

**IN THE MATTER OF
FANTAHUN BIZUNEH
APPLICANT**

*** BEFORE THE MARYLAND
*
* BOARD OF ENVIRONMENTAL
*
* HEALTH SPECIALISTS

* * * * *

**CONSENT ORDER OF DENIAL OF APPLICATION FOR LICENSURE
AS AN ENVIRONMENTAL HEALTH SPECIALIST**

On or about August 21, 2018, the Maryland Board of Environmental Health Specialists (“the Board”) received an application for licensure as an environmental health specialist from Fantahun Bizuneh (the “Applicant”). Based on information contained in the application, and before formal charges were issued, the Board invited the Applicant to attend a pre-charge case resolution conference on February 11, 2019 with members of the Board in order to resolve the matter informally. At that settlement conference, the Board and the Applicant agreed to the following Findings of Fact, Conclusions of Law, and Order.

I. FINDINGS OF FACT

The Board finds that:

1. In 2000, the Applicant received a bachelor’s degree in science with a major/specialization in environmental health.
2. In 2004, the Applicant received a master’s degree in science with the major/specialization in environmental sanitation.
3. In 2012, the Applicant received a doctorate degree in applied biological sciences.
4. On February 1, 2016, the Applicant took and passed the National Environmental Health Association (“NEHA”) examination.

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5. The Applicant's NEHA registration as a registered environmental health specialist/registered sanitarian will remain current through February 20, 2020.

6. In 2017, the Applicant applied for a position as an environmental health specialist with a county health department in Maryland.

7. On June 6, 2017, the Applicant began working as an environmental health specialist at the county health department in Maryland.

8. At the time of hire and throughout his employment, the Applicant did not hold a license to practice as an environmental health specialist issued by the Board or an environmental health specialist-in-training certificate issued by the Board.

9. The Applicant was still working as an environmental health specialist for the county health department at the time he submitted his application for licensure to the Board in August 2018.

II. DISCUSSION

Based on the foregoing, the Board finds that the Applicant violated the Maryland Environmental Health Specialists Act, Md. Code Ann., Health Occ. § 8-101 *et seq.* (2014 Repl. Vol.). The Board finds that the Applicant violated Health Occ. § 21-312(b)(13) by violating a regulation adopted by the Board, specifically Code of Maryland Regulations ("COMAR") 10.60.01.02A, by practicing as an environmental health specialist in Maryland without a license issued by the Board and without being employed under a valid environmental health specialist-in-training certificate issued by the Board. The Board notes, however, that it does not find that the Applicant knowingly or intentionally engaged in unlicensed practice. Nevertheless, in light of the violation, the Board will deny the Applicant's application for licensure at this time.

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Before the Applicant can be licensed by the Board in the future, the Applicant must demonstrate that he meets the experience requirement for licensure. *See* Health Occ. § 21-302(3). Based on his education, the Applicant must complete three months of approved experience in an environmental health specialist-in-training program in accordance with Health Occ. § 21-304(b)(3)(iii), COMAR 10.60.01.03B(3)(b), and COMAR 10.60.01.01B(12). In order to obtain three months of approved experience, the Applicant first must apply for a certificate of eligibility and then receive an environmental health specialist-in-training certificate issued by the Board. *See* COMAR 10.60.02.05.

III. CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that Applicant violated:

Health Occ. § 21-312(b): Subject to the hearing provisions of § 21-313 of this subtitle, the Board, on the affirmative vote of a majority of its full authorized membership, may deny any applicant licensure . . . if the applicant . . .:

(13) Violates any rule or regulation adopted by the Board; *to wit*:

COMAR 10.60.01.02A: An individual may not practice as an environmental health specialist in the State unless the individual:

(1) Is licensed by the Board; or

(2) Is employed under a valid environmental health specialist-in-training certificate issued by the Board.

IV. ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the application for licensure as an environmental health specialist submitted by the Applicant, Fantahun Bizuneh, is hereby **DENIED**; and it is further

ORDERED that the Applicant, Fantahun Bizuneh, will immediately cease practicing as an environmental health specialist in the State of Maryland; and it is further

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ORDERED that the Applicant, Fantahun Bizuneh, will not resume practicing as an environmental health specialist in the State of Maryland until he is employed under a valid environmental health specialist-in-training certificate issued by the Board and is participating in an environmental health specialist-in-training program; and it is further

ORDERED that if the Applicant, Fantahun Bizuneh, submits an application for a certificate of eligibility to the Board, the Board will waive the fee for that application; and it is further

ORDERED that this Consent Order is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

3/14/2019
Date



Bert F. Nixon, EHS
Chair
Maryland Board of Environmental Health Specialists

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CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact, and accept and submit to the foregoing Consent Order and its conditions. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222. I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.



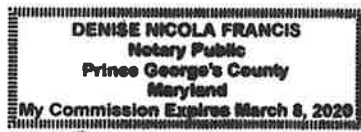
Fantahun Bizuneh, Applicant

NOTARIZATION

CITY: Lanham
COUNTY: Prince Georges

I HEREBY CERTIFY that on this 21st day of February, 2019, before me, Notary Public of the State and City/County aforesaid, **Fantahun Bizuneh** personally appeared, and made oath in due form of law that signing the foregoing Consent Order was the voluntary act and deed of **Fantahun Bizuneh**.

AS WITNESSETH my hand and notarial seal.





Notary Public

My Commission Expires: 03/08/2020