

105 CMR 802.000: REGISTRATION OF SANITARIANS

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802.010: Purpose

The purpose of 105 CMR 802.000 is to clarify professional standards and requirements for obtaining a certificate as a Registered Sanitarian, and other provisions of M.G.L.c. 111, § 27E related to registration of Sanitarians within the Commonwealth of Massachusetts.

802.020: Definitions

Advanced Math shall mean undergraduate or graduate mathematic courses, including computer and statistics, as determined by the Department. Advanced Math does not include economics.

Approved School of Public Health/Environmental Health shall mean any school, which grants a bachelor's degree in sanitary science, public health, or environmental health, and which is recognized as accredited by the United States Department of Education, or any other educational institution approved by the Department.

Basic Sciences shall mean sciences basic to sanitation, namely, physics, biology, microbiology, epidemiology, Advanced Math, public health, chemistry, environmental health, bacteriology, biochemistry, civil engineering, environmental engineering, toxicology, geology, social sciences, geography or related courses, as determined by the Department.

Board of Health shall mean the appropriate and legally designated health authority of a city, town, or other legally constituted governmental unit within the Commonwealth having the usual powers and duties of the board of health or health department of a city or town.

Contact Hour shall mean the unit of measurement of organized learning experience lasting 50 consecutive minutes.

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Commissioner shall mean the Commissioner of Public Health.

Continuing Education shall mean planned learning experiences designed to augment the knowledge, skills, and attitudes of a Registered Sanitarian, for improving the health of the public.

Department shall mean the Massachusetts Department of Public Health.

Evaluation shall mean the process of determining whether Objectives have been met.

Objective shall mean a statement that delineates a desired, specific attainable and/or measurable change in a learner's behavior.

Program shall mean seminars, educational courses, lectures, conferences, and workshops offered by Providers.

Provider shall mean professional organizations and educational institutions recognized by the Department and shall include colleges, universities, municipal, state, and federal agencies, public health organizations, and other professional associations and organizations offering Continuing Education.

Registered Sanitarian or R.S. shall mean a Sanitarian who has been duly registered by the Department and who maintains such active registration and shall include Sanitarians with active registration by the Division of Occupational Licensure as of December 31, 2022.

Sanitarian shall mean a person with broad education and experience in the physical, biological, and social sciences, supplemented by specialization in the field of sanitary or environmental science and technology, and who is qualified to carry out instructional and inspectional duties and enforce the laws in the field of environmental sanitation.

802.100: General Provisions of Registration as a Sanitarian

The Department shall issue a certificate of 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 105 CMR 802.230 must meet the education and experience requirements of 105 CMR 802.200 and satisfactorily pass the examination required by 105 CMR 802.220.

If an applicant is found qualified by the Department, the applicant shall be registered by the Department as a Registered Sanitarian, with the right to use the title Registered Sanitarian and the letters "R.S." or "RS". No individual may assume such title or list the credentials of Registered Sanitarian (R.S. or RS) to indicate that the person is a currently Registered Sanitarian unless so registered by the Department.

802.110: Registered Sanitarians Duties and Responsibilities

Registered Sanitarians administer environmental and health projects, initiatives, and interventions for both public and private agencies and organizations in food protection and safety, water protection, air quality, noise, industrial and land pollution, sewage disposal, hazardous and toxic substances, solid waste management, institutional health, and other related environmental health topics.

802.200: 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, environmental health, or equivalent as may be determined by the Department, from an Approved School of Public Health/Environmental Health, as defined in 105 CMR 802.020; or

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(b) A bachelor's degree or graduate degree in environmental engineering from an institution recognized as accredited by the United States Department of Education, or any equivalent institution as determined by the Department; or

(c) A bachelor's degree with a minimum of 30 semester hours credit in Basic Sciences from an institution recognized as accredited by the United States Department of Education, or any like institution approved by the Department, plus the equivalent of one year full-time professional experience in environmental health.

1. Basic Science courses may be taken outside the applicant's bachelor's degree program but must be offered by an institution recognized as accredited by the United States Department of Education, or any like institution approved by the Department.

2. Applicants may include up to six social science and/or Advanced Math credits towards the applicant's total Basic Science course credits.

