

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 399

(Senator M. Washington)

Finance

Health and Government Operations

Health Occupations - Environmental Health Specialists - Revisions

This bill (1) alters the educational and experience requirements for applicants seeking licensure as an environmental health specialist (EHS); (2) alters the grounds for which the State Board of Environmental Health Specialists (BEHS) may take disciplinary action against an applicant or licensee; and (3) repeals certain requirements for an applicant who is retaking the licensing examination to become an EHS. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: The bill's changes are largely technical in nature and do not directly affect governmental finances.

Local Effect: The bill is not anticipated to materially affect local governmental operations or finances.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Generally, an individual must be licensed by BEHS before the individual may practice as an EHS in the State.

Educational and Experience Requirements

Under current law, three possible combinations of education and training can lead to licensure as an EHS. Under specified circumstances, BEHS is authorized to waive certain educational or training requirements for an applicant to qualify for examination.

Option 1:

Training: 12 months in an environmental health specialist-in-training (EHSIT) program; and

Education: a bachelor's degree in the chemical, physical, biological, or environmental sciences that includes (1) 60 semester credit hours or equivalent quarter credit hours of chemical, physical, biological, or environmental sciences, including one laboratory course in two of the following fields: chemistry, physics, biology, geographic information systems, or soil science and (2) a course in mathematics.

Option 2:

Training: 24 months in an EHSIT program; and

Education: a bachelor's degree that includes (1) 30 semester credit hours or equivalent quarter credit hours of chemical, physical, biological, or environmental sciences, including one laboratory course in two of the following fields: chemistry, physics, biology, geographic information systems, or soil science and (2) a course in mathematics.

Option 3:

Training: a 3-month internship; and

Education: a master's degree in public or environmental health science that includes (1) 30 semester credit hours or 45 quarter credit hours of chemical, physical, biological, or environmental sciences – obtained at the baccalaureate or master's level – including one laboratory course in two of the following fields: chemistry, physics, biology, geographic information systems, or soil science and (2) a course in mathematics.

For Option 1, the bill repeals the requirement that an applicant's baccalaureate degree be in the chemical, physical, biological, or environmental sciences and reduces the number of semester credit hours or equivalent quarter credit hours of chemical, physical, biological, or environmental sciences that the degree must include from 60 to 30.

For Options 1 and 3, the bill eliminates specific laboratory course requirements for both baccalaureate and master's degrees and instead specifies that the degrees must include laboratory coursework as required in regulations adopted by BEHS.

The bill repeals Option 2 as a pathway to licensure, including BEHS' authorization to waive the requirement that an applicant have 24 months of experience in an EHSIT program if the applicant has at least 12 months of such experience and the written support of the applicant's employer.

Administration of Licensing Examination

Under current law, BEHS must give an examination to applicants at least once a year and notify all qualified applicants of the time and place an examination is to be held. An

applicant who fails an examination may retake the examination as provided in the rules and regulations adopted by BEHS.

The bill repeals the requirement that an applicant for reexamination must submit an application to BEHS and pay a specified reexamination fee.

Disciplinary Grounds

Under current law, BEHS, on the affirmative vote of a majority of its members, may deny any applicant licensure, reprimand any licensee, place a licensee on probation, or suspend or revoke a license, if an applicant or licensee violates any one of 16 disciplinary grounds, including fraudulently or deceptively obtaining or attempting to obtain a license; committing an act of gross negligence, incompetence, or misconduct while performing the duties of an EHS; or violating any rule or regulation adopted by BEHS.

The bill broadens one of the grounds under which BEHS may take disciplinary action to include committing any act of misfeasance or malfeasance while performing the duties of an EHS.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 273 (Delegate Alston, *et al.*) - Health and Government Operations.

Information Source(s): Maryland Association of County Health Officers; Judiciary (Administrative Office of the Courts); Maryland Department of the Environment; Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 12, 2023
js/jc Third Reader - April 5, 2023
Revised - Amendment(s) - April 5, 2023

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