

902 KAR 10:030. Registered environmental health specialists and sanitarians.

RELATES TO: KRS Chapter 13B, 194A.050(1), 211.090, 223.010, 223.020, 223.030, 223.040, 223.050, 223.060, 223.070, 223.080, 223.990

STATUTORY AUTHORITY: KRS 223.040, 223.050, 223.055, 223.070

NECESSITY, FUNCTION, AND CONFORMITY: KRS 223.040, 223.050, 223.055 and 223.070 authorize the Cabinet for Health and Family Services to establish minimum standards and qualifications for registered environmental health specialists and sanitarians. This administrative regulation provides uniform standards for registered environmental health specialists and sanitarians, procedures for processing applications, continuing education requirements, inactive status registration, and establishes fees for examination and registration.

Section 1. Definitions.

- (1) "Cabinet" is defined by KRS 223.010(1).
- (2) "Cabinet representative" means the secretary's designee.
- (3) "Committee" means the registered environmental health specialists or sanitarian examining committee established in accordance with KRS 223.020.
- (4) "Continuing education unit" or "CEU" means the completion of ten (10) hours of educational courses approved by the committee.
- (5) "Secretary" is defined by KRS 223.010(3).

Section 2. Applications for Registration.

- (1) An applicant for registration as a registered environmental health specialist or sanitarian shall meet the qualifications listed in KRS 223.030(1).
- (2) Applications shall be submitted to the committee for approval on the "Application for Registration", 05/2020, incorporated by reference or available online at <https://chfs.ky.gov/agencies/dph/dphps/emb/Pages/sanitarians.aspx>.
- (3) An application fee of fifty (50) dollars by money order, bank draft, or check made payable to the Kentucky State Treasurer shall accompany each application.
- (4) After the committee has approved an application, and all the requirements provided by law are fulfilled, the applicant can be scheduled to take the examination.

Section 3. Examinations.

- (1) The committee shall:
 - (a) Conduct examinations at least four (4) times a year; and
 - (b) Determine the time and place for the examination.
- (2) A score of at least seventy (70) percent shall be a passing score for the examination.
- (3) Applicants failing to achieve a passing score may apply to retake the exam by submitting another application and fee.

Section 4. Issuance and Expiration of Certificates of Registration.

- (1) Upon successful passing of the examination as outlined in Section 3 of this administrative regulation, the committee shall certify the passing score to the secretary.
- (2) The applicant shall be issued a registration card certifying that he or she holds a certificate of registration.
- (3) Pursuant to KRS 223.040, an individual who receives an initial certificate of registration shall be under the direct supervision of a qualified registered environmental health specialist or sanitarian until the individual successfully completes an initial public health training program provided by the cabinet. This training shall be offered at least two (2) times per year at no cost to the trainee.
- (4) The committee shall assign serial numbers to each certificate of registration.
- (5) All registration certificates issued under the provisions of this administrative regulation shall expire on June 30 following the date of issue, unless renewed by payment

of a twenty (20) dollar registration fee.

(6) The certification renewal fee shall be paid by money order, bank draft, or check made payable to the Kentucky State Treasurer, or online at the Registered Sanitarian ePayment Web site at https://prd.webapps.chfs.ky.gov/KYRegSan_ePay.

(7) A late renewal fee of twenty (20) dollars will be assessed for all payments not received by July 1.

Section 5. Renewals and CEUs.

(1) All registered environmental health specialists and sanitarians shall receive a written notice of certification renewal at least thirty (30) days prior to the expiration date of their certificate.

(2) Before the renewal of registration can be issued, the registrant shall submit evidence of having completed the required CEUs.

(3) In addition to the public health training required by Section 4(3) of this administrative regulation, individuals achieving initial registered environmental health specialist or sanitarian status in any given fiscal year shall be required to submit evidence of having completed CEUs based on the quarter of the fiscal year in which certification was attained:

- (a) July 1 to September 30 – ten (10) CEUs required;
- (b) October 1 to December 31 – seven (7) CEUs required;
- (c) January 1 to March 31 – five (5) CEUs required; or
- (d) April 1 to June 30 – no CEUs required.

(4) An application for CEU approval by the committee shall include the following:

- (a) An outline or summary of the course content;
- (b) Identity of the instructor or sponsor of the course; and
- (c) A letter or certificate of completion from the instructor or sponsor certifying the applicant satisfactorily completed the course; or
- (d) Proof of attendance in the form of a copy of the course sign-in sheet or attendee roster.

(5) In-service educational conferences, courses, and seminars sponsored by professional and industrial organizations, or governmental agencies which registrants attend, or where they present, may qualify for CEUs.

(6) CEUs shall not be awarded for classes taught by the registrant or for mandatory employee trainings provided by the registrant's employer that are not related to the fields of environmental or public health, or specifically related to the duties, roles, and responsibilities of a registered environmental health specialist or sanitarian as determined by the committee.

