## HOUSE BILL NO. 28

## INTRODUCED BY HANSEN BY REQUEST OF THE DEPARTMENT OF COMMERCE

•	IN THE HOUSE
DECEMBER 23, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
JANUARY 4, 1993	FIRST READING.
JANUARY 6, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 8, 1993	PRINTING REPORT.
•	SECOND READING, DO PASS.
JANUARY 11, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 89; NOES, 10.
	TRANSMITTED TO SENATE.
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	IN THE SENATE
JANUARY 13, 1993	IN THE SENATE  INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.
JANUARY 13, 1993	INTRODUCED AND REFERRED TO COMMITTEE
JANUARY 13, 1993 JANUARY 22, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.
	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.  FIRST READING.  COMMITTEE RECOMMEND BILL BE
JANUARY 22, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.  FIRST READING.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
JANUARY 22, 1993 JANUARY 23, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.  FIRST READING.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.  SECOND READING, CONCURRED IN.  THIRD READING, CONCURRED IN.
JANUARY 22, 1993 JANUARY 23, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.  FIRST READING.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.  SECOND READING, CONCURRED IN.  THIRD READING, CONCURRED IN.  AYES, 50; NOES, 0.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

2	INTRODUCED BY HANSEN
3	BY REQUEST OF THE DEPARTMENT OF COMMERCE
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
6	REQUIREMENT THAT A SANITARIAN LICENSEE SUBMIT TO AN ORAL
7	INTERVIEW OR EXAMINATION; AUTHORIZING THE ISSUANCE OF A
8	LICENSE TO A SANITARIAN WHO IS REGISTERED WITH THE NATIONAL
9	ENVIRONMENTAL HEALTH ASSOCIATION; AND AMENDING SECTIONS
10	37-40-302, 37-40-303, AND 37-40-311, MCA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 37-40-302, MCA, is amended to read:
14	=37-40-302. Application examination certificate.
15	(1) A person wishing to practice the profession of
16	sanitarian may apply to the department for registration on a
17	
1,	form prescribed by the board.
18	form prescribed by the board.  (2) An applicant must possess a minimum of a bachelor's
- •	_
18	(2) An applicant must possess a minimum of a bachelor's
18 19	(2) An applicant must possess a minimum of a bachelor's degree in environmental health or its equivalent from an
18 19 20	(2) An applicant must possess a minimum of a bachelor's degree in environmental health or its equivalent from an accredited university or college and must pass a written
18 19 20 21	(2) An applicant must possess a minimum of a bachelor's degree in environmental health or its equivalent from an accredited university or college and must pass a written examination and—an—oral—interview given at a time and place
18 19 20 21 22	(2) An applicant must possess a minimum of a bachelor's degree in environmental health or its equivalent from an accredited university or college and must pass a written examination and-an-oral-interview given at a time and place set by the board. The board shall establish procedures for

HOUSE BILL NO. 28

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3	(4) Holders of current certificates shall	be <u>are</u>
4	entitled to append to their name the initials "R.S.".	#
5	Section 2. Section 37-40-303, MCA, is amended to	read:
6	*37-40-303. Licensing sanitarians from other sta	tes <u>or</u>
7	with national registration. The department may	issue a
8	license without examination to a person who applies	to the
9	department, pays a fee prescribed by the board, and	submits

department shall issue a certificate of registration upon

is of good moral character;

payment of the required fee.

12 (2) is registered or licensed as a sanitarian in
13 another state or is registered with the national
14 environmental health association; and

satisfactory proof to the board that the person:

- 15 (3) has met the same qualifications for licensure as
  16 applicants registered by examination under this chapter."
- Section 3. Section 37-40-311, MCA, is amended to read:
- 18 "37-40-311. Suspension or revocation of license. (1)
- 19 The board may suspend or revoke a license, put a licensee on
- 20 probation, reprimand a licensee, or refuse to issue or renew
- 21 a license for the following reasons:
- 22 (a) unprofessional conduct as defined by rule of the
- 23 board;

