

**OREGON ADMINISTRATIVE RULES  
CHAPTER 338 DIVISIONS 005-020  
Administrative Rules  
August 1, 2011 EDITION**



**OREGON HEALTH LICENSING AGENCY**

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

(2) " CEU" means a continuing education unit and the numerical value determined by the Board to be earned by a renewal applicant by attending a specified training course. The terms "continuing education credit" and "continuing education unit" are synonymous and may be used interchangeably.

(3) "Duties of an environmental health specialist" means activities which include, but are not limited to, the enforcement of regulations and statutes; planning 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.

(4) "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, but in a learning, training capacity and under the supervision of a registered or other qualified person as determined by the board.

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

(6) "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, but in a learning, training capacity and under the supervision of an environmental health specialist, waste water specialist or other qualified person as determined by the board.

(7) "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, obtained in no more than 208 consecutive weeks, not to exceed four years.

(8) "NEHA" means National Environmental Health Association.

(9) "Official Transcript" means an original document certified by an accredited college or university indicating hours and types of course work, examinations and scores that the student has completed, which has been submitted by the accredited college or university by mail or courier to the agency in a sealed envelope in accordance with ORS 700.030, 700.035, 700.053 and 700.062 .

(10) "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.

**Environmental Health Registration Board**  
**Oregon Administrative Rules, Chapter 338 Divisions 005-020**  
**Effective Date: August 1, 2011**

---

(11) "Trainee Extension" means a renewal of trainee registration, in six-month increments.

(12) "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.

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 Oregon Health Licensing Agency are as follows:

**(a) Application:**

(A) Registration -- environmental health specialist: \$150.

(B) Registration -- waste water specialist: \$150.

(C) Registration by reciprocity: \$200.

(D) Trainee registration -- environmental health specialist: \$150.

(E) Trainee registration -- waste water specialist: \$150.

**(b) Examination:**

(A) Oregon laws & rules: \$50.

(B) Written -- environmental health specialist: \$250.

(C) Written -- waste water specialist: \$250.

**(c) Original issuance of registration (including by reciprocity):**

(A) Environmental health specialist: \$150 for one year.

(B) Waste water specialist: \$150 for one year.

(C) Trainee registration -- environmental health specialist: \$300 for two years.

(D) Trainee registration -- waste water specialist: \$300 for two years.

**(d) Renewal of registration:**

(A) Environmental health specialist: \$150 for one year.

**Environmental Health Registration Board**  
**Oregon Administrative Rules, Chapter 338 Divisions 005-020**  
**Effective Date: August 1, 2011**

---

(B) Waste water specialist: \$150 for one year.

**(C) Trainee extension (six month increments):**

(i) Environmental health specialist: \$100.

(ii) Waste water specialist: \$100.

**(e) Other administrative fees:**

(A) Delinquent (late) renewal of registration: \$25 for the first month in expired status, and \$10 each month thereafter while in an expired status.

(B) Reactivation: \$150.

(C) Replacement of registration, including name change: \$25.

(D) Duplicate registration document: \$25 per copy with maximum of three.

(E) Affidavit of licensure: \$50.

(F) An additional \$25 administrative processing fee will be assessed if a NSF or non-negotiable instrument is received for payment of fees, penalties and charges. Refer to OAR 331-010-0010.

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; SRB 1-2008, f. 9-15-08 cert. ef. 10-1-08

**DIVISION 10**  
**REGISTRATION OF ENVIRONMENTAL HEALTH SPECIALISTS,**  
**WASTE WATER SPECIALISTS AND TRAINEES**

**338-010-0015**

**Environmental Health Specialist Application Requirements**

An individual applying for an environmental health specialist registration must:

(1) Meet the requirements of OAR 331 division 30;

(2) Submit a completed application form prescribed by the agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;

(3) Provide documentation of one of the following qualification pathways:

**(a) Registration Pathway 1 –Qualification through Environmental Health Specialist Trainee Program:**

**(A) Trainee with Qualifying Bachelor’s Degree** -- If applicant has obtained an environmental health specialist trainee registration issued by the agency, submit:

(i) Official transcript as defined in OAR 338-005-0020 demonstrating attainment of qualifying bachelor’s degree pursuant to ORS 700.030(1)(a);

(ii) Proof of 3,840 hours work experience as a registered environmental health specialist trainee, under a registrant supervisor as specified in ORS 700.030 or a supervisor possessing equal qualifications as described in OAR 338-010-0065;

(iii) Examination fees;

(iv) Proof of having completed and passed a board approved examination within three years preceding the date of registration application. See ORS 700.050 and OAR 338-010-0030(1); and

(v) Upon passage of all required examinations and before issuance of registration, applicant must pay all registration fees.

