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DIVISION 5

REGISTRATION: GENERAL ADMINISTRATION

**338-005-0020
Definitions**

The following definitions apply to OAR 338-005-0020 through 338-020-0050.

(1) "Agency" means the Health Licensing Office. The agency is responsible for the budget, personnel, performance-based outcomes, consumer protection, fee collection, mediation, complaint resolution, discipline, rulemaking and record keeping.

(2) "Board" means, pursuant to ORS 700.210, the entity that advises the agency in matters relating to the practice of environmental sanitation and waste water sanitation, including establishing practice standards, education and training requirements, and advises the agency on all disciplinary issues in accordance with ORS 700.240. The agency director controls the regulatory operations and has decision-making authority on all substantive matters.

(3) "Candidate" means the applicant seeking registration as an environmental health specialist, environmental health specialist trainee, waste water specialist or waste water specialist trainee.

(4) "C.E.U." means a continuing education unit. The terms "continuing education credit" and "continuing education unit" are synonymous and may be used interchangeably.

(5) "College level" means those courses of instruction given at an accredited college or university with assigned credit toward the achievement of a baccalaureate degree.

(6) "Contact hours" means academic classroom or course work hours including but not limited to workshops, symposiums, seminars, or laboratory exercises. Contact time does not include personal travel time to or from the training site, registration or check-in periods, breaks or lunch time granted during attendance at any continuing education seminar or course.

(7) "Continuing education unit" means the numerical value determined by the Board to be earned by a renewal applicant by attending a specified Training course.

(8) "Direct personal supervision" means supervision without any intermediary or deputy.

(9) "Director" means the individual who is responsible for the performance of the agency as defined in ORS 676.610. The director appoints all subordinate officers and employees to carry out the duties of the agency.

(10) "Duties of an environmental health specialist" means activities which include, but are not limited to, the enforcement of regulations and statutes; planning and/or conducting surveys, investigations, and inspections; interpretation and utilization of data to promote environmental sanitation as it affects the health of the public or the quality of the environment.

(11) "Duties of an environmental health specialist trainee" means the utilization of the same skills, responsibilities and activities as the duties of an environmental health specialist; however, in a learning, training capacity and under the supervision of a registered or other qualified person as determined by the board.

(12) "Duties of a waste water specialist" means activities limited to those identified in ORS 700.056(1).

(13) "Duties of a waste water specialist trainee" means the utilization of the same skills, responsibilities and activities as the activities of a waste water specialist; however in a learning, training capacity and under the supervision of a an environmental health specialist, waste water specialist or other qualified person as determined by the board.

(14) "Expired registration" means a registration that is not renewed prior to the expiration date (not to exceed three years). Persons with expired registrations may not legally work in the field of environmental sanitation or waste water sanitation.

(15) "Full-time employment or equivalent hours" means employment consisting of a 40 hour work week for a minimum of 96 consecutive weeks not to exceed two years; or, a period of employment with a cumulative total of 3,840 clock hours.

(16) "Health Licensing Office" means the agency.

(17) "Official transcript" means an original document certified by the school indicating hours and types of course work, examinations and scores that the student has completed, which has been submitted through mail by the school or by courier from the school to the Board office in a sealed envelope.

(18) "Other qualified person" means a person with qualifications and background in environmental sanitation equal to those of an environmental health specialist or a waste water specialist as determined by the board.

(19) "Reasonable notice" means notification in no less than 10 calendar days.

(20) "Reciprocity" means:

(a) Registration in another state based on the equivalent standards of training and education required for Oregon registration as an environmental health specialist or waste water specialist according to the provisions of ORS 700.030 and 700.035; and

(b) A written examination successfully completed by the candidate which is equivalent to the written examination required in Oregon of candidates for registration by examination at time of application.

(21) "Related activities" means those activities which have a discernable connection to environmental sanitation.

(22) "Environmental health specialist" means an individual who has met the requirements of ORS 700.030 and has been issued a registration to practice environmental sanitation as defined in ORS 700.010(6).