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- (b) fraud and deceit in obtaining a license;
- 25 (c) negligence, incompetency, or misconduct in the

l practice as a sanitarian; or

- 2 (d) the conviction of a crime involving moral 3 turpitude.
  - (2) Any A person may bring charges of violating standards of conduct. The board may deny, suspend, or revoke a license or place a licensee on probation, or reprimand a licensee after a hearing held under the provisions of the Montana Administrative Procedure Act.
  - (3) The board may require a registrant to take a written or--oral examination,--or-both, in a proceeding to reprimand or to revoke, suspend, or refuse to renew a license.
    - (4) If, after a hearing, a majority of the board votes in favor of sustaining the charges, the board shall reprimand or place the sanitarian on probation or suspend, deny, refuse to renew, or revoke the certificate of registration of the professional sanitarian.
  - (5) The board, for reasons it considers sufficient, may reissue a certificate of registration to a person whose certificate has been revoked if a majority of the members of the board vote in favor of the reissuance. A new certificate of registration, to replace a certificate revoked, lost, destroyed, or mutilated, may be issued by the department, subject to the rules of the board."

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passes

## APPROVED BY COMM. ON BUSINESS AND ECONOMIC DEVELOPMENT

1	HOUSE BILL NO. 28
2	INTRODUCED BY HANSEN
3	BY REQUEST OF THE DEPARTMENT OF COMMERCE
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
6	REQUIREMENT THAT A SANITARIAN LICENSEE SUBMIT TO AN ORAL
7	INTERVIEW OR EXAMINATION; AUTHORIZING THE ISSUANCE OP A
8	bicense
9	EnvironmentalHealthAssociation; and amending sections
0	SECTION 37-40-302, 37-40-303,-AND-37-40-311, MCA."
1	
. 2	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 37-40-302, MCA, is amended to read:
4	"37-40-302. Application examination certificate.
.5	(1) A person wishing to practice the profession of
.6	sanitarian may apply to the department for registration on a
.7	form prescribed by the board.
.8	(2) An applicant must possess a minimum of a bachelor's
.9	degree in environmental health or its equivalent from an
20	accredited university or college and must pass a written
21	examination and-an-oral-interview given at a time and place
22	set by the board. The board shall establish procedures for
23	examination and determination of passing scores by rule.
	· · · · · · · · · · · · · · · · · · ·

(3) If the applicant meets the board's standards and

examination prescribed by the board, the

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department shall issue a certificate of registration upon
     payment of the required fee.
3
          (4) Holders of current certificates shall--be are
      entitled to append to their name the initials "R.S."."
         Section 2 -- Section - 37 - 48 - 3837 - MCA7 - is - amended - to - read: - -
          #37-40-303---bicensing-sanitarians-from-other-states or
 7
      with--national--registration:--The--department--may--issue-a
 8
      license-without-examination-to-a-person-who-applies--to--the
 9
      departmenty--pays-a-fee-prescribed-by-the-boardy-and-submits
10
      satisfactory-proof-to-the-board-that-the-person-
11
          tlt--is-of-good-moral-character;
12
          +27--is--registered--or--licensed--as--a--sanitarian--in
13
      another--state or---is---registered---with---the---national
14
      environmental-health-association;-and
15
          (3)--has--met--the--same-qualifications-for-licensure-as
16
      applicants-registered-by-examination-under-this-chapter:"
17
         Section-3.-Section-37-40-3117-M6A7-is-amended-to-read:--
18
          #37-40-311:--Suspension-or-revocation--of--license:--(1)
19
      The-board-may-suspend-or-revoke-a-license;-put-a-licensec-on
20
      probation; reprimand-a-licensee; or refuse-to-issue-or-renew
21
      a-license-for-the-following-reasons:
22
          fa)--unprofessional--conduct--as--defined-by-rule-of-the
23
      board;
24
          tb)--fraud-and-deceit-in-obtaining-a-license;
25
          +c)--negligencey--incompetencyy--or--misconduct--in--the
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2	<pre>fd)theconvictionofacrimeinvolvingmoral</pre>
3	turpitude.
4	(2)Any <u>A</u> personmaybringchargesofviolating
5	standards-of-conductThe-board-may-deny-suspendy-or-revoke
6	a-license-or-place-a-licensee-on-probationy-orreprimanda
7	licenseeafterahearing-held-under-the-provisions-of-the
8	Montana-Administrative-Procedure-Act:
9	(3)The-boardmayrequireαregistranttotakea
10	writtenororalexamination;or-both;-in-a-proceeding-to
11	reprimand-or-torevoke,suspend,orrefusetorenewa
12	license.
13	(4)If7after-a-hearing7-a-majority-of-the-board-votes
14	infavorofsustainingthecharges;theboardshall
15	reprimandorplace-the-sanitarian-on-probation-or-suspendy
16	denyyrefusetorenewyorrevokethecertificateof
17	registration-of-the-professional-samitarian-
18	(5)The-boardy-for-reasons-it-considers-sufficienty-may
19	reissueacertificateofregistrationto-a-person-whose
20	certificate-has-been-revoked-if-a-majority-of-the-members-of
21	the-board-vote-in-favor-of-the-reissuanceA-new-certificate
22	of-registrationy-to-replaceacertificaterevokedylost
23	destroyed, or mutilated, may be issued by the department,

