

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 60 BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS

Chapter 02 Licensing Procedures

Authority: Health Occupations Article, §§21-101—21-502, Annotated Code of Maryland

.01 Application Procedure.

A. An individual applying for a license or certificate of eligibility shall:

- (1) Submit the appropriate application in writing on a form provided by the Board;
- (2) Pay the application fee established by COMAR 10.60.06;
- (3) Have official transcripts of all baccalaureate and post-baccalaureate studies submitted in accordance with §B of this regulation; and
- (4) Have verification of previous experience, if applicable, submitted in accordance with §C of this regulation.

B. Transcripts.

- (1) Official transcripts of all baccalaureate and post-baccalaureate studies shall be submitted directly to the Board from the appropriate educational institutions.
- (2) If official transcripts are not available, the Board may accept other evidence certifying successful completion of course work considered equivalent by the Board.
- (3) A graduate of an educational institution that is not an accredited college or university shall provide written documentation from an evaluation service, or other source acceptable to the Board, which:
 - (a) States that the institution's program of study is substantially equivalent to that of accredited colleges or universities; and
 - (b) Shows that the course work completed by the applicant satisfies the requirements of COMAR 10.60.01.03B.

C. An applicant for a license who claims experience as an environmental health specialist shall provide to the Board independent written verification from the applicant's employer describing the nature and duration of the applicant's experience.

.02 Incomplete Application.

A. The Board:

- (1) May not take any action on an incomplete application; and
- (2) Shall notify the applicant of the need for additional information within 45 days of receipt of the application.

B. An application is not complete until all required material, including the fee and supporting documentation, is received by the Board.

C. An incomplete application shall be held for 1 year from the date of initial receipt, after which the application is invalid.

.03 Action on an Application.

A. The Board shall notify an applicant in writing that:

- (1) The applicant qualifies for a license under COMAR 10.60.01.03 or .04;
- (2) The applicant qualifies for:
 - (a) Examination under COMAR 10.60.01.03; or
 - (b) A certificate of eligibility under COMAR 10.60.02.05;
- (3) The applicant does not qualify to receive a license or a certificate of eligibility, or to take the examination, for one or more of the reasons set forth in §C of this regulation; or
- (4) The application is incomplete, the reasons the application is incomplete, and that the application will be invalid in 1 year.

B. Payment of License Fee.

- (1) Following notification of license approval, the applicant shall pay to the Board the licensing fee established in COMAR 10.60.06.
- (2) The license may not be issued until the fee is paid to the Board.

C. Denial of an Application.

- (1) The Board shall deny an application if the Board determines that the applicant:
 - (a) Has failed to demonstrate that the applicant qualifies for licensure, examination, or issuance of a certificate in accordance with §A(1) or (2) of this regulation; or
 - (b) Has committed any act which, under Health Occupations Article, §21-312, Annotated Code of Maryland, would subject the licensee to disciplinary action by the Board.
- (2) If the Board denies an application, the Board shall:
 - (a) Notify the applicant by first-class mail and electronic means of the reasons for denial;
 - (b) Advise the applicant of the procedures for reconsideration under §D of this regulation if the application was denied under §C(1)(a) of this regulation; and

(c) Follow the procedures set forth in COMAR 10.60.04 if the application was denied under §C(1)(b) of this regulation.

D. Reconsideration.

(1) If the Board denies an application for licensure under Regulation .03C(1)(a) of this chapter, or denies an application to renew a license under Regulation .06 of this chapter, the applicant may request reconsideration of the denial by submitting new or additional information to the Board.

(2) Requests for reconsideration under §D(1) of this regulation shall be based on one or more of the following grounds:

(a) Clerical errors in the minutes, decisions, or other parts of the record related to the denial;

(b) Mistake of fact or law by the Board;

(c) Irregularity in the administrative proceedings related to, or in the consideration of, the application;

(d) Newly discovered or additional evidence that the applicant could not have discovered by due diligence in time to be considered as part of the initial denial.

(3) Requests for reconsideration shall be submitted to the Board in writing by certified mail within 30 days of receipt of the denial under §C of this regulation.

.04 Examination.

A. The Board shall:

(1) Offer written examinations at least 3 times a year; and

(2) Post the examination dates on the Board's website.

B. The examination shall be standardized and prepared by a recognized examination service.

C. Passing Score.

(1) The passing score for the examination shall be determined by the recognized examination agencies.

(2) If an applicant who took the written examination before July 1, 2012 and obtained a score that is a passing score for a written examination given after July 1, 2012, the Board may issue a license to the applicant after July 1, 2012 if the applicant:

(a) Is in an approved environmental health specialist training program; and

(b) Meets all other licensing requirements.

D. An applicant who has not previously taken the written examination is permitted to sit for an examination if the applicant has:

(1) Met the education and experience requirements set forth in COMAR 10.60.01.03;

(2) Submitted an application for examination to the Board at least 21 days before the examination date; and

(3) Paid an examination fee as established by COMAR 10.60.06.

