

**Laws and Rules Regulating
the Practice of Environmental Health**
as of October 1, 2014



**Chapter 4736. of the Ohio Revised Code
Chapters 4736-1 to 4736-16 of the Ohio Administrative Code**

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Table of Contents

Chapter 4736. of the Ohio Revised Code

4736.01	State board of sanitarian registration definitions.	6
4736.02	State board of sanitarian registration.	7
4736.03	Organization of board.	7
4736.04	Adoption of seal.	7
4736.05	Meetings.	8
4736.06	Depositing receipts - employees.	8
4736.07	Records.	8
4736.08	Application for registration.	8
4736.09	Written examination.	9
4736.10	Registration as sanitarian-in-training.	9
4736.11	Certificate of registration.	9
4736.12	Fees.	10
4736.13	Denial, refusal, revocation, or suspension of certificate.	10
4736.14	Reciprocity.	11
4736.15	Registration required for practice of environmental health.	11
4736.16	Sanitarians employed on or before 07-20-1987.	11
4736.17	Effect of child support default on certificate.	11

Chapters 4736-1 to 4736-17 of the Ohio Administrative Code

4736-1-01	Definitions.	12
4736-2-01	Name.	13
4736-2-02	Headquarters.	13
4736-2-03	Terms of office: members of the board.	13
4736-2-04	Vacancies: members of the board.	13
4736-3-01	Rules of order.	13
4736-3-02	Duties of officers.	14
4736-3-03	Notice of regular and special meetings of the state board of sanitarian registration.	14
4736-3-04	Public notice rule.	14
4736-3-05	Partial invalidity.	15
4736-4-01	Board seal.	15

4736-5-01	Meetings of board.	15
4736-5-02	Annual meeting and organization.	15
4736-6-01	Fiscal year.	15
4736-6-02	Duties.	16
4736-6-03	Board members and other employees.	16
4736-6-04	Compensation and expenses.	16
4736-7-01	Application for registration.	16
4736-7-02	Application fee.	17
4736-7-03	Application for reinstatement.	17
4736-7-04	Fee for reinstatement.	18
4736-8-01	Requirements for registration.	18
4736-8-02	Approved internship program.	19
4736-9-01	Procedures and information: examination.	19
4736-9-02	Type of examination.	20
4736-9-03	Passing score.	20
4736-9-04	Procedure for re-examination.	20
4736-10-01	Sanitarian-in-training extension request.	20
4736-11-01	Provisions for issuing certificate.	21
4736-11-02	Submission of attendance information.	21
4736-11-03	Continuing education requirements for renewal.	21
4736-11-05	Registration and approval of training agency.	22
4736-11-06	Continuing education course approval requirements.	23
4736-11-07	Attendance at continuing education courses not approved by the board.	23
4736-11-08	List of approved training agencies and courses.	23
4736-12-01	Requirements for certificate of registration renewal.	24
4736-12-02	Fees.	24
4736-13-01	Denial, suspension or revocation of registration.	24
4736-14-01	Reciprocity.	25
4736-15-01	Use of registered sanitarian and sanitarian-in-training designation.	25
4736-15-02	Supervision and practice of a sanitarian-in-training.	26
4736-15-03	Practice limitation for sanitarian-in-training.	26
4736-16-01	Definitions.	26
4736-16-02	Procedures for accessing confidential personal information.	27

4736-16-03	Valid reasons for accessing confidential personal information.	29
4736-16-04	Confidentiality statutes.	30
4736-16-05	Restricting and logging access to confidential personal information in computerized personal information systems.	30
4736-17-01	Registration for current and former servicemen and servicewomen.	31

Ohio Revised Code

4736.01 State board of sanitarian registration definitions.

- (A) “Environmental health science” means the aspect of public health science that includes, but is not limited to, the following bodies of knowledge: air quality, food quality and protection, hazardous and toxic substances, consumer product safety, housing, institutional health and safety, community noise control, radiation protection, recreational facilities, solid and liquid waste management, vector control, drinking water quality, milk sanitation, and rabies control.
- (B) “Sanitarian” means a person who performs for compensation educational, investigational, technical, or administrative duties requiring specialized knowledge and skills in the field of environmental health science.
- (C) “Registered sanitarian” means a person who is registered as a sanitarian in accordance with this chapter.
- (D) “Sanitarian-in-training” means a person who is registered as a sanitarian-in-training in accordance with this chapter.
- (E) ”Practice of environmental health” means consultation, instruction, investigation, inspection, or evaluation by an employee of a city health district, a general health district, the environmental protection agency, the department of health, or the department of agriculture requiring specialized knowledge, training, and experience in the field of environmental health science, with the primary purpose of improving or conducting administration or enforcement under any of the following:
 - (1) Chapter 911., 913., 917., 3717., 3718., 3721., 3729., or 3733. of the Revised Code;
 - (2) Chapter 3734. of the Revised Code as it pertains to solid waste;
 - (3) Section 955.26, 3701.344, 3707.01, or 3707.03, sections 3707.38 to 3707.99, or section 3715.21 of the Revised Code;
 - (4) Rules adopted under section 3701.34 of the Revised Code pertaining to rabies control or swimming pools;
 - (5) Rules adopted under section 3701.935 of the Revised Code for school health and safety network inspections and rules adopted under section 3707.26 of the Revised Code for sanitary inspections.

“Practice of environmental health” does not include sampling, testing, controlling of vectors, reporting of observations, or other duties that do not require application of specialized knowledge and skills in environmental health science performed under the supervision of a registered sanitarian.

The state board of sanitarian registration may further define environmental health science in relation to specific functions in the practice of environmental health through rules adopted by the board under Chapter 119. of the Revised Code.

(02-12-2004; 10-13-2004; 05-06-2005; 06-30-2005; 03-21-2006; 2007 HB119 09-29-2007; 2007 HB119 07-01-2009)

4736.02 State board of sanitarian registration.

- (A) There is hereby created the state board of sanitarian registration. The board shall consist of the director of health or his designated representative, the director of environmental protection or his designated representative, and five members appointed by the governor with the advice and consent of the Senate. Each member appointed by the governor shall be a registered sanitarian; however, the initial five members appointed by the governor shall be persons who meet the education and experience requirements of section 4736.08 of the Revised Code for registration as sanitarians. Of the five members appointed by the governor, at least one and not more than two shall be employees of a general health district; at least one and not more than two shall be employees of a city health district; and at least one and not more than two shall 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 the state.

Within ninety days of the effective date of this section, the governor shall make initial appointments to the board. Of the initial appointments, two shall be for terms ending one year after the effective date of this section; two shall be for terms ending two years after that effective date, and one shall be for a term ending three years after that effective date. Thereafter, terms of office shall be for three years, each term ending on the same day of the same month of the year as did the term which it succeeds. Each member shall hold office from the date of his appointment until the end of the term for which he was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of his term until his successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

The governor may remove any member of the board for malfeasance, misfeasance, or nonfeasance after an adjudication hearing in accordance with Chapter 119. of the Revised Code

(1977 H 137, 08-15-1977)

4736.03 Organization of board.

The state board of sanitarian registration shall organize within thirty days after its initial members have been appointed by the governor. The board shall annually elect a chairman and vice-chairman from its members and shall elect a secretary to serve at the pleasure of the board. The chairman and the secretary may administer oaths. A majority of the board constitutes a quorum. Members shall be compensated for their necessary expenses incurred in the performance of their official duties.

The board shall adopt and may amend or rescind rules in accordance with Chapter 119. of the Revised Code governing the administration of the examinations prescribed by section 4736.09 of the Revised Code, prescribing the form for application, establishing criteria for determining what courses may be included toward fulfillment of the science course requirements of section 4736.08 of the Revised Code, determining the continuing education program requirements of section 4736.11 of the Revised Code, and for the administration and enforcement of this chapter.

(1977 H 137, 08-15-1977)

4736.04 Adoption of seal.

The state board of sanitarian registration shall adopt a seal bearing the name “State board of sanitarian registration.”

(1977 H 137, 08-15-1977)

4736.05 Meetings.

The state board of sanitarian registration shall hold at least one meeting annually to review and evaluate applications for registration as sanitarians and sanitarians-in-training, conduct examinations, review and approve expenses, prepare and approve reports, and transact all other business as may be necessary to administer and enforce Chapter 4736. of the Revised Code. Special meetings shall be called by the secretary upon written request of any three members of the board or upon the written request of ten registered sanitarians.

(1977 H 137, 08-15-1977)

4736.06 Depositing receipts - employees.

- (A) All receipts of the state board of sanitarian registration shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund.

All vouchers of the board shall be approved by the chairperson of the board or secretary, or both, as authorized by the board.

- (B) The board may employ such persons as are necessary to administer and enforce this chapter.