3. As pertains to a particular applicant, the Department shall determine whether:

a. a math course constitutes an Advanced Math course; and

b. other courses not defined as Basic Sciences constitute a Basic Science course for the purpose of licensure.

4. In making any determination set forth in 105 CMR 802.200(1)(c)3., the Department reserves its right to require an applicant to submit documentation, which may include a syllabus, explaining course content to assist the Department in determining whether a specific course qualifies. It is the applicant's responsibility to provide sufficient information regarding specific course content.

(2) The Department 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 Department that such foreign education is substantially equivalent to that provided in an institution recognized as accredited by the United States Department of Education or otherwise approved by the Department.

(3) Notwithstanding the requirements set forth in 105 CMR 802.200(1), the Department may, in its discretion, determine that an applicant who has passed the examination as required in 105 CMR 802.220 meets the minimum education and/or experience in order to be eligible for registration as a Registered Sanitarian.

802.210: Application for Registration

(1) **Filing Procedure:** An individual who desires to be registered as a Registered Sanitarian and who meets the standards and qualifications specified in 105 CMR 802.200 shall complete an application on a form to be prescribed and furnished by the Department.

(2) **Documentary Evidence:** An application shall include proof of satisfactory completion of the education, training, and experience to meet the requirements for registration and proof of having passed such examination as approved or administered by the Department. The application shall include an examination as specified in 105 CMR 802.220. 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 Department, verifying that the applicant meets the educational requirements specified in 105 CMR 802.200; and

(b) Work affidavit signed by employer(s) and submitted on a form prescribed and provided by the Department, or other written documentation satisfactory to the Department verifying that the applicant meets the experience requirements specified in 105 CMR 802.200(1)(c), if applicable; and

(c) A copy of the applicant's government issued identification that includes that applicant's full name and photograph; and

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

(e) The required registration fee set forth in 801 CMR 4.00: *Rates*. All fees submitted in conjunction with an application for registration shall be non-refundable.

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(3) Review of Applications: The Department shall notify an applicant in writing of any deficiencies in their application and any additional information requested by the Department. If the requested additional information is not received by the Department within 90 calendar days from the date of said written notice, the application shall be considered denied by the Department. An applicant or registrant shall keep their up-to-date mailing address on file with the Department.

802.220: Examination

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

(2) The Department shall approve a written examination to be administered at least annually to individuals who have applied for registration as Registered Sanitarians. The written examination shall test an applicant's reasonable and appropriate capability to perform duties and functions of a Registered Sanitarian, and shall be sufficiently thorough to test the applicant's fitness to perform those duties and functions. The Department, or its designee, shall give each applicant reasonable advance written notice as to when and where to appear for the examination, including for online examinations, and shall provide each applicant with their examination results.

(3) Passing Scores: The passing score for the examination shall be determined by the Department, or its designee, and shall be sufficient to demonstrate the applicant's proficiency with the subject matter tested.

802.230: Registration by Reciprocity

The Department 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, as determined by the Department, at least equivalent to those of 105 CMR 802.000; and

(2) The applicant's license, certification, or registration in any other jurisdiction has not been revoked, suspended, or otherwise encumbered as a result of formal disciplinary proceedings instituted by the government agency responsible for licensure, certification, or registration of Sanitarians in that jurisdiction.

802.300: Establishment of Continuing Education Requirements

(1) As a condition for renewal of registration, a Registered Sanitarian shall complete no less 12 Contact Hours, of Continuing Education during each one-year period between registration renewals.

(2) A Registered Sanitarian seeking renewal of registration shall attest they have completed the number of Continuing Education Contact Hours required by 105 CMR 802.300 during the one-year period between registration renewals.

(3) The Department may grant an extension of the time for completing such Continuing Education to a Registered Sanitarian upon submission by the registrant of satisfactory proof of extenuating circumstances preventing the registrant from completing the required Continuing Education within the calendar year.

(4) Any registration holder who is unable to complete the required number of Continuing Education Contact Hours shall not have their registration renewed until they submit evidence satisfactory to the Department that they have completed all required Continuing Education Contact Hours and paid all required fees.