**(B) Trainee with Qualifying Graduate Degree** -- If applicant has obtained an environmental health trainee registration issued by the agency, submit:

(i) Official transcript as defined in OAR 338-005-0020 demonstrating attainment of a graduate degree in public or community health pursuant to ORS 700.030(1)(b);

(ii) Proof of 1,920 hours work experience as a registered environmental health specialist trainee, under a registrant supervisor as specified in ORS 700.030 or a supervisor possessing equal qualifications as described in OAR 338-010-0065;

(iii) Examination fees;

**Environmental Health Registration Board**  
**Oregon Administrative Rules, Chapter 338 Divisions 005-020**  
**Effective Date: August 1, 2011**

---

(iv) Proof of having completed and passed a board approved examination within three years preceding the date of registration application. See ORS 700.050 and OAR 338-010-0030(1); and

(v) Upon passage of all required examinations and before issuance of registration, applicant must pay all registration fees.

**(b) Registration Pathway 2 – Reciprocity:**

(A) Submit official transcript as defined in OAR 338-005-0020 demonstrating attainment of qualifying bachelor's degree, or of qualifying graduate degree in public or community health, pursuant to ORS 700.030(1)(a) or (b);

(B) Submit an affidavit of licensure pursuant to OAR 331-030-0040 demonstrating proof of current registration, which is active with no current or pending disciplinary action, as an environmental health specialist. The registration must have been issued by a regulatory body of another state or a national association recognized by the board; and

(C) Pay all registration fees.

**(c) Registration Pathway 3 – Equivalent Education and Experience:**

**(A) Bachelor's Degree – submit:**

(i) Official transcript as defined in OAR 338-005-0020, demonstrating attainment of qualifying bachelor's degree pursuant to ORS 700.030(1)(a);

(ii) Proof of 3,840 hours qualifying pre-registration work experience pursuant to ORS 700.030(2) under a supervisor possessing equal qualifications as described in OAR 338-010-0065. Qualifying pre-registration work experience is work experience obtained pursuant to OAR 338-010-0070 or under ORS 700.025, directly related to the duties of an environmental health specialist;

(iii) Examination fees;

(iv) Proof of having completed and passed board approved examinations within three years preceding the date of registration application. See ORS 700.050 and OAR 338-010-0030(1); and

(v) Upon passage of all required examinations and before issuance of registration, applicant must pay all registration fees.

**(B) Graduate Degree – submit:**

(i) Official transcript as defined in OAR 338-005-0020, demonstrating attainment of qualifying graduate degree in public or community health, pursuant to ORS 700.030(1)(b);

(ii) Proof of: 1,920 hours qualifying pre-registration work experience pursuant to ORS 700.030(2) under a supervisor possessing equal qualifications as described in OAR 338-010-0065. Qualifying pre-registration work experience is work experience obtained pursuant to OAR 338-010-0070 or under ORS 700.025, directly related to the duties of an environmental health specialist;

(iii) Examination fees;

(iv) Proof of having completed and passed board approved examinations within three years preceding the date of registration application. See ORS 700.050 and OAR 338-010-0030(1); and

(v) Upon passage of all required examinations and before issuance of registration, applicant must pay all registration fees.

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

### **338-010-0016**

#### **Waste Water Specialist Application Requirements**

An individual applying for a waste water specialist registration must:

(1) Meet the requirements of OAR 331 division 30;

(2) Submit a completed application form prescribed by the agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;

(3) Provide documentation of one of the following qualification pathways:

#### **(a) Registration Pathway 1 – Qualification through Waste Water Specialist Trainee Program.**

**(A) Trainee with Qualifying Bachelor’s Degree: if applicant has obtained a waste water specialist trainee registration issued by the agency, applicant must submit:**

(i) An official transcript as defined in OAR 338-005-0020 demonstrating attainment of a qualifying bachelor’s degree with 45 quarter hours or equivalent semester hours in soil science courses, pursuant to ORS 700.053(3)(a);

(ii) Proof of 3,840 hours qualifying work experience under ORS 700.053(3)(a) as a registered waste water specialist trainee, under a supervisor specified in ORS 700.053 or equivalent supervisor as approved by the board;

(iii) Examination fees;

(iv) Proof of having completed and passed a board approved examination within three years preceding the date of registration application. See ORS 700.059 and OAR 338-010-0030(2); and

(v) Upon passage of all required examinations and before issuance of registration, applicant must pay all registration fees.