(1997 H 215, 09-29-1997; 1993 H 152, 07-01-1993; 1991 H 298; 1985 H 201; 1979 H 204; 1977 H 137)

4736.07 Records.

The state board of sanitarian registration shall keep a record of its proceedings and a record of all applications for registration which shall include:

- (A) The name and address of each applicant;
- (B) The name and address of the employer or business connection of each applicant;
- (C) The date of the application;
- (D) The educational and experience qualifications of each applicant;
- (E) The date on which the board reviewed and acted upon each applicant;
- (F) The action taken by the board on each application;
- (G) A serial number of each certificate of registration issued by the board.

The board shall prepare annually a list of the names and addresses of every person registered by it and a list of every person whose registration has been suspended or revoked within the previous year.

(1977 H 137, 08-15-1977)

4736.08 Application for registration.

An application for registration as a sanitarian shall be made to the state board of sanitarian registration on a form prescribed by the board and accompanied by the application fee prescribed in section 4736.12 of the Revised Code. The board shall register an applicant if the applicant meets the requirements of section 4736.16 of the Revised Code, or is of good moral character, passes an examination conducted by the board in accordance with section 4736.09 of the Revised Code, and meets the education and experience requirements of division (A), (B) or (C) of this section:

- (A) Graduated from an accredited college or university with at least a baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the board; and completed at least two years of full-time employment as a sanitarian;
- (B) Graduated from an accredited college or university with at least a baccalaureate degree, completed a major in environmental health science which included an internship program approved by the board; and completed at least one year of full-time employment as a sanitarian;

- (C) Graduated from an accredited college or university with a degree higher than a baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the board; and completed at least one year of full-time employment as a sanitarian.

(1995 H 263, 11-21-1995; 1977 H 137)

4736.09 Written examination.

Examinations required by section 4736.08 of the Revised Code shall be conducted not less than once each calendar year at such times and places as the state board of sanitarian registration prescribes. Such examinations shall be written and shall include applicable subjects in the field of environmental health science and such other subjects as the board may prescribe. The examination shall be objective and practical. Any examination papers shall not disclose the name of the applicant, but shall be identified by a number assigned by the secretary of the board. The preparation of the examination shall be the responsibility of the board; however, the board may use material prepared by recognized examination agencies.

No person shall be registered if he fails to meet the minimum grade requirements for the examination specified by the board. An applicant who fails to meet such minimum grade requirements in his first examination may be reexamined at any time and place specified by the board, upon resubmission of his application and payment of the fee prescribed in section 4736.12 of the Revised Code.

(1977 H 137, 08-15-1977)

4736.10 Registration as sanitarian-in-training.

Any person who meets the educational qualifications of division (A), (B), or (C) of section 4736.08 of the Revised Code, but does not meet the experience requirement of such division may make application to the state board of sanitarian registration on a form prescribed by the board for registration as a sanitarian-in-training. The board shall register such person as a sanitarian-in-training upon payment of the fee required by section 4736.12 of the Revised Code, if he passes any examination which the board may require for registration as a sanitarian-in-training. Any such examination shall be conducted in the same manner as the examination required for registration as a sanitarian under section 4736.09 of the Revised Code.

A sanitarian-in-training shall apply for registration as a sanitarian within three years of his registration as a sanitarian-in-training.

The board may extend the registration of any sanitarian-in training who furnishes, in writing, sufficient cause for not applying for registration as a sanitarian within the three year period.

(1977 H 137, 08-15-1977)

4736.11 Certificate of registration.

The state board of sanitarian registration shall issue a certificate of registration to any applicant whom it registers as a sanitarian or a sanitarian-in-training. Such certificate shall bear:

- (A) The name of the person;
- (B) The date of issue;
- (C) A serial number, designated by the board;
- (D) The seal of the board and signature of the chairman of the board;
- (E) The designation "registered sanitarian" or "sanitarian-in-training."

Certificates of registration shall expire annually on the date fixed by the board and become invalid on that date unless renewed pursuant to this section. All registered sanitarians shall be required annually to complete a continuing education program in subjects relating to practices of the profession as a sanitarian to the end that the utilization and application of new techniques, scientific advancements, and research findings will assure comprehensive service to the public. The board shall prescribe by rule a continuing education program for registered sanitarians to meet this requirement. The length of the study for this program shall be determined by the board but shall be not less than six nor more than twenty five hours during the calendar year. At least once annually the board

shall provide to each registered sanitarian a list of courses approved by the board as satisfying the program prescribed by rule. Upon the request of a registered sanitarian, the secretary shall supply a list of applicable courses that the board has approved. A certificate may be renewed for a period of one year at any time prior to the date of expiration upon payment of the renewal fee prescribed by section 4736.12 of the Revised Code and upon showing proof of having complied with the continuing education requirements of this section. The state board of sanitarian registration may waive the continuing education requirement in cases of certified illness or disability which prevents the attendance at any qualified educational seminars during the twelve months immediately preceding the annual certificate of registration renewal date. Certificates which expire may be reinstated under rules adopted by the board.

(2005 H 66, 10-01-2005; 1987 H 129, 07-20-1987; 1977 H 137)

4736.12 Fees.

(A) The state board of sanitarian registration shall charge the following fees:

- (1) To apply as a sanitarian-in-training, eighty dollars;
- (2) For sanitarians-in-training to apply for registration as sanitarians, eighty dollars. The applicant shall pay this fee only once regardless of the number of times the applicant takes an examination required under section 4736.08 of the Revised Code.
- (3) For persons other than sanitarians-in-training to apply for registration as sanitarians, including persons meeting the requirements of section 4736.16 of the Revised Code, one hundred sixty dollars. The applicant shall pay this fee only once regardless of the number of times the applicant takes an examination required under section 4736.08 of the Revised Code.
- (4) The renewal fee for registered sanitarians shall be eighty dollars.
- (5) The renewal fee for sanitarians-in-training shall be eighty dollars.
- (6) For late application for renewal, an additional fifty dollars.

The board of sanitarian registration, with the approval of the controlling board, may establish fees in excess of the amounts provided in this section, provided that such fees do not exceed the amounts permitted by this section by more than fifty per cent.

(B) The board of sanitarian registration shall charge separate fees for examinations as required by section 4736.08 of the Revised Code, provided that the fees are not in excess of the actual cost to the board of conducting the examinations.

(C) The board of sanitarian registration may adopt rules establishing fees for all of the following:

- (1) Application for the registration of a training agency approved under rules adopted by the board pursuant to section 4736.11 of the Revised Code and for the annual registration renewal of an approved training agency;
- (2) Application for the review of continuing education hours submitted for the board's approval by approved training agencies or by registered sanitarians or sanitarians-in-training;
- (3) Additional copies of pocket identification cards and wall certificates.

(06-26-2003; 06-30-2005, 2011 H 153, 09-29-2011)

4736.13 Denial, refusal, revocation, or suspension of certificate.

The state board of sanitarian registration may deny, refuse to renew, revoke, or suspend a certificate of registration in accordance with 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.

(1977 H 137, 08-15-1977)

4736.14 Reciprocity.

The state board of sanitarian registration may, upon application and proof of valid registration, issue a certificate of registration to any person who is or has been registered as sanitarian by any other state, if the requirements of that state at the time of such registration are determined by the board to be at least equivalent to the requirements of this chapter.

(2001 H 94, 09-05-2001; 1987 H 129, 07-20-1987; H 137)

4736.15 Registration required for practice of environmental health.

No person shall engage in, or offer to engage in, the practice of environmental health without being registered in accordance with sections 4736.01 to 4736.16 of the Revised Code. A sanitarian-in-training may engage in the practice of environmental health for a period not to exceed five years, provided he is supervised by a registered sanitarian. No person except a registered sanitarian shall use the title "registered sanitarian" or the abbreviation "R.S." after his name, or represent himself as a registered sanitarian. Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(1987 H 129, 07-20-1987; 1977 H 137)

4736.16 Sanitarians employed on or before 07-20-1987.

- (A)
 - (1) Any person employed as a sanitarian on or before July 20, 1987, may, within six months after July 20, 1987, apply to the state board of sanitarian registration for registration as a sanitarian, and the board shall register such applicants.
 - (2) Any person employed as a sanitarian on or before July 20, 1987, who has not previously been registered under this section and did not apply for registration between July 20, 1987, and January 20, 1988, may, within thirty days after the effective date of this amendment, apply to the state board of sanitarian registration for registration as a sanitarian, and the board shall register the person.
 - (3) At the request of the applicant, the board shall review an application for registration as a sanitarian submitted prior to the effective date of this amendment that is still pending on that date. If the board determines that the applicant's education and experience related to environmental health, other than the requirement of a baccalaureate degree, are equivalent to that required for registration, the board shall register the applicant.
- (B) A registration granted under this section is the equivalent of a registration granted under section 4736.08 of the Revised Code.

(1995 H 263, 11-21-1995; 1987 H 129, 07-20-1987)

4736.17 Effect of child support default on certificate.

On receipt of a notice pursuant to section 3123.43 of the Revised Code, the state board of sanitarian registration shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a certificate issued pursuant to this chapter.

