

**PROPOSED REGULATION OF THE BOARD OF REGISTERED
ENVIRONMENTAL HEALTH SPECIALISTS**

LCB File No. R049-16

April 12, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1, 2, 6, 8-13 and 17, NRS 625A.080; §§3, 4 and 5, NRS 625A.080 and 625A.100; §7, NRS 625A.080 and 625A.130; §§14, 15 and 16, NRS 625A.080 and 625A.150.

A REGULATION relating to environmental health specialists; making various changes to the procedures for application for and renewal of a certificate of registration as an environmental health specialist; making various changes to the procedures for application for a certificate of registration as an environmental health specialist trainee; interpreting the term “basic science courses”; requiring an environmental health specialist and environmental health specialist trainee to notify the Board of Registered Environmental Health Specialists of a name change; requiring certain written communications and documents to be addressed to the Board; establishing certain fees; defining the term “environmental health sciences”; revising the requirements for continuing education for environmental health specialists; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires a person who wishes to engage in the practice of environmental health in this State to register with the Board of Registered Environmental Health Specialists. (NRS 625A.100; 625A.900) This regulation makes various changes relating to the practice of environmental health.

Existing law requires an applicant for a certificate of registration to submit certain information with his or her application, including proof of the applicant’s educational qualifications, practical training and experience. (NRS 625A.100) In order to be eligible for a certificate of registration as an environmental health specialist, existing law requires, with limited exception, a person to: (1) possess a baccalaureate or higher degree; and (2) have completed academic work in “basic science courses.”(NRS 625A.110 and 625A.115) **Section 2** of this regulation interprets the term “basic science courses.” **Section 3** of this regulation requires, with limited exception, an applicant for a certificate of registration as an environmental health specialist to: (1) attach to his or her application for certification his or her official transcript from an institution of higher education; or (2) request that the institution of higher education mail the transcript directly to the Board. **Section 3** also requires each applicant for a

certificate of registration as an environmental health specialist or environmental health specialist trainee to submit verification of every license, certificate or registration as an environmental health specialist issued in another jurisdiction within 5 years from the date of application, if any.

Existing law requires, with limited exception, an applicant for a certificate of registration as an environmental health specialist to pass a written examination. (NRS 625A.110 and 625A.120) **Section 4** of this regulation requires applicants who are required to take the written examination to submit to the Board proof of the applicant's score on the examination.

Existing law requires an environmental health specialist trainee to be employed as part of a training program approved by the Board. (NRS 625A.115; NAC 625A.013) **Section 11** of this regulation provides that a training program provided by a health district, the Department of Health and Human Services (DHHS) or a Division of DHHS is not required to obtain approval from the Board and shall be deemed to be approved by the Board. **Section 5** of this regulation sets forth the application requirements for a trainee who has completed the training program and wants to become an environmental health specialist.

Section 6 of this regulation provides that the Board may require an applicant for a certificate of registration, or the renewal or reinstatement thereof, to provide additional information or appear for an oral interview.

Existing law authorizes the Board to establish: (1) fees for applications for a certificate of registration as an environmental health specialist or environmental health specialist trainee; (2) fees for reexamination if an applicant for a certificate of registration fails the required examination and desires to be reexamined; and (3) initial registration and annual renewal fees for certificates of registration. (NRS 625A.130) **Section 7** of this regulation establishes those fees.

Section 8 of this regulation provides that an environmental health specialist or environmental health specialist trainee must notify the Board of a name change and provide certain documentation thereof.

Section 9 of this regulation requires that all formal written communications and documents be addressed to the Board, not to individual members.

Existing law requires the Board to adopt regulations, requiring, with limited exception, an environmental health specialist to participate in a program of continuing education as a prerequisite for the renewal of a certificate of registration. (NRS 625A.150) Existing regulation requires, with limited exception, each environmental health specialist to complete every 2 years 2 units of continuing education, consisting of 12 contact hours of approved courses. (NAC 625A.010 and 625A.020) **Section 10** of this regulation: (1) amends the definition of "approved course" to include courses in environmental health sciences; and (2) defines "environmental health sciences." **Section 14** of this regulation provides that unless an environmental health specialist is exempt from the continuing education requirements, he or she must complete 12 contact hours of continuing education on an annual basis. **Section 17** of this regulation makes a conforming change.

