



State Board of Sanitarian Registration Twenty-Ninth Annual Report

This report of the State Board of Sanitarian Registration covers the activities of the Board from September 7, 2005 through August 31, 2006. The financial report covers Fiscal Year 2006.

Mission Statement

The mission of the Board is to protect public health by ensuring registered sanitarians possess and maintain specialized knowledge and skills in the field of environmental health. This is accomplished by minimum education standards, examination, continuing education requirements, and the investigation of complaints filed with the Board.

Board Organization

The State Board of Sanitarian Registration is composed of seven (7) members, including the Director of Health or his designated representative, the Director of the Environmental Protection Agency or his designated representative, and five (5) members appointed by the Governor with the advice and consent of the Senate. Terms of office are for three years and members are compensated for board meeting expenses.

Of the five members appointed by the Governor, at least one and not more than two must be employees of a general health district; at least one and not more than two must be employees of a city health district; and at least one and not more than two must be employed in private industry. Not more than one member may be employed by a university and not more than one member may be employed by an agency or department of state.

Board Members and Term Expiration:

<i>Board Member</i>	<i>City</i>	<i>Term Expiration</i>
Linda Aller, R.S. Chair	Lewis Center	August 15, 2008
Angela Townsend, R.S. Vice Chair	South Euclid	August 15, 2006
Roger Suppes, R.S. Secretary	Worthington	Director's representative for the Ohio Department of Health
Richard Setty, R.S.	Youngstown	August 15, 2007
Gary Silverman, R.S.	Bowling Green	August 15, 2008
Duane Snyder, R.S.	Worthington	Director's representative for the Ohio Environmental Protection Agency
David Winfough, R.S.	Hamilton	August 15, 2006

Board Meetings

The State Board of Sanitarian Registration conducted eight (8) regular board meetings, nine (9) administrative hearings regarding application denial, and one (1) public rules hearing. These meetings and hearings were open to the public and held in Columbus at the Vern Riffe Center for Government.

Board Staff Change

On August 14th, 2006 Stephanie Youst was appointed as the new Executive Secretary to the Board. Ms. Youst was previously employed by the State Board of Occupational Therapy, Physical Therapy, and Athletic Trainers where she served as Executive Secretary for the last five years. She replaces Lynn Jones who took a position with the Professional Engineers and Surveyors Board on August 7, 2006. The Board’s support staff also includes part-time clerk, Mary Ann Macioce.

Sanitarian-in-Training and Registered Sanitarian Applicants

The Examination Committee reviewed 122 applications for sanitarian-in-training registration. 115 sanitarian-in-training certificates were granted. Sixty-five (65) applications for registered sanitarian were reviewed, and sixty-two (62) were granted registered sanitarian status.

Administrative hearings are conducted for all applicants denied registration, regardless of whether the applicant responds to the opportunity for hearing notice. The Board conducted eight (8) hearings on proposed denials, and affirmed denial on all applications subsequent to hearing.

The Board reviewed and granted twenty-two (22) sanitarian-in-training extension requests. Extension requests decreased 13% from last year. Although the Board has the authority to grant extensions to sanitarians-in-training who furnish sufficient cause for not applying for registered sanitarian registration within three years, **Section 4736.15 of the Revised Code limits a sanitarian-in-training from engaging in the practice of environmental health beyond five-years.**

Active Licenses by Fiscal Year

<i>Active Licenses</i>	<i>FY 2003</i>	<i>FY 2004</i>	<i>FY 2005</i>	<i>FY 2006</i>
Registered Sanitarians	1295	1294	1298	1298
Sanitarian-in-Trainings	230	230	227	227
Totals	1525	1524	1525	1525

Examination

The Board administered the Professional Examination Service (PES) Environmental Health Proficiency Examination during October 2005, March 2006, and July 2006 at the Occupational Safety and Health facility in Pickerington Ohio.

<i>Exam</i>	<i>Date</i>	<i># of Candidates</i>	<i>Pass Point</i>	<i># Passing</i>	<i>% of Passing</i>
PES	10/20/05	46	175/250	22	48%
PES	3/23/06	43	175/250	16	37%
PES	7/20/06	35	175/250	9	26%

The examination-passing rate remained at 38% .

Board members, Gary Silverman and Linda Aller, along with representatives from Maryland, Arizona, Connecticut, and West Virginia, participated in the update and review of the PES Environmental Health Proficiency Examination during 2005. The updated examination was administered beginning in March 2006.

The exam was updated to ensure all items reflect current practice, are accurate, and have only one correct answer. Outdated questions were replaced with new validated questions. Upon completion of the workshop, the domains of examination knowledge remained the same; however, there was a slight difference in the percentage of items per domain. The updated summary of the percentage of questions by domain is as follows:

Domain	Approximate % of Items
Food	14.0%
Water and Waste Water	21.0%
Air	5%
Vector & Pest Control	7.0%
Hazardous Materials Management	7.0%
Waste Management	7.0%
Radiation	4.5%
Recreation	3.0%
Housing & Installation	3.0%
Occupational Health & Safety	5.0%
General Environmental Health and Scientific Concepts	16.0%
Program Planning & Legal Aspects	7.5%
Total	100%

During July 2005 the same members returned to take part in the Angoff Method to determine the recommended passing point for the examination. The Angoff Method is the most widely used criterion-referenced passing point technique within the credentialing industry, and is based on the judgments of content experts regarding the expected test performance of candidates who are minimally competent (PES 2005).

