

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH  
CHAPTER 345. REGISTRATION OF SANITARIANS AND ENVIRONMENTAL SPECIALISTS**

**RULEMAKING ACTION:**

PERMANENT final adoption

**RULES:**

Subchapter 1. General Provisions

310:3451-1.1. [AMENDED]

310:345-1-2. [REVOKED]

Subchapter 3. Applications

310:345-3-1. [AMENDED]

310:345-3-2. [AMENDED]

310:345-3-3. [AMENDED]

310:345-3-4. [AMENDED]

310:345-3-5. [AMENDED]

310:345-3-6. [REVOKED]

Subchapter 5. Registration

310:345-5-1. [AMENDED]

310:345-5-2. [AMENDED]

310:345-5-3. [AMENDED]

Subchapter 7. Revocation and Reinstatement

310:345-7-2. [AMENDED]

Subchapter 9. Continued Education

310:345-9-1. [AMENDED]

310:345-9-2. [AMENDED]

**AUTHORITY:**

Commissioner of the Oklahoma State Department of Health; 63 O.S. § 1-104

**SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:**

October 20, 2020

**COMMENT PERIOD:**

November 16, 2020 through December 16, 2020

**PUBLIC HEARING:**

December 18, 2020

**ADOPTION:**

January 25, 2021

**SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:**

January 25, 2021

**LEGISLATIVE APPROVAL:**

Approved June 11, 2021 HJR 1046

**FINAL ADOPTION:**

June 11, 2021

**EFFECTIVE:**

September 11, 2021

**SUPERSEDED EMERGENCY ACTIONS:**

n/a

**INCORPORATIONS BY REFERENCE:**

n/a

**GIST/ANALYSIS:**

The proposed amendments: removed or reduced code provisions, including definitions and

requirements for the Advisory Council, that are already listed in statute; clarified and reduced unnecessary language; provided a life registration process; revoked the reciprocity section; added a provision to switch to an inactive status under reinstatement; changed exam fee language to clarify the fee is determined by the facility that administers it; and added 2 hours to continuing education requirement (requirement changed from 12 hours to 14 hours every two years).

**CONTACT PERSON:**

Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, 405-426-8563. AudreyT@health.ok.gov.

**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3 (5) AND 308 (E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2021:**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**310:345-1-1.1. Definitions**

The following words or terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

**"Board"** means the State Board of Health of the State of Oklahoma.

**"Certificate of course completion"** means a document acceptable to the Council which signifies satisfactory completion of course work and reflects the hours of credit earned.

**"Classroom hour"** is equal to fifty (50) minutes out of each sixty (60) minute segment.

~~"Commissioner" means the State Commissioner of Health of the State of Oklahoma.~~

**"Continuing education"** means education that is approved by the Council to satisfy education requirements in order to renew a certificate of registration.

**"Continuing education verification form"** means a form or document acceptable to the Council and completed by the course provider that documents compliance with the continuing education requirements.

**"Council"** means the Sanitarian Registration Advisory Council established in 59 O.S. Sections 1150.2 and 1150.6.

**"Department"** means the State Department of Health.

~~"Executive Director" means the Executive Director of the Department of Environmental Quality.~~

~~"Life Registration" means a registration available to those individuals who are 62 years of age or older before January 1, of the year renewing and have been registered as an Oklahoma Sanitarian or Environmental Specialist for at least 25 years.~~

~~"Person" means individuals, firms, partnerships, associations, corporations, the State of Oklahoma, counties, districts, municipalities, and all subdivisions, districts, officers, agencies, departments, institutions, or instrumentalities of any thereof, whether governmental or proprietary, except person shall only mean an individual for the purposes of the issuance of a certificate of registration in this chapter.~~

**"Provider"** means a person, corporation, professional association, governmental agency, tribal agency, or any other entity, which provides or verifies completion of approved continuing education to Registered Professional Sanitarians and Registered Professional Environmental Specialists.