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(5) If a particular Continuing Education activity is undertaken by a Registered Sanitarian in good faith, but Continuing Education credit for that activity is denied or disapproved by the Department, the Registered Sanitarian so affected may be given up to one year from the date of the Department's decision to correct the deficiency. Verification of completion of an acceptable substitute activity shall be submitted to the Department within 60 calendar days of its completion.

(4) A Registered Sanitarian shall not be required to complete any Continuing Education in the calendar year in which they obtain their initial certificate of registration.

802.310: Standards for Continuing Education

A Continuing Education activity may be used to satisfy the Continuing Education requirements set forth in 105 CMR 802.300 only if it contributes directly to the professional competence of a Registered Sanitarian and meets all of the applicable standards set forth in 105 CMR 802.310.

(1) Amount of Credit Earned.

(a) 50 consecutive clock minutes is equivalent to one Contact Hour.

(b) A Registered Sanitarian is required to complete a total 12 Continuing Education Contact Hours for each calendar year.

(2) Provider Standards.

(a) Learner Objectives shall be written and be the basis for determining content, learning experience, teaching methodologies, and Evaluation.

(b) Subject matter description shall include learner Objectives, content, time allotment, teaching methods, faculty, and Evaluation format.

(c) Learning experiences and teaching methods should be appropriate to achieve the Objectives of the Program.

(d) Principles of adult education should be used in the design of the Program.

(e) Time allotted for each activity should be sufficient for the learner to meet the Objectives of the Program.

(f) Facilities and educational resources should be adequate to implement the Programs.

(g) Faculty should possess knowledge of the principles of adult education and should provide documentation to the Provider/learner illustrating competency in the content of the planned learning experience.

(3) Evaluation. Provision must be made for evaluating the participant's attainment of the stated learner Objectives or outcomes. Participants must be given the opportunity to evaluate faculty, learning experiences, instructional methods, facilities, and educational resources used for the Programs.

(4) Records. Records of completed Programs shall be kept by the Provider for a period of four years. Records should include content, Objectives, outline of offering, faculty qualifications, teaching methods and materials, Evaluation tools and data, and a list of participants.

(5) Subject Matter. Appropriate subject matter for Continuing Education purposes shall include, but shall not be limited to, one or more of the following:

(a) Public health or environmental health science and practice;

(b) Public and environmental health education;

(c) Research in public and environmental health;

(d) Social, economic, political, or legal aspects of public and environmental health;

(e) Environmental health and consumer education;

(f) Health and racial equity;

(g) Subject matter which improves competency, is not specified on the forgoing list, and is related to one or more of the Basic Sciences.

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(6) Methods of Obtaining Contact Hours. Continuing Education Contact Hours shall be obtained as follows:

- (a) By attending workshops, lectures, and seminars in accordance with 105 CMR 802.300 and 105 CMR 802.310; or
- (b) By completing an academic course within the framework of a curriculum that leads to an academic degree in environmental health or is relevant to environmental health, or any course within that curriculum necessary to an individual's professional growth and development; or
- (c) By completing a self-study or correspondence course. The course should:
 - 1. be developed by a professional group such as an educational corporation or professional association;
 - 2. follow logical sequence;
 - 3. involve the learner by requiring active response to module materials and providing feedback;
 - 4. contain a test to indicate progress and verify completion of module; and
 - 5. supply a bibliography for continued study; or
- (d) By teaching a particular academic course, seminar series, or workshop in the field of environmental health for the first time; or
- (e) By delivering a paper or lecture in the field of environmental health; or
- (f) By publishing an article in a peer-reviewed professional or scientific journal or a book in the field of environmental health.

(7) As provided in 105 CMR 802.310(1) through (6), first time teaching of an academic course, seminar series, workshop, or publishing of a book may be considered for up to nine Contact Hours; a published article may be considered the equivalent of up to five Contact Hours; and a lecture or paper may be considered the equivalent of up to three Contact Hours.

(8) Employee orientation or in-service training presentations concerning standard operating procedures specific to the employing agency or entity shall not be accepted for Continuing Education purposes.

802.320: Verification of Continuing Education

(1) At the time of renewal of the registration, the registrant may be required to file a form received from the Department with the renewal application listing information about all activities undertaken to fulfill Continuing Education requirements, including course names, dates, number of hours, signature of registrant, and names of institutions or Programs providing the Continuing Education.

