

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 616
PROPOSED COMMITTEE SUBSTITUTE S616-PCS15324-BR-10

Short Title: Environmental Health Associates.

(Public)

Sponsors:

Referred to:

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 reports directly to a registered environmental health specialist.

28 (2b) ~~"Environmental health practice" means the Environmental health practice.~~ –
29 The provision of environmental health services, including administration,
30 organization, management, education, enforcement, and consultation
31 regarding environmental health services provided to or for the public. These
32 services are offered to prevent environmental hazards and promote and protect
33 the health of the public in the following areas: food, lodging, and institutional
34 sanitation; on-site wastewater treatment and disposal; public swimming pool
35 sanitation; childhood lead poisoning prevention; well permitting and
36 inspection; tattoo parlor sanitation; and all other areas of environmental health



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1 requiring the delegation of authority by the Division of Public Health of the
 2 Department of Health and Human Services to State and local environmental
 3 health professionals to enforce rules adopted by the Commission for Public
 4 Health. The definition also includes local environmental health professionals
 5 enforcing rules of local boards of health for on-site wastewater systems and
 6 wells.

7 (2c) ~~"Environmental health specialist" means a~~ Environmental health specialist. –
 8 A public health professional who meets the educational requirements under
 9 this Article and has attained specialized training and acceptable environmental
 10 health field experience effectively to plan, organize, manage, provide,
 11 execute, and evaluate one or more of the many diverse elements comprising
 12 the field of environmental health practice.

13 (3) Repealed by Session Laws 2009-443, s. 2, effective August 7, 2009.

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

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

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

31 (4a) Registered environmental health associate. – An environmental health
 32 associate registered in accordance with the provisions of this Article.

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

38 **"§ 90A-52. Practice without certificate unlawful.**

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

49 (b) ~~Notwithstanding the provisions of~~ The following limited exceptions apply to the
 50 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~~two years from the date of the initial registration, provided
 3 the person has obtained a temporary certificate of registration from the Board.
 4 (2) A registered environmental health associate, directly reporting to a registered
 5 environmental health specialist, may perform all of the following duties in
 6 accordance with the rules adopted by the Commission for Public Health:
 7 a. Permitting and inspections of private water wells.
 8 b. Inspections of Category I food establishments, temporary food
 9 establishments, and limited food service 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 h. Inspections of residential care facilities.

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

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

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

- 1 ~~quarter hours~~ in the ~~physical or biological sciences~~; and
2 ~~physical, biological, natural, life, or health~~
3 ~~2. Has two sciences~~ and has one or more years of experience in
4 the field of environmental health practice.
5 d. Has worked five or more continuous years as a registered
6 environmental health associate.
7 (4) Has satisfactorily completed a course in specialized instruction and training
8 approved by the Board in the practice of environmental ~~health~~; health.
9 (5) Repealed by Session Laws 2009-443, s. 4, effective August 7, 2009.
10 (6) Has passed an examination administered by the Board designed to test for
11 competence in the subject matters of environmental health sanitation. The
12 examination shall be in a form prescribed by the Board and may be oral,
13 written, or both. The examination for applicants shall be held annually or more
14 frequently as the Board may by rule prescribe, at a time and place to be
15 determined by the Board. A person shall not be registered if such person fails
16 to meet the minimum grade requirements for examination specified by the
17 Board. Failure to pass an examination shall not prohibit such person from
18 being examined at subsequent times and places as specified by the ~~Board~~;
19 and Board.
20 (7) Has paid a fee set by the Board not to exceed the cost of purchasing the
21 examination and an administrative fee not to exceed one hundred fifty dollars
22 (\$150.00).

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

29 **"§ 90A-53.1. Qualifications for registration as an environmental health associate.**

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

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

48 **"§ 90A-53.2. Revocation or suspension of a registered environmental health associate.**

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

1"

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

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