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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

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DIRECTOR

**MICHIGAN REGISTERED SANITARIANS  
RULES WORK GROUP  
MEETING**

**MINUTES  
AUGUST 3, 2022**

The Michigan Registered Sanitarians Rules Work Group met on August 3, 2022. The meeting was held via Zoom.

**CALL TO ORDER**

Weston MacIntosh, JD, Departmental Specialist, called the meeting to order at 9:01 a.m.

**ATTENDANCE**

**Staff Present:** Weston MacIntosh, JD, Departmental Specialist,  
Boards and Committees Section  
Stephanie Wysack, Board Support Technician,  
Boards and Committees Section

**Public Present:** Randy Rapp – Allegan County

**WELCOME**

**RULES DISCUSSION**

**Sanitarians Registration – General Rules (A copy of the draft, pursuant to today’s discussion, is attached).**

MacIntosh stated that clarifying language was added in the following rules:

**R 338.3913 Sanitarian educational training requirements.**

**R 338.3921 Training standards for identifying victims of human trafficking: requirements.**

**R 338.3931 Registration renewal; requirements.**

### **R 338.3901 Definitions.**

MacIntosh stated that some of the acronyms used throughout the rule set were moved into the definitions section, as opposed to leaving them in some of the other individual rules.

### **R 338.3911 Accreditation standards; adoption by reference.**

MacIntosh stated that the rule had been updated to include the most recent versions of the accreditation standards.

### **R 338.3923 Examination; adoption.**

MacIntosh stated that no changes were made to this rule.

### **R 338.3925 Registration; requirements.**

MacIntosh stated that clarifying language was added to the rule as well as references to R 338.3913 and R 338.3923.

### **R 338.3927 Registration by endorsement.**

MacIntosh stated that clarifying and simplifying requirement language was added to the rule related to showing proof of current and full licensure or registration for the purpose of registration by endorsement, as well as a reference to R 338.3923.

**Subrule (3):** MacIntosh stated that new language was added to this subrule regarding disclosing sanctions.

### **R 338.3929 Application for sanitarian reregistration; requirements.**

**Subrule (1):** MacIntosh stated that clarifying language was added for registrations expired less than 3 years.

**Subrule (2):** MacIntosh stated that clarifying language was added to include references to the public health code for registrations expired greater than 3 years.

**Subrule (3):** MacIntosh stated that this is previous subrule (2) with some clarifying language.

**Subrule (4):** MacIntosh stated that new language was added to this subrule regarding disclosing sanctions.

Rapp asked why the rule used three years as a marker.

MacIntosh explained that this timeframe was outlined in the public health code and was standard across all health professions.

## **ADJOURNMENT**

MacIntosh stated that the goal of the updated draft was to update the standards and to improve the flow/organization. Very few substantive changes were made to this proposed revised set.

MacIntosh encouraged the attendees to sign up for email notifications from the Bureau by going online to [www.michigan.gov/bpl](http://www.michigan.gov/bpl).

MacIntosh adjourned the meeting at 9:21 a.m.

Prepared by:  
Stephanie Wysack, Board Support Technician  
Bureau of Professional Licensing

August 3, 2022

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

SANITARIANS REGISTRATION – GENERAL RULES

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, and 18413 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, and 333.18413, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, 2009-10, and 2011-4, MCL 338.3501, 445.2001, 445.2011, 333.26364, and 445.2030)

R 338.3901, R 338.3911, R 338.3913, R 338.3921, R 338.3923, R 338.3925, R 338.3927, R 338.3929, and R 338.3931 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 338.3901 Definitions.

Rule 1. (1) As used in these rules:

(a) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(b) "Department" means the department of licensing and regulatory affairs.

(c) **“NEHA” means the National Environmental Health Association.**

(d) **“REHS/RS” means the registered environmental health specialist/registered sanitarian credential from NEHA.**

(2) A term defined in the code has the same meaning when used in these rules.

PART 2. EDUCATION

R 338.3911 Accreditation standards; adoption by reference.