(2) The Department has the authority to request that the registrant verify any Continuing Education activity which was undertaken not more than three years prior to the date of the last renewal of the individual's registration.

(3) The Registered Sanitarian requested to submit verification of a qualifying course, Program, lecture, workshop or conference shall submit a written statement (or photocopy) which shall include the following information:

- (a) name of school, institution, or organization which conducted or sponsored the course, Program, lecture, workshop, or conference;
- (b) location of the course, Program, lecture, workshop, or conference;
- (c) title and authorized number of the course, Program, lecture, workshop or conference;
- (d) learning Objectives;
- (e) dates of attendance;
- (f) hours claimed;
- (g) name and signature of authorized representative of the school, institution, or organization which conducted or sponsored the course, Program, workshop, or conference; and
- (h) such other information as the Department may reasonably require.

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(4) Institutions or Programs providing Continuing Education Programs are expected to retain in their files all materials related to presentation of Programs for Continuing Education, including those listed in 105 CMR 802.320(3)(a) through (h), for a period of four years following such presentation.

802.400: Renewal of Registration

(1) An individual's registration as a Registered Sanitarian shall expire at the end of each calendar year and may be renewed on or before January fifteenth of the following year; provided, however, that an individual seeking such renewal shall provide evidence of such Continuing Education as the Department shall require by regulation specified in 105 CMR 802.300.

(2) An individual's request for registration renewal shall be accompanied by the applicable renewal fee set forth in 801 CMR 4.00: *Rates*.

802.410: Lapse of Registration

(1) If a Registered Sanitarian allows their registration to lapse, but attempts to renew the registration within three years from the date of its expiration, said registrant may obtain renewal of their registration by submitting to the Department 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 801 CMR 4.00: *Rates*.

(2) If a Registered Sanitarian allows their 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 they were applying for initial registration and shall be required to take and pass the examination for initial registration and pay all applicable fees.

802.500: Investigation of Complaints

The Department shall review all complaints and determine whether the allegations require a formal investigation.

(1) If the Department finds an investigation is not required because the alleged act or practice does not violate 105 CMR 802.000 or any administrative requirement, protocol, or order of the Department pursuant thereto, the Department shall notify the complainant of this finding and the reasons on which it is based.

(2) If the Department finds an investigation is required, because the alleged act or practice may violate 105 CMR 802.000 or an administrative requirements, protocol, or order of the Department pursuant thereto, the Department shall investigate.

(3) If the Department finds the act or practice constitutes such a violation, the Department shall apply an enforcement procedure(s), provided in 105 CMR 802.520 through 802.560, as is appropriate to remedy the situation and the Department shall notify the complainant of its actions in this matter.

(4) Investigation of complaints may lead to enforcement actions, including an advisory letter, a letter of deficiency, or a letter of reprimand; a cease-and-desist order; a correction order, as set forth in 105 CMR 802.530; or a revocation, suspension, or refusal to renew a registration, or a modification of a registration by the Department. The Department may specify in any such enforcement action taken against a registrant a requirement to undergo and successfully complete remedial training, in accordance with terms set out in the enforcement action.

(5) Nothing in 105 CMR 802.500 shall limit the Department's ability to resolve a pending complaint by any other action, including but not limited to the imposition of a fine as permitted by law.

802.510: Deficiencies

- (1) A deficiency means there is a violation of 105 CMR 802.000 or an administrative requirement, protocol, or order of the Department. The Department may find a deficiency exists based upon information received by the Department, such as information received through the complaint procedure, as set forth in 105 CMR 802.500.
- (2) A deficiency may result in the following enforcement action:
 - (a) an advisory letter, a letter of deficiency, a notice of serious deficiency, a cease-and-desist order, or a letter of reprimand;
 - (b) a request to submit a written plan of correction as set forth in 105 CMR 802.520;
 - (c) a correction order as set forth in 105 CMR 802.530; or
 - (d) a denial, suspension, revocation, or refusal to renew a registration.

802.520: Plan of Correction

The Department may require any registrant pursuant to 105 CMR 802.510(2)(b) to submit a written plan of correction for each existing deficiency.