practice-as-a-sanitarian;-or

subject-to-the-rules-of-the-board;"

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1	HOUSE BILL NO. 28	1	department shall issue a certificate of registration upo
2	INTRODUCED BY HANSEN	2	payment of the required fee.
3	BY REQUEST OF THE DEPARTMENT OF COMMERCE	3	(4) Holders of current certificates shallbe ar
4		4	entitled to append to their name the initials "R.S."."
5	A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE	. 5	Section-2 Section-37-48-3837-MCA7-is-amended-to-read:
6	REQUIREMENT THAT A SANITARIAN LICENSEE SUBMIT TO AN ORAL	6	#37-40-303bicensing-sanitarians-from-other-states
7	INTERVIEW OR EXAMINATION; AUTHORIBINGTHE198UANCEOFA	7	withnationalregistrationThedepartmentmayissue-
8	License	8	license-without-examination-to-a-person-who-appliestoth
9	ENVIRONMENTALHEALTHASSOCIATION; AND AMENDING SECTIONS	9	department,pays-a-fee-prescribed-by-the-board,-and-submit
10	SECTION 37-40-302, 37-40-303, -AND-37-40-311, MCA."	10	satisfactory-proof-to-the-board-that-the-person:
11		11	<pre>†1}is-of-good-moral-character;</pre>
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	12	(2)isregisteredorlicensedasasanitariani
13	Section 1. Section 37-40-302, MCA, is amended to read:	13	anotherstate orisregisteredwiththenations
14	*37-40-302. Application examination certificate.	14	environmental-health-association;-and
15	(1) A person wishing to practice the profession of	15	(3)hasmetthesame-qualifications-for-licensure-
16	sanitarian may apply to the department for registration on a	16	applicants-registered-by-examination-under-this-chapter:*
17	form prescribed by the board.	17	Section-3Section-37-40-3117-MCA7-is-amended-to-read:
18	(2) An applicant must possess a minimum of a bachelor's	18	#37-40-311 Suspension-or-revocationoflicense(
19	degree in environmental health or its equivalent from an	19	The-board-may-suspend-or-revoke-a-license;-put-a-licensee-
20	accredited university or college and must pass a written	20	probation,-reprimand-a-licensee,-or-refuse-to-issue-or-ren
21	examination and-an-oral-interview given at a time and place	21	a-license-for-the-following-reasons:
22	set by the board. The board shall establish procedures for	22	ta)unprofessionalconductasdefined-by-rule-of-t
23	examination and determination of passing scores by rule.	23	board;
24	(3) If the applicant meets the board's standards and	24	<pre>fb)fraud-and-deceit-in-obtaining-a-license;</pre>

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-2-

tc)--negligencey--incompetencyy--or--misconduct--in--the

practice		terienor
Diactice	40 0 0011	* CB* * 8111 \ Or

- fd)--the--conviction--of---a---crime---involving---mora;
  turpitude:
- t2)--Any h person-may--bring--charges--of--violating standards-of-conduct:-The-board-may-deny;-suspend;-or-revoke a-license-or-place-a-licensee-on-probation;-or--reprimand--a licensee--after--a--hearing-held-under-the-provisions-of-the Montana-Administrative-Procedure-Act;
- (3)--The-board--may--require--a--registrant--to--take--a
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-End-

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17	Section-3 Section-37-40-3117-MCAy-is-amended-to-read:
18	#37-40-311Suspension-or-revocationoflicense(1)
19	The-board-may-suspend-or-revoke-a-licensey-put-a-licensee-on
20	probation;-reprimand-a-licensee;-or-refuse-to-issue-or-renew
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subject-to-the-rules-of-the-board:"