Rule 11. (1) ~~The department approves and adopts by reference the standards for accrediting environmental health baccalaureate programs developed and adopted by the National Environmental Health Science and Protection Accreditation Council (EHAC), P.O. Box 66057, Burien, Washington 98166 effective January 1, 2017, and entitled in the publication titled "Requirements for the Accreditation of Environmental Health Science and Protection Baccalaureate Programs."~~ **Programs,” updated November 25,**

**2019, which** ~~The guidelines are available free of charge from The National Environmental Health Science and Protection Accreditation Council, P.O. Box 66057, Burien, Washington 98166, or at no cost from the council's website at <https://www.nehspac.org/> at no cost. Copies of the guidelines are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.~~ **are approved and adopted by reference.**

(2) ~~The department approves and adopts by reference the standards for accrediting environmental health graduate programs developed and adopted by EHAC, P.O. Box 66057, Burien, Washington 98166 revised 2012, updated August 22, 2018, and entitled in the publication titled "Guidelines for the Accreditation of Environmental Health Science and Protection: Graduate Programs."~~ **Programs," updated August 22, 2018, which** ~~The guidelines are available free of charge from The National Environmental Health Science and Protection Accreditation Council, P.O. Box 66057, Burien, Washington 98166, or at no cost from the council's website at <https://www.nehspac.org/> at no cost. Copies of the guidelines are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.~~ **are approved and adopted by reference.**

(3) ~~A baccalaureate program in environmental health or graduate program in environmental health accredited by the EHAC as an approved environmental health educational program under subrules (1) and (2) of this rule meets the qualifications for an environmental health educational program that is approved by the department. The standards for recognition of accrediting organizations developed and adopted by the Council for Higher Education Accreditation (CHEA), One Dupont Circle NW, Suite 510, Washington DC 20036, in the publication titled "CHEA Standards and Procedures for Recognition," effective October 4, 2021, which are available at no cost on the council's website at <https://www.chea.org>~~ **are approved and adopted by reference.**

(4) ~~The department adopts by reference the recognition standards and criteria of the Council for Higher Education (CHEA), effective September 2018, and the procedures and criteria for recognizing postsecondary accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in 34 CFR part 602, subparts B and C (2018). Copies of the standards and criteria of CHEA and the United States Department of Education are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909. The CHEA recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, D.C. 20036-1110, or from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained from the United States Department of Education Office of Postsecondary Education, 1990 K Street, NW, Washington, D.C. 20006 or from the department's website at <http://www.ed.gov/about/offices/list/OPE/index.html> at no cost. The criteria for recognition and the recognition process for the secretary's recognition of accrediting agencies of the United States Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, S.W., Washington, DC~~

20202, in 34 CFR 602.10 to 602.39, effective July 1, 2020, which are available at no cost on the department's website at <https://www2.ed.gov/about/offices/list/ope/index.html> are approved and adopted by reference.

(5) ~~A bachelor's degree, master's degree, or doctoral degree in any subject from a postsecondary institution that is accredited by a postsecondary accrediting agency that meets the recognition standards and criteria of CHEA under subrule (4) of this rule is an educational program that is approved by the department.~~ **Copies of the standards and criteria approved and adopted in this rule are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.**

R 338.3913 Sanitarian educational training requirements.

Rule 13. (1) An applicant **for a sanitarian registration** shall complete an educational program that satisfies 1 of the following requirements:

(a) A bachelor's degree, master's degree, or doctoral degree in environmental health from an educational program **accredited under the standards** approved by the department **and adopted** under R 338.3911(3). **R 338.3911(1) or (2).**

(b) A bachelor's degree, master's degree, or doctoral degree in any subject from an **accredited** educational program at an institution **and the accrediting organization or agency satisfies the standards or criteria** approved by the department **and adopted** under ~~R 338.3911(5)~~ **R 338.3911(3) or (4)** ~~that and the degree includes~~ **included** both of the following requirements:

(i) ~~At least~~ **Not less than** 30 semester hours or 45 quarter hours of college level credit in basic science coursework, including engineering sciences, environmental sciences, health sciences, life sciences, natural sciences, or physical sciences.

(ii) College level credit for coursework in mathematics or statistics.

(c) A bachelor's degree, master's degree, or doctoral degree from an educational program at an institution ~~located~~ **found** outside the United States that is substantially equivalent to the educational requirements under subdivision (a) or (b) of this subrule.

(2) If an applicant is a graduate of an educational program under subrule (1)(b) of this rule, the applicant ~~shall have his or her~~ **applicant's** educational credentials **shall be** evaluated by a curriculum evaluation conducted by ~~the National Environmental Health Association (NEHA).~~ **NEHA.**

(3) If an applicant is a graduate of an educational program under subrule (1)(c) of this rule, the applicant ~~shall have his or her~~ **applicant's** educational credentials **shall be** evaluated by a credential evaluation organization that is a current member organization of the National Association of Credential Evaluation Services (NACES).