E. An applicant who fails the examination may apply for reexamination if the applicant:

(1) Submits an application in accordance with §D(2) and (3) of this regulation; or

(2) Applies directly to the recognized examination service to take the on-line version of the examination.

F. The Board may waive any examination requirement under this regulation if the Board considers the applicant to be recognized as outstanding in the field of environmental health.

G. To be recognized as outstanding by the Board, an applicant shall:

(1) Meet the criteria set forth in COMAR 10.60.01.03 and 10.60.02.01 for an environmental health specialist-in-training;

(2) Be considered a subject matter expert in one or more of the following areas covered by the Board:

(a) The manufacture, preparation, handling, distribution, or sale of food and milk;

(b) Water supply and treatment;

(c) Wastewater treatment and disposal;

(d) Solid waste management and disposal;

(e) Vector control;

(f) Insect and rodent control;

(g) Air quality;

(h) Noise control;

(i) Product safety;

(j) Recreational sanitation; or

(k) Institutional and residential sanitation;

(3) Demonstrate at least one of the following career pathways with a minimum of 15 years of progressive responsibilities with:

(a) A demonstrated technical knowledge and experience including obtaining a Master's or Doctorate degree in an environmental or public health-related area wherein the time devoted to technical scientific research may be applied towards the minimum time criteria as follows:

(i) If obtaining a Master's degree, 1 year; or

- (ii) If obtaining a Doctorate degree, 2 years;
- (b) A managerial hierarchy similar to that of an environmental health specialist, such as:
 - (i) Health specialist in training;
 - (ii) Licensed environmental health specialist;
 - (iii) Supervisor;
 - (iv) Program manager; or
 - (v) Director; or
- (c) A combination of §G(3)(a) or (b) of this regulation; and
- (4) Has demonstrated and documented involvement in an area listed in §G(2) of this regulation, in at least one of the following activities:
 - (a) Research;
 - (b) Has been published in peer review publications;
 - (c) Has given court testimony or served as an expert witness qualified by a court system;
 - (d) Has teaching experience; or
 - (e) Where applicable, received a professional license through a Maryland or other recognized licensure body in the candidate's field.

.05 Certificates.

A. Certificate of Eligibility for Obtaining Employment.

- (1) The Board shall issue a certificate of eligibility for obtaining employment to an applicant who:
 - (a) Meets the educational requirements set forth in COMAR 10.60.01.03;
 - (b) Has submitted an application in accordance with Regulation .01 of this chapter;
 - (c) Is not currently practicing as an environmental health specialist in Maryland; and
 - (d) Has not previously completed an environmental health specialist-in-training program under an environmental health specialist-in-training certificate issued by the Board.
- (2) The certificate of eligibility for obtaining employment shall expire 12 months after the issuance date and may be renewed at 12-month increments if the certificate holder:
 - (a) Submits a request for renewal on a form provided by the Board; and
 - (b) Forwards the form to the Board together with the renewal fee established by COMAR 10.60.06.

B. Environmental Health Specialist-In-Training Certificates.

(1) The Board shall issue an environmental health specialist-in-training certificate to an applicant who has been employed to practice as an environmental health specialist under a certificate of eligibility for obtaining employment issued by the Board if the applicant:

- (a) Has returned a completed certificate of eligibility for obtaining employment to the Board; and
- (b) Is participating in an environmental health specialist-in-training program.

(2) The environmental health specialist-in-training certificate shall expire 36 months after its effective date unless the expiration date has been extended in writing by the Board in accordance with §B(4) or (6) of this regulation.

(3) The Board may not renew an environmental health specialist-in-training certificate for which the expiration date has been extended.

(4) Upon a written request from the holder of an environmental health specialist-in-training certificate, the Board may extend an environmental health specialist-in-training certificate for up to 6 months due to physical incapacitation of the environmental health specialist-in-training or for other reasons acceptable to the Board.

(5) The Board may place the environmental health specialist-in-training certificate on inactive status due to reasons acceptable to the Board upon a written request from the holder of an environmental health specialist-in-training certificate.

(6) The Board may reactivate the environmental health specialist-in-training certificate within the original 36 month period with an expiration date that reflects the balance of remaining time for training:

- (a) Upon a written request from an individual whose environmental health specialist-in-training certificate is inactive; and
- (b) Along with a letter of support from a sponsor.

(7) If the holder of an environmental health specialist-in-training certificate is a temporary employee as defined in COMAR 10.60.01.01, the Board, upon written request from the holder of the environmental health specialist-in-training certificate and upon receipt of the renewal fee as required by COMAR 10.60.06, may renew a valid certificate for a period of 24 months.