(03-22-2001; 1995 H 167, 11-15-1996)

Ohio Administrative Code

4736-1-01 Definitions.

- (A) “Accredited educational institution” means an academic institution of higher learning which is currently accredited by at least one of the following or recognized as in paragraph (A)(7) of this rule:
- (1) Middle States Association of Colleges and Schools, Commission on Higher Education;
 - (2) New England Association of Colleges and Schools, Commission on Institutions of Higher Education;
 - (3) North Central Association of Colleges and Schools, Commission on Institutions of Higher Education;
 - (4) Northwest Association of Colleges and Schools, Commission on Colleges;
 - (5) Southern Association of Colleges and Schools, Commission on Colleges;
 - (6) Western Association of Colleges and Schools, Accrediting Commission for Senior Colleges and Universities;
 - (7) An educational institution outside of the United States of America that is recognized by the ministry of education of the country in which the institution is located provided that the baccalaureate degree granted by the institution is the result of at least a total of sixteen academic years of formal preparation which includes primary, secondary and higher education.
- (B) “Administration” means conducting activities such as, but not limited to, supervision, direction, enforcement, planning, monitoring and evaluation of environmental health programs, specified in division (E) of section 4736.01 of the Revised Code, when those duties comprise more than fifty percent of the designated duties of a position.
- (C) “Approved training agency” means an accredited educational institution or affiliate, governmental agency, nongovernmental agency, professional society, association, or organization which has approval from the state board of sanitarian registration to offer continuing education.
- (D) “Board” means the state board of sanitarian registration as created by section 4736.02 of the Revised Code.
- (E) “Continuing education” means courses or programs in subjects relating to improving the practice of the sanitarian profession, or courses or programs in the utilization, administration and application of new techniques, scientific advancements, and/or research findings in environmental health science.
- (F) “Course of study or program of instruction” means any continuing education activity conducted by a training agency in the subject area of environmental health science.
- (G) “Environmental health science” means the aspect of public health science that includes, but is not limited to, the following bodies of knowledge: air quality, food quality and protection, hazardous and toxic substances, consumer product safety, housing, institutional health and safety, community noise control, radiation protection, recreational facilities, solid and liquid waste management, vector control, drinking water quality, milk sanitation and rabies control. Environmental health science does not include the activities of any person who is otherwise licensed by the state of Ohio and who is acting within the lawful scope of the individual’s licensed profession.
- (H) “Executive secretary” means the person appointed by the board to carry out the duties provided in rule 4736-6-02 of the Administrative Code.
- (I) “Full-time employment” means filling a full-time position as characterized by one’s employer or employers, an accumulation of two thousand eighty hours, or a period of employment with cumulative total hours that are equivalent to the employer or employers full-time position.

- (J) “Inspection” means activities requiring specialized knowledge and skills in the field of environmental health science, performed by an individual required to be registered in accordance with Chapter 4736. of the Revised Code. Such activities shall include but not be limited to examination and evaluation.
- (K) “Practice of environmental health” means that as defined in section 4736.01 of Revised Code.
- (L) “Registered sanitarian” means a person who is registered as a sanitarian in accordance with Chapter 4736. of the Revised Code.
- (M) “Sanitarian” means a person who performs, for compensation, educational, investigational, technical, or administrative duties requiring specialized knowledge and skills in the field of environmental health science.
- (N) “Sanitarian in training” means a person who is registered as a sanitarian-in-training in accordance with Chapter 4736. of the Revised Code.
- (O) “Training agency” means a governmental agency, nongovernmental agency, professional society, association or organization offering board approved continuing education courses for continuing education credit.

Effective: 5/1/09, 11/01/05, 08/01/04, 10/01/99, 02/01/92, 09/15/89, 10/03/78

119.032 Review Date: 5/15/18

4736-2-01 Name.

The name of this board as fixed by section 4736.02 of the Revised Code is the state board of sanitarian registration.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-2-02 Headquarters.

The headquarters of the board shall be in Columbus, Ohio.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-2-03 Terms of office: members of the board.

Terms of office after the initial appointments of the board shall be for three years, each term ending on the same day of the same month of the year as did the term which it succeeds.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-2-04 Vacancies: members of the board.

Terms of office shall be for three years, each term ending on the same day of the same month of the year as did the term which it succeeds. Each member shall hold office from the date of the appointment until the end of the term for which he/she was appointed.

- (A) If for any reason vacancies should occur, the person appointed to fill the vacancy shall hold office for the remainder of the term for which a predecessor was appointed.
- (B) Any board member shall continue in office until a successor takes office or until a period of sixty days has elapsed, whichever is first.
- (C) The board shall inform the governor’s office immediately when any board member changes the nature of employment from the appointed designation.

Effective: 08/15/03, 06/01/98, 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-3-01 Rules of order.

“Roberts Rules of Order” shall govern the procedures of the board except as otherwise provided by the Revised Code.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-3-02 Duties of officers.

- (A) The chairperson shall preside at all meetings of the board and shall appoint all committees. The chairperson shall be the chief executive officer of the board and shall sign all certificates of registration and other documents as required by section 4736.06 of the Revised Code and as hereafter authorized by the board. The chairperson shall direct the functions of the executive secretary and have overall responsibility for the operation of the offices of the board.
- (B) The vice chairperson shall, in the absence or incapacity of the chairperson, exercise the duties and shall possess all the powers of the chairperson.
- (C) The secretary shall have those duties and responsibilities provided by Chapter 4736. of the Revised Code. The secretary shall sign all certificates of registration and other documents as required by section 4736.06 of the Revised Code and as hereafter authorized by the board. The secretary may delegate any duties to the executive secretary which are approved by the board with the exception of those duties required of the secretary by sections 4736.03, 4736.05, and 4736.06 of the Revised Code. The secretary shall be required to provide such surety bond as the board may require.

Effective: 06/01/98, 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-3-03 Notice of regular and special meetings of the state board of sanitarian registration.

- (A) The executive secretary shall maintain a record of each meeting of the board which shall state the time and place of each regular and special meeting of the board. Any person may determine or obtain such information at the office of the executive secretary in Columbus, Ohio, or by writing to the "Executive Secretary, State board of sanitarian registration, 77 South High Street, Columbus, Ohio 43215-6108" as provided in paragraph (B) of this rule.
- (B) Any person may obtain reasonable advance written notification in the form of a copy of the agenda of all meetings by requesting to be placed on a general subscription mailing list and paying a nominal fee established by the board or by providing the executive secretary of the board with self-addressed stamped envelopes suitable for such purpose.
- (C) The executive secretary shall maintain a list of news media which have requested notification; such media shall be given at least twenty-four hours advance notice of each special meeting of the board, except in the event of an emergency requiring immediate official action. In the event of an emergency, the executive secretary of the board shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.
- (D) The board may meet in an executive session as provided in section 121.22 of the Revised Code.
- (E) Special meetings of the board may be called as provided in section 4736.05 Revised Code.
- (F) Notice of board meetings shall be published at the board's website.

Effective: 08/15/03, 06/01/98, 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-3-04 Public notice rule.

At the direction of the secretary of the state board of sanitarian registration, public notice of the intention of the board to consider adopting, amending, or rescinding a rule shall be published at least thirty days prior to the date set for a public hearing to consider adopting, amending, or rescinding a rule in the "Register of Ohio" and on the board's website. Said public notice shall consist of a synopsis or general statement of the subject matter of the proposed rule, amendment, or rule to be rescinded by the board; a statement of the reason or purpose for adopting, amending, or rescinding the rule; and the date, time and place of the hearing on the proposed action.

Effective: 08/15/03, 06/01/98, 09/15/89, 06/1/78

119.032 Review Date: 06/01/16

4736-3-05 Partial invalidity.

Agency-level 4736. of the Administrative Code is adopted in accordance with Chapter 119. of the Revised Code, and as required by section 4736.03 of the Revised Code, governing the administration of the examinations prescribed by section 4736.09 of the Revised Code; prescribing the form for application; establishing the criteria for determining what courses may be included toward fulfillment of the science course requirements of section 4736.08 of the Revised Code; determining the continuing education program requirements of section 4736.11 of the Revised Code; and for the administration and enforcement of Chapter 4736. of the Revised Code. Each rule of rules 4736-1-01 to 4736-15-02 of the Administrative Code, and every part of each rule is an independent rule and a part of a rule, and holding of any rule or part thereof to be unconstitutional, void, or uneffective for any cause does not affect the validity or constitutionality of any other rule or part thereof.

Effective: 08/15/03, 06/01/98, 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-4-01 Board seal.

The seal of the board shall be as follows: the “State board of sanitarian registration” surrounding the recognized seal of the state of Ohio.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-5-01 Meetings of board.