**(B) Trainee with Graduate Degree: if applicant has obtained a waste water trainee registration issued by the agency, applicant must submit:**

**Environmental Health Registration Board**  
**Oregon Administrative Rules, Chapter 338 Divisions 005-020**  
**Effective Date: August 1, 2011**

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- (i) Official transcript as defined in OAR 338-005-0020, demonstrating attainment of qualifying graduate degree in soil science pursuant to ORS 700.053(3)(b);
- (ii) Proof of 1,920 hours of qualifying work experience under ORS 700.053(3)(b) as a registered waste water specialist trainee, under a supervisor specified in ORS 700.053 or equivalent supervisor as approved by the board;
- (iii) Examination fees;
- (iv) Proof of having completed and passed a board approved examination within three years preceding the date of registration application. See ORS 700.059 and OAR 338-010-0030(2); and
- (v) Upon passage of all required examinations and before issuance of registration, applicant must pay all registration fees.

**(b) Registration Pathway 2 – Reciprocity. Applicant must submit:**

- (i) An official transcript as defined in OAR 338-005-0020 demonstrating attainment of a qualifying bachelor's degree with 45 quarter hours or equivalent semester hours in soil science courses, pursuant to ORS 700.053(3)(a); or
- (B) Official transcript as defined in OAR 338-005-0020, demonstrating attainment of qualifying graduate degree in soil science pursuant to ORS 700.053(3)(b);
- (C) Affidavit of licensure pursuant to OAR 331-030-0040, demonstrating proof of current registration as a waste water specialist, which is active with no current or pending disciplinary action. The registration must have been issued by a regulatory body of another state or a national association recognized by the board; and
- (D) Pay all registration fees.

**(c) Registration Pathway 3 -- Graduate Degree and Certification. Applicant must submit:**

- (i) Official transcript as defined in OAR 338-005-0020, demonstrating attainment of qualifying graduate degree in soil science pursuant to ORS 700.053(3)(c);
- (ii) Proof of current certification as a professional soil scientist pursuant to ORS 700.053(3)(c);
- (iii) Examination fees;
- (iv) Proof of having completed and passed a board approved examination within three years preceding the date of registration application. See ORS 700.059 and OAR 338-010-0030(2); and
- (v) Upon passage of all required examinations and before issuance of registration, applicant must pay all registration fees.

### **338-010-0017**

#### **Environmental Health Specialist Trainee Application Requirements**

An individual applying for an environmental health specialist trainee registration must:

(1) Meet the requirements of OAR 331 division 30;

(2) Submit a completed application form prescribed by the agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees; and

(3) Submit the following:

(a) Examination fees; and

(b) Proof of having completed and passed a board approved examination within three years preceding the date of trainee registration application pursuant to ORS 700.035 and OAR 338-010-0030(3);

(c) An official transcript as defined in OAR 338-005-0020 demonstrating attainment of:

(A) Qualifying Bachelor's degree pursuant to ORS 700.035(1)(a); or

(B) Qualifying 15 quarter hours in science courses or their equivalent semester hours and proof of 9,600 hours of qualifying pre-registration work experience, pursuant to ORS 700.035(1)(b). Qualifying pre-registration work experience is work experience obtained under ORS 700.025 or work obtained in a jurisdiction that does not require registration, that is directly related to duties of an environmental health specialist; and

(d) Upon passage of all required examinations and before issuance of trainee registration, applicant must pay all registration fees.

Stat. Auth.: ORS 700.035, 700.062, 700.240

Stats. Implemented: ORS 700.025, 700.053, 700.059

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**

#### **Waste Water Specialist Trainee Application Requirements**

An individual applying for a waste water specialist trainee registration must:

(1) Meet the requirements of OAR 331 division 30;

(2) Submit a completed application form prescribed by the agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application and trainee registration fees; and

(3) Submit one of the following:

**Environmental Health Registration Board**  
**Oregon Administrative Rules, Chapter 338 Divisions 005-020**  
**Effective Date: August 1, 2011**

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(a) An official transcript as defined in OAR 338-005-0020 demonstrating attainment of a qualifying bachelor's degree with 45 quarter hours or equivalent semester hours in soil science courses, pursuant to ORS 700.062(1)(a); or

(b) An official transcript as defined in OAR 338-005-0020 demonstrating attainment of a qualifying graduate degree in soil science pursuant to ORS 700.062(1)(b).

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**

#### **General Examination Information**

(1) The board approved examination for an environmental health specialist registration is the NEHA examination and NEHA passing score. The NEHA examination may be administered by an entity approved by the agency.

(2) The board approved examination for a waste water specialist registration is the Oregon Waste Water Specialist examination, administered by the agency. The passing score for the examination is 68 percent.

(3) The board approved examination for an environmental health specialist trainee is the Oregon Environmental Health Specialist Trainee Laws and Rules examination administered by the agency. The passing score for the examination is 70 percent.

(4) To be eligible for examination, an applicant must meet identification requirements listed under OAR 331-030-0000.

(5) The examination is administered in English only, unless an agency approved testing contractor or vendor provides the examination in languages other than English.

(6) Examination candidates may be electronically monitored during the course of testing.

(7) Examination candidates must adhere to the maximum time allowance for each section of the examination, as established by the Board.