~~"Registration" means a certificate issued pursuant to the Oklahoma Sanitarian Registration Act.~~

~~"Sanitarian" or "Environmental Specialist" means a person uniquely qualified by education in the sciences, specialized training, and creditable field experience to effectively plan, organize, manage, execute and evaluate one or more of the many diverse elements comprising the fields of public health and environment. The term sanitarian may be interpreted to include environmental sanitarian or environmental specialist.~~

"Sanitarian/Environmental Specialist Duty/Task List" means the document adopted by the Council that includes the various environmental and public health program areas that a Registered Professional Sanitarian or Registered Professional Environmental Specialist may be involved with, in the performance of their professional duties.

**310:345-1-2. Sanitarian and Environmental Specialist Registration Advisory Council [REVOKED]**

~~(a) There is hereby created the Sanitarian and Environmental Specialist Registration Advisory Council, whose duty shall be to assist and advise the Board on all matters relating to the registration of Sanitarians or Environmental Specialists in accordance with the Oklahoma Sanitarian and Environmental Specialist Registration Act.~~

~~(b) The Council shall consist of nine members as follows:~~

- ~~(1) One member shall be the Commissioner or the Commissioner's designee;~~
- ~~(2) One member shall be the Executive Director or the Executive Director's designee;~~
- ~~(3) One member shall be the Administrator of the Office of Personnel Management or the Administrator's designee;~~
- ~~(4) One member shall be a registered sanitarian or environmental specialist who shall be appointed by the City County Health Department of Oklahoma County;~~
- ~~(5) One member shall be a registered sanitarian or environmental specialist who shall be appointed by the Tulsa City County Health Department;~~
- ~~(6) Two members shall be registered sanitarians or environmental specialists employed by state government who shall be appointed by the Commissioner; and~~
- ~~(7) Two members shall be registered sanitarians or environmental specialists who shall be appointed by the Executive Director, one who is employed by private industry and one who is employed by the Indian Health Service of the Public Health Service.~~

~~(c) Appointed members of the Council may be removed from office by the appointing authority. The appointed members shall:~~

- ~~(1) have at least five (5) years of experience as registered sanitarians or environmental specialists;~~
- ~~(2) hold office for four (4) years; and~~
- ~~(3) hold office until a successor is appointed and has qualified under the Oklahoma Sanitarian and Environmental Specialist Registration Act.~~

~~(d) The Council shall meet at such times as the Council deems necessary to implement the Oklahoma Sanitarian and Environmental Specialist Registration Act. A majority of the Council members shall constitute a quorum to transact official business. The members of the Council shall serve without pay, but may be reimbursed for actual expenses pursuant to the State Travel Reimbursement Act.~~

~~(e) The Council shall elect from among its membership a chair, vice chair and secretary to serve terms of not more than two (2) years ending on July 1 of the year designated by the Council. 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.~~

**SUBCHAPTER 3. APPLICATIONS**

**310:345-3-1. Classification of applicants Life registration**

~~(a) Registered Professional Sanitarian or Registered Professional Environmental Specialist. Applicants for registration as Registered Professional Sanitarians ("R.P.S.") or Registered Professional Environmental Specialists ("R.P.E.S.") shall:~~

- ~~(1) have not less than two years of postgraduate, full time experience working in the fields of public health or environment;~~
- ~~(2) have a 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;

(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) Sanitarian in Training or Environmental Specialist in Training. Applicants who meet all qualifications for registration as a sanitarian or environmental specialist, except the postgraduate experience requirement, may be granted an active, certificate of Sanitarian In Training ("SIT") or Environmental Specialist In Training ("ESIT") on approval of the Commissioner. Such certificate shall remain in effect for a period not to exceed 30 months after date of issue, unless revoked by the Commissioner, or the sanitarian in training or environmental specialist in training requests inactive registration status pursuant to Section 310:345-3-1(c). A sanitarian in training or environmental specialist in training certificate of registration shall not be renewed, except that for just cause shown, as determined by the Council, a certificate of registration in training may be reinstated as provided in 310:345-7-2.~~

~~(c) Inactive Sanitarian in Training or Environmental Specialist in Training. Sanitarians in Training or Environmental Specialists in Training who are unable to maintain their employment to complete their two (2) years of postgraduate, work experience may request the Department to change their registration status to inactive in order to preserve the thirty (30) month limitation for an individual to register as a sanitarian in training or environmental specialist in training. Such inactive status shall not be granted if the individual's employment was terminated for acts or omissions which constitute a violation of this Chapter or the Oklahoma Sanitarian and Environmental Specialist Registration Act. An individual may only be granted inactive status as a sanitarian in training or environmental specialist in training one time for no more than one (1) year.~~