(23) "Environmental health specialist trainee" means an individual who has met the requirements of ORS 700.035 and has been issued a registration to practice environmental sanitation under supervision in order to complete the required training, education and work experience under ORS 700.030 for registration as an environmental health specialist.

(24) "Science courses relating to environmental sanitation" means those courses of study which relate to environmental sanitation.

tion in the physical and natural sciences and includes special courses in sanitary science and public health.

(25) "Soil science courses" means, as used in ORS 700.053(3), at least 23 quarter hours or 15 semester hours, or combination thereof, of college courses in soil science, plus enough additional quarter or semester hours in other related college courses of study in the physical and natural sciences to equal a total of 45 quarter hours or 30 semester hours.

(26) "Supervision" means the direction and control exercised over one person by another in a traditional employee/employer relationship. Supervision includes ongoing oversight of work in the field and office, and review of reports, investigations or inspections conducted.

(27) "Timely renewal" means an application for registration renewal received on or before the expiration date.

(28) "Waste water specialist" means an individual, defined in ORS 700.010(11), who has met the requirements of ORS 700.053 and has been issued a registration to practice waste water sanitation within the scope of ORS 700.056.

(29) "Waste water specialist trainee" means an individual who has met the requirements of ORS 700.062 and has been issued a registration to practice waste water sanitation under supervision in order to complete the required training, education and work experience under ORS 700.053 for registration as a waste water specialist.

(30) "Waste water sanitation" means the art and science of applying sanitary, biological and physical science principles in the evaluation of soil for subsurface or surface disposal of waste water or for the land application of sludge; and determining the appropriate design of systems that use soil in the final stage of the waste water treatment processes.

(31) "Work experience" means performing the duties of an environmental health specialist while in trainee status under the supervision of a registered environmental health specialist or the equivalent in specific areas of environmental health. Work experience duties include:

- (a) Exercising independent value judgment regarding environmental sanitation in an on site setting;
- (b) Evaluating and approving permits and plans meeting environmental sanitation requirements;
- (c) Issuing waivers and exceptions to existing regulations when warranted by circumstances;
- (d) Providing information and guidance to individuals regarding plans, permits or other documents to ensure approval can be secured when all requirements are met;
- (e) Performing on-location inspections for a determination of compliance.

Stat. Auth.: ORS 676.605, 676.615, 700.240
 Stats. Implemented: ORS 676.605, 676.615, 700.240
 Hist.: SRB 2, f. 4-7-72, ef. 5-1-72; SRB 1-1985, f. & ef. 11-1-85; SRB 1-1987, f. 6-10-87, ef. 6-15-87; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; Renumbered from 338-010-0010 & 338-020-0020; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-005-0030

Fees

(1) Applicants and registrants are subject to the provisions of OAR 331-010-0010 and 331-010-0020 regarding the payment of fees, penalties and charges.

(2) Fees established by the Health Licensing Office are as follows:

- (a) Application fee: \$25;
- (b) Examination — (written) environmental health specialist: \$175;
- (c) Examination — (written) waste water specialist: \$150;
- (d) Examination retake — environmental health specialist (each subsequent attempt): \$175;
- (e) Examination retake — waste water specialist (each subsequent attempt for written section): \$150;
- (f) Reciprocity fee: \$125;
- (g) Initial registration: \$175;
- (h) Annual registration renewal: \$175;
- (i) Initial two-year trainee registration: \$175;

(j) Trainee extension of registration (up to 3,840 clock hours): \$50 per six month increment;

(k) Delinquency (late) fee: \$5 per month during the first year of expiration;

(l) Restoration of expired registration (payable up to three years of expiration): \$150;

