be included in the Educational Policies.

Board Action: A recommendation was made by Nilla Sloop, from Education Committee, to approve the recommendation on Baccalaureate Degrees. All votes affirmative.

For purposes of meeting the minimum 30 semester science hour requirement, "accredited courses shall be those which, in addition to being in the physical or life sciences, are earned at a college or university which has been accredited by an accrediting organization recognized by the U.S. Department of Education or one that is a member of the Council For Higher Education Accreditation (CHEA)". Universities outside of the United States will be considered on a case by case basis.

Board Action: A recommendation was made by Nilla Sloop, from Education Committee, to approve the Recommendation on Accredited Science Courses. All votes affirmative.

2. Granting RS Hours for initial Centralized Intern Training (CIT) Modules over 2 calendar years

The current Board policy is that an Intern uses the initial CIT only one time. This policy has never been formally adopted. The Committee's initial position is that an Intern may use it for both the first 2 years, where applicable. However, the Committee also recognizes that CIT completion does, in fact, only issue ONE COMPLETION certificate, not three. Therefore, the committee defers to the general Board for further discussion. The Board discussed. Ann Gilstrap stated that the Board already has a policy in place that continuing education credit cannot be given until completion of a course. The intern should only get credit once when completing the CIT training.

Board Action: It was the consensus of the Board to keep the policy as is. An intern would only get credit one time when completing CIT training.

3. Viewing of videos, pre-recorded tapes in local health department

Board Action: A recommendation was made by Nilla Sloop, from Education Committee, that the prior approved policy be rescinded and that taped video viewing in a local Health Department, available only to one or more local staff in that department, shall only be considered for RS clock hours on a case-by-case basis. This shall be effective January 1, 2004. All votes affirmative.

4. CIT Continuing Education Policy & DEH Comments

The Committee reviewed the memorandum and comments from Stephanie DeOlloqui w/ the DEH Education & Training section. (Letter filed with the minutes).

Board Action: A recommendation was made by Nilla Sloop, from Education Committee, that the current policy of not approving CE for CIT remain in place, and that the effective dates for the policy approved August 14th be changed to January 1, 2004 due to a number of people taking CIT August 18-29 and in September who were not made aware of potential policy change before they committed to CIT. All votes affirmative.

5. Duplicate College Courses & compliance with 30 semester hour rule.

The Committee has become aware that a duplicate course could be given credit twice.

Board Action: A recommendation was made by Nilla Sloop, from Education Committee, that for purposes of meeting the minimum 30 semester science rule, the Board will review all transcripts and will not award science credits for the same course taken twice. If courses are listed twice, the Education Committee will require course descriptions from the appropriate educational institutions. All votes affirmative.

6. Repeating Courses for CE credits

The Committee didn't have a recommendation to present to Board, but did want all members to consider this and be prepared to discuss at the next Board meeting as Committee hopes to present recommended policy on such. **Tabled until the next meeting.**

7. Making CE Request Form Mandatory for all CE Submissions

The Committee believes that this form should be made MANDATORY for all submissions in order to insure requestors present all information.

Board Action: A recommendation was made by Nilla Sloop, from Education Committee, that "Effective January 1, 2004, all continuing education submissions shall include a completed Request for Continuing Education Form". All votes affirmative.

8. NEHA Exam Private Proctor Policy

The Committee believes that a policy needs to be implemented for how the Board will review or approve private proctors. The Committee wants to provide everyone with a copy of the current EXPERIOR Proctor Policy in preparation for being prepared to discuss at next Board meeting as Committee hopes to present a recommended policy on such. **Tabled until the next meeting. Nilla Sloop to send out copies of the current Experior Proctor Policy.**

Continuing Education Requests for October 23, 2003

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| 1. Air Monitoring & Air Toxics Workshop, Durham, 6/2-6/5 - | 15 hr. |
| 2. Regional Ambient Monitoring Training, Durham, 9/16 - | 7.45 hr. |
| 3. Regional Lead/Child Care Educ. Meeting, Edenton, 9/11 - | 5.25 hr. |
| 4. Pump Systems Workshop, Carthage, 10/8 | 11.5 hr. |
| 5. CDC The Legal Basis of Public Health (Home Study) | 15hr. |
| 6. Trying Times in Trash, (NCAPWA Solid Waste) Wrightsville Beach, 8/13-15 - | 4.5 hr. |
| 7. Mountain District Env. Health, Morganton, 11/13 - | 5 hr. |
| 8. Reducing the Impacts of Development in Catawba River Watershed, Lake Norman, 10/24 - | 6hr. |
| 9. Advanced OSWW Workshop, Costal Zone, Greenville, 6/4-6/6 - | 15 hr. |
| 10. Annual Indoor Air Quality, Washington, DC, 10/26-28 - | 13.75 hr. |
| 11. NC Mosquito & Vector Control Assoc. Annual Meeting, Raleigh, 11/19-21 - | 11.55 hr. |
| 12. Guilford County Well Contractor's Day, Greensboro, 11/18 - | 7.50 hr. |
| 13. Survival Spanish for Health Care, Kanapolis, 8/27-9/24 - | 7.5 hrs. |
| 14. Northeastern Dist. Env. Health Section, Greenville, 10/10 - | 4 hr. |
| 15. NEHA Annual Educ. Conference, Reno, Nev., 6/8-11 - | 12 hr. |
| 16. Rabies: Old Yeller vs. the Raccoons, Huntersville, 6/11-13 | 17.25 hr. |
| 17. OSHA 1910.120 Hazmat Chemical Spill Response Tr., Raleigh, 5/19-21 - | 15 hr. |
| 18. Statewide Watershed Conference, Salisbury, 4/4-4/5 - | 8.25 hr. |
| 19. JIFSAN's Introduction to Food Safety, Md., 8/12-14 - | 15 hr. |
| 20. Applied Soil Gemorphology, UNC Charlotte, 8/27-12/17 - 3 hrs.a week - | 15 hr. |
| 21. OSWW Treatment Conference, Raleigh, (NC State)- 10/21-23 - | 15 hr. |
| 22. Soils 220: Water Movement & Soil Treatment, NC State, Fletcher, 10/9 - | 6 hr. |

