

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 616

Short Title: Environmental Health Associates. (Public)

Sponsors: Senator Jarvis (Primary Sponsor).

Referred to: Rules and Operations of the Senate

April 6, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A REGISTERED ENVIRONMENTAL HEALTH ASSOCIATE
3 CERTIFICATION UNDER THE STATE BOARD OF ENVIRONMENTAL HEALTH
4 SPECIALIST EXAMINERS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** Subdivisions (2a) and (2b) of G.S. 90A-51 are recodified as
7 subdivisions (2b) and (2c) of G.S. 90A-51.

8 **SECTION 1.(b)** Article 4 of Chapter 90A of the General Statutes, as amended by
9 subsection (a) of this section, reads as rewritten:

10 "Article 4.

11 "Registrations of Environmental Health Specialists.

12 ...

13 **"§ 90A-51. Definitions.**

14 The words and phrases defined below shall when used in this Article have the following
15 meaning unless the context clearly indicates otherwise:

16 (1) ~~"Board" means the Board.~~ The Board of Environmental Health Specialist
17 Examiners.

18 (2) ~~"Certificate of registration" means a Certificate of registration.~~ A document
19 issued by the Board as evidence of registration and qualification to practice as
20 a registered environmental health specialist or a registered environmental
21 health specialist intern under this Article. The certificate shall bear the
22 designation "Registered Environmental Health Specialist" or "Registered
23 Environmental Health Specialist Intern" and show the name of the person,
24 date of issue, serial number, seal, and signatures of the members of the Board.
25 (2a) Environmental health associate. – A public health professional who meets the
26 educational requirements under this Article, has attained specialized training,
27 and works under the responsible charge of a registered environmental health
28 specialist.

29 (2b) ~~"Environmental health practice" means the Environmental health practice. –~~
30 The provision of environmental health services, including administration,
31 organization, management, education, enforcement, and consultation
32 regarding environmental health services provided to or for the public. These
33 services are offered to prevent environmental hazards and promote and protect
34 the health of the public in the following areas: food, lodging, and institutional
35 sanitation; on-site wastewater treatment and disposal; public swimming pool
36 sanitation; childhood lead poisoning prevention; well permitting and



inspection; tattoo parlor sanitation; and all other areas of environmental health requiring the delegation of authority by the Division of Public Health of the Department of Health and Human Services to State and local environmental health professionals to enforce rules adopted by the Commission for Public Health. The definition also includes local environmental health professionals enforcing rules of local boards of health for on-site wastewater systems and wells.

(2c) ~~"Environmental health specialist" means a~~ Environmental health specialist. – A public health professional who meets the educational requirements under this Article and has attained specialized training and acceptable environmental health field experience effectively to plan, organize, manage, provide, execute, and evaluate one or more of the many diverse elements comprising the field of environmental health practice.

(3) Repealed by Session Laws 2009-443, s. 2, effective August 7, 2009.

(4) ~~"Registered environmental health specialist" means an~~ Registered environmental health specialist. – An environmental health specialist registered in accordance with the provisions of this Article.

For purposes of this Article the following are not included within the definition of "registered environmental health specialist" unless the person is working as an environmental health specialist:

- a. A person teaching, lecturing, or engaging in research.
- b. A person who is a sanitary engineer, public health engineer, public health engineering assistant, registered professional engineer, industrial hygienist, health physicist, chemist, epidemiologist, toxicologist, geologist, hydrogeologist, waste management specialist, or soil scientist.
- c. A public health officer or public health department director.
- d. A person who holds a North Carolina license to practice medicine, veterinary medicine, or nursing.
- e. Laboratory personnel when performing or supervising the performance of sanitation related laboratory functions.

(4a) Registered environmental health associate. – An environmental health associate registered in accordance with the provisions of this Article.

(5) ~~"Registered environmental health specialist intern" means a~~ Registered environmental health specialist intern. – A person who possesses the necessary educational qualifications as prescribed in G.S. 90A-53, but who has not completed the experience and specialized training requirements in the field of public health sanitation as required for registration.

§ 90A-52. Practice without certificate unlawful.

(a) In order to safeguard life, health and the environment, it shall be unlawful for any person to practice as an environmental health specialist or an environmental health specialist intern in the State of North Carolina or use the title "registered environmental health specialist" or "registered environmental health specialist intern" unless the person shall have obtained a certificate of registration from the Board. No person shall offer services as a registered environmental health specialist or registered environmental health specialist intern or use, assume or advertise in any way any title or description tending to convey the impression that the person is a registered environmental health specialist or registered environmental health specialist intern unless the person is the holder of a current certificate of registration issued by the Board.

(b) ~~Notwithstanding the provisions of~~ The following limited exceptions apply to the practice prohibitions in subsection (a) of this section, a section:

- 1 (1) A person may practice as an environmental health specialist intern for a period
 2 not to exceed three years from the date of the initial registration, provided the
 3 person has obtained a temporary certificate of registration from the Board.
 4 (2) A registered environmental health associate, working under the responsible
 5 charge of a registered environmental health specialist, may perform all of the
 6 following duties in accordance with the rules adopted by the Commission for
 7 Public Health:
 8 a. Permitting and inspections of private water wells.
 9 b. Inspections of Category I and II food establishments.
 10 c. Inspections of lodging establishments.
 11 d. Permitting and inspections of any Type II or Type III on-site
 12 wastewater systems, including system layouts and existing wastewater
 13 systems.
 14 e. Inspections of migrant housing.
 15 f. Inspections of private, public, and religious schools.
 16 g. Inspections of local confinement facilities.

