



State Board of Sanitarian Registration Twenty-Eighth Annual Report

This report of the State Board of Sanitarian Registration covers the activities of the Board from September 8, 2004 through August 31, 2005. The financial report covers Fiscal Year 2005.

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:

David Winfough, R.S.	Hamilton	August 15, 2006
Janet Rickabaugh, R.S.	New Richmond	September 8, 2005
Roger Suppes, R.S.	Worthington	Director's representative for the Ohio Department of Health
Gary Silverman, R.S.	Bowling Green	August 15, 2008
Duane Snyder, R.S.	Worthington	Director's representative for the Ohio Environmental Protection Agency
Linda Aller, R.S.	Lewis Center	August 15, 2008
Angela Henderson, R.S.	South Euclid	August 15, 2006

Governor Taft reappointed Linda Aller and Gary Silverman to the Board on August 26, 2005. Their terms will expire on August 15, 2008.

Governor Taft also appointed Richard Setty, R.S. of Mahoning County to fulfill the term of Janet Rickabaugh who will retire on September 8, 2005. Mr. Setty's term will expire August 15, 2007.

Board Meetings

The State Board of Sanitarian Registration conducted eight (8) regular Board meetings, one (1) special meeting, four (4) administrative hearings regarding application denial, one (1) disciplinary hearing, 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

The Board's support staff includes Lynn Jones, Executive Secretary and Maryanne Macioce, Intermittent Clerk.

Registration Renewal

Between September 8, 2004 and August 31, 2005, 1,196 registered sanitarians renewed their certificates. Sixty-one (61) applicants were granted registered sanitarian status, bringing the total of registered sanitarians to 1,257. 105 certificates of sanitarian-in-training were issued by the Board, bringing the total number of sanitarians-in-training to 203.

<i>Registration Activity</i>	<i>9/00-8/01</i>	<i>9/01-8/02</i>	<i>9/02-8/31/03</i>	<i>9/03-8/31/04</i>	<i>9/8/04-8/31/05</i>
Registered Sanitarian Renewals	1203	1178	1179	1206	1198
Registered Sanitarian certificates granted	51	62	74	51	61
Sanitarian-in-Training Renewals	98	116	101	107	98
Sanitarian-in-Training certificates granted	144	94	103	92	105
Totals	1496	1450	1457	1456	1462

Examination

The Board administered the Professional Examination Service (PES) Environmental Health Proficiency Examination during October 2004, March 2005, and July 2005 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	10/04	60	175/250	23	38%
PES	3/24/05	64	175/250	31	48%
PES	7/21/05	35	175/250	7	20%

The examination-passing rate increased from 32% last year to 38% this year. Although this is a slight improvement, the failure rate continues to be an issue of concern by the Board.

The Board provided data on pass rates and other states using the PES exam to an ad-hoc committee of the Association of Ohio Health Commissioners (AOHC). The ad-hoc committee studied the impact the failure rate was having on local health districts. After a comprehensive study, the committee concluded that the passing score should remain the same; that neighboring health districts should work together to promote study groups, and to encourage the rapid development of on-line tools to assist candidates in preparing for the exam.

The Board adopted a policy requiring candidates who fail the examination for the third or more time to develop a study plan toward passing the examination.

The written examination study plan should be a concise overview of the plan of action, including methods of study and the utilization of resources for examination preparation. The written plan should be reviewed and discussed with the

supervising registered sanitarian. Although there is no submission requirement to the Board at this time, continued failure of the examination without a documented study plan could impact future sanitarian-in-training extensions.

PES EXAMINATION

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. The review took place at the offices of PES in New York City during the months of May and July 2005. The representatives also participated in a follow-up conference call in August 2005. The process included review and validation of items and the replacement of outdated questions. A passing point study was also conducted using the Angoff method of rating each question based upon minimally qualified individuals. The updated versions are anticipated to be available in October 2005.

PES will also be surveying environmental health professionals to ensure that the examination has the correct distribution of questions reflecting the current activities of the profession. The date of the survey is not known at this time.

NEHA EXAMINATION

The National Environmental Health Association reports that the Registered Environmental Health Specialist/Registered Sanitarian examination will be updated and administered by a new vendor, Environmental Health Testing (EHT).