The board shall meet at least one time each year. This annual meeting shall be held in September in the offices of the board unless otherwise specified by the board. The purpose of this meeting shall be to carry out the provisions required by section 4736.05 of the Revised Code.

Other board meetings may be called at any time by the chairperson for the purpose of conducting essential business of the board.

Special meetings of the board shall be called by the secretary upon written request of any three members of the board or upon written request of ten registered sanitarians.

Effective: 08/15/03, 06/01/98, 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-5-02 Annual meeting and organization.

- (A) At the regular annual meeting the board shall organize and elect from among its members a chairperson and a vice chairperson for a term of one year, and elect a secretary to serve at the pleasure of the board.
- (B) At the annual meeting the chairperson of the board shall appoint from among its members chairperson of the following standing committees:
 - (1) Executive;
 - (2) Professional and public relations;
 - (3) Examinations;
 - (4) Finance;
 - (5) Rules;
 - (6) Continuing education.
- (C) The members of all standing committees shall be approved by the board. The chairperson may appoint such other committees as deemed necessary.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-6-01 Fiscal year.

The fiscal year of the board shall coincide with that of the State of Ohio.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-6-02 Duties.

- (A) The executive secretary, when appointed, shall be directly responsible to the chairperson of the board and shall conduct and care for all correspondence in the name of the board and shall keep a record of the board's proceedings and accounts. The executive secretary shall keep and properly file a record of all applications for registration, certificates of registration, examinations, registrations, administrative hearings and revocations. The executive secretary shall prepare annually a list of the names and addresses of every person registered by the board and a list of every person whose registration has been suspended or revoked within the previous year and shall present said list to the board at such times as the board may direct. The executive secretary shall update, annually, the list of approved training agencies.
- (B) The executive secretary shall receive and account for all monies and transfer the same to the state treasurer to the credit of the "Occupational Licensing and Regulatory Fund". As directed by the chairperson, the executive secretary shall report to the board at their annual meeting. This report shall contain a summary of the board's transactions for the preceding fiscal year along with a complete statement of the receipts and expenditures of the board. Upon approval of this annual financial report, the executive secretary shall file all reports as required by the Revised Code and/or as directed by the board. The board may provide an annual summary of activities of the board for the previous year.
- (C) The executive secretary shall have such other duties as may be provided in the agreement for services with the board or position description.

Effective: 08/15/03, 06/01/98, 09/15/989, 06/01/78

119.032 Review Date: 06/01/16

4736-6-03 Board members and other employees.

- (A) Each member of the board shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.
- (B) The board may appoint an executive secretary for full-or-part-time work to serve at the pleasure of the board.
- (C) Full-time employees of the board other than the executive secretary shall be in the classified service and shall be compensated in the manner provided for such employees of the state of Ohio.
- (D) The board may provide or employ such services as may be required to carry out those administrative functions of the board not prohibited by other state laws or the provisions of Chapter 4736. of the Revised Code.
- (E) As required by section 4736.05 of the Revised Code, the board shall approve all expenses.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-6-04 Compensation and expenses.

The executive secretary shall receive a salary in the amount fixed by the board in addition to expenses permitted by state law and approved by the board incidental to carrying out duties as required by rule 4736-6-02 of the Administrative Code. The executive secretary may be an employee of the board or may be retained by contract for services.

Effective: 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-7-01 Application for registration.

Application to become a registered sanitarian or sanitarian-in-training shall be made on forms prescribed by the board.

- (A) The application to become a registered sanitarian or a sanitarian-in-training shall contain the following:
 - (1) The name, address, social security number, and telephone number of each applicant;
 - (2) The name and address of the employer or business connection of each applicant;

- (3) The date of the application;
 - (4) The educational and experience qualifications of each applicant;
 - (5) A place for the applicant to sign the application form and have it notarized by a notary public;
 - (6) Information indicating if the applicant is currently registered as a sanitarian by another state.
 - (7) Information indicating that the application fee is nonrefundable.
- (B) Application forms prescribed by the board for a registered sanitarian or sanitarian-in-training may be obtained by downloading the forms from the board website or contacting the office.

Effective: 05/01/09, 08/01/04, 09/15/89, 06/01/78

119.032 Review Date: 05/15/19

4736-7-02 Application fee.

- (A) An applicant shall return the completed application form to the office of the board whereupon the board shall cause a record to be made in accordance with section 4736.07 of the Revised Code. The board shall advise the applicant of the status of the application within sixty days of receipt of the application.
- (B) The board shall consider only those applications to become a registered sanitarian or sanitarian-in-training which are accompanied by the appropriate fees as prescribed in section 4736.12 of the Revised Code. The board of sanitarian registration, with the approval of the controlling board, may establish fees in excess of the amounts prescribed in section 4736.12 of the Revised Code provided that such fees do not exceed the amounts prescribed in section 4736.12 of the Revised Code by more than fifty percent.
- (C) Each completed application must be accompanied by a check or money order payable in the manner prescribed by the board in the amount of the application fee. The application fees shall be nonrefundable.
- (D) Each applicant must cause an official transcript of all academic credits claimed to be forwarded to the board to assure compliance with division (A) of section 4736.08, division (B) of section 4636.08, or division (C) of section 4736.08 of the Revised Code.

Effective: 05/01/08, 08/01/04, 10/01/99, 07/01/96, 09/15/89

119.032 Review Date: 05/01/15

4736-7-03 Application for reinstatement.

- (A) All registrants for reinstatement shall submit a completed application on the forms specified by the board. All applicants shall:
 - (1) Be typewritten or printed ink;
 - (2) Be signed by the registrant;
 - (3) Be accompanied by the reinstatement fee prescribed by rule 4736-7-04 of the Administrative Code;
 - (4) Contain proof that the registrant met the appropriate continuing education requirement;
 - (a) For registrants submitting a reinstatement application during the first twelve months following the expiration of the individual's registration, the registrant shall complete eighteen hours of continuing education in accordance with rule 4736-11-03 of the Administrative Code within the twelve month period immediately preceding the application for reinstatement. Continuing education hours used to meet the requirements of this paragraph shall not be used to renew the reinstated registration.
 - (b) For registrants submitting a reinstatement application for a registration that has been expired for a period of longer than twelve months, the registrant shall complete thirty six hours of continuing education in accordance with rule 4736-11-04 of the

Administrative Code within the twelve month period immediately preceding the application for reinstatement. Continuing education hours used to meet the requirements of the paragraph shall not be used to renew the reinstated registration.

- (5) Be accompanied by such evidence, statements, or documents as specified on the forms;
 - (6) Be notarized by a notary public.
- (B) In addition to the information required in paragraph (A) of this rule, the board may also require:
- (1) Appearance before the board for a reinstatement interview.
 - (2) Taking or retaking the examination specified in rule 4736-9-01 of the Administrative Code.
- (C) Any application received in accordance with this rule that remains incomplete one year after the initial application filing shall be considered to be abandoned and no further processing shall be undertaken with respect to that application.
- (1) If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.
 - (2) No application for reinstatement may be withdrawn without approval of the board.
 - (3) Submitted fees shall be neither refundable nor transferable.

Effective: 05/15/14

119.032 Review Date: 05/15/19

4736-7-04 Fee for reinstatement.

The fee for reinstatement of a registration shall be two hundred ten dollars. This fee is nonrefundable and nontransferable.

Effective: 05/15/14

119.032 Review Date: 05/15/19

4736-8-01 Requirements for registration.

- (A) Eligibility requirements for registered sanitarian shall include the achievement of a passing score on the registration examination conducted by the board and the education and experience qualifications of paragraph (A)(1), (A)(2) or (A)(3) of this rule:
- (1) Graduated from an accredited college or university with at least a baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the board; and completed at least two years of full-time employment as a sanitarian;
 - (2) Graduated from an accredited college or university with at least a baccalaureate degree, completed a major in environmental health science which included an internship program approved by the board; and completed at least one year of full-time employment as a sanitarian.
 - (3) Graduated from an accredited college or university with a degree higher than baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the board; and completed at least one year of full time employment as a sanitarian.
- (B) Eligibility requirements for registration as sanitarian-in-training shall include the graduation from an accredited college or university with at least a baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the board. The board may require an examination for registration as a sanitarian-in-training and shall annually determine whether an examination shall be required.
- (C) Science courses approved by the board shall be in biology, chemistry, physics, geology,

mathematics, or statistics and be applicable to the practice of environmental health science. Science courses approved by the board may include more than one area of science as specified above. Courses shall not be approved that are remedial or college preparatory level. The applicant shall provide sufficient information so that the board can make a determination if the course is to be approved in accordance with this paragraph.

- (D) Foreign educated applicants must show an educational background deemed by the board to be equivalent to at least a baccalaureate degree including at least forty-five quarter units or thirty semester units of science in the area of biology, chemistry, physics, geology or mathematics.
- (E) The board may require a foreign educated applicant to submit to the board an evaluation of the applicant's education, prepared by a professional education evaluating service acceptable to the board.