Existing law exempts retired environmental health specialists from the requirements for obtaining continuing education. (NRS 625A.150) **Section 15** of this regulation requires a retired

environmental health specialist to submit to the Board an attestation that he or she will no longer practice as an environmental health specialist or represent to others that he or she is authorized to engage in the practice in this State.

Existing regulation requires an environmental health specialist who is required to complete a program of continuing education to retain proof of completion of an approved course for 4 years after completion of the course. (NAC 625A.030) **Section 16** of this regulation authorizes the Board to conduct random audits of the proof of completion.

Existing law authorizes the Board to issue a certificate of registration as an environmental health specialist to a person by reciprocity if the person is registered as an: (1) environmental health specialist with the National Environmental Health Association; or (2) environmental health specialist, environmental health scientist or registered sanitarian in another jurisdiction recognized by the Board as having requirements for that registration which are substantially similar to the requirements for the issuance of a certificate of registration as an environmental health specialist in this State. (NRS 625A.110) **Section 12** of this regulation provides that the Board will recognize registration in a jurisdiction that requires registration with the National Environmental Health Association as being “substantially similar to the requirements for the issuance of a certificate of registration as an environmental health specialist in this State.” **Section 12** also requires a person who applies for a certificate of registration by reciprocity to submit with his or her application proof that he or she is registered with the National Environmental Health Association.

Existing regulation provides that a person must apply to renew a certificate of registration and pay an annual fee not later than 60 days after the end of each calendar year. (NAC 625A.017) **Section 13** of this regulation provides that a certificate of registration of an environmental health specialist or a renewal thereof expires one year from the date of issuance and that an environmental health specialist must submit an application for renewal and the applicable fee not later than 60 days after the date that the certificate of registration expires. **Section 13** also provides that an environmental health specialist trainee must submit the annual fee not later than 60 days after the anniversary of the issuance of the certificate of registration.

Section 1. Chapter 625A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *The Board will interpret the term “basic science courses” as used in NRS 625A.110 and 625A.115, to include, without limitation:*

- 1. General chemistry;*
- 2. Organic chemistry;*
- 3. General physics;*

4. *Microbiology;*
5. *General biological science;*
6. *Epidemiology;*
7. *Statistics;*
8. *Water quality;*
9. *Waste management;*
10. *Food and consumer protection;*
11. *Housing and institution sanitation;*
12. *Vector control;*
13. *Recreational health;*
14. *Air quality;*
15. *Milk and dairy products;*
16. *Occupational health;*
17. *Electromagnetic radiation;*
18. *Noise control;*
19. *Toxicology;*
20. *Soil science;*
21. *Land use development; and*
22. *Any other basic science course included in a degree program in environmental health*

from an institution of higher education approved by the Board.

Sec. 3. *Each applicant for a certificate of registration as an environmental health specialist or environmental health specialist trainee must:*

1. Unless an applicant meets the requirements set forth in paragraph (d) of subsection 1 of NRS 625A.110, either:

(a) Attach to his or her application, in a sealed envelope, his or her official transcript from an institution of higher education approved by the Board; or

(b) Request that the institution of higher education mail the transcript directly to the Board; and

2. Submit verification of every license, certificate or registration as an environmental health specialist issued in another state, territory, the District of Columbia or a foreign country within 5 years from the date of the application, if any.

Sec. 4. Except for an applicant who may be issued a certificate of registration as an environmental health specialist without an examination pursuant to NRS 625A.110, an applicant for a certificate of registration as an environmental health specialist who takes the examination must submit to the Board proof of the score that the applicant received on the examination in the form prescribed by the Board.

Sec. 5. Upon completion of the training program required pursuant to NRS 625A.115, an environmental health specialist trainee may apply to the Board for a certificate of registration as an environmental health specialist. The application must include, without limitation, proof in the form prescribed by the Board that the person:

1. Completed the training program required pursuant to NRS 625A.115; and

2. Passed the written examination pursuant to NRS 625A.120.

Sec. 6. Before the Board will issue, renew or reinstate, as applicable, a certificate of registration, the Board may require an applicant to:

1. Provide additional information; or

2. Appear before the Board or a member of the Board for an oral interview.

Sec. 7. *The fee required for:*

1. An application for a certificate of registration as an environmental health specialist or environmental health specialist trainee is \$250.

2. The initial issuance of a certificate of registration as an environmental health specialist or environmental health specialist trainee is \$100.