The following table represents the resulting pass points using the Angoff Method and adopted by the State Board of Sanitarian Registration:

Version	8306100	8306200	8306300
%Correct Required to Pass	69.99	69.28	68.67
Number of Items Correct Required	175	174	172

Since there is a slight difference in difficulty among the forms of the revised examination, raw examination scores are converted to scaled scores with 70% as the scaled passing point for all forms. Scaled scoring assures that the 70% passing standard represents the same level of competence regardless of which form of the test a candidate takes.

Candidates will still receive a summary of their performance in each domain; however results will be reported in percentage of correct answers instead of raw scores as previously reported.

Public Hearing on Ohio Administrative Code

The Board conducted a public hearing on April 19, 2006 to receive testimony regarding proposed new rules 4736-12-02 and 4736-15-03.

Rule 4736-12-02 entitled *Fees for Sanitarian Registration* was updated to clarify sanitarian registration application fees.

Rule 4736-15-03 entitled *Practice Limitation for Sanitarian-in-Training* was updated to clarify the length of time a sanitarian-in-training may engage in the practice of environmental health.

The Board adopted the rules on May 31, 2006 with an effective date of June 15, 2006.

House Bill 203

The practice of environmental health, defined in Section 4736.01 of the Revised Code, was amended as a result of House Bill 203 to include the administration and enforcement of rules adopted by the Director of Health for Network inspections and sanitary inspections of schools.

Senate Bill 9

As a result of Senate Bill 9, Ohio's homeland security/anti-terrorism legislation, the Director of Public Safety identified registered sanitarians, along with 63 other state issued license types, as licenses of which a holder with ties to a terrorist organization would present a potential risk to the residents of Ohio. Effective April 2006 applicants for registered sanitarian and registered sanitarian renewal must complete a Declaration Regarding Material Assistance/Nonassistance to a Terrorist Organization (DMA) certifying that they have not provided "material assistance" to a terrorist organization.

The State Board of Sanitarian Registration is responsible for providing applicants for registered sanitarian or registered sanitarian renewal with the DMA and TEL documents, and retaining the completed DMA with the application for registration or renewal.

If an applicant answers "yes" to any of the questions, or if they fail to answer "no" to any question, it will be deemed as a disclosure that they have provided material assistance to an organization on the TEL. Incomplete forms, or forms that include an affirmative response on the DMA will result in denial of the registered sanitarian application or the revocation of registered sanitarian registration. The Board is also required to notify the Ohio Department of Public Safety if it denies an application for registration or renewal because the applicant disclosed the provision of material assistance to an organization listed on the TEL. Failure to disclose the provision of material assistance to such an organization or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree.

The State Board of Sanitarian Registration provided testimony during a public rules hearing in June 2006 urging the Department of Public Safety to promulgate further guidelines to address the concerns for lack of clarity, substance, and appeal notification procedures outlined in the proposed rules regarding the Declaration of Material Assistance.

Consolidation of Regulatory Boards

Language in House Bill 530 (budget correction bill) proposed to consolidate the State Board of Sanitarian Registration along with 19 other regulatory boards into the Department of Commerce effective July 1, 2007 under a planned Division of Professional Regulation. After significant voiced opposition by professional associations, affected regulatory boards, and constituents an amendment passed to remove consolidation language from HB 530 and ultimately scrapping consolidation for the remainder of the biennium, which ends on June 30, 2007. Further study on consolidation will depend on the interests and agenda of the next Governor who takes office in January 2007.

The State Board of Sanitarian Registration came out in opposition regulatory board consolidation for the following reasons:

- Any move to diminish the Board’s autonomy will have a negative impact on consumers and licensees in Ohio. Currently, as an independent regulatory board, professionals in the field of environmental health establish policy and enact compliance standards thus assuring the public that licensees are qualified.
- The stated purpose of consolidation was cost savings. Regulatory boards are self-supporting and do not use the General Revenue Fund for operating costs.
- The rationale of efficiency and cost-savings through consolidation was lost when the seven largest regulatory boards were exempt. Furthermore, the Boards and Commissions Consolidation Transition Team reported that transitioning of the full IT services of the affected boards would range between \$1,250,000 and \$2,000,000.

Public Relations

- The executive secretary attended numerous meetings regarding the consolidation of regulatory boards.
- Board members and the executive secretary attended meetings with the Ohio Environmental Health Association’s Sanitarian Registration Promotion Committee to provide data and statistics in an effort to increase examination scores.
- During November 2005 new Board members attended the Boards and Commissions Seminar sponsored by the Governor’s Office. The training emphasized Ohio’s ethics law and the responsibilities of gubernatorial appointees.
- Board members and the executive secretary staffed an exhibit booth at the Ohio Environmental Health Association meeting in April 2006 to disseminate material and answer questions.
- The Board Vice Chair, Angela Townsend, gave a presentation at the August 14, 2006 Ohio Department of Health Quality Assurance Conference.