The State Board of Sanitarian Registration will accept the NEHA examination for sanitarian registration if a candidate has taken the examination in a manner acceptable to the Board, and achieved at least 70%.

S.I.T. AND R.S. APPLICATIONS

The Examination Committee reviewed 114 applications for sanitarian-in-training registration. 105 sanitarian-in-training certificates were granted. Sixty-three (63) applications for registered sanitarian were reviewed, and sixty-one (61) 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 four (4) hearings on proposed denials, and affirmed denial on all applications subsequent to hearing.

The Board reviewed and granted twenty-five (25) sanitarian-in-training extension requests. Extension requests increased 14% over 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.**

Laws, Rules, Policies

HOUSE BILL 66

Sanitarians & Constituents would be better served if the Board transferred to the Department of Health

House Bill 66, the state of Ohio FY 2006-2007 Operating Budget, was signed by the Governor on June 30, 2005. It includes a provision that transfers the State Board of Sanitarian Registration and nineteen (19) other regulatory boards to the Department of Health, Commerce, or Public Safety by July 1, 2006. The State Board of Sanitarian Registration is designated to transfer to the Department of Commerce. The receiving cabinet agencies will house and provide support services to these regulatory boards. The regulatory boards themselves will continue to exist as independent under this plan. The rationale for the consolidation includes cost savings, efficiency, and management accountability. A transition team is currently developing the transfer plan to be submitted to the General Assembly and Governor by December 31, 2005 to include the level of funding, savings, staffing, and the transfer of assets and records to the

respective cabinet agencies. Legislation to affect the transfer will be introduced in 2006.

The Board provided testimony in both the House of Representatives and the Senate advocating that sanitarians and constituents would be better served if the Board transferred to the Department of Health instead of the Department of Commerce. This is based upon the fact that several programs carried out by registered sanitarians are overseen by the Department of Health and none of the programs under the Department of Commerce involve registered sanitarians. The Board will continue to advocate for a transfer to the Department of Health as it works with the transition team.

PUBLIC HEARING ON OHIO ADMINISTRATIVE CODE

The Board conducted a public hearing on July 20, 2005 to receive testimony regarding proposed amendments to Rules 4736-1-01 and 4736-11-05.

Rule 4736-1-01 entitled *Definitions* was updated to allow a more equitable approach to part-time employed sanitarians-in-training at health departments that utilize a workweek of less than forty hours.

Rule 4736-11-05 entitled *Registration and Approval of Training Agency* was updated to reflect an eight per cent increase in application and renewal fees. The approved training agency application fee was increased from \$50 to \$54. The approved training agency renewal fee was increased from \$25 to \$27.

The amended rules are expected to be adopted by the Board with an effective date of November 1, 2005.

The practice of environmental health, defined in Section 4736.01 of the Revised Code, was amended as a result House Bill 231. Section 3718 was added to the definition of the practice of environmental health to ensure that the Household Sewage Treatment Systems program continues to be defined as the practice of environmental health. The legislation was signed by the Governor on February 1, 2005 and became effective on May 6, 2005.

An Ohio Inspector General report involving another regulatory board was the basis for an update to the Complaint Management Procedure. The procedure was updated to provide that another agency shall investigate complaints filed against board members; thus avoiding conflict of interest.

Public Relations

- The executive secretary attended numerous meetings regarding the consolidation of regulatory boards. During March 2005 the Board initiated a mailing to all registered sanitarians and sanitarians-in-training explaining the provisions of the HB 66 consolidation and outlining the board's position on the legislation.
- During this past year the Board's website was enhanced to include applications and forms that are *Adobe* active PDFs, which allow the user to type the information on-line. The applications and forms must still be printed and mailed. The Board's Website, *sanitarian.ohio.gov* averaged 60 visits per day. Accessible information also includes, approved continuing education, laws and rules, policies, applications, forms, board meeting minutes, examination overview and dates.
- 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 2004 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 2005 to disseminate material and answer questions.

- The executive secretary gave a presentation at the August 11, 2005 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 after a disciplinary hearing, which resulted in a ninety-day suspension for dereliction of duty and unprofessional conduct.

Two 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 2004. Ninety-three (93) approved training agencies renewed their status.

