

## **BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS**

### **ANNUAL REPORT July 2016 -- June 2017**

The State Board of Environmental Health Specialists (the "Board") operates under the provisions of Title 21 of the Health Occupations Article of the Annotated Code of Maryland. The Board is the licensing authority of environmental health specialists in the State of Maryland. The Board is mandated to protect the public by regulating the practice of environmental health work in Maryland, by licensing qualified environmental health specialists, establishing fees, maintaining a current roster of all licensees, administering licensing examinations, enforcing current statutes and regulations, adopting new regulations to carry out provisions of the Title, suggesting new changes to the Title to keep abreast of trends and practice issues, adopting standards of practice for environmental health work, verifying credentials, issuing licenses, establishing requirements for and verifying completion of continuing education, investigating complaints based on alleged violations of regulations and statutes, formal and informal disciplining of licensees, creating committees as deemed appropriate to advise the Board. The program is 100 percent special funded. The fund is supported exclusively by revenues generated by licensing fees. The Board consists of nine members appointed by the Governor with the advice of the Secretary and the advice and consent of the Senate. Seven members of the Board are licensed environmental health specialists and two members represent the public.

#### **BOARD MEMBERS:**

Bert Nixon, EHS, Board Chair  
Linda Rudie, EHS, Board Vice Chair  
Veronica Moore, EHS, Board Secretary  
Naomi Howell, EHS  
Karen Brandt, Public Member  
Vacant, Public Member  
Yvonne Deloatch, EHS  
Amy Parrish, EHS  
Vacant, EHS

#### **STAFF:**

James T. Merrow, Acting Executive Director  
Donna Zickefoose, Board Staff  
Ari Elbaum, AAG, Board Counsel

The Board's staff is responsible for the day-to-day activities of the Board and the coordination of administrative activities with other government agencies. In addition to the above staff, the Board shares its financial, information technology and investigative staff with the other Health Occupation Boards under the Maryland Department of Health.

**BOARD MEETINGS:**

The Board conducts public meetings on the first Wednesday of the every other month throughout the year. The dates, times, and place of meetings are posted on the Board’s website.

**MISSION:**

The Mission of the Board of Environmental Health Specialists is to protect the citizens of Maryland and to promote quality public health care by licensing environmental health specialists, setting standards for their practice through regulations, legislation, and receiving and resolving complaints from the public.

**REVENUE REPORT: -- Special Fund (F.Y. 2017)**

<u>Category of fees</u>	<u>Fee</u>	<u>Revenue</u>
Application Fee	\$ 100	\$ 9,300.00
Certificate of Eligibility	50	800.00
License Fee	75	2,025.00
Renewal Fee	200	94,600.00
License Replacement	50	0.00
Reinstatement	300/500	1,800.00
Certificate Extension	50	200.00
Examination (fees set by vendor)		5,375.00
Roster	50	25.00
Inactive Status	25	0.00
Seasonal Extension	25	50.00
Inactive Status	25	425.00
Total Revenue		114,600.00
Beginning Fund Balance		<u>24,758.00</u>
Total Revenue Available		\$139,358.00

**EXPENDITURE REPORT:**

Appropriation	\$117,027.00
Expenditures	<u>115,429.00</u>
Unspent Appropriations	\$1,597.00

**NUMBER OF LICENSES:**

June 30, 2017:	
Licensed environmental health specialists	520
Individuals in training	105
Individuals eligibility for in training employment	327
Seasonal in training	17

## **LEGISLATION:**

During the 2017 General Assembly legislation the following legislation was enacted that impacted the Board:

HB 628/SB 517 Secretaries of Principal Departments – Supervision and Review of Decisions and Actions by Units within the Departments. This legislation provides that the Office of Administrative Hearings will review certain decisions of the Health Occupation Boards with regard to restraint of trade consequences.

HB 880/SB 450 Opening Meetings Act – Annual Reporting Requirement, Web Site Posting, and Training. The legislation requires that a public body designate a member to take a training course on the Open Meetings Act.

SB 503 Health Occupations Boards – Racial and Ethnic Disparities. Requires the Health Occupations Boards to make certain efforts to educate their licensees regarding racial and ethical disparities.

## **REGULATIONS:**

During the reporting period July 1, 2016 through June 30, 2017 the Board promulgated regulations that:

1. Prohibit an individual from using certain titles unless licensed by the Board.
2. Add a degree in soil science, or geographic information systems to the required combination of education and experience needed to sit for the licensure examination.
3. Clarify the requirements for being recognized as outstanding in the field of environmental health.
4. Clarify the responsibilities for the sponsor of an environmental health specialists-in-training program.
5. Clarify that as part of the implementation of the in-training program, the environmental health specialist-in-training shall meet certain requirements.
6. Require the Board to notify an applicant whose application has been denied by the Board by first-class mail and electronic means with the reason for denial.
7. Require that an environmental health specialist-in-training program be approved by the Board.
8. Authorize the Board to put an environmental health specialists-in-training certificate on inactive status at the request of the certificate holder for reasons acceptable to the Board.
9. Provide that pre-approved providers of continuing education shall be entities that meet certain requirements.
10. Require the Board to post and maintain a list of pre-approved providers on its website.
11. Repeal the late license renewal fee.

## PLAN FOR SPECIAL FUND REVENUES:

### Background:

In FY 2013, based on recommendations from the Department of Legislative Services' (DLS) 2011 sunset review report, the legislature transferred the Board of Environmental Sanitarians from the Maryland Department of Environment (MDE) to the Maryland Department of Health (MDH) and renamed the Board as the Board of Environmental Health Specialists. At that time the Board's fund source went from General Fund to Special Fund. The funding change was made in spite of the recommendation of DLS to maintain the Board's General Fund status.

### Direct Staffing:

Prior to the Board's transfer, MDE staffing consisted of 4 hours per week for administrative support and 20 hours per week for an administrative specialist's time. Under MDH, there is a loaned Executive Director and a 40 hour per week Administrative Officer.

### Fund Balance:

The Board's fund balances are as follows:

FY 2016	\$ 24,758
FY 2017	\$ 23,929
FY 2018	\$(22,604)

### Fees, Revenues and Funding Sources:

The Board's revenue structure is that all licensees are renewed every two years. This leads to a revenue imbalance between the odd fiscal years and the even fiscal years. The Board generates more revenue in the odd fiscal years.

Currently all health occupations boards are prohibited from increasing fees or instituting additional fees. Even if the Board could increase its fees it would not be practical for this licensing base. The typical licensees are highly trained public-sector employees who earn modest salaries. Unlike other health care providers that typically work in a private practice and can adjust the revenues to make up for increased licensing fees, these licensees have little or no discretion on setting their salaries. The Board believes that a significant fee increase could result in fewer individuals entering the profession.

In FY 2017 the Board proposed that the MDH submit a request to the Governor's Office for legislation that would change the Board's funding back to the General Fund category as it was under MDE. MDH is considering the request for legislation. If the Board does not obtain an additional funding source it will be insolvent in FY 2018. The legislation extending the Board's statute date from July 1, 2017 to July 1, 2027 must now be reconciled with the financial viability of the Board to carry out its mission.