Evaluations prepared by evaluating services reflect only the findings and conclusions of the evaluator and shall not be binding upon the board.

Effective: 05/01/09, 08/01/04, 10/01/99, 02/01/92, 11/05/90, 09/15/89

119.032 Review Date: 04/02/14

4736-8-02 Approved internship program.

In order to be characterized as an approved internship program as required by division (B) of section 4736.08 of the Revised Code, that program must meet the criteria and be approved by the National Environmental Health Science and Protection Accreditation Council.

Effective: 06/01/98, 09/15/89, 06/01/78

119.032 Review Date: 06/01/16

4736-9-01 Procedures and information: examination.

- (A) Applicants for registered sanitarian shall pass an examination conducted by the board.
 - (1) Information concerning examination procedures is available and may be obtained at the office of the state board of sanitarian registration.
 - (2) Examinations shall be held at least one time each year and at more frequent intervals if the board deems this necessary. The board may limit the number of applicants at any examination to that which may be adequately and prudently accommodated and supervised.
 - (3) Examinations shall be held in central Ohio, and at such other places as may be determined by the board.
 - (4) Applicants for examination must either be registered as sanitarians-in-training or approved to take the examination by the board through submission of an application for registered sanitarian.
 - (5) The board shall charge separate fees for examination, provided that the fees are not in excess of the actual cost to the board of conducting the examinations.
 - (6) Applications for examination must be made on forms prescribed by the board. Each completed application must be accompanied by a check or money order payable in the manner prescribed by the board in the amount of the appropriate fee.
 - (7) An applicant shall be considered scheduled for an examination upon receipt by the board of the application. The examination fee shall not be returned after applicant is scheduled for examination.
- (B) The board may require an examination for registration as a sanitarian-in-training and shall annually determine whether an examination shall be required.
 - (1) If the board requires an examination for registration as a sanitarian-in-training, the following procedures shall apply:
 - (2) Information concerning examination procedures will be available and may be obtained at the office of the state board of sanitarian registration.

- (3) Examinations shall be held at least one time each year and at more frequent intervals if the board deems this necessary. The board may limit the number of applicants at any examination to that which may be adequately and prudently accommodated and supervised.
- (4) Examinations shall be held in central Ohio, and at such other places as may be determined by the board.
- (5) The board shall charge separate fees for examination, provided that the fees are not in excess of the actual cost to the board of conducting the examinations.
- (6) Applications for examination must be made on forms prescribed by the board. Each completed application must be accompanied by a check or money order payable in the manner prescribed by the board in the amount of the appropriate fee.
- (7) An applicant shall be considered scheduled for an examination upon receipt by the board of the application. The examination fee shall not be returned after applicant is scheduled for examination.

Effective: 05/01/08, 08/15/03, 10/01/99, 09/15/89, 06/01/78

119.032 Review Date: 06/01/18

4736-9-02 Type of examination.

The board shall provide a written examination which is objective and practical and meets the requirements of section 4736.09 of the Revised Code.

Effective: 06/01/78

119.032 Review Date: 05/01/2017

4736-9-03 Passing score.

Applicants must obtain a score on the given examination equivalent to at least seventy point zero per cent.

Effective: 05/01/09, 08/01/04, 08/15/03, 06/01/98, 11/05/90, 08/08/90 (Emer.), 09/15/89

119.032 Review Date: 5/15/18

4736-9-04 Procedure for re-examination.

Any applicant who fails to obtain a passing score on the examination prescribed by the board may submit application for examination as provided in rule 4736-9-01 of the Administrative Code.

Effective: 08/15/03, 09/15/89

119.032 Review Date: 06/01/16

4736-10-01 Sanitarian-in-training extension request.

- (A) A sanitarian-in-training shall apply for registration as a sanitarian within three years of registration as a sanitarian-in-training. The board may extend the registration of any sanitarian-in-training who furnishes, in writing, sufficient cause for not applying for registration as a sanitarian within the three year period.
- (B) Sufficient cause for extending sanitarian-in-training registration will be determined by the board on a case by case basis. Sufficient cause for extension shall include but is not limited to:
 - (1) The sanitarian-in-training has taken the registration examination at least once, or;
 - (2) The sanitarian-in-training has competently performed for compensation, educational, investigational, technical or administrative duties in the field of environmental health science on or before the date of the extension request.
- (C) A sanitarian-in-training must be granted an extension of sanitarian-in-training certification prior to the issuance of the third annual registration renewal. Certificates of registration expire annually and become invalid on that date unless renewed pursuant to section 4736.11 of the Revised Code.
- (D) The extension request shall be written, and shall include:
 - (1) An explanation of why the requestor has not applied for registered sanitarian status.

- (2) A listing of full-time experience from the date the sanitarian-in-training certificate was granted.
- (3) The number of times the requestor has taken the registration examination.
- (E) A sanitarian-in-training who fails the registration examination on three or more occasions may be required, as part of the application process to retake the examination, to submit and show evidence of a study plan toward passing the registration examination, and/or meet such other requirements as may be imposed by the board.

Effective: 08/01/04, 10/01/99, 02/01/92

119.032 Review Date: 05/01/17

4736-11-01 Provisions for issuing certificate.

- (A) Within sixty days following the applicant's meeting the requirements and, when applicable, passing the examination given by the board for registration, the appropriate certificate shall be issued by the board.
- (B) All certificates of registration shall expire each year on the assigned expiration date unless renewed pursuant to section 4736.11 of the Revised Code and the rules adopted there under.
- (C) As used in rules in Chapter 4736-11 of the Administrative Code, registrant or registrants means registered sanitarian or registered sanitarian in training.

Effective: 05/01/08, 09/15/89, 06/01/78

119.032 Review Date: 05/01/15

4736-11-02 Submission of attendance information.

- (A) Certificates of attendance at continuing education courses or other substantiating documentation must be submitted by registrants at the same time as and be attached to the application for renewal of registration. No documents will be returned.
- (B) It is the sole responsibility of the registrant to assure that required evidence of meeting continuing education requirements is submitted to the board on forms prescribed and furnished by the board.
- (C) Any person falsifying information pertaining to completion of continuing education requirements will be subject to revocation of the certificate of registration.

Effective: 05/01/08, 09/15/89, 06/01/78

119.032 Review Date: 05/01/15

4736-11-03 Continuing education requirements for renewal.

- (A) Registrants must complete eighteen clock hours of board approved continuing education courses each year to be eligible to renew their certificate of registration.
- (B) Courses of study or programs of instruction offered to meet the continuing education requirements for the annual renewal of an individuals certificate of registration shall be board approved and in the following subject areas:
 - (1) Diseases and injuries caused by environmental factors and the applicable prevention techniques.
 - (2) Administrative law and process.
 - (3) The utilization of resources in the collection, arrangement, and interpretation of data.
 - (4) Environmental health administration.
 - (5) New or substantially revised environmental health laws, rules and process.
 - (6) Functional fields of environmental health to include are quality, food quality and protection, hazardous and toxic substances, consumer product safety, housing, institutional health and safety, community noise control, radiation protection, bioterrorism, recreational facilities, solid, infectious and liquid waste management, vector control, drinking water quality, milk sanitation, rabies control, land use and occupational health and safety.
 - (7) Environmental health planning or emergency preparedness.

- (8) Communication skills.
 - (9) Organization or program management courses.
 - (10) Computer skills development and functional utilization.
- (C) Courses of study or programs of instruction offered in the following areas of formats are not applicable continuing education activities and will not be approved by the board to meet the continuing education requirements for annual renewal of and individuals certificate of registration:
- (1) First aid.
 - (2) CPR.
 - (3) Defensive driving.
 - (4) Courses of self-instruction/self-study.
 - (5) Courses dealing with the proposed environmental health laws, rules and processes.
 - (6) Any other continuing education material deemed not applicable by the board.
- (D) The board may waive continuing education hours in cases of a registrant's certified disability or illness which prevents the attendance at any qualified educational seminars during the twelve months immediately preceding the annual certificate of registration renewal date. Continuing education waivers will be determined on a case by case basis. Waivers shall not be granted for a period in excess of three consecutive renewal periods.

Effective: 05/15/14

Prior Effective Dates: 5/1/09, 5/1/08, 8/1/04, 9/15/89, 10/30/78

119.032 Review Date: 05/15/19

Replaces: Old Version 4736-11-03

4736-11-05 Registration and approval of training agency.