Section 6. Extension for submitting CEUs.

(1) A registrant may submit a written request to the committee for an extension to acquire CEUs until September 30. This written request shall:

- (a) Be received by the committee on or before June 30; and
- (b) Provide justification for the request.

(2) The committee may grant an extension beyond the September 30 deadline based on extenuating circumstances beyond the control of the registrant.

(3) Registrants shall be notified in writing by the cabinet representative of the committee's decision to grant or deny the September 30 extension.

(4) Failure to submit evidence of completion of the CEUs required in Section 5(3) of this administrative regulation by the September 30 extension deadline shall result in suspension of the certificate of registration in accordance with Section 8 of this administrative regulation.

Section 7. Inactivation of Certificates of Registration.

- (1) Persons requesting to have their certificates of registration placed in inactive status shall submit a written request to the committee on or before June 30.
- (2) A registered environmental health specialist or sanitarian granted inactive status by the committee shall be notified in writing.
- (3) A registered environmental health specialist or sanitarian on inactive status shall be exempt from the CEU requirements specified in Section 5 of this administrative regulation but shall not be exempt from the twenty (20) dollar renewal fee required under Section 4(5) of this administrative regulation.

Section 8. Suspension and Revocation of Certificates of Registration.

- (1) Certificates of registration shall be suspended by the committee on July 1 for:
 - (a) Failure to remit payment for renewal by June 30 in accordance with Section 4 of this administrative regulation;
 - (b) Failure to submit evidence of completion of CEUs by June 30 in accordance with Section 5 of this administrative regulation; or
 - (c) Failure to request an extension for CEUs by June 30.
- (2) Certificates of registration shall be suspended the next business day following the receipt of the request for an extension in accordance with Section 6 of this administrative registration.
- (3) Persons whose certificates of registration have been suspended shall be sent a notice of suspension by the committee.
- (4) If employed by the cabinet, a local health department, or a district health department, a copy of the notice of suspension shall be provided to the employer.
- (5) A registered environmental health specialist or sanitarian with a suspended certificate of registration shall receive a written notice to appear before the committee at the next regularly scheduled committee meeting to provide justification for:
 - (a) Failing to remit payment by June 30; or
 - (b) Failing to submit evidence of completed CEUs by June 30 or by the extension granted by the committee in accordance with Section 6 of this administrative regulation.
- (6) Failure to appear before the committee at the next regularly scheduled meeting shall be grounds for the committee to recommend revocation of a certificate of registration to the secretary.
- (7) A registered environmental health specialist or sanitarian suspended for failure to remit payment in accordance with Section 4, or CEUs in accordance with Section 5, by June 30, may, at any time before the next regularly scheduled committee meeting, submit payment or evidence of completed CEUs and be returned to active status without having to appear before the committee.
- (8) In any action involving the revocation of a certificate of registration, the committee shall refer the matter to the secretary.
 - (a) Prior to revocation, the committee shall send a notice of revocation to the last known address available to the committee.
 - (b) The notice of revocation shall include the option for the certificate holder to submit a request for an administrative hearing within ten (10) days of the notice to show cause as to why their certificate should not be revoked.
- (9) All administrative hearings shall be conducted in accordance with KRS Chapter 13B
- (10) Persons who have their certificate of registration revoked solely for failure to remit renewal payment or submit required CEUs may reapply for registration by submitting an application and fee in accordance with Section 3 of this administrative regulation and by successfully completing the examination.
- (11) Upon revocation of a registered environmental health specialist or sanitarian certification by the secretary for causes established in KRS 223.070, the person shall:

(a) Not be eligible to serve as a registered environmental health specialist or sanitarian in the Commonwealth; and

(b) Cease and desist practice.

(12) If employed by the cabinet, a local health department, or a district health department, a copy of the notice of revocation shall be provided to the employer.

Section 9. Expenditure of Funds. Expenditures for examinations, clerical expenses, training and reference materials, including approved home study courses, and for affiliation with any national sanitarian registration organization, may be made out of the trust and agency fund created by KRS 223.050.

Section 10. Material Incorporated by Reference.

(1) "Application for Registration", 05/2020, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department for Public Health, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8:00 a.m. to 4:30 p.m.

(San 6-1; 1 Ky.R. 511; eff. 3-12-1975; 14 Ky.R. 2072; eff. 6-22-1988; 16 Ky.R. 2781; eff. 7-18-1990; 17 Ky.R. 3048; 18 Ky.R. 52; eff. 6-19-1991; 22 Ky.R. 2367; eff. 8-1-1996; Crt eff. 10-2-2019; 47 Ky.R. 425, 1399; eff. 2-4-2021.)