(m) Duplicate registration: \$10;
 Stat. Auth.: ORS 676.605, 700.080, 700.240
 Stats. Implemented: ORS 676.605, 700.080, 700.240
 Hist.: SRB 2, f. 4-7-72, ef. 5-1-72; SRB 4(Temp), f. & ef. 7-1-75 thru 10-28-75; SRB 5, f. 10-14-75, ef. 11-11-75; SRB 1-1981, f. & ef. 4-8-81; SRB 1-1984, f. & ef. 10-26-84; SRB 1-1985, f. & ef. 11-1-85; SRB 1-1993(Temp), f. & cert. ef. 10-22-92; SRB 1-1993, f. & cert. ef. 3-18-93; SRB 1-1996(Temp), f. 5-15-96, cert. ef. 6-1-96; SRB 3-1996, f. 6-28-96, cert. ef. 7-1-96; Renumbered from 338-010-0020; SRB 1-1997(Temp), f. & cert. ef. 7-23-97; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 1-1999(Temp), f. 3-30-99, cert. ef. 4-1-99 thru 9-27-99; Administrative correction 11/17/99; SRB 1-2000, f. 1-28-00, cert. ef. 2-1-00; SRB 2-2000, f. 9-29-00, cert. ef. 10-1-00; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

DIVISION 10

REGISTRATION OF SANITARIANS, WASTE WATER SANITARIANS AND TRAINEES

[ED. NOTE: Previous rules adopted by the Health Division (OAR chapter 333, division 43) were statutorily placed under the jurisdiction of this Board by Chapter 650, Oregon Laws 1971.]

338-010-0015

Application Requirements

(1) Individuals applying for registration to practice environmental sanitation or waste water sanitation must meet requirements of OAR 331-030-0000 and 331-030-0020, in addition to the requirements of this rule, that are applicable to the specific field of practice and qualification pathway for which registration is being sought.

(2) Applicants must submit a completed application form prescribed by the agency, which shall be accompanied by payment of the appropriate fees. The completed application shall contain the information listed in OAR 331-030-0000(5), and include the following:

- (a) Signed and completed "Background Information Fact Sheet" which contains information on educational and work experience;
- (b) Official transcripts from college, university and post graduate records;
- (c) Evidence of prescribed educational and work experience as required by ORS 700.030, 700.053, and OAR 338-010-0025.

(3) Reciprocity: Applications for registration based on reciprocity as defined in ORS 700.052 and OAR 338-005-0020(20) must meet the requirements listed in subsections (1) and (2) of this rule. Documentation shall include a copy of the current registration and describe the type of examination completed for registration in another state or country.

(4) All documentation and payment of fees must be complete and received by the agency to be eligible and scheduled to take the examination.

Stat. Auth.: ORS 676.605, 700.030, 700.053, 700.240
 Stats. Implemented: ORS 676.605, 700.030, 700.053, 700.240
 Hist.: SRB 2, f. 4-7-72, ef. 5-1-72; SRB 4(Temp), f. & ef. 7-1-75 thru 10-28-75; SRB 5, f. 10-14-75, ef. 11-11-75; SRB 1-1985, f. & ef. 11-1-85; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 1-2004(Temp), f. 2-27-04, cert. ef. 3-1-04 thru 7-27-04; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-010-0017

Application for Registration as a Trainee

(1) Individuals applying for a "trainee" registration to practice environmental health or waste water sanitation must meet the requirements of OAR 331-030-0000, in addition to the requirements of subsection (2) of this rule.

(2) Applicants must submit a completed application form prescribed by the agency which shall be accompanied by payment of the application and registration fees. The completed application must contain the information listed in OAR 331-030-0000(5), and include evidence of prescribed education, such as official transcripts from

college, university and post graduate records, and work experience as required in ORS 700.035, 700.062, or OAR 338-010-0025.

(3) Persons must hold a valid trainee registration to receive credit for work experience, while employed and performing duties of environmental sanitation or waste water sanitation as defined in OAR 338-005-0020(31).