- (1) The registrant shall specify in the plan of correction the manner in which the deficiency shall be corrected and the date by which the deficiency shall be corrected.
- (2) The plan of correction shall be submitted to the Department no later than ten calendar days after written notice of deficiency and request by the Department for submission of such plan, or sooner as determined by the Department if deficiencies threaten health and safety.
- (3) The Department shall approve or deny the plan of correction within ten calendar days of receipt of the plan. Failure to respond to a submitted plan of correction within ten calendar days of receipt shall be deemed an acceptance of the plan of correction.
- (4) Failure to timely submit an acceptable plan of correction or failure to timely correct the deficiency in accordance with the plan of correction are grounds for further enforcement action, including suspension or revocation of a registration.

802.530: Correction Orders

The Department may order any registrant pursuant to 105 CMR 802.510(2)(c) to correct a deficiency by issuing a correction order. Each correction order shall contain the following:

- (1) A description of the deficiency or deficiencies;
- (2) The period within which the deficiency must be corrected, which shall be reasonable under the circumstances. In the case of a deficiency that endangers the public health or safety, the Department or its agent may suspend a registration effective immediately, provided the registrant affected shall be promptly afforded an opportunity for an adjudicatory proceeding pursuant to 105 CMR 802.600.
- (3) The provisions of the applicable statutes and regulations relied on in citing the deficiency.
- (4) Except for immediate suspension orders, an affected registrant may file a written request with the Department for administrative reconsideration of the order or any portion thereof within seven calendar days of the date of the correction order. Such request shall contain sufficient information to allow the Department to adequately reconsider the issuance of the order. Failure of the Department to act upon the written request within seven calendar days of the filing of the request shall be deemed a denial of the request.

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(5) If the Department makes a finding in writing that the registrant has made a good faith effort to correct the deficiency within the period prescribed for correction and that the correction cannot be completed by the prescribed date, the Department may permit the affected registrant to file or amend a plan of correction set forth in 105 CMR 802.520.

802.540: Denial of Registration

(1) If an application for registration is denied on the basis of disputed facts, the denied applicant may request in writing an adjudicatory hearing within 14 calendar days of the notice of denial, provided the applicant submits written evidence, which the applicant would offer at a hearing sufficient to support the applicant's factual allegations.

(2) If an application for registration is denied by the Department on the basis of facts over which there is no material dispute, the applicant shall be notified in writing of the reasons for the denial. Any applicant aggrieved by a denial on the basis of undisputed facts is not entitled to an adjudicatory hearing but may seek judicial review under M.G.L. c. 30A, § 14.

802.550: Suspension of Registration

(1) The Commissioner may suspend a registration without a hearing if the Commissioner finds public health or safety is endangered. Written notice of the reasons for the suspension shall promptly be issued by the Department. The affected person shall also be notified in writing of the right to an adjudicatory hearing and shall be promptly afforded an opportunity for a hearing provided a written request for a hearing is submitted within 14 calendar days of issuance of notification of suspension.

(2) After hearing or waiver thereof, the Department may modify a registration, or suspend, revoke or refuse to renew a registration.

802.560: Revocation or Refusal to Renew Registration

(1) If the Department initiates action to revoke or refuse to renew a registration, the affected person shall be notified in writing of the reasons for the Department's action and of the affected person's right to an adjudicatory proceeding.

(2) Written request for a hearing must be submitted within 14 calendar days of issuance of notification of Department action.

(3) After hearing or waiver thereof, the Department may modify a registration, or suspend, revoke or refuse to renew a registration.

802.570: Nonexclusivity of Enforcement Procedures

None of the enforcement procedures contained in 105 CMR 802.000 are mutually exclusive. Any enforcement procedures may be invoked simultaneously if the situation so requires.

802.600: Adjudicatory Proceedings

(1) All adjudicatory proceedings will be conducted in accordance with M.G.L. c. 30A and 801 CMR 1.00: *Standard Adjudicatory Rules of Practice and Procedure*.

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(2) The Commissioner shall designate a presiding officer to conduct a hearing and render a tentative decision, containing findings of fact and rulings of law. If the presiding officer finds any single ground for denial, revocation, suspension, or refusal to renew any registration, the presiding officer shall render a decision affirming the action initiated by the Department.