Five former approved agencies were granted approved status again:

- Professional Association of Code Enforcement Officials
- Ohio Pool Equipment Supply
- Ohio Mosquito Control Association
- Ohio Pest Control Association
- Operator Training Committee

Four new agencies were granted approved training agency status:

- Consolidated Treatment Systems, Inc.
- Environmental Systems Research
- National Environmental Health Association
- Computer Workshop, Inc.

The Continuing Education Committee and executive secretary reviewed 1,244 continuing education requests submitted by registered sanitarians, sanitarians-in-training, and training agencies.

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.

As a result of the fiscal challenges facing the state government in Ohio, the Board is incurring an increase in expenses passed along by other government entities. This increase in expenses combined with very limited growth in the

sanitarian registration program resulted in an increase in application and renewal fees. A fee increase was approved by the legislature with an effective date of July 1, 2005. Renewal and application fees increased seven percent.

An audit of the Board's revenue, licensing, and payroll records for Fiscal Year 2003 and 2004 was conducted in April 2005. Although there were no compliance issues or reportable conditions, there was one recommendation for improvement in internal control regarding purchase coding that was implemented.

The following financial report includes a summary of Fiscal Year 2005 posted expenditures, including expenditures incurred and paid with prior fiscal year (FY 2004) appropriation, but posted as payments during FY 2005. The financial report also includes expenditures for the budget fiscal year (FY 2005), and encumbered fund totals for expenses incurred during the budget fiscal year (FY 2005) that will be posted as payments during the subsequent fiscal year (FY 2006).

Revenue receipts for Fiscal Year 2005 totaled \$129,257. The Board was appropriated (received spending authority) for \$125,612. Posted Fiscal Year 2005 expenditures totaled \$125,216.49.

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

INCOME AND EXPENSE STATEMENT FISCAL YEAR 2005

INCOME

# Paying Fee		Fee Amount	Total
1231	Registered Sanitarian Renewal Fees	\$ 69	\$ 84,939
11	Registered Sanitarian Renewal Fees	61	671
120	Sanitarian-in-Training Renewal Fees	69	8,280
5	Registered Sanitarian Application Fees	150	750
115	Sanitarian-in-Training Application Fees	75	8,625
58	Advancement to Registered Sanitarian Application Fees	75	4,350
158	Examination Fees	110	17,380
93	Training Agency Renewal Fees	25	2,325
10	Training Agency Application Fees	50	500
52	Renewal Late Fees	25	1,300
	Labels, Roster, Public Records		137
TOTAL			\$ 129,257

EXPENSES

PAYROLL 100 ACCOUNT

OBJECT
CODE

10	Payroll and Fringe Benefits	\$ 90,047.39
14	Board Member Travel Expenses	2,480.32
15	Hearing Costs	452.50
13	Seminars	150.00
Total		\$ 93,130.21

MAINTENANCE 200 ACCOUNT

21	Supplies and Materials	\$ 477.16
27	Office Rental	3,554.08
28	Design Typesetting & Art	389.40

28	Printing & Copying	1,813.94
29	Central Service Agency	2,891.70
29	Telephone Lines and Usage	482.68
29	Central Mail Service	2,629.14
29	Technical Support	1,864.36
29	Computer Usage	436.24
29	Examinations	16,380.00
29	Ethics Commission	280.00
29	Board Meeting Costs	350.00
29	Risk Management	100.00
29	Misc. (Courier, Subpoenas, Fidelity Bond)	26.91
Total		\$ 31,675.61

PRIOR YEAR (FY 2004) ENCUMBERED EXPENDITURES

	29 Central Mail Service	\$ 410.67
Total		\$ 410.67

TOTAL EXPENSES - POSTED FISCAL YEAR 2005 **\$ 125,216.49**

FISCAL YEAR 2005 APPROPRIATION	\$ 125,612.00
EXPENSES FOR BUDGET FISCAL YEAR 2005	\$ 124,805.82
FISCAL YEAR 2005 ENCUMBERED FUNDS	
29 Central Mail Service	\$ 782.74
147 Board Travel	19.68
TOTAL - FISCAL YEAR 2005 ENCUMBERED FUNDS	802.42
TOTAL EXPENSES FOR BUDGET FISCAL YEAR 2005	\$ 125,608.24
TOTAL APPROPRIATION LAPSED	\$ 3.76