Stat. Auth.: ORS 700.035, 700.062, 700.240
 Stats. Implemented: ORS 700.035, 700.062, 700.240
 Hist.: SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-010-0025

General Requirements for Registration; Requirements for Reciprocity

(1) Applicants for registration shall submit satisfactory evidence to the Board that they have completed the prescribed education and work experience requirements as listed in one of the following areas:

- (a) Environmental health specialist: ORS 700.030;
- (b) Waste water specialist: ORS 700.053;
- (c) Trainee — environmental health specialist: ORS 700.035;

or

- (d) Trainee — waste water specialist: ORS 700.062.

(2) Applicants for registration by reciprocity shall provide evidence satisfactory to the Board that they have passed an examination equivalent to the examination required at the time of application for Oregon registration, and that they have the education and work experience equivalent to that required for an applicant for registration by examination in Oregon.

(3) Credits will be allowed toward work experience requirements for activities directly related to Environmental Sanitation and Waste Water Sanitation, and which were experienced in the military, industrial, special agency, or other situation, and shall be credited at the rate of one time unit of experience for each time unit of related work provided supervision occurred by a qualified person as determined by the Board.

Stat. Auth.: ORS 700.030, 700.035, 700.053, 700.062, 700.240
 Stats. Implemented: ORS 700.030, 700.035, 700.053, 700.062, 700.240
 Hist.: SRB 2, f. 4-7-72, ef. 5-1-72; SRB 1-1985, f. & ef. 11-1-85; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 1-2004(Temp), f. 2-27-04, cert. ef. 3-1-04 thru 7-27-04; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-010-0030

Examination

(1) Notwithstanding subsection (8) of this rule, the agency will administer an examination to qualified applicants. The agency reserves the right to alter or adjust examination dates, times and locations as it deems necessary to meet emergency situations and will notify applicants in advance.

(2) Applicants will qualify for examination upon compliance with all applicable provisions of OAR 338-010-0015, 338-010-0017 and 338-010-0025. Applicants will not be allowed to sit for the examination if documentation is incomplete or incorrect.

(3) Applicants must present photographic identification, such as a driver's license, and their original Social Security card to the examination proctor.

(4) In order to qualify for registration, an applicant must receive a passing score of at least 68 percent on the written examination.

(5) **EXAMINATION CONDUCT:** Examinations are conducted in a designated area with restricted access. Examination conduct differs between an environmental health specialist and a waste water specialist. Authorization for bringing any written material or electronic equipment or devices is subject to approval of the Board. Taking unauthorized items into the examination area may invalidate the examination and result in forfeiture of the examination and fees.

(6) **EXAMINATION DISQUALIFICATION:** An examination applicant will be immediately disqualified during or after the examination for conduct that interferes with the examination. Such conduct includes:

- (a) Giving or attempting to give assistance to others in answering questions during the examination;
- (b) Receiving or attempting to receive assistance during the examination, including assistance from other individuals, from notes, books or devices to answer questions;

(c) Removing or attempting to remove any secure examination-related information, notes, or materials from the examination site;

(d) Failing to follow directions relative to the conduct of the examination;

(e) Exhibiting behavior which impedes the normal progress of the examination; and

(f) Endangering the health or safety of a person involved in the examination.

(7) Disqualification will invalidate the examination and result in forfeiture of the examination and fees. The applicant will be required to reapply, submit additional examination fees, and request in writing to schedule another examination. Reexamination will be scheduled at a date, time and place determined by the Director following the date of disqualification.

(8) Satisfactory passage of the National Environmental Health Association examination, administered by an approved entity meeting NEHA requirements, will be recognized. The agency will accept verification directly from NEHA of a passing score as meeting Oregon examination requirements.

(9) Applicants will be responsible for any cost incurred from taking the examination at an alternative location other than an examination conducted at the Health Licensing Office.