17 **"§ 90A-53. Qualifications and examination for registration as an environmental health**
 18 **specialist or environmental health specialist intern.**

19 (a) The Board shall issue a certificate to a qualified person as a registered environmental
 20 health specialist or a registered environmental health specialist intern. A certificate as a registered
 21 environmental health specialist or a registered environmental health specialist intern shall be
 22 issued to any person upon the Board's determination that the ~~person;~~ person meets the following
 23 criteria:

- 24 (1) Has made application to the Board on a form prescribed by the Board and paid
 25 a fee not to exceed one hundred dollars (\$100.00);
 26 (2) Is of good moral and ethical character and has signed an agreement to adhere
 27 to the Code of Ethics adopted by the Board;
 28 (3) Meets any of the following ~~combinations of~~ education and practice experience
 29 standards:
 30 a. ~~Graduated from a baccalaureate or with a bachelor's degree or a~~
 31 ~~postgraduate degree from a program that is accredited by the National~~
 32 ~~Environmental Health Science and Protection Accreditation Council~~
 33 ~~(EHAC) and has one or more years of experience in the field of~~
 34 ~~environmental health practice; or (EHAC).~~
 35 b. ~~Graduated from a baccalaureate or postgraduate degree program that~~
 36 ~~is accredited by an accrediting organization recognized by the United~~
 37 ~~States Department of Education, Council for Higher Education~~
 38 ~~Accreditation (CHEA) and meets both of the following; with a~~
 39 ~~bachelor's degree or a postgraduate degree in public health and has one~~
 40 ~~or more years of experience in the field of environmental health~~
 41 ~~practice.~~
 42 1. ~~Earned a minimum of 30 semester hours or its equivalent in the~~
 43 ~~physical or biological sciences; and~~
 44 2. ~~Has two or more years of experience in the field of~~
 45 ~~environmental health practice.~~
 46 c. ~~Graduated from a baccalaureate program rated as acceptable by the~~
 47 ~~Board and meets both of the following:~~
 48 1. ~~Earned with a bachelor's degree or postgraduate degree, has~~
 49 ~~earned a minimum of 30 semester hours or its equivalent or 45~~
 50 ~~quarter hours in the physical or biological sciences; and~~
 51 ~~physical, biological, natural, life, or health~~

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- ~~2.~~ Has two sciences and has one or more years of experience in the field of environmental health practice.
- ~~d.~~ Has worked five or more continuous years as a registered environmental health associate.
- (4) Has satisfactorily completed a course in specialized instruction and training approved by the Board in the practice of environmental ~~health;~~health.
- (5) Repealed by Session Laws 2009-443, s. 4, effective August 7, 2009.
- (6) Has passed an examination administered by the Board designed to test for competence in the subject matters of environmental health sanitation. The examination shall be in a form prescribed by the Board and may be oral, written, or both. The examination for applicants shall be held annually or more frequently as the Board may by rule prescribe, at a time and place to be determined by the Board. A person shall not be registered if such person fails to meet the minimum grade requirements for examination specified by the Board. Failure to pass an examination shall not prohibit such person from being examined at subsequent times and places as specified by the ~~Board;~~ and Board.
- (7) Has paid a fee set by the Board not to exceed the cost of purchasing the examination and an administrative fee not to exceed one hundred fifty dollars (\$150.00).

(b) The Board may issue a certificate to a person serving as a registered environmental health specialist intern without the person meeting the full requirements for experience of a registered environmental health specialist for a period not to exceed ~~three~~ two years from the date of initial registration as a registered environmental health specialist intern, provided, the person meets the educational requirements in G.S. 90A-53 and is in the field of environmental health practice.

"§ 90A-53.1. Qualifications for registration as an environmental health associate.

The Board shall issue a certificate to a qualified person as a registered environmental health associate to any person upon the Board's determination that the person satisfies all of the following criteria:

- (1) Has made application to the Board on a form prescribed by the Board and paid a fee not to exceed one hundred dollars (\$100.00).
- (2) Is of good moral and ethical character and has signed an agreement to adhere to the Code of Ethics adopted by the Board.
- (3) Possesses one or more of the following educational qualifications:
 - a. Graduated with an associate, bachelor's, or postgraduate degree from a program that is accredited by the National Environmental Health Science and Protection Accreditation Council (EHAC) and satisfactorily completed general and specialized instruction and training in environmental health approved by the Department.
 - b. Graduated with an associate, bachelor's, or postgraduate degree and earned a minimum of 15 semester hours in the physical, biological, natural, life, or health sciences and satisfactorily completed general and specialized instruction and training in environmental health approved by the Department.

"§ 90A-53.2. Revocation or suspension of a registered environmental health associate.

The authorization of a registered environmental health associate by the Department under the authority provided in G.S. 130A-4(b) may be suspended or revoked as set forth in rules adopted by the Department.

...."

1 **SECTION 2.** The Board of Environmental Health Specialist Examiners shall amend
2 its rules consistent with this act.

3 **SECTION 3.** Section 1 of this act becomes effective May 1, 2024. The remainder of
4 this act is effective when it becomes law.