Compliance, Investigation and Enforcement

Pursuant to Section 4736.13 of the Revised Code, the Board may deny, refuse to renew, revoke, or suspend a certificate of registration, following an adjudication hearing held pursuant to Chapter 119 of the Revised Code, for unprofessional conduct, the practice of fraud or deceit in obtaining a certificate of registration, dereliction of duty, incompetence in the practice of environmental health science, or for other good and sufficient cause. The Board can also enter into consent agreements in lieu of adjudication hearings.

The Board closed one investigation with a finding that the complaint allegations were unsubstantiated.

Three cease and desists were issued to sanitarians-in-training who engaged in the practice of environmental health for five years and were unable to advance to registered sanitarian based upon the fact that they could not pass the registration examination.

Continuing Education

Training agency renewal notices were issued in November 2005. Ninety-three (93) approved training agencies renewed their status.

Twelve new agencies were granted approved training agency status:

- Defiance County Health Department
- National Onsite Wastewater Recycling Association

- WSOS Community Action Commission, Inc.
- Ohio Code Enforcement Officials Association
- Pool Operation Management Inc.
- Youngstown City Health Department
- Gallia County Health Department
- Crawford County Health Department
- Clark County Combined Health District
- Cleveland State University
- Lakeside Consulting, Design, Education, Inc.
- Division of Public Health, Case School of Medicine, Case Western Reserve University

The Continuing Education Committee and Executive Secretary reviewed 1,335 continuing education requests submitted by registered sanitarians, sanitarians-in-training, and training agencies. This was a 9% increase over last year.

Finance

The Board is funded by license and application fees deposited into the Occupational Licensing and Regulatory Fund. This fund consists of application and renewal fees from twenty-two professional licensing boards. Each board in the fund is required to generate sufficient revenue to meet its own budgeted expenses, and to pay for collective project costs, such as the Web-based licensing system.

The following financial report includes a summary of Fiscal Year 2006. Revenue receipts totaled \$134,313.80. Posted Fiscal Year 2006 expenditures totaled \$127,365.89. The Board was appropriated (received spending authority) for \$134,279.

This method of reporting is consistent with generally accepted accounting standards for governmental agencies.

REVENUE AND EXPENSE STATEMENT POSTED FISCAL YEAR 2006

REVENUE

# Paying Fee	Fee Amount	
1219 Registered Sanitarian Renewal Fees	\$ 74	\$ 90,206.00
15 Registered Sanitarian Renewal Fees	\$ 69	\$ 1,035.00
107 Sanitarian-in-Training Renewal Fees	\$ 74	\$ 7,918.00
8 Sanitarian-in-Training Renewal Fees	\$ 69	\$ 552.00
12 Registered Sanitarian Application Fees	\$ 160	\$ 1,920.00
122 Sanitarian-in-Training Application Fees	\$ 80	\$ 9,760.00
58 Advancement to Registered Sanitarian Application Fees	\$ 80	\$ 4,640.00
125 Examination Fees	\$ 110	\$ 13,750.00
93 Training Agency Renewal Fees	\$ 27	\$ 2,511.00
11 Training Agency Application Fees	\$ 54	\$ 594.00
51 Renewal Late Fees	\$ 27	\$ 1,377.00
Labels, Roster, Public Records		\$ 50.80
TOTAL REVENUE		\$ 134,313.80

EXPENDITURES

PAYROLL 100 ACCOUNT

OBJECT
CODE

10 Payroll and Fringe Benefits	\$ 92,029.97
14 Board Member Travel Expenses	\$ 3,276.66
15 Hearing Costs	\$ 701.30

Total **\$ 96,007.93**

MAINTENANCE 200 ACCOUNT

21 Supplies and Materials	\$ 1,117.53
27 Office Rental	\$ 3,574.52
Other Rental	\$ 150.00
28 Design Typesetting & Art	\$ 464.95
28 Printing & Copying	\$ 1,502.10
29 Central Service Agency	\$ 2,695.13
29 Telephone Lines and Usage	\$ 677.21
29 Central Mail Service	\$ 2,946.62
29 CAVU Licensing Costs	\$ 1,029.07
29 Technical Support	\$ 2,402.17
29 Computer Usage	\$ 508.71
29 Examinations	\$ 11,160.00
29 Ethics Commission	\$ 320.00
29 Board Meeting Costs	\$ 446.00
29 Risk Management	\$ 100.67
29 Misc. (Courier, Subpoenas, Fidelity Bond)	\$ 11.60

Total **\$ 29,106.28**

OPERATING EQUIPMENT

37 Equipment	\$ 1,468.94
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Total **\$ 30,575.22**

PRIOR YEAR (FY2005) ENCUMBERED EXPENDITURES

29 Central Mail Service	\$ 782.74
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TOTAL EXPENDITURES - POSTED FISCAL YEAR 2006 **\$ 127,365.89**

FY 2006 REVENUE **\$ 134,313.80**

FY 2006 EXPENDITURES **\$ 127,365.89**

GAIN **\$ 6,947.91**