- (A) To register as an approved training agency, the agency shall make application on a form prescribed by the board, and include a fee of fifty-four dollars. The fee is non-refundable. A training agency must be a board approved training agency before submitting requests to conduct continuing education activities for registrants.
- (B) The board shall maintain a current listing of any approved training agency that provides continuing education for registrants.
- (C) The board shall respond to all requests for approval and registration as a training agency within sixty days of receipt.
- (D) To be considered for approval as a training agency, the training agency must submit a fifty-four dollar fee, and provide the following information to the board on forms prescribed by the board:
 - (1) Name, address, and telephone number of training agency;
 - (2) A description of the purpose of the agency;
 - (3) Name of continuing education coordinator;
 - (4) Information indicating the type of training agency as provided in paragraph (O) of rule 4736-1-01 of the Administrative Code.
 - (5) Information indicating whether or not the training agency is accredited and by whom;
 - (6) A description of the physical facilities, instructional materials, courses, and instructional staff used in continuing education programs by the training agency;
 - (7) A description of educational benefits to be derived by registrants taking continuing education programs offered by the training agency and the type of training as provided in rule 4736-11-04 of the Administrative Code.
 - (8) Information indicating that the training agency will monitor attendance and provide evidence of attendance to attendees and the board; and /or
 - (9) Other information the board deems necessary.

- (E) Approved training agency status shall expire on December thirty-first of each year unless renewed by submitting an application for renewal of approved training agency status and the renewal fee of twenty-seven dollars. The date for such application shall be no more than sixty days before the annual expiration date.
- (F) The board may audit or monitor courses given by an approved training agency.
- (G) The board may deny, refuse to renew, suspend, or revoke approved training agency status for dissemination of false information in connection with the continuing education programs or failure to conform to rules 4736-11-04, 4736-11-05, and/or 4736-11-06 of the Administrative Code.

Effective: 05/01/08, 08/01/04, 07/01/01, 10/01/99, 09/15/89, 10/30/78

119.032 Review Date: 05/01/15

4736-11-06 Continuing education course approval requirements.

- (A) A course of study or program of instruction offered for continuing education purposes by an approved training agency shall be submitted to the board at least thirty days prior to the date of the course or program on forms prescribed and furnished by the board. A course of study or program submitted after course or program completion shall not be considered for approval except as provided in paragraph (A) of rule 4736-11-07 of the Administrative Code.
- (B) An approved training agency offering a course of study or program of instruction to apply toward the annual continuing education requirements for registration must provide the following information to be considered for approval by the board on forms prescribed and furnished by the board:
 - (1) The educational objectives of the program or course;
 - (2) The content of the program or course;
 - (3) The number of educational hours involved in the program or course;
 - (4) The names and qualifications of instructors;
 - (5) Verification that course attendance was properly monitored; and
 - (6) Verification that the approved training agency will provide the board with a list of attendees within forty-five days of completion of the course.
- (C) All courses of study of programs of instruction shall be submitted on an annual basis. All approvals are valid for one year from the date of issue.

Effective: 05/01/08

119.032 Review Date: 05/01/15

4736-11-07 Attendance at continuing education courses not approved by the board.

- (A) Registrants who attend a continuing education course which has not been approved by the board may request within sixty days of completion of the course that the course be approved for continuing education credit on forms prescribed and furnished by the board.
- (B) For the board to consider a request to approve continuing education credit under this rule, the registrant must submit documentation satisfactory to the board that the course meets the requirements of rule 4736-11-04 of the Administrative Code.
- (C) The board shall respond to all requests received under this rule within sixty days of receipt.

Effective: 05/01/08, 09/15/89, 10/30/78

119.032 Review Date: 05/01/15

4736-11-08 List of approved training agencies and courses.

The secretary shall upon the request of a registrant provide a list of any course that the board has approved. A listing of all approved training agencies and approved courses shall be posted electronically on the board's website at <http://sanitarian.ohio.gov> and updated following each board meeting as required.

Effective: 05/01/08

119.032 Review Date: 05/01/15

4736-12-01 Requirements for certificate of registration renewal.

- (A) Registrants shall apply annually for certificate of registration renewal.
 - (1) Renewals shall be mailed to registrants no later than thirty days prior to the annual expiration date of a registrant’s current certificate of registration.
 - (2) A registration expires by operation of law at the end of the specified one year period, after which reinstatement, in accordance with rule 4736-7-03 of the Administrative Code is required. Registrants may not practice environmental health once a certificate of registration expires until it is reinstated by the board.
 - (3) The following items are required to reinstate a registration during the first thirty days following the expiration of a certificate of registration:
 - (a) The fee prescribed in section 4736.12 of the Revised Code, including the late fee as provided in division (A)(6) of that section;
 - (b) Proof of at least eighteen hours of board approved continuing education in the twelve months prior to the expiration date of the certificate of registration; and
 - (c) Completed renewal application.
 - (4) To reinstate a certificate of registration that had been expired for more than thirty days refer to rule 4736-7-03 of the Administrative Code.
- (B) Each application for renewal shall be accompanied by the fee prescribed in section 4736.12 of the Revised Code and evidence that the registrant meets the continuing education requirements set forth by the board.
- (C) The board, with the approval of the controlling board, may establish fees in excess of the amount prescribed in section 4736.12 of the Revised Code, provided that such fees do not exceed the amount prescribed in section 4736.12 of the Revised Code by more than fifty percent.
- (D) During the first year of registration, registrants may claim approved continuing education hours earned from the date the certificate of registration was granted by the board until the certificate expiration date when applying for renewal of their certificate of registration.
- (E) Except for the first annual renewal, registrants shall complete the continuing education requirements specified by the board within the twelve months immediately preceding the expiration date of the certificate of registration.
- (F) Sanitarian in training renewals are limited to four one year periods following the expiration of the original certificate of registration, except as provided in sections 4736.10 and 4736.15 of the Revised Code.

Effective: 05/01/09, 08/01/04, 07/01/01, 10/01/99, 07/01/96, 11/05/90, 09/15/89

119.032 Review Date: 05/15/19

4736-12-02 Fees.

Fees charged by the board are specified in section 4736.12 of the Revised Code. All fees collected by the board are nonrefundable and nontransferable.

*Effective: 05/15/14
Prior Effective Dates: 5/1/09, 6/15/06*

*119.032 Review Date: 05/15/19
Replaces: Old Version 4736-12-02*

4736-13-01 Denial, suspension or revocation of registration.

- (A) The state board of sanitarian registration may deny, refuse to renew, revoke or suspend a certificate of registration in accordance with Chapter 119. of the Revised Code for the following reasons:
 - (1) Unprofessional conduct.
 - (2) The practice of fraud or deceit in obtaining a certificate of registration.
 - (3) Dereliction of duty.
 - (4) Incompetence in the practice of environmental health science.
 - (5) For other good and sufficient cause.

- (B) For the purpose of this rule, unprofessional conduct includes, but is not limited to:
- (1) Falsifying any record, report, or other instrument in pursuing the practice of environmental health science as a registrant;
 - (2) Making a material misrepresentation or false promise(s) through advertisement, sales representatives, agents or otherwise in connection with the practice as a registered sanitarian;
 - (3) Allowing an unregistered person to use a registrant's certificate of registration;
 - (4) Aiding or abetting another person in the violation of Chapter 4736. of the Revised Code or the rules adopted thereunder;
 - (5) Using fraud or deceit in obtaining a certificate of registration;
 - (6) Disregarding, allowing, promoting, or advocating the continued violation of any substantive provision of any public health, safety, or environmental health law, rule, regulation, or ordinance of the United States, this state, any county, any township or any municipality for which the registrant has responsibility or comes within the practice of environmental health science;
 - (7) Conviction of any felony, or any misdemeanor in the course or scope of the practice of environmental health, or any other crime which involves misstatements, fraud, or deceit, or other dishonest conduct;
 - (8) Accepting compensation, gifts or gratuities designed to enhance the provider's position over that of the position represented by the registrant.
- (C) Any person who wishes to make a complaint against a registrant licensed pursuant to this chapter shall submit the complaint in writing to the board within a reasonable time. Each complaint or allegation of a violation received by the board shall be assigned a case number and shall be recorded by the board. The board shall determine whether the allegations in the complaint are of a sufficiently serious nature to warrant formal disciplinary charges against the registrant pursuant to this section. If the board determines that formal disciplinary charges are warranted, it shall proceed in accordance with the procedures established in Chapter 119 of the Revised Code.

Effective: 05/01/09, 08/01/04, 10/01/99, 09/15/89, 06/01/78

119.032 Review Date: 5/15/19

4736-14-01 Reciprocity.

The board may, upon application and proof of valid registration, issue a certificate of registration to any person who is or has been registered as a sanitarian by any other state provided:

- (A) That the requirements of that other state at the time of initial registration in that state are determined by the board to be at least equivalent to the requirements of Chapter 4736. of the Revised Code.
- (B) That the other state affords reciprocity to the registered sanitarians of this state.
- (C) That the applicant has not previously been denied a certificate of registration by the board
- (D) That the applicant has not had a certificate of registration revoked by the board.
- (E) That the applicant has not had a certificate of registration revoked by another state.