3. The annual renewal of a certificate of registration is \$100.

4. The reexamination of an applicant is \$50.

Sec. 8. *1. An environmental health specialist or environmental health specialist trainee may only engage in the practice of environmental health under the name in which the environmental health specialist or environmental health specialist trainee holds a certificate of registration issued by the Board.*

2. If an environmental health specialist or environmental health specialist trainee changes his or her name after his or her certificate of registration is issued, he or she must submit to the Board, within 30 days after the change, a copy of a marriage certificate or court decree demonstrating that his or her name was legally changed. Upon receiving a copy of a marriage certificate or court decree, the Board will issue the environmental health specialist or environmental health specialist trainee a new certificate of registration with his or her legal name thereon.

Sec. 9. *All formal written communications and documents must be addressed to the Board and not to individual members of the Board.*

Sec. 10. NAC 625A.010 is hereby amended to read as follows:

625A.010 As used in this chapter, unless the context otherwise requires:

1. “Approved course” means a course of study or training which must be related to *environmental health sciences* or sanitary measures for the benefit of the public and which is approved or presented by any of the following:

- (a) The National Environmental Health Association.
- (b) The American Public Health Association.
- (c) The Centers for Disease Control and Prevention.
- (d) The Food and Drug Administration.
- (e) The United States Department of Health and Human Services.
- (f) The Environmental Protection Agency.
- (g) The American Water Works Association.
- (h) The ~~American Dietetic Association.~~ *Academy of Nutrition and Dietetics.*
- (i) The State Board of Nursing.
- (j) The Nevada Environmental Health Association.
- (k) The American Society of Agricultural and Biological Engineers.
- (l) Any other organization approved by the Board.
- (m) An accredited college or university.

2. “Board” means the Board of Registered Environmental Health Specialists.

~~3. “Certificate of registration” has the meaning ascribed to it in NRS 625A.023.~~

~~4.~~ “Contact hour” means 50 minutes of participation in an approved course.

~~5. “Environmental health specialist” has the meaning ascribed to it in NRS 625A.025.~~

~~6. “Environmental health specialist trainee” has the meaning ascribed to it in NRS 625A.026.~~

~~7. “Practice of environmental health” has the meaning ascribed to it in NRS 625A.028.~~

~~8. “Unit of continuing education” means 12 contact hours of approved courses.~~

4. *“Environmental health sciences” means the science and practice of preventing human injury and illness and promoting human well-being by:*

(a) Identifying and evaluating the environmental sources and hazardous agents which may adversely affect human health; and

(b) Limiting human exposure to hazardous physical, chemical and biological agents in the environment including, without limitation, agents found in the air, water, soil or food.

Sec. 11. NAC 625A.013 is hereby amended to read as follows:

625A.013 1. To engage in the practice of environmental health as an environmental health specialist trainee, a person:

(a) Must be employed as a part of a training program which has been approved by the Board and in which the person engages in the practice of environmental health under the direct supervision of one or more other persons who hold certificates of registration as environmental health specialists; and

(b) Must file with the Board an application for a certificate of registration as an environmental health specialist trainee not later than 90 days after the date on which the person initially becomes employed as a part of the approved training program.

2. ~~For~~ *Except as otherwise provided in subsection 3, to* be approved by the Board for purposes of employing environmental health specialist trainees, a training program must submit to the Board an application, a description of the training program and any other information related to the training program that the Board may require.

3. *A training program is not required to submit an application to the Board pursuant to subsection 2 and shall be deemed to be approved by the Board if the training program is provided by:*

(a) A health district created pursuant to NRS 439.362 or NRS 439.370;

(b) The Department of Health and Human Services; or

(c) A division of the Department of Health and Human Services.

4. The Board will maintain a list of all training programs that are approved by the Board to employ environmental health specialist trainees.

Sec. 12. NAC 625A.015 is hereby amended to read as follows:

625A.015 *1.* For the purpose of issuing a certificate of registration to a person by reciprocity as provided in NRS 625A.110, the Board will ~~maintain a list of all jurisdictions recognized by the Board as having requirements for~~ *recognize* registration as an environmental health specialist, environmental health scientist or registered sanitarian ~~which are~~ *in a jurisdiction that requires registration with the National Environmental Health Association as being* substantially similar to the requirements for the issuance of a certificate of registration as an environmental health specialist in this State.

2. A person who applies for a certificate of registration by reciprocity as provided in NRS 625A.110 must submit with his or her application proof in the form prescribed by the Board that he or she is registered with the National Environmental Health Association.