23. Tech 200: Septic Systems Options for Difficult Sites, NC State – Raleigh, 11/12-13 - 15 hr.
24. Tech 201: Wastewater in the Env., NC State – Raleigh, 11/14 - 6 hr.
25. Tech 100: Basics of On-Site Sewage, NC State – Raleigh, 11/17 - 6 hr.
26. Tech 102: On-Site System Technologies, NC State – Raleigh, 11/18 - 6 hr.
27. Tech 100: Getting the Dirt on Soils, NC State – Raleigh, 11/19 - 6 hr.
28. Install 100: Installation of Gravity Systems – NC State – Raleigh, 11/20 - 6 hr.
29. Install 101: Installation of Advanced Systems, NC State – Raleigh, 11/21 - 6 hr.
30. Install 110: Installation Field Practicum, NC State – Raleigh, 12/4 - 6 hr.
31. The Neuse River Basin – Five Years of Progress, New Bern, 11/19-20 - 9.5 hr.
32. Innovative Food Safety Grants, Satellite Teleconference, 11/14 - 2 hr.
33. SQF (Safe Quality Food), McLean, VA., 10/7-9 - 15 hr.
34. Food Processing Facilities, (NSF), Nashville, Tenn., 5/29 - 7.75hr.
35. SARS – When A Global Outbreak Hits Home, Satellite, 10/23 - 1 hr.
36. Pollution Prevention Training, Chesapeake, VA., 10/19 - 6.5 hr.
37. NC Env. Health Supervisors Assoc. Fall Conf., Winston-Salem, 11/6-7 - 8.00 hr.
38. Preventing Lead Poisoning in Young Children, Sylva – 9/25, Winston-Salem – 10/9, Wilmington, - 10/16 - 5.5 hr.
39. Erosion & Sedimentation Control Basic Planning & Design Wkshops, Hickory 10/15-16 & New Bern – 10/29-30 - 12 hr.
40. North Central Env. Health Dist. Education Meeting, 12/10 – Sanford - 4.75 hr.
41. Seafood Quality & Safety for Env. Specialists, (SOP), Pine Knoll Shores, 10-16-18 - 17.5 hr.
42. ISSC (Interstate Shellfish Sanitation Conference) Annual Meeting – 2003, Portland, Oregon, 8/2-8 - 15 hr.
43. Regional Lead/Child Care Educational Meeting, Greenville, 10/23 - 5.25 hr.
44. Erosion & Sedimentation Control Programs, Raleigh, 2/4 - 5.5 hr.
45. NCWOA – Southeastern Section Meeting, Carthage, 5/15 - 2 hr.
46. NCWOA – Southeastern Section Meeting, Fayetteville, 9/11 - 2 hr.
47. Tools for School, Plymouth, 10/27 - 2 hr.
48. XRF & Radiation Safety Training, Charlotte, 9/30 - 5.25 hr.
49. NPCA Lead Safe Training, Raleigh, 11/4 - 4.25 hr.

Board Action: A recommendation was made by Nilla Sloop, from Education Committee, to approve the List for Continuing Education with the following exceptions: # 5 – pending until more information is received (CEU equivalency from CDC & Certificate of Completion), #13 - change to 7.5 hrs., #19 – pending until agenda is received, #31 change to 9.5 hrs., #37 – change to 8 hrs., #38 – change to 5.5 hrs., #45-49 were added. All votes affirmative.

Dennis Salmen will respond to Ray Vaughn regarding documentation of CEU equivalency from CDC.

New Intern Applications for October 23, 2003

<u>Intern</u>	<u>County</u>	<u>Degree</u>	<u>University</u>
Travis N. Painter	Jackson	BS Environmental Health	Western Carolina
Felissa-Marie Vazquez	Jackson	BS Environmental Studies	UNC-Asheville
Jacob Williamson	Rockingham	BA Environmental Studies	UNC-Wilmington
Miles K. Hair	Bladen	BS Animal Science	NC State
Kenneth W. Sykes	State of NC	BS Env. Health	East Carolina University
Christy L. Allred	Forsyth	BS Environmental Health	Western Carolina

Pending Transcript

A. Elizabeth Morey	Dare	MS Soil Science	NC State
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Board Action: A recommendation was made by Nilla Sloop, from the Education Committee, to approve the list of new intern applications and A. Elizabeth Morey pending her transcript. All votes were affirmative with exception of Mack Dendy who abstained from voting on Travis N. Painter and Felissa-Marie Vazquez.

Exam Participants - Camille Bishop

Ms. Bishop handed out the list of exam participants for October 24. A total of 19 will be taking the exams.

Essay Questions

Ms. Bishop brought to the Board's attention that the Essay Questions need to be looked at. Most of them are on Food contamination, etc. and there are only about 4 or 5 questions used over and over again. It was discussed appointing an Essay Committee to look at some new questions. **Board Members were requested to bring at least one Essay question to the next meeting. Mr. Salmen will send out the current Essay Questions and grading information to the Board before the next meeting.**

Next Board Meeting – December 2 at 12 Noon at Alamance County. Tim Green will be responsible for location.

Motion to Adjourn.

Respectfully submitted,

Ann C. Gilstrap
Secretary Treasurer.

Approved:_____