Effective: 06/01/98, 09/15/89, 10/30/78

119.032 Review Date: 06/01/16

4736-15-01 Use of registered sanitarian and sanitarian-in-training designation.

- (A) The recipients of a certificate of registered sanitarian may use the appropriate registration designation following their name. The abbreviation "R.S." may be used in place of the words "Registered Sanitarian"
- (B) The recipients of a certificate of sanitarian-in-training may use the appropriate registration designation following their name. The abbreviation "S.I.T." may be used in place of the words "Sanitarian-in-Training"

Effective: 07/01/01, 10/01/99, 02/01/92, 09/15/89

119.032 Review Date: 05/01/17

4736-15-02 Supervision and practice of a sanitarian-in-training.

- (A) A sanitarian-in-training may engage in the practice of environmental health provided the sanitarian-in-training is supervised by a registered sanitarian. Verification from the supervising registered sanitarian that the sanitarian-in-training performed functions under the supervision of the registered sanitarian shall be submitted to the board as part of the annual renewal of the sanitarian-in-training. The board may also request a copy of the sanitarian-in-training's monthly evaluation(s) required in paragraph (D) of this rule.
- (B) The board shall establish minimum supervisory activities for a registered sanitarian to use in the evaluation of a sanitarian-in-training including but not limited to:
 - (1) Being available for consultation on a daily basis;
 - (2) Provide training and technical advice;
 - (3) Review and advise on enforcement proceeding in programs specified by division (E) of section 4736.01 of the Revised Code;
 - (4) Evaluate the practice of environmental health performed by the sanitarian-in-training at least once a month.
- (C) The supervising registered sanitarian shall document each monthly evaluation of the sanitarian-in-training's practice of environmental health. Documentation of each monthly evaluation shall include, at a minimum, five samples of inspections performed by the sanitarian-in-training during the month attached to a written evaluation which shall include the following:
 - (1) Month and year of evaluation.
 - (2) Sanitarian-in-training's name, registration number and employment address.
 - (3) Supervising registered sanitarian's name, registration number and employment address.
 - (4) Supervising registered sanitarian's written verification of fulfillment of the requirements provided in paragraph (B) of this rule.
 - (5) The supervising registered sanitarian's written comments.
 - (6) Dates and locations of at least five attached samples of inspections conducted during the month by the sanitarian-in-training.
 - (7) Dated signatures of the sanitarian-in-training and supervising registered sanitarian.
- (D) Monthly evaluations shall be retained by the sanitarian-in-training for one year after registration as a registered sanitarian, or for six years from the last date of employment as a sanitarian-in-training.

Effective: 05/01/09, 07/01/01, 10/01/99, 02/01/92, 09/15/89

119.032 Review Date: 5/15/19

4736-15-03 Practice limitation for sanitarian-in-training.

- (A) A sanitarian-in-training may engage in the practice of environmental health for period not to exceed five years, provided the sanitarian-in-training is supervised by a registered sanitarian.
- (B) The five-year time limitation commences once the sanitarian-in-training begins to engage in the practice of environmental health full-time, part-time, or part-of-the-year and concludes five years from that date unless the sanitarian-in-training ceases to engage in the practice of environmental health during an entire renewal period.

Effective: 06/15/06

119.032 Review Date: 05/01/17

4736-16-01 Definitions.

For the purposes of administrative rules promulgated in accordance with section 1347.15 of the Revised Code, the following definitions apply:

- (A) "Access" as a noun means an instance of copying, viewing, or otherwise perceiving whereas "access" as a verb means to copy, view, or otherwise perceive.

- (B) "Acquisition of a new computer system" means the purchase of a "computer system," as defined in this rule, that is not a computer system currently in place nor one for which the acquisition process has been initiated as of the effective date of the agency rule addressing requirements in rule 4733-16-05 of the Administrative Code.
- (C) "Computer system" means a "system," as defined by section 1347.01 of the Revised Code, that stores, maintains, or retrieves personal information using electronic data processing equipment.
- (D) "Confidential personal information" (CPI) has the meaning as defined by division (A)(1) of section 1347.15 of the Revised Code and identified by rules promulgated by the agency in accordance with division (B)(3) of section 1347.15 of the Revised Code that reference the federal or state statutes or administrative rules that make personal information maintained by the agency confidential.
- (E) "Employee of the state agency" means each employee of a state agency regardless of whether he/she holds an elected or appointed office or position within the state agency. "Employee of the state agency" is limited to the specific employing state agency.
- (F) "Incidental contact" means contact with the information that is secondary or tangential to the primary purpose of the activity that resulted in the contact.
- (G) "Individual" means a natural person or the natural person's authorized representative, legal counsel, legal custodian, or legal guardian.
- (H) "Information owner" means the individual appointed in accordance with division (A) of section 1347.05 of the Revised Code to be directly responsible for a system
- (I) "Person" means a natural person.
- (J) "Personal information" has the same meaning as defined in division (E) of section 1347.01 of the Revised Code.
- (K) "Personal information system" means a "system" that "maintains" "personal information" as those terms are defined in section 1347.01 of the Revised Code. "System" includes manual and computer systems.
- (L) "Research" means a methodical investigation into a subject.
- (M) "Routine" means commonplace, regular, habitual, or ordinary.
- (N) "Routine information that is maintained for the purpose of internal office administration, the use of which would not adversely affect a person" as that phrase is used in division (F) of section 1347.01 of the Revised Code means personal information relating to employees and maintained by the agency for internal administrative and human resource purposes.
- (O) "System" has the same meaning as defined by division (F) of section 1347.01 of the Revised Code.
- (P) "Upgrade" means a substantial redesign of an existing computer system for the purpose of providing a substantial amount of new application functionality, or application modifications that would involve substantial administrative or fiscal resources to implement, but would not include maintenance, minor updates and patches, or modifications that entail a limited addition of functionality due to changes in business or legal requirements.

Effective: 11/01/10

119.032 Review Date: 05/01/15

4736-16-02 Procedures for accessing confidential personal information.

For personal information systems, whether manual or computer systems that contain confidential personal information, the agency shall do the following:

- (A) Criteria for accessing confidential personal information. Personal information systems of the agency are managed on a "need-to-know" basis whereby the information owner determines the level of access required for an employee of the agency to fulfill his/her job duties. The determination of access to confidential personal information shall be approved by the employee's supervisor and the information owner prior to providing the employee with access to confidential personal information within a personal information system. The agency shall establish procedures for determining a revision to an employee's access to confidential personal information upon a change to that employee's job duties including, but not limited to, transfer or termination. Whenever an employee's job duties no longer require access to confidential personal information in a personal information system, the employee's access to confidential personal information shall be removed.
- (B) Individual's request for a list of confidential personal information. Upon the signed written request of any individual for a list of confidential personal information about the individual maintained by the agency, the agency shall do all of the following:
- (1) Verify the identity of the individual by a method that provides safeguards commensurate with the risk associated with the confidential personal information;
 - (2) Provide to the individual the list of confidential personal information that does not relate to an investigation about the individual or is otherwise not excluded from the scope of Chapter 1347. of the Revised Code; and
 - (3) If all information relates to an investigation about that individual, inform the individual that the agency has no confidential personal information about the individual that is responsive to the individual's request.
- (C) Notice of invalid access.
- (1) Upon discovery or notification that confidential personal information of a person has been accessed by an employee for an invalid reason, the agency shall notify the person whose information was invalidly accessed as soon as practical and to the extent known at the time. However, the agency shall delay notification for a period of time necessary to ensure that the notification would not delay or impede an investigation or jeopardize homeland or national security. Additionally, the agency may delay the notification consistent with any measures necessary to determine the scope of the invalid access, including which individuals' confidential personal information invalidly was accessed, and to restore the reasonable integrity of the system.

"Investigation" as used in this paragraph means the investigation of the circumstances and involvement of an employee surrounding the invalid access of the confidential personal information. Once the agency determines that notification would not delay or impede an investigation, the agency shall disclose the access to confidential personal information made for an invalid reason to the person.
 - (2) Notification provided by the agency shall inform the person of the type of confidential personal information accessed and the date(s) of the invalid access.
 - (3) Notification may be made by any method reasonably designed to accurately inform the person of the invalid access, including written, electronic, or telephone notice.
- (D) Appointment of a data privacy point of contact. The agency director shall designate an employee of the agency to serve as the data privacy point of contact. The data privacy point of contact shall work with the chief privacy officer within the office of information technology to assist the agency with both the implementation of privacy protections for the confidential personal information that the agency maintains and compliance with section 1347.15 of the Revised Code and the rules adopted pursuant to the authority provided by that chapter.
- (E) Completion of a privacy impact assessment. The agency director shall designate an employee of the agency to serve as the data privacy point of contact who shall timely complete the privacy

impact assessment form developed by the office of information technology.

Effective: 11/01/10

119.032 Review Date: 05/01/15

4736-16-03 Valid reasons for accessing confidential personal information.

