

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL DRS15302-MH-97A

Short Title: Radon Technician Certification. (Public)

Sponsors: Senators Galey and Lee (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE COMMISSION FOR PUBLIC HEALTH TO ESTABLISH AN  
3 APPROVAL PROCESS FOR RADON PROFICIENCY PROGRAMS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** Definitions. – The following definitions apply in this section:

- 6 (1) Department. – The Department of Health and Human Services, through its  
7 Division of Health Service Regulation.  
8 (2) International Program Approval Standard. – The ISO/IEC 17024:2012  
9 standard, an international consensus standard containing principles and  
10 requirements for a certifying entity, and including standards for the  
11 development and maintenance of a certification program, including  
12 certification programs for radon professionals.  
13 (3) ISO/IEC. – The joint technical committee of the International Organization  
14 for Standardization and the International Electrotechnical Commission.  
15 (4) Radon professional. – Any individual engaged in the practice of testing for the  
16 presence of radon or radon progeny or implementing methods to reduce the  
17 concentration of radon or radon progeny in the indoor environment of a  
18 building.  
19 (5) Radon proficiency program approval rules. – Rules adopted by the  
20 Commission for the approval of proficiency programs for radon professions  
21 as set forth in this section.  
22 (6) Recognized accreditation body. – A third-party accreditation body that  
23 accredits the compliance of Radon Proficiency Programs and is a signatory of  
24 the International Accreditation Forum's Multilateral Recognition Agreement.

25 **SECTION 1.(b)** Radon Proficiency Program Approval Rules. – The Department  
26 shall adopt temporary and permanent radon proficiency program approval rules that provide for  
27 all of the following:

- 28 (1) Approval of a term that is no less than one year for radon proficiency programs  
29 that meet the criteria set forth in subdivision (3) of this subsection.  
30 (2) In cases where an application for approval or renewal of approval for radon  
31 proficiency program is denied, that a proficiency program shall have 180 days  
32 to engage in corrective actions and reapply for renewal before any approval is  
33 revoked or, for a new radon proficiency program, before the applicant will  
34 have to resubmit a new application.  
35 (3) Approval of a radon proficiency program that meets either of the following  
36 criteria:



- 1 a. Establishing compliance and periodic reaccreditation with the
- 2 international program approval standard through accreditation by a
- 3 recognized accreditation body.
- 4 b. Showing to the satisfaction of the Department in a manner that the
- 5 Department may specify that the radon proficiency program meets the
- 6 following requirements:
  - 7 1. Establishment of a board with members from various private
  - 8 and public sector stakeholders to make decisions regarding
  - 9 curriculum, testing, instructor qualifications, quality assurance
  - 10 and control, continuing education requirements, and
  - 11 procedures for the handling of complaints.
  - 12 2. Minimum training requirements for radon professional
  - 13 certification.
  - 14 3. Examination requirements.
  - 15 4. Continuing education requirements.
  - 16 5. Submission of instructor qualifications demonstrating relevant
  - 17 knowledge and experience.
  - 18 6. Submission to regular audits regarding proper handling of risk,
  - 19 impartiality, and candidate records.

- 20 (4) Publication of a registry of approved proficiency programs in all
- 21 communications by the Department regarding proficiency programs.

22 **SECTION 1.(c)** Additional Rulemaking Authority. – Notwithstanding  
23 G.S. 150B-19(4), rules adopted by the Department shall be substantively identical to the  
24 provisions of subsection (b) of this section. Rules adopted pursuant to this section are not subject  
25 to Part 3 of Article 2A of Chapter 150B of the General Statutes and shall become effective as  
26 provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as  
27 provided by G.S. 150B-21.3(b2).

28 **SECTION 2.** Transitional Provisions. – Radon proficiency programs currently  
29 operating and were included in public listings of programs by the Department at any time after  
30 January 1, 2020, shall be deemed to be an approved radon proficiency program under this act  
31 until the Commission has adopted permanent rules under Section 1 of this act and has approved  
32 or denied approval of the program under those rules.

33 **SECTION 3.** This act is effective when it becomes law.