(4) The **applicant shall have the** educational program ~~shall~~ verify that the applicant has successfully completed the program by **having the program** ~~sending~~ **send** the applicant's official transcripts to the department.

### PART 3. REGISTRATION

R 338.3921 Training standards for identifying victims of human trafficking; requirements.

Rule 21. (1) Under section 16148 of the code, MCL 333.16148, an individual ~~who is~~ seeking registration or ~~is~~ registered shall complete training in identifying victims of human trafficking that satisfies all of the following:

(a) Training content must cover all the following:

(i) Understanding the types and venues of human trafficking in Michigan or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) ~~Resources~~ **Identifying resources** for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized, health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the department for initial registration, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that satisfies the requirements of subrule (1)(a) of this rule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed under subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed under subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

(3) Under section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for registration renewals beginning with the 2017 renewal cycle and for initial registrations issued after March 17, 2021.

R 338.3923 Examination; adoption.

Rule 23. The department approves and adopts the registered environmental health specialist/registered sanitarian examination developed by NEHA. The passing score for the registered environmental health specialist/registered sanitarian examination is the passing score established by NEHA.

R 338.3925 Registration; requirements.

Rule 25. (1) An applicant for a sanitarian registration shall ~~submit a completed application on a form provided by the department, together with the requisite fee. In addition to satisfying~~ **satisfy** the requirements of the code and the administrative rules promulgated under the code, ~~an applicant shall satisfy as well as 1 of all the following:~~ **following requirements:**

(a) ~~The requirements of R 338.3913(1)(a). No proof of prior work experience is required.~~ **Provide the required fee and a completed application on a form provided by the department.**

(b) ~~The requirements of R 338.3913(1)(b) and verification by the employer sent to the department that the applicant has completed 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors that affect the health of the public.~~ **Provide proof, as directed by the department, verifying completion of 1 of the following:**

(i) ~~The requirements of R 338.3913(1)(a). No proof of prior work experience is required.~~

(ii) ~~The requirements of R 338.3913(1)(b) and verification from the applicant's employer that the applicant has completed 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors that affect the health of the public.~~

(iii) ~~The requirements of R 338.3913(1)(c), subject to the following requirements:~~

(A) ~~If the credential evaluation required under R 338.3913(3) determines that the applicant's educational credentials are substantially equivalent to R 338.3913(1)(a), no proof of prior work experience is required.~~

(B) ~~If the credential evaluation required under R 338.3913(3) determines that the applicant's educational credentials are substantially equivalent to R 338.3913(1)(b), verification is required from the applicant's employer that the applicant has completed 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors that affect the health of the public.~~

(c) ~~The requirements of R 338.3913(1)(c), subject to the following requirements:~~ **Provide proof, as directed by the department, verifying a passing score on the examination adopted under R 338.3923.**

(i) ~~If the credential evaluation required under R 338.3913(3) determines that the applicant's educational credentials are substantially equivalent to R 338.3913(1)(a), no proof of prior work experience is required.~~

(ii) ~~If the credential evaluation required under R 338.3913(3) determines that the applicant's educational credentials are substantially equivalent to R 338.3913(1)(b), verification by the employer shall be sent to the department that the applicant has~~



completed 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors that affect the health of the public.

(2) ~~In addition to satisfying the requirements of subrule (1)(a), (b), or (c) of this rule, an applicant shall complete and pass the examination adopted under R 338.3923.~~ **If an applicant for a sanitarian registration provides proof, as directed by the department, that the applicant is a current holder in good standing of the REHS/RS credential, then it is presumed that the applicant satisfies the requirements of subrule (1)(b) and (c) of this rule.**

(3) ~~If an applicant for a sanitarian registration submits proof that he or she is a current holder in good standing of the registered environmental health specialist/registered sanitarian (REHS/RS) credential from NEHA, then it is presumed that the applicant satisfies the requirements of subrule (1)(a), (b), or (c) of this rule and satisfies subrule (2) of this rule.~~

R 338.3927 Registration by endorsement.