Pursuant to the requirements of division (B)(2) of section 1347.15 of the Revised Code, this rule contains a list of valid reasons, directly related to the sanitarian registration board's exercise of its powers or duties, for which only employees of the agency may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

- (A) Performing the following functions constitute valid reasons for authorized employees of the agency to access confidential personal information:
 - (1) Responding to a public records request;
 - (2) Responding to a request from an individual for the list of CPI the agency maintains on that individual;
 - (3) Administering a constitutional provision or duty;
 - (4) Administering a statutory provision or duty;
 - (5) Administering an administrative rule provision or duty;
 - (6) Complying with any state or federal program requirements;
 - (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
 - (8) Auditing purposes;
 - (9) Licensure [or permit, eligibility, filing, etc.] processes;
 - (10) Investigation or law enforcement purposes;
 - (11) Administrative hearings;
 - (12) Litigation, complying with an order of the court, or subpoena;
 - (13) Human resource matters (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);
 - (14) Complying with an executive order or policy;
 - (15) Complying with an agency policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; or
 - (16) Complying with a collective bargaining agreement provision.

- (B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the Ohio sanitarian registration board, authorized employees would also have valid reasons for accessing CPI in these following circumstances:
 - (1) Employees of the state agency may review CPI of individuals who are subject to investigation for alleged misconduct that may result in registration discipline. Such employees may review CPI of individuals who are not the subject of the investigation, but who otherwise may be witnesses with information related to the investigation. CPI may be reviewed by such employees and members of the board in professional conduct matters that become the subject of administrative hearings.
 - (2) Authorized employees of the state agency may review CPI of persons who hold, are applying for, or are renewing a registration issued by the board for the purposes of verifying licensure, processing licensure and renewal applications, determining eligibility

for licensure, performing financial transactions and reporting related to application processing, or any other activities undertaken for the purpose of carrying out that program.

- (3) Employees assigned to fiscal and human resource positions may review CPI of vendors billing the board for services rendered and employees of the board for payroll and other human resource activities for the purpose of carrying out the board's daily activities.

Effective: 11/01/10

119.032 Review Date: 05/01/15

4736-16-04 Confidentiality statutes.

The following federal statutes or regulations or state statutes and administrative rules make personal information maintained by the agency confidential and identify the confidential personal information within the scope of rules promulgated by this agency in accordance with section 1347.15 of the Revised Code:

- (A) Social security numbers: 5 U.S.C. 552a., unless the individual was told that the number would be disclosed
- (B) Medical records submitted with requests for testing accommodations and/or continuing education waiver requests: 42 U.S.C. 201.
- (C) College and university transcripts: 20 U.S.C. 1232g.

Effective: 11/01/10

119.032 Review Date: 05/01/15

4736-16-05 Restricting and logging access to confidential personal information in computerized personal information systems.

For personal information systems that are computer systems and contain confidential personal information, the agency shall do the following:

- (A) Access restrictions. Access to confidential personal information that is kept electronically shall require a password or other authentication measure.
- (B) Acquisition of a new computer system. When the agency acquires a new computer system that stores, manages or contains confidential personal information, the agency shall include a mechanism for recording specific access by employees of the agency to confidential personal information in the system.
- (C) Upgrading existing computer systems. When the agency modifies an existing computer system that stores, manages or contains confidential personal information, the agency shall make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system shall include a mechanism for recording specific access by employees of the agency to confidential personal information in the system.
- (D) Logging requirements regarding confidential personal information in existing computer systems.
 - (1) The agency shall require employees of the agency who access confidential personal information within computer systems to maintain a log that records that access.
 - (2) Access to confidential information is not required to be entered into the log under the following circumstances:
 - (a) The employee of the agency is accessing confidential personal information for official agency purposes, including research, and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.
 - (b) The employee of the agency is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.

- (c) The employee of the agency comes into incidental contact with confidential personal information and the access of the information is not specifically directed toward a specifically named individual or a group of specifically named individuals.
- (d) The employee of the agency accesses confidential personal information about an individual based upon a request made under either of the following circumstances:
 - (i) The individual requests confidential personal information about himself/herself.
 - (ii) The individual makes a request that the agency takes some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.
- (3) For purposes of this paragraph, the agency may choose the form or forms of logging, whether in electronic or paper formats.
- (E) Log management. The agency shall issue a policy that specifies the following:
 - (1) Who shall maintain the log;
 - (2) What information shall be captured in the log;
 - (3) How the log is to be stored; and
 - (4) How long information kept in the log is to be retained.

Nothing in this rule limits the agency from requiring logging in any circumstance that it deems necessary.

Effective: 11/01/10

119.032 Review Date: 05/01/15

4736-17-01 Registration for current and former servicemen and servicewomen.

- (A) Definition and eligibility for registration.

“Veteran” means any person who has completed service in the armed forces, including the national guard of any state, or a reserve component of the armed forces, who has been discharged under honorable conditions from the armed forces or who has been transferred to the reserve with evidence of satisfactory service.

In accordance with section 5903.03 of the Revised Code, a veteran or member of the armed forces may submit documentation for the board’s consideration to demonstrate that the applicant’s military education, training and/or experience requirements for registration as a sanitarian or sanitarian in training.
- (B) License Renewal.
 - (1) In accordance with section 5903.10 of the Revised Code, a registrant whose registration expired due to their service in the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state, shall be eligible for renewal of the expired registration in accordance with section 4736.11 of the Revised Code and rules 4736-12-01 and 4736-12-02 of the Administrative Code, if the following conditions are met:
 - (a) The registrant presents the board with satisfactory evidence that, not more than six months prior to the date the evidence is submitted to the board, the registrant was honorably discharged or separated under honorable conditions.
 - (b) The registrant meets the requirements for renewal required by section 4736.11 of the Revised Code and rules 4736-12-01 and 4736-22-02 of the Administrative

Code.

- (2) The provisions of this paragraph of the rule also apply if the registrants spouse served in the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state and the spouse's service resulted in the registrants absence from this state.

(C) Continuing education.

- (1) In accordance with section 5903.12 of the Revised Code, the provisions of this paragraph apply to a registrant who has been a member of the armed forces of the United States, the Ohio national guard, the Ohio military reserve, the Ohio naval militia, the national guard of any other state, or a reserve component of the armed forces of the United States who has served on active duty for a period in excess of thirty-one days.
- (2) A registrant who meets the provisions contained in paragraph (C)(1) of this rule may submit an application to the board requesting an extension of the current continuing education reporting period.
 - (a) The registrant shall submit proper documentation certifying the active duty service and the length of that active duty service.
 - (b) Upon receiving the application and proper documentation, the board shall extend the current continuing education reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current continuing education reporting period. Any portion of a month served shall be considered one full month.

(D) Temporary registration.

- (1) An individual whose spouse is on active military duty in this state may apply for a temporary registration to practice as a sanitarian in training or sanitarian in accordance with sections 4736.08, 4736.09, and 4736.12 of the Revised Code. The applicant shall submit the following items for consideration by the board.
 - (a) A completed application for temporary registration.
 - (b) Application fee in the amount prescribed in section 4736.12 of the Revised Code.
 - (c) Official copy of the applicants college or university transcripts demonstrating at least the award of a baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the board.
 - (d) If applicable, official copy of the applicant's examination score report from professional examination services (PES) or the national environmental health association (NEHA) demonstrating at least a seventy percent passage, in accordance with rule 4736-9-03 of the Administrative Code.
 - (e) Verification from all states in which the applicant currently holds or has ever held registration or licensure as a sanitarian in training or sanitarian.
- (2) Upon receipt of all required documents the registrant will be issued, within five business days, registration to practice environmental health in Ohio.
- (3) The holder of a temporary registration must abide by Chapter 4736. of the Revised Code and section 4736. of the Administrative Codes.
- (4) All temporary registrations will be valid for a period not to exceed six months, upon granting of a temporary registration all temporary registration holders must apply for

permanent registration using the standard application, which will be presented to the board at the regularly scheduled meetings.

(E) Reinstatement.

- (1) In accordance with section 5903.10 of the Revised Code, the holder of a lapsed registration may be reinstated without a penalty fee if not otherwise disqualified because of mental or physical disability if either of the following applies:
 - (a) The registrant was not renewed because of the holder's service in the armed forces of the United States, including the Ohio national guard or the national guard of any state.
 - (b) The registrant was not renewed because the registrant holder's spouse served in the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any state and the service resulted in the holder's absence from this state.
- (2) Reinstatement without penalty fee shall not be granted unless the licensee or licensee's spouse, whichever is applicable, has presented satisfactory evidence of the service member's discharge under honorable conditions or release under honorable conditions from active duty or national guard duty within six months after the discharge or release.
- (3) Registrants shall abide by the applicable continuing education outlined in rule 4736-11-03 of the Administrative Code unless the applicant submits evidence of the requirements outlined in paragraph (C) of this rule.

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