802.610: Grounds for Denial of Registration

- (1) The Department may deny registration on any of the following grounds:
 - (a) Failure to conform to the application requirements of 105 CMR 802.210, 105 CMR 802.220, and 105 CMR 802.230;
 - (b) Any actions or omissions which would indicate the health or safety of the public would be at risk should registration be granted;
 - (c) Any previous violation of 105 CMR 802.000; or
 - (d) Any attempt to serve as a Registered Sanitarian or to obtain registration through fraud, deceit, or knowing submission of inaccurate data or omission of a material fact.
- (2) Conditions for reapplication shall be specified by the Department at the time of the denial of registration.

802.620: Grounds for Suspension, Revocation of Registration, or Refusal to Renew Registration

The Department may suspend or revoke registration of any Registered Sanitarian on the following grounds:

- (1) Failing to meet Continuing Education requirements set forth in 105 CMR 802.300 and 105 CMR 802.310 for renewal of registration;
- (2) Failing to exercise reasonable care, judgment, knowledge, or ability in the performance of duties or to perform those duties within the scope of their training and registration;
- (3) Gross misconduct in the exercise of duties;
- (4) Committing a criminal offense relating to the performance of a registrant's duties including any conviction related to controlled substances violations;
- (5) Any condition or action that endangers the health or safety of the public;
- (6) Refusing to surrender a registration in violation of 105 CMR 802.550 or 105 CMR 802.560;
- (7) Failing to submit a plan of correction when required by the Department in accordance with 105 CMR 802.510(2)(b);
- (8) Failing to comply with a Department-approved plan of correction pursuant to 105 CMR 802.520;
- (9) Failing to comply with a Department-issued correction order pursuant to 105 CMR 802.530;
- (10) Knowingly making a false statement or omitting a material fact, orally or in an application or other document filed with or obtained by the Department or any other entity relating to registration pursuant to 105 CMR 802.000;

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- (11) Having been disciplined in Massachusetts or another jurisdiction (state, United States, or foreign) by a governmental licensing or registration authority, or by the National Environmental Health Association, against a Registered Sanitarian (R.S.) or other certification or license held by the Registered Sanitarian, for acts or conduct substantially similar to that which would constitute grounds for discipline by the Department;
- (12) Falsifying reports of Continuing Education courses, seminars, workshops, or completed Contact Hours;
- (13) Failing to meet reporting obligations in accordance with 105 CMR 802.630; or
- (14) Any violation of 105 CMR 802.000.

802.630: Reporting Obligations of Registered Sanitarians

- (1) Each Registered Sanitarian shall file a written report with any local board of health with which they provide services relating to such registration, and with the Department within five calendar days of the following:
 - (a) The Registered Sanitarian's conviction of a misdemeanor or felony in Massachusetts or any other state, the United States, or a foreign country (including a guilty plea, nolo contendere or admission to sufficient facts), other than a minor traffic violation for which less than \$1,000 was assessed. The following traffic violations are not minor and must be reported: conviction for driving under the influence, reckless driving, driving to endanger, and motor vehicle homicide;
 - (b) Loss or suspension of the Registered Sanitarian's driver's license;
 - (c) Disciplinary action taken by another governmental licensing jurisdiction (state, United States, or foreign) or the National Environmental Health Association against a Registered Sanitarian (R.S.) or other certification or license held by a Registered Sanitarian.
- (2) Each Registered Sanitarian shall file a written report with any local board of health with which they provide services relating to such registration within five (5) calendar days of notice of proposed Department disciplinary action or final Department action against the Registered Sanitarian, or other Department response to identified deficiency, cease-and-desist order, letter of deficiency, notice of serious deficiency, advisory letter, or correction order against the Registered Sanitarian.
- (3) The Department shall review and assess the information received under 105 CMR 802.630(1) in accordance with procedures established in a written policy. Any Department action to deny, suspend, revoke, or refuse to renew a registration, under 105 CMR 802.620 shall proceed in accordance with 105 CMR 802.540 to 105 CMR 802.570 as applicable to the Department action taken.

802.700: Severability

If any rule contained herein is found to be unconstitutional or invalid by a Court of competent jurisdiction, the validity of the remaining rules will not be so affected.

REGULATORY AUTHORITY

105 CMR 802.000: M.G.L. c. 111, § 27E