Stat. Auth.: ORS 676.605, 700.050, 700.059, 700.240
 Stats. Implemented: ORS 676.605, 700.050, 700.059, 700.240
 Hist.: SRB 2, f. 4-7-72, ef. 5-1-72; SRB 1-1985, f. & ef. 11-1-85; SRB 1-1993, f. & cert. ef. 3-18-93; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 1-2003(Temp), f. & cert. ef. 4-25-03 thru 10-17-03; SRB 2-2003, f. 9-24-03, cert. ef. 10-1-03; SRB 1-2004(Temp), f. 2-27-04, cert. ef. 3-1-04 thru 7-27-04; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-010-0033

Examination Retake; Qualification

Applicants who fail the examination shall have an opportunity for examination retake in accordance with provisions of ORS 700.050(4) and 700.059(4); however, retake of the written examination shall be subject to an approved examination schedule set by the agency and completion of any required additional training as determined by the Board.

Stat. Auth.: ORS 700.050, 700.059, 700.240
 Stats. Implemented: ORS 700.050, 700.059, 700.240
 Hist.: SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-010-0035

Registration Issuance; Exemption

(1) Pursuant to ORS 700.020, a person shall not practice environmental sanitation or waste water sanitation or claim to be an environmental health specialist or waste water specialist, including that a person shall not display a sign or in any way advertise or purport to be a registrant or to be engaged in the field of environmental sanitation or waste water sanitation, without first obtaining a registration under ORS Chapter 700.

(2) Registrants are subject to the provisions of OAR 331-030-0010 regarding issuance and renewal of a registration, and to the provisions of OAR 331-030-0020 regarding authorization to practice, identification, and the requirements for issuance of a duplicate authorization.

(3) Notwithstanding other exemptions listed in ORS 700.025(6), registration is not required for persons who provide recommendation or advice to clients, when advice is solely for the purpose of installation of an approved septic tank or cesspool system, and is not related to counseling or consulting in connection with the duties of waste water sanitation as defined in OAR 338-005-0020(30).

Stat. Auth.: ORS 676.605, 700.100, 700.240
 Stats. Implemented: ORS 676.605, 700.100, 700.240
 Hist.: SRB 2, f. 4-7-72, ef. 5-1-72; SRB 1-1985, f. & ef. 11-1-85; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 1-2004(Temp), f. 2-27-04, cert. ef. 3-1-04 thru 7-27-04; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-010-0038

Renewal

(1) Renewal applications received by the agency or postmarked after a registration has expired, but within one year from the expi-

ration date, may be approved upon payment of the renewal fee and a delinquency fee for each calendar month or portion thereof in expired status up to one year (not to exceed 12 months).

(2) A registration that has been expired for more than one, but less than three years, may be renewed upon payment of the registration renewal fee and a restoration fee.

(3) All registered environmental health specialists and waste water specialists shall obtain 2.0 credits or 20 contact hours of continuing education training every two years as a condition of renewal, whether registration is current or expired.

(4) Submission of appropriate continuing education documentation required in OAR 338-020-0050(1) shall be accumulated and held by the registrant until such time as notified of audit by the agency according to provisions of OAR 338-020-0030(3) and 338-020-0050(1) and (2).

(5) A registrant who fails to renew within three years following the date of expiration, may be granted a registration upon reapplication, payment of registration and/or examination fee(s), and successful completion of examination according to OAR 338-010-0030(4).

Stat. Auth.: ORS 676.605, 676.615, 700.100, 700.240
 Stats. Implemented: ORS 676.605, 676.615, 700.100, 700.240
 Hist.: SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

**338-010-0050
 Trainee Registration**

(1) An environmental health specialist trainee or waste water specialist trainee registration will be issued to individuals when all qualifications have been met and payment of the registration fee is received. The registration will be valid for a period of two years, expiring on the last day of the month two years from the date of issuance. The original two-year trainee registration fee will not be prorated.

(2) The trainee registration will state the registrant's name, address, registration number, expiration date and bear the signature of the registrant.

(3) The trainee registration will not be extended beyond a two-year period unless the cumulative hours of work experience total less than 3,840 clock hours. In the event the trainee has acquired less than 3,840 clock hours, the registration may be extended for an additional period of time in increments of six months based on projected completion date of work experience. The extension fee will be prorated at \$50 per six-month period.

