

255 CMR 4.00: Registration As A Sanitarian

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4.01: General Provisions

The Board shall issue a certificate of registration as a Registered Sanitarian to any individual upon satisfactory completion of all applicable registration requirements. An applicant who is not eligible for registration by reciprocity pursuant to 255 CMR 4.05 must meet the education and experience requirements of 255 CMR 4.02 and satisfactorily pass the examination required by 255 CMR 4.04.

4.02: Minimum Standards and Qualifications

(1) An applicant for registration as a Registered Sanitarian must possess the following minimum education and/or experience in order to be eligible for registration:

- (a) A bachelor's degree or graduate degree in sanitary science, public health or environmental health from an approved school of public health/environmental health, as defined in 255 CMR 2.03; or
- (b) A bachelor's degree or graduate degree in sanitary engineering from an institution on the list of accredited colleges of the United States Office of Education, or any like institution approved by the Board; or
- (c) A bachelor's degree with a minimum of 30 semester hours credit in basic sciences from an institution on the list of accredited colleges of the United States Office of Education, or any like institution approved by the Board, plus the equivalent of one year full time experience in environmental health.

(2) The Board may, in its discretion, grant credit to an applicant for education received at an institution outside of the United States if the applicant submits proof satisfactory to the Board that such foreign education is substantially equivalent to that provided in an institution accredited by the United States Office of Education or otherwise approved by the Board.

4.03: Application for Registration

(1) Application for registration as a Registered Sanitarian shall be made on a form provided by the Board. Said application form shall be filled out completely and shall be accompanied by the following:

(a) Official transcripts, or other official documentation satisfactory to the Board, verifying that the applicant meets the educational requirements specified in 255 CMR 4.02;

(b) Work affidavit signed by employers and submitted on form prescribed and provided by the Board, or other written documentation satisfactory to the Board, verifying that the applicant meets the experience requirements specified in 255 CMR 4.02(1)(c), if applicable;

(c) An identifying photograph; and

(d) Any and all additional documentation which may be requested in writing by the Board.

(2) The Board shall notify an applicant in writing of any deficiencies in his or her application. If the requested additional information is not received by the Board within 90 days of the date of the applicant's receipt of that written notice, the application shall be considered denied by the Board.

(3) All fees submitted in conjunction with an application for registration are non-refundable.

(4) An applicant or registrant shall notify the Board in writing of any change of address within ten days.

4.04: Examination

(1) An applicant for registration as a Registered Sanitarian shall be required to pass an examination, as determined by the Board.

(2) The Board, or its designee, shall administer the licensing examination at least once a year. The examination shall include such subjects as the Board may direct and shall be administered in the English language. The content of said examination shall be reasonable and appropriate to the duties and functions of a sanitarian, and shall be sufficiently thorough to test the applicant's fitness to perform those duties and functions. Appropriate modifications may be made for applicants with disabilities or special needs, as determined by the Board.

(3) The Board shall give each applicant reasonable advance written notice as to when and where to appear for the examination.

~~(4) The Board, or its designee, may confiscate the examination materials of an applicant, deny that applicant permission to complete the examination and require that applicant to leave the examination site, if that applicant engages in any of the following conduct:~~

- ~~(a) Removing test materials from the examination room;~~
- ~~(b) Reproducing in any manner or aiding in the reproduction of test materials;~~
- ~~(c) Selling, distributing, buying or having unauthorized possession of test materials;~~
- ~~(d) Communicating with any other examinee during the examination;~~
- ~~(e) Copying answers or permitting answers to be copied;~~
- ~~(f) Having in one's possession, during the examination, any material other than the examination materials;~~
- ~~(g) Failing to obey instructions to stop working and/or starting the examination prior to being authorized to do so;~~
- ~~(h) Falsifying or misrepresenting educational credentials or other information required for admission to the examination; or~~
- ~~(i) Having another person take the examination on one's behalf.~~

~~(54) The Board, or its designee, shall mail send the results of the examination to each applicant.~~

~~(65) The passing score for the examination shall be determined by the Board on the basis of a percentage of correct responses. For applicants taking the examination on or prior to January 1, 1988, the percentage of correct responses required for a passing grade on the examination was 60. For applicants taking the examination after January 1, 1988, The percentage of correct responses required for a passing grade on the examination shall be determined by the Board after appropriate consultation with its designated professional testing service.~~

4.05: Registration by Reciprocity

The Board may issue a certificate of registration without examination and by reciprocity to any Registered Sanitarian who holds a current license, certification or registration issued by another state or jurisdiction, provided that:

- (1) the requirements for that license, certification or registration are, in the opinion of the Board, at least equivalent to those of this Board; and
- (2) the applicant has not had his or her license, certification or registration in that other jurisdiction revoked, suspended, or otherwise encumbered as a result of formal disciplinary proceedings instituted

by the governmental agency responsible for licensure, certification or registration of sanitarians in that jurisdiction.

4.06: Renewal of Registration

- (1) An individual's registration as a Sanitarian shall expire at the end of each calendar year.
- (2) On or before January 15 of each year, each Registered Sanitarian shall apply for renewal of his or her registration on forms prescribed or furnished by the Board, and shall pay a fee for renewal of that registration as established by the Secretary of Administration and Finance pursuant to M.G.L. c. 7, § 3B.
- (3) ~~Beginning January 1, 1991, all~~ Each Registered Sanitarian~~s~~ must satisfy the continuing education requirements as set forth in 255 CMR 5.00 as a condition for renewal of his or her ~~their~~ registration.

4.07: Lapse of Registration

- (1) If a Registered Sanitarian allows his/her registration to lapse, but attempts to renew it within three years from the date of its expiration, said registrant may obtain renewal of his/her registration by submitting the renewal application, together with the required evidence of continuing education for the current renewal period and each missed renewal period, the appropriate fee for the current renewal period and all missed renewal periods, and any late fee as may be established by the Secretary of Administration and Finance, to the Board.
- (2) If a Registered Sanitarian allows his/her registration to lapse and does not attempt to renew it within three years from the date of its expiration, the registrant shall be treated as though he/she were applying for initial registration and shall be required to take and pass the examination for initial registration and pay all applicable fees.

4.08: Grounds for Disciplinary Action

The Board may, by a majority vote, and after a hearing conducted in accordance with M.G.L. c. 30A and 801 CMR 1.00 et seq., take disciplinary action against the certificate of registration of a Registered Sanitarian pursuant to M.G.L. c. 112, § 61 through 65E. ~~Grounds for such disciplinary action include, but are not limited to, the following:~~

- ~~(1) Conviction of any criminal offense related to the practice of his/her profession;~~
- ~~(2) Obtaining or attempting to obtain a certificate of registration, or the renewal thereof, by fraud, deceit, misrepresentation or the use of false or forged evidence of any kind, including but not limited to falsification of reports of continuing education courses, seminars, workshops or contact hours;~~
- ~~(3) Lack of fitness to practice by reason of incapacitation due to mental impairment;~~

(4) Fraud or deceit in the course of his/her professional practice as a sanitarian;

(5) Negligence in the performance of his/her professional duties as a sanitarian;

(6) Failure to comply with any applicable federal or state law or regulation which governs the provision of any professional function or service which is or may be performed by a sanitarian; or

(7) Any other form of misconduct in the practice of his/her profession.