

§59-1150.1.

Sections 1150.1 through 1150.13 of this title shall be known and may be cited as the "Oklahoma Sanitarian and Environmental Specialist Registration Act".

§59-1150.2.

For the purposes of the Oklahoma Sanitarian and Environmental Specialist Registration Act:

1. "Board" means the State Board of Health of the State of Oklahoma;
2. "Commissioner" means the State Commissioner of Health of the State of Oklahoma;
3. "Council" means the Sanitarian and Environmental Specialist Registration Advisory Council;
4. "Executive Director" means the Executive Director of the Department of Environmental Quality;
5. "Person" means individuals;
6. "Registration" means a certificate issued pursuant to the Oklahoma Sanitarian and Environmental Specialist Registration Act; and
7. "Sanitarian or environmental specialist" means a person uniquely qualified by education in the sciences, specialized training, and documented field experience to effectively plan, organize, manage, execute and evaluate one or more of the many diverse elements comprising the fields of public health or environmental protection or both public health and environmental protection. The term "sanitarian or environmental specialist" may be interpreted to include environmental sanitarian, environmental protection specialist, environmental health specialist or other similar terms.

§59-1150.3.

The State Board of Health in conjunction with the Sanitarian and Environmental Specialist Registration Advisory Council is hereby authorized to promulgate rules governing the examination and registration of sanitarians and environmental specialists, and the defining of categories and limitations for such registration and providing continuing education requirements for the renewal of registration.

§59-1150.4.

A. It is the intent of the Legislature that the Council and the registration of sanitarians and environmental specialists pursuant to the provisions of the Oklahoma Sanitarian and Environmental Specialist Registration Act shall constitute a section of the Occupational Licensing Division of the Oklahoma State Department of Health.

B. Fees collected pursuant to the provisions of the Oklahoma Sanitarian and Environmental Specialist Registration Act shall be determined by the Board in conjunction with the Council pursuant to Article I of the Administrative Procedures Act.

§59-1150.5.

A. There is hereby created the "Sanitarian and Environmental

Specialist Registration Advisory Council", which shall consist of nine (9) members as follows:

1. One member shall be the Commissioner of Health or designated representative;
2. One member shall be the Executive Director of the Department of Environmental Quality or designee;
3. One member shall be the Administrator of the Office of Personnel Management or designee;
4. One member who shall be appointed for an initial term of three (3) years by the Director of the City-County Health Department of Oklahoma County;
5. One member who shall be appointed for an initial term of three (3) years by the Director of the Tulsa City-County Health Department;
6. Two members shall be employed by state government who shall be appointed by the Commissioner for an initial term of two (2) years each; and
7. Two members, for an initial term of one (1) year each, who shall be appointed by the Executive Director of the Department of Environmental Quality, one who is employed by private industry and one who is employed by the Indian Health Service of the Public Health Service or by a tribal government with an office in the State of Oklahoma.

B. With the exception of paragraph 3 of subsection A of this section all of the members shall have at least five (5) years of experience as registered sanitarians or environmental specialists.

C. After expiration of one initial term of office, the term of office of each appointed member shall be for three (3) years. Each appointed member shall hold office until his successor is appointed and has qualified under the Oklahoma Sanitarian and Environmental Specialist Registration Act. The initial term for all appointed members shall begin January 1, 1996.

D. Sixty (60) days prior to the expiration of the term to be filled or whenever a vacancy occurs, any statewide organization whose membership represents more than twenty percent (20%) of the registered sanitarians and environmental specialists in the state may recommend three persons for such position or vacancy to the appointing authority.

E. Appointed members of the Council may be removed from office by the appointing authority.

F. The members of the Council shall serve without pay but may be reimbursed for actual expenses pursuant to the State Travel Reimbursement Act.

G. The Council shall elect from among its membership a chair, vice-chair and secretary to serve a term of not more than one (1) year ending on July 1 of the year designated by the Council. Members may be elected for more than one term. The chair or vice-chair shall preside at all meetings. The chair, vice-chair and secretary shall perform such duties as may be decided by the Council in order to effectively administer the Oklahoma Sanitarian and Environmental Specialist Registration Act.

H. A majority of Council members shall constitute a quorum to transact official business.

I. The Council shall meet within sixty (60) days after the effective date of this act and shall meet thereafter at such times as the Council deems necessary to implement the Oklahoma Sanitarian and Environmental Specialist Registration Act.

§59-1150.6.