~~(d) Life Registration Sanitarian or Life Registration Environmental Specialist. Life Registration Sanitarian or Life Registration Environmental Specialist is available to those individuals who are 62 years of age or older before January 1, in the application year, hold a valid current registration and have been registered for not less than 25 years at the time of application.~~

### **310:345-3-2. Form**

An applicant must submit the following:

(1) Name, mailing address, name and address of employers, official transcripts showing degree, date of conferral and the 30 semester hours of acceptable science, details of appropriate experience, and such other information and material as the Department may reasonably require.

(2) All applications shall be made on printed form furnished by the Department. ~~In case there is not sufficient room on the form to present all the subject matter necessary, the applicant shall set forth the additional information on additional sheets.~~

(3) All application forms and information furnished thereon and all examinations and answers thereto shall be entirely in the English language.

### **310:345-3-3. Fees**

(a) **Payable when.** Fees shall be payable upon review by the Department and approval of an application.

(b) ~~R.P.S RPS, or R.P.E.S RPES.~~ The fee for registration as a Registered Professional Sanitarian (RPS) or Registered Professional Environmental Specialist (RPES) shall be is Twenty-Five Dollars (\$25.00).

(c) **SIT or ESIT.** The fee for registration as a Sanitarian-In Training (SIT) or Environmental Specialist-In-Training (ESIT) shall be is Ten Dollars (\$10.00).

(d) **SIT or ESIT approved as R.P.S RPS, or R.P.E.S RPES.** ~~An applicant that has been a Sanitarians-In-Training SIT or Environmental Specialists In-Training ESIT who have served for two years of such, and are~~ is in good standing shall ~~pay~~ pays a registration fee of Twenty-Five Dollars (\$25.00) on

application for ~~Registered Professional Sanitarian RPS or Registered Professional Environmental Specialist RPES.~~

(e) **Life Registered Sanitarian or Environmental Specialist.** The one time fee for registration as a Life Registered Sanitarian or Environmental Specialist is Sixty Dollars (\$60.00).

(f) **Examination Fee.** The fee for the Oklahoma registration examination ~~shall be~~ is ~~Thirty Dollars (\$30.00) determined by the facility that administers it.~~

#### **310:345-3-4. Examinations**

The Council shall conduct examinations for registration as ~~Registered Professional Sanitarians RPS, Registered Professional Environmental Specialists RPES, and/or for registration as Sanitarians In-Training SIT, or Environmental Specialists In-Training ESIT.~~ at least twice a year and at such other times as it deems necessary. ~~Applicants are entitled to 30 days notice of the type and scheduling of exams. Such examinations shall be written in whole or in part at the discretion of the Council. Where the education and experience of an applicant has been in a specialized field, the Council reserves the right to narrow or extend the limits of the examination in a reasonable manner.~~

#### **310:345-3-5. Action on application**

(a) When the Council, after due consideration of an applicant and of information pertaining thereto, is satisfied that the applicant is eligible for registration, the applicant shall be approved for registration.

(b) ~~The applicant shall be notified by the~~ The Council will notify the applicant of its approval.

(c) ~~and, upon payment of fees, shall be registered. The applicant will be considered registered upon payment of fees.~~

#### **310:345-3-6. Reciprocity [REVOKED]**

~~The Commissioner shall, upon application therefore and upon payment of a fee of Twenty Five Dollars (\$25.00), issue a certificate of registration as a Registered Professional Sanitarian or Registered Professional Environmental Specialist to any person who holds a certificate of registration issued by the proper authority of any state, territory or possession of the United States or any country, provided that the requirements for the registration of sanitarians or environmental specialists under which the certificate was issued do not conflict with the provisions of Oklahoma laws relative thereto and at the time said certificate was granted were a standard not lower than those specified in the Oklahoma Sanitarian and Environmental Specialist Registration Act and this Chapter.~~

### **SUBCHAPTER 5. REGISTRATION**

#### **310:345-5-1. Number**

At the time an applicant is approved for registration by the Council, the applicant ~~shall be~~ is assigned a registration number. The number for Sanitarian In Training or Environmental Specialist-In-Training ~~shall be~~ is preceded by the letters "S.I.T." or "E.S.I.T." ~~These numbers will be issued consecutively, in the order in which the applications are approved by the Council.~~ The applicant ~~will~~ shall be advised of this registration number in the notice sent to the applicant by the Department. A registration number which has once been issued to a registrant ~~will~~ shall become obsolete in event of revocation, death, or nonpayment of dues. If a former registrant is reinstated, he ~~will~~ shall be re-issued his original number. Registration numbers, which have become obsolete will not be re-issued to any registrant other than the original holder thereof.