(4) The registrant must complete the Certificate form and obtain a supervisor's signature, attesting to the following information:

- (a) Trainee name;
- (b) Work location;
- (c) Date(s) work experience started and if applicable, ended;
- (d) Total hours of work experience recorded as of the date of certification;

(e) Disclosure as to whether the work experience is based on full time or part time employment;

(f) Activity performed and clock hours recorded for work experience per activity.

(5) Holding a trainee registration does not prevent a registrant from taking the board prescribed examination for registration as an environmental health specialist or waste water specialist before completion of the required work experience. The trainee must satisfactorily complete prescribed work experience and the written examination within the two-year registration period or within a 3,840 total clock hour limitation.

(6) All registered trainees shall obtain 1.0 credits or 10 contact hours of continuing education training every year as a condition of holding the registration.

(7) Persons who previously held a trainee registration, which expired without attainment of permanent registration or fulfillment of the two year or 3,840 clock hour limitation, may be issued an extension to their trainee registration subject to the following conditions:

(a) Submission of the Certification of Work Experience form documenting previous hours of work experience attained while in trainee status;

(b) Submission of satisfactory evidence that the trainee is or will be working in the field of environmental sanitation and will be under the direct supervision of an Oregon registered environmental health specialist or other person possessing equivalent credentials approved by the Board;

(c) Submission of continuing education required in subsection (6) of this rule and in accordance with provisions of OAR 338-020-0030. Documentation must meet the requirements of OAR 338-020-0050(3).

(8) The trainee registration issued will be valid only for the remaining period of time from those hours previously accumulated for a maximum cumulative total of two years or 3,840 clock hours.

(9) Trainees who fail to meet requirements of subsection (7)(a) through (c) will not be eligible for a registration extension until all qualifications have been met.

(10) An individual who holds a trainee registration that has been expired for more than three years, and who has not yet completed the 3,840 required hours of training, will be required to reapply and meet all registration requirements in accordance with ORS 700.100(4). Trainee registrations that are extended under this rule will only be valid for the time remaining to complete an aggregate 3,840 hours of training or six months, whichever occurs first.

Stat. Auth.: ORS 676.605, 700.035, 700.062, 700.240
 Stats. Implemented: ORS 676.605, 700.035, 700.062, 700.240
 Hist.: SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 1-2004(Temp), f. 2-27-04, cert. ef. 3-1-04 thru 7-27-04; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

DIVISION 20

CONTINUING EDUCATION FOR SANITARIANS, WASTE WATER SANITARIANS, AND TRAINEES

338-020-0000

Continued Competency

(1) To ensure continuing efforts on the part of Oregon environmental health specialists, waste water specialists, and trainees to remain current with new developments in environmental sanitation and waste water sanitation and to encourage diversified training and qualifications in the profession continuing education is required as a condition of registration.

(2) Continuing education requirements apply whether the renewal applicant is living or working within Oregon or outside of the state so long as Oregon registration is maintained.

Stat. Auth.: ORS 700.105
 Stats. Implemented: ORS 700.105
 Hist.: SRB 1-1987, f. 6-10-87, ef. 6-15-87; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; Renumbered from 338-020-0010; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-020-0030

Continuing Education Requirements

(1) To maintain registration, environmental health specialists and waste water specialists must complete 2.0 credits or 20 contact hours every two years. Hours in excess of those required for the two-year reporting period shall not be carried forward and applied toward the succeeding two-year CEU renewal requirements.

(2) Each registrant shall report compliance with the continuing education requirement through attestation on the registration renewal document. Registrants are subject to provisions of OAR 338-020-0050 pertaining to periodic audit of continuing education.

(3) Continuing education shall be approved for participation or attendance at an approved instructional program presented, recognized, or under the auspices of any institution, agency, professional organization or association, which conducts educational meetings, workshops, symposiums, seminars and other such activities where CEU credit is offered.

(4) Continuing education shall address subject matter related to Environmental Sanitation in accordance with ORS 700.010(6) and (9) and OAR 338-005-0020(10) and (24), or Waste Water Sanitation in accordance with ORS 700.010(11), 700.056 and OAR 338-005-0020(25) and (30).