Pursuant to the Oklahoma Sanitarian and Environmental Specialist Registration Act, the Council shall have the power and duty to:

1. Assist and advise the Board on all matters relating to the formulation of rules in accordance with this act;
2. Administer and develop the examinations of applicants for registration pursuant to this act;
3. Determine qualifications of applicants for registration pursuant to this act;
4. Prescribe and adopt forms for registration applications and initiate mailing of the application forms to all persons requesting applications;
5. Investigate alleged violations of the provisions of this act and of any rules promulgated by the Board thereunder;
6. Assist the Board in establishing categories of registrations and application requirements for each category including but not limited to education, experience requirements, and examinations; and
7. Have such other powers and duties as is necessary to implement this act.

§59-1150.7.

A. Applicants for certificate of registration as a sanitarian or environmental specialist shall be approved for registration by the Council upon compliance with the following:

1. Have two (2) years of postgraduate, full-time experience working in the fields of public health or environmental protection;
2. Have a four-year baccalaureate degree with a major in public health, environmental health, environmental science, physical science, natural science, biological science, agricultural science, or equivalent, from an accredited college or university with at least thirty (30) semester hours of work in physical, natural and biological sciences, public health and/or environmental health or environmental protection or both environmental health and environmental protection;
3. Pass an examination prescribed by the Council, demonstrating knowledge and understanding of the principles of sanitation and of the physical, biological and environmental sciences; and
4. Pay applicable examination and registration fees.

B. Upon compliance with subsection A of this section, the Commissioner shall issue a certificate of registration as a registered professional sanitarian or registered professional environmental specialist. The area of specialization, if any, shall be designated on the certificate.

C. Applicants who, except for the experience requirement, meet all qualifications for registration as required in this section may be granted a certificate as a sanitarian- or environmental specialist-in-training, which certificate shall remain in effect, unless revoked by the Commissioner, for a period not to exceed thirty (30) months after date of issue.

§59-1150.8.

A. Examinations shall be uniform and practical in nature and shall be sufficiently strict to test the qualifications and fitness of the applicants for registration. Examinations shall be in whole or in part in writing. The Council shall conduct examinations twice a year and at such other times as it deems necessary. Examinations

may be general or specific to an area of specialization.

B. Any applicant initially failing to pass the examination shall not be permitted to take another examination for a period of thirty (30) days. Any applicant subsequently failing to pass the examination shall not be permitted to take another examination for a period of ninety (90) days.

§59-1150.9.

A. The Commissioner shall issue a certificate of registration as a sanitarian or environmental specialist to any person who:

1. Has been certified by the Council as having a current valid registration in good standing issued by another entity with registration requirements similar to but not less than those provided in the Oklahoma Sanitarian and Environmental Specialist Registration Act; and

2. Has paid the registration fee and otherwise complied with the provisions of the Oklahoma Sanitarian and Environmental Specialist Registration Act.

B. No registration shall be issued unless the holder of a registration pursuant to the Oklahoma Sanitarian and Environmental Specialist Registration Act would be issued a similar registration by such other body under substantially the same conditions.

C. All registrations shall be nontransferable. It shall be a misdemeanor for any person registered pursuant to the provisions of the Oklahoma Sanitarian and Environmental Specialist Registration Act to loan or allow the use of such registration by any other person.

D. Until January 1, 1994, the Council shall, upon proper application, issue registrations without examinations and without payment of additional fees to persons who prior to October 1, 1993, hold unexpired registrations as sanitarians issued by the Commissioner, and who have otherwise complied with the requirements of the Oklahoma Sanitarian Registration Act as of October 1, 1993. This registration must be produced as a prerequisite to obtaining a registration pursuant to the Oklahoma Sanitarian and Environmental Specialist Registration Act.

§59-1150.10. §59-1150.11. Repealed by Laws 1995 c.91, § 12, eff. Nov, 1, 1995

§59-1150.12.

Only a person who has qualified as a registered sanitarian or environmental specialist and who holds a valid current registration certificate for use in this state shall have the right and privilege of using the title Registered Professional Sanitarian or Registered Professional Environmental Specialist and to use the abbreviation R.P.S. or R.P.E.S. after the name of such person. Any person who violates the provisions of this section, upon conviction thereof, shall be guilty of a misdemeanor.

§59-1150.13.

A. The Commissioner shall have the power to revoke the certificate of registration of any registrant pursuant to this section.

B. The Commissioner shall suspend or revoke or not renew any registration for:

1. Fraud or deceit in obtaining a registration;
2. Making a material misstatement in the application for a registration, or the renewal of a registration;

3. Loaning or illegally using a registration;
 4. Demonstrating incompetence, or any gross negligence or misconduct in the profession of Registered Professional Sanitarian or Registered Professional Environmental Specialist; or
 5. Violating any provisions of the Oklahoma Sanitarian and Environmental Specialist Registration Act, or any rule, or order prescribed by the Board promulgated thereto.
- C. Any person whose registration has been revoked by the Commissioner may apply for a new registration one (1) year from the date of such revocation.