#### **310:345-5-2. Certificate**

(a) As soon as possible after the approval of an application and payment of fees, a certificate of registration ~~will~~ shall be issued to the applicant, signed by the Commissioner ~~and Chairman of the Council, and bearing the Seal of the Council and~~ with the registration number of the applicant on the face of the certificate.

~~(b) Each applicant, after~~ After approval and payment of fees, ~~the applicant shall be~~ is issued a ~~card~~ wallet card certificate, which shall be designated by the Commissioner identifying the holder as a ~~Registered Professional Sanitarian RPS, Registered Professional Environmental Specialist RPES, Environmental Specialist In Training ESIT or Sanitarian In Training SIT.~~ Cards and certificates shall be mailed to the applicant's address.

~~(c) A new certificate of registration to replace any certificate lost, destroyed, or mutilated will be issued to any registrant on his simple application, accompanied by the actual cost of replacement to reimburse the Department for expense involved in the issuance thereof.~~

### **310:345-5.3. Expiration and renewal**

(a) **Expiration.** Each certificate ~~and card~~ of registration as a ~~Registered Professional Sanitarian RPS or Registered Professional Environmental Specialist RPES~~ shall ~~expire~~ expires on the last day of December following its issuance or renewal, and ~~shall become~~ becomes invalid on that date unless renewed.

(b) **Renewal by December 31.** Each ~~Registered Professional Sanitarian RPS or Registered Professional Environmental Specialist RPES~~ desiring to continue the practice of the profession shall renew the certificate prior to the last day of December by paying to the Department a fee of Twenty- Five Dollars (\$25.00); in return the Department shall issue a renewal ~~card~~ certificate for the ensuing year.

(c) **Renewal after February 1.** Expired certificates may be renewed prior to February 1 of the year following their expiration without penalty. Beginning February 1 of the year following its expiration, expired certificates shall only be renewed by submitting a renewal fee of Twenty-Five Dollars (\$25.00) plus a penalty of Ten Dollars (\$10.00) for a total of Thirty-Five Dollars (\$35.00).

(d) **Renewal ineligibility.** Except for extraordinary circumstances to be determined by the Council, all certificates which have not been renewed by March 1 of the year following its expiration ~~shall be~~ are ineligible for renewal unless the registrant has successfully passed the sanitarian or environmental specialist examination, and the names of such registrants shall not appear in the roster issued annually during the month of September.

(e) **Department to notify.** As of February 1 of each year, the Department ~~will~~ shall mail a notice to each registrant who has failed to renew his certificate prior to February 1 and has not successfully completed the sanitarian or environmental specialist examination that his certificate ~~will~~ shall be ineligible for renewal as of March 1 of the year following its expiration.

## **SUBCHAPTER 7. REVOCATION AND REINSTATEMENT**

### **310:345-7.2. Reinstatement**

(a) Former registrants who have successfully completed the sanitarian or environmental specialist examination may make application for reinstatement on the basis prescribed in subsection (b) of this Section.

(b) The certificate of an applicant ~~will~~ shall be reinstated on simple application therefore on a form prescribed by the Department and accompanied by remittance equal to the total amount of money which would have been paid to the Department in late renewal fees up to the time of application, had the original certificate not been permitted to expire, plus an additional fee of Ten Dollars (\$10.00) to reimburse the Department for expense of special handling required by this procedure.

(c) However, if the amount of the remittance computed as described in subsection (b) of this Section ~~shall exceed~~ exceeds Thirty-Five Dollars (\$35.00), the applicant may file for registration as though he had not previously been registered.