Sec. 13. NAC 625A.017 is hereby amended to read as follows:

625A.017 *1.* ~~An application for renewal of a certificate of registration and the annual fee required pursuant to NRS 625A.130 must be received by the Board not later than 60 days after the end of each calendar year.~~ *A certificate of registration of an environmental health*

specialist expires one year from the date of issuance. An environmental health specialist must submit an application for renewal of a certificate of registration and the annual fee required pursuant to NRS 625A.130, which must be received by the Board not later than 60 days after the date the certificate of registration expires.

2. *Pursuant to subsection 3 of NRS 625A.115, a certificate of registration of an environmental health specialist trainee expires three years from the date the person initially becomes employed as a part of an approved training program. An environmental health specialist trainee must submit the annual fee required pursuant to NRS 625A.130, which must be received by the Board not later than 60 days after the anniversary of the issuance of the certificate of registration.*

3. The certificate of registration of an environmental health specialist or environmental health specialist trainee is automatically suspended if the specialist or trainee fails to ~~submit an application for renewal of the certificate and the annual fee required pursuant to NRS 625A.130 within the period prescribed in subsection 1.~~ *comply with subsection 1 or 2, as applicable.*

Sec. 14. NAC 625A.020 is hereby amended to read as follows:

625A.020 1. Except as otherwise provided in subsection 2:

(a) Each environmental health specialist must complete ~~2 units~~ *annually 12 contact hours* of continuing education ~~every 2 years after the date of his or her initial renewal. Not later than 2 years after the date of the initial renewal and every 2 years thereafter, the~~ *during the 12 months immediately preceding the date on which the certificate of registration expires pursuant to subsection 1 of NAC 625A.017.*

(b) Each environmental health specialist must submit to the Board with his or her application for renewal of a certificate of registration proof of completion of the required ~~{units}~~ contact hours of continuing education . ~~{to the Board with the application for the renewal of the registration.}~~

~~{(b)}~~ *(c) The certificate of registration of an environmental health specialist who fails to comply with the provisions of ~~{paragraph}~~ paragraphs (a) and (b) is automatically suspended.*

2. The ~~{provisions of this section do}~~ *requirement to complete continuing education does not apply to ~~{an}~~ :*

(a) An environmental health specialist who has received an exemption pursuant to NRS 625A.150 ~~{}~~ ; or

(b) An environmental health specialist trainee.

Sec. 15. NAC 625A.025 is hereby amended to read as follows:

625A.025 An environmental health specialist who *holds a certificate of registration and who* wishes to be exempt from the requirements for continuing education set forth in NAC 625A.020 because he or she has retired and is no longer engaged in the practice of environmental health ~~{must submit an application for}~~ *may request* an exemption ~~{to}~~ *from* the Board ~~{. Such an application must be made on a form approved by the Board.}~~ *by submitting an attestation that he or she will no longer practice as an environmental health specialist in this State or represent to others that he or she is authorized to engage in the practice of environmental health in this State.*

Sec. 16. NAC 625A.030 is hereby amended to read as follows:

625A.030 1. Each environmental health specialist who is required to complete a program of continuing education shall retain proof of completion of an approved course for 4 years after completion of the course.

2. Proof of completion of an approved course must be in the form of a transcript, certificate of completion or other document furnished by the organization which conducted the course.

3. The Board may conduct random audits of the proof of completion of environmental health specialists to ensure compliance with the requirements of this section and NAC

625A.020.

FIRST
PARALLEL
SECTION

Sec. 17. NAC 625A.040 is hereby amended to read as follows:

625A.040 If the certificate of registration of an environmental health specialist has been suspended pursuant to the provisions of NRS 625A.130 or NAC 625A.017 or 625A.020, the Board will reinstate the certificate of registration after the environmental health specialist submits to the Board:

1. An application for reinstatement of the certificate of registration on a form approved by the Board.

2. The statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services required pursuant to NRS 625A.105 if the environmental health specialist failed to submit the statement to the Board.

3. The annual fee for registration for each year in which the certificate of registration was suspended and for the year in which the environmental health specialist requests reinstatement.

4. A penalty fee of \$100.

5. Proof of completion of the ~~{units}~~ *contact hours* of continuing education required pursuant to NAC 625A.020 for the period in which the certificate of registration was suspended.

Any ~~{units}~~ *contact hours* of continuing education required to be completed during the period in which the certificate of registration was suspended must be completed within the ~~{2-years}~~ *12 months* immediately preceding the date of application for reinstatement.