(5) CEU credit will be awarded for contact hours per unit and will be based on the following criteria:

(a) Completion of established courses taken from a recognized college or university at the same rate of credit established by that institution;

(b) Professional courses which meet academic requirements in content, instruction and evaluation will be assigned CEU credit at the same rate as academic courses.

(c) Courses that do not meet standards as set forth in paragraphs (a) and (b) of this subsection, such as workshops, symposiums, seminars, laboratory exercises, or any applied experience with or without formal classroom work may receive credit at the rate of 1 CEU for each ten contact hours of attendance.

(6) To ensure adequate proof of continuing education course completion is available for audit or investigation by the Health Licensing Office, practitioners shall maintain a record of attendance for two years following renewal.

Stat. Auth.: ORS 676.605, 700.105, 700.240

Stats. Implemented: ORS 676.605, 700.105, 700.240

Hist.: SRB 1-1987, f. 6-10-87, ef. 6-15-87; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-020-0050

Continuing Education: Audit, Required Documentation and Sanctions

(1) The Health Licensing Office will audit a select percentage of registrations determined by the Board to verify compliance with continuing education requirements.

(2) Registrants notified of selection for audit of continuing education attestation shall submit to the agency within 30 calendar days from the date of issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 338-020-0030.

(3) Documentation of attendance at a program or course provided by the sponsor must include:

- (a) Name of sponsoring institution/association or organization;
- (b) Title of presentation and description of content;
- (c) Name of instructor or presenter;
- (d) Date of attendance, duration in hours, or CEU credit;
- (e) Course agenda;
- (f) Official transcript, diploma, certificate, statement or affidavit from the sponsor, attesting to attendance.

(4) If documentation of continuing education is invalid or incomplete, the registrant must correct the deficiency within 30 calendar days from the date of notice. Failure to correct the deficiency

within the prescribed time shall constitute grounds for disciplinary action.

(5) Misrepresentation of continuing education, or failing to meet continuing education requirements or documentation may result in disciplinary action, which may include but is not limited to assessment of a civil penalty and suspension or revocation of the registration.

Stat. Auth.: ORS 676.605, 700.105, 700.240

Stats. Implemented: ORS 676.605, 700.105, 700.240

Hist.: SRB 1-1987, f. 6-10-87, ef. 6-15-87; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; Renumbered from 338-020-0110; SRB 1-1998, f. 4-29-98, cert. ef. 5-1-98; SRB 2-2004, f. 6-29-04, cert. ef. 7-1-04

338-020-0060

Continuing Education Credit Criteria

CEU's will be awarded for contact hours per unit and will be based on the following criteria:

(1) CEU credit will be awarded for established courses taken from a recognized college or university at the same rate of credit established by that institution.

(2) Professional courses which meet academic requirements in content, instruction and evaluation will be assigned CEU credit at the same rate as academic courses.

(3) Courses which do not meet standards as set forth in subsection (1) and (2) of this section, such as workshops, symposiums, seminars, laboratory exercises, or any applied experience with or without formal classroom work may receive credit at the rate of one (1) CEU for each ten contact hours of attendance.

Stat. Auth.: ORS 700.105

Stats. Implemented: ORS 700.105

Hist.: SRB 1-1987, f. 6-10-87, ef. 6-15-87; SRB 2-1996, f. 5-31-96, cert. ef. 6-1-96; Renumbered from 338-020-0110

DIVISION 30

ENFORCEMENT

338-030-0020

Investigative Authority

The Health Licensing Office may initiate and conduct investigations of matters relating to the practice of environmental health, pursuant to ORS 676.608, and may take appropriate disciplinary action in accordance with the provisions of ORS 676.612 and 700.111.

Stat. Auth.: ORS 676.605, 676.615, 700.111, 700.240

Stats. Implemented: ORS 676.605, 676.615, 700.111, 700.240