(d) A former registrant whose certificate was originally issued without examination shall not be eligible for reinstatement, but may be issued a new registration after successful completion of the sanitarian or environmental specialist registration examination.

(e) ~~Except as provided herein and in section 310:345-3-1(b) a~~ SIT or ESIT who are unable to maintain their employment to complete their two (2) years of postgraduate work experience may request the

Department to change their registration status to inactive in order to preserve the thirty (30) month limitation for an individual to register as a SIT or ESIT. Such inactive status shall not be granted if the individual's employment was terminated for acts or omissions which constitute a violation of this Chapter or the Oklahoma Sanitarian and Environmental Specialist Registration Act. An individual may only be granted inactive status as a SIT or ESIT one time for no more than one (1) year. A certification of registration in training shall not be eligible for reinstatement.

## SUBCHAPTER 9. CONTINUED EDUCATION

### 310:345-9-1 Course approval requirements

(a) The Council shall only approve continuing education that is directly related to program areas outlined in the "Sanitarian/Environmental Specialist Duty/Task List" approved by the Council. ~~Any applicant whose continuing education course is denied shall have the right to file an appeal with the Council.~~ Upon hearing the appeal, the Council ~~shall have~~ has the authority to approve the course, to approve a modified version of the course, or deny the course. Topic areas such as communication skills and report writing ~~will be~~ are considered for approval if they are relevant to a program area listed in the "Sanitarian/Environmental Specialist Duty/Task List".

(b) Any provider seeking course approval for continuing education credit shall make application and submit documents, statements and forms as may reasonably be required by the Council. All providers shall submit to the Department:

- (1) Name and address of the provider;
- (2) The method of presentation (on-line course, classroom instruction, seminar, instructional video, college course, etc.);
- (3) A contact person with contact information;
- (4) The location of the courses or programs;
- (5) The number of education credit hours requested for each course and/or topic;
- (6) Topic outlines, which summarize the topics covered in each course and upon request a copy of any course materials; and,
- (7) Course objectives.

(c) If a prior approved course has substantially changed, a summarization of the changes shall be provided to the Department.

(d) At the completion of each course, the provider shall furnish the Department a list of the names and registration numbers for all participants who completed the course, ~~on a certificate of course completion.~~

(e) In addition to accepting courses approved as described in this section, continuing education credits may be granted to an individual if said individual supplies acceptable documentation to the Council showing the course meets applicable requirements, including proof the individual successfully completed the course. This provision ~~will~~ shall apply when considering education courses completed, for which the provider did not receive approval from the Council.

### 310:345-9-2. Continuing education requirement

(a) **Continuing education requirement.** ~~Beginning January 1, 2008, verification~~ Verification of fourteen ~~(14) twelve (12) "classroom hours"~~ of continuing education ~~will be~~ is required every two years to renew a Registered Professional Sanitarian RPS and/or Registered Professional Environmental Specialist RPES registration. An applicant for reinstatement of registration shall not be reinstated without submitting evidence of completing fourteen (14) ~~twelve (12)~~ "classroom hours" of continuing education within the twenty-four months preceding reinstatement. A person shall not apply for a new registration in an attempt to circumvent the requirement for continuing education. ~~All registrants shall be exempt from a requirement for continuing education their first year of registration.~~

(b) **Continuing education reciprocity.** The Council ~~will~~ shall exempt a non-resident registrant from the

continuing education requirement, if the individual lives in and is registered in another state with a continuing education requirement and provides the Department with evidence of current registration in that state when renewing an Oklahoma registration.

**(c) Exemptions from the continuing education requirement.**

An individual who holds a "Life Registration" is not required to complete continuing education. Any individual who is registered as a ~~"Sanitarian In Training" SIT~~ and/or ~~"Environmental Specialist In Training" ESIT~~ is encouraged but is not required to complete continuing education. Continuing education ~~shall~~ is not ~~be~~ required for the first year of registration as a ~~Registered Professional Sanitarian RPS~~ and/or ~~Registered Professional Environmental Specialist RPES~~.

**(d) Hardship waiver of continuing education.** An individual may submit a hardship waiver application to the Council for the continuing education requirement. The Council ~~shall have~~ has the authority to deny or approve the waiver for medical hardships, military reasons, or other reasons deemed appropriate by the Council.