Rule 27. (1) ~~An applicant for a Michigan sanitarian registration by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to satisfying~~ **satisfy** ~~the other requirements of the code and the administrative rules promulgated under the code, an applicant shall satisfy the educational and experiential requirements, as specified in R 338.3925(1)(a), (b), or (c) and satisfy the requirements of this rule. as well as all the following requirements:~~

(a) **Provide the required fee and a completed application on a form provided by the department.**

(b) **Provide proof, as directed by the department, verifying a current and full sanitarian license or registration in another state.**

(c) **Provide proof, as directed by the department, verifying that the applicant completed the educational requirements in the United States for licensure or registration as a sanitarian in the United States.**

(d) **Provide proof, as directed by the department, verifying a passing score on the examination adopted under R 338.3923.**

(2) ~~An applicant who was first licensed or registered in another state is presumed to have met the requirements of sections 16186(1)(a) and (b) of the code, MCL 333.16186, if he or she satisfies both of the following requirements:~~ **If an applicant for a sanitarian registration provides proof, as directed by the department, that the applicant is a current holder in good standing of the REHS/RS credential, then it is presumed that the applicant satisfies the requirements of subrule (1)(c) and (d) of this rule.**

(a) ~~Verifies that he or she has been licensed or registered for a minimum of 3 years immediately before filing an application for registration as a sanitarian in this state. An applicant may submit either of the following as verification:~~

(i) ~~Documentation of the applicant's employment verified by the employer of employment in another state as a licensed or registered sanitarian for the period specified under subdivision (a) of this subrule.~~

(ii) ~~Documentation of the status of a license or registration from all other states in which the applicant currently holds or has ever held licensure or registration.~~

Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

(b) ~~Completed and passed the examination adopted under R 338.3923.~~

(3) ~~If an applicant for a sanitarian registration submits proof that he or she is a current holder in good standing of the REHS/RS credential from NEHA, then it is presumed that the applicant satisfies the educational and experiential requirements as specified in R 338.3925(1)(a), (b), or (c) of subrule (1) of this rule and satisfies subrule (2) of this rule.~~ **An applicant who is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If registration is granted and it is determined that sanctions have been imposed, the department may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.**

R 338.3929 Application for sanitarian ~~re-registration;~~ **reregistration;** requirements.

Rule 29. (1) An applicant **whose sanitarian registration has lapsed may be for re-registration reregistered within 3 years after the expiration date of the registration under section 16201(3) of the code, MCL 333.16201, if the applicant as a sanitarian shall submit to the department a completed application on a form provided by the department, together with the requisite fee. In addition to satisfying** ~~satisfies~~ the other requirements of the code and administrative ~~the~~ rules promulgated under the code, an applicant shall satisfy 1 of the following requirements, as applicable: **as well as all the following requirements:**

(a) ~~If the registration was lapsed for less than 3 years, an applicant shall satisfy all of the following requirements:~~ **Provides the required fee and a completed application on a form provided by the department.**

(i) ~~Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.~~

(ii) ~~Submit to the department on a form provided by the department verification of his or her license or registration by the agency of any state in which the applicant holds a current license or registration or ever held a license or registration as a sanitarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.~~

(b) ~~If the registration was lapsed for 3 or more years, an applicant shall satisfy all the following requirements:~~ **Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.**

(i) ~~Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.~~

(ii) ~~Submit to the department fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.~~

(iii) ~~Provide to the department proof of passing the examination adopted under R 338.3923.~~

~~(iv) Submit on a form provided by the department verification of his or her license or registration by the agency of any state in which the applicant holds a current license or registration or ever held a license or registration as a sanitarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.~~

~~(2) If an applicant for sanitarian re-registration submits proof that he or she is a current holder in good standing of the REHS/RS credential from NEHA, then it is presumed that the applicant satisfies the requirement of subrule (1)(b)(iii) of this rule. An applicant whose sanitarian registration has lapsed may be reregistered more than 3 years after the expiration date of the registration under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies the requirements under the code and the rules promulgated under the code, as well as all the following requirements:~~

~~(a) Establishes good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.~~

~~(b) Provides fingerprints as required under section 16174(3) of the code, MCL 333.16174.~~

~~(c) Provides proof, as directed by the department, verifying a passing score on the examination adopted under R 338.3923 during the 2-year period immediately preceding the date of application for reregistration.~~

~~(3) If an applicant for a sanitarian reregistration provides proof, as directed by the department, that the applicant is a current holder in good standing of the REHS/RS credential, then it is presumed that the applicant satisfies the requirement of subrule (2)(c) of this rule.~~

~~(4) An applicant who is or has been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country shall disclose that fact on the application form. The applicant shall satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application. If registration is granted and it is determined that sanctions have been imposed, the department may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.~~

R 338.3931 Registration renewal; requirements.

Rule 31. An applicant for ~~registration~~ renewal who has been registered for the 2-year period immediately preceding the application for renewal shall ~~submit~~ **satisfy the requirements of the code and the rules promulgated under the code, including providing to the department** the required fee and a completed application on a form provided by the department.