(8) If a temporary employee is hired as or otherwise converted to a permanent employee:

(a) The employee shall submit the employee's current environmental health specialist-in-training certificate to the Board within 30 days;

(b) Upon receipt of the certificate referenced in §D(6)(a) of this regulation, the Board shall renew a new environmental health specialist-in-training certificate that is valid for 36 months; and

(c) The Board may reduce the required number of months of experience in an environmental health specialist-in-training program.

.06 Renewal of Licenses.

A. Conditions for License Renewal.

- (1) The Board shall renew a license for a 2-year period if the licensee has:
 - (a) Submitted an application for renewal to the Board before the expiration date of the license;
 - (b) Paid the renewal fee established by COMAR 10.60.06;
 - (c) Submitted satisfactory proof to the Board that the licensee has completed at least 20 clock hours of Board-approved training obtained during the 2-year period before the license expiration date; and
 - (d) Not committed any act which, under Health Occupations Article, §21-312, Annotated Code of Maryland, would subject the licensee to disciplinary action by the Board.
- (2) The Board may deny the application to renew a license if the applicant has failed to satisfy the requirements of §A(1) of this regulation.

B. Renewal Notification.

- (1) Before the expiration of a license, the Board shall notify the licensee of the need to renew the license.
- (2) The failure of a licensee to receive a renewal notice does not:
 - (a) Relieve the licensee of the obligation to renew the license; and
 - (b) Affect the expiration of the license.

.07 Duplicate License.

A licensee may obtain a duplicate license to replace a license that has been lost, destroyed, or mutilated if the licensee:

- A. Makes a written request to the Board that states the reason for requesting a duplicate license; and
- B. Pays to the Board the duplicate license fee established by COMAR 10.60.06.

.08 Inactive Status.

A. The Board shall place a licensed environmental health specialist on inactive status for a period not to exceed 4 years if the licensee:

- (1) Submits to the Board a written application for inactive status on a form the board requires; and
- (2) Pays to the Board the inactive status fee set by the Board.

B. The Board shall provide to a licensed environmental health specialist who is placed on inactive status written notification of:

- (1) The date the license has or will expire;
- (2) The date the inactive status became effective;
- (3) The date the inactive status expires; and

(4) The consequences of not reactivating the license before the inactive status expires.

C. Except as provided in Regulation .10 of this chapter, the Board shall reactivate the license of a licensed environmental health specialist who is on inactive status if the licensee:

- (1) Applies to the Board for reactivation of the license before the inactive status expires;
- (2) Complies with the license renewal requirements that are in effect when the licensee applies for reactivation;
- (3) Has completed 20 credit hours of approved continuing education in the past 24 month period; and
- (4) Pays to the Board the reactivation fee established by COMAR 10.60.06(7).

.09 Non-renewed Status.

A. The Board shall place a licensed environmental health specialist on non-renewed status for a period not to exceed 4 years if the licensed environmental health specialist fails to renew the license for any reason.

B. The Board shall provide to the licensee who is placed on non-renewed status written notification of:

- (1) The date the license expired;
- (2) The date the non-renewed status became effective;
- (3) The date the non-renewed status expires; and
- (4) The consequences of not reactivating the license before the non-renewed status expires.

C. Except as provided in Regulation .10 of this chapter, the Board shall reactivate the license of a licensed environmental health specialist who is on non-renewed status if the individual:

- (1) Applies to the Board for reactivation of the license before the non-renewed status expires;
- (2) Complies with the license renewal requirements that are in effect when the individual applies for reactivation;
- (3) Has completed 20 credit hours of approved continuing education in the past 24 month period; and
- (4) Pays to the Board the reactivation fee established by COMAR 10.60.06.

.10 Reactivation.

Notwithstanding Regulations .08 and .09 of this chapter, the Board shall reactivate the license of a licensed environmental health specialist who was placed on inactive or non-renewed status if the individual:

- A. Applies to the Board for reactivation after the inactive or non-renewed status expired;
- B. Pays to the Board the reactivation fee established by COMAR 10.60.06;
- C. Provides any documentation required by the Board; and

D. Passes the examination that is required at time of reactivation.

Administrative History

Effective date:

Regulations .01—.08 adopted as an emergency provision effective January 3, 2013 (40:6 Md. R. 469); adopted permanently effective April 15, 2013 (40:7 Md. R. 612)

Regulation .01C amended effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .02A, B amended effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .03A amended effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .03C amended effective March 13, 2017 (44:5 Md. R. 294)

Regulation .04A, E amended effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .04F, G adopted effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .04G amended effective March 13, 2017 (44:5 Md. R. 294)

Regulation .05 amended effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .05B amended effective March 13, 2017 (44:5 Md. R. 294)

Regulation .06C repealed May 20, 2019 (42:22 Md. R. 1379)

Regulation .08 repealed and new Regulation .08 adopted effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .09 adopted effective November 9, 2015 (42:22 Md. R. 1379)

Regulation .10 adopted effective November 9, 2015 (42:22 Md. R. 1379)