(8) Notes, notetaking, textbooks, notebooks, electronic equipment and communication devices, such as personal computers, pagers and cellular telephones or any other devices deemed inappropriate by the agency, are prohibited in the examination area.

(9) Notwithstanding subsection (8) of this section, candidates taking the waste water examination may use an agency issued calculator and text books during the examination.

(10) Notwithstanding subsection (8) of this section, candidates taking the Oregon laws and rules examination may use an agency issued copy of the Oregon administrative rules and Oregon revised statutes.

(11) Candidate conduct that interferes with the examination may result in the candidate's disqualification during or after the examination, the candidate's examination being deemed

invalid, and forfeiture of the candidate's examination fees. Such conduct includes but is not limited to:

- (a) Directly or indirectly giving, receiving, soliciting, attempting to give, receive or solicit aid during the examination process;
- (b) Violations of subsections (4), (7), or (8) of this rule;
- (c) Removing or attempting to remove any examination-related information, notes or materials from the examination site;
- (d) Failing to follow directions relative to the conduct of the examination; and
- (e) Exhibiting behavior that impedes the normal progress of the examination.

(12) If the candidate is disqualified from taking the examination or the candidate's examination is deemed invalid for reasons under subsection (7) of this rule, the candidate may be required to reapply, submit additional examination fees, and request in writing to schedule a new examination date, before being considered for another examination opportunity.

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**

(1) An applicant for an environmental health specialist registration or environmental health specialist trainee registration has up to three attempts to pass the examination.

(2) An applicant for an environmental health specialist registration or environmental health specialist trainee registration who fails to pass an examination on the third attempt must receive additional training prescribed by the board before any additional retakes. Any additional training required for the purpose of retaking an examination is not considered trainee work experience.

(3) A waste water specialist applicant has up to two attempts to pass the examination.

(4) A waste water specialist applicant who fails to pass an examination on the second attempt must complete any additional education and training prescribed by the board, obtain specific retake permission from the board, or both, before any additional retakes are permitted.

(5) All retake examinations are subject to an approved examination schedule set by the agency.

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

### **338-010-0038**

#### **Environmental Health and Waste Water Registration Issuance and Renewal**

(1) **REGISTRATION AND RENEWAL:** A registrant is subject to the provisions of OAR Chapter 331, division 30 regarding the issuance and renewal of a registration, provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate registration.

(2) **REGISTRATION RENEWAL:** To avoid delinquency penalties, registration renewal must be made prior to the registration entering inactive status. The registrant must submit the following:

(a) Renewal application form;

(b) Payment of required renewal fee pursuant to 338-005-0030; and

(c) Attestation of having obtained required annual continuing education under OAR 338-020-0030, on a form prescribed by the agency, whether registration is current or inactive.

(3) **INACTIVE REGISTRATION RENEWAL:** A registration may be inactive for up to three years. When renewing after entering inactive status, the registrant must submit the following:

(a) Renewal application form;

(b) Payment of delinquency and registration fees pursuant to OAR 338-005-0030;

(c) Attestation of having obtained required annual continuing education under OAR 338-020-0030 on a form prescribed by the agency, whether registration is current or inactive;

(4) **EXPIRED REGISTRATION:** A registration that has been inactive for more than three years is expired and the registrant must reapply and meet the requirements listed in OAR 338-010-0015 or OAR 338-010-0016.

(5) A registrant failing to meet continuing education requirements listed under OAR 338-020-0030 is expired and must reapply and meet requirements pursuant to OAR 338-010-0015 or OAR 338-010-0016.

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; SRB 1-2008, f. 9-15-08 cert. ef. 10-1-08

### **338-010-0050**

#### **Trainee Registration Renewal and Information**

(1) An environmental health specialist trainee registered *prior* to August 1, 2011, must pass the examination listed under OAR 338-010-0030(3) to renew a trainee registration if not employed full-time.

(2) An environmental health specialist trainee employed full-time may not renew.

**Environmental Health Registration Board**  
**Oregon Administrative Rules, Chapter 338 Divisions 005-020**  
**Effective Date: August 1, 2011**

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(3) An environmental health specialist trainee registered *after* August 1, 2011, employed less than full time, and who has not attained permanent registration or fulfillment of the two year or 3,840 clock hour work experience requirements may be issued up to 8 six-month renewals of trainee registration.

(4) An environmental health specialist trainee employed less than full time and who has not attained permanent registration or fulfillment of the two year or 3,840 clock hour work experience requirements after five years of trainee status, must pass the NEHA examination referenced in OAR 338-010-0030(1) to be issued additional renewals by trainee registration extension.

(5) To renew trainee registration by trainee extension, an environmental health specialist trainee must submit required work experience on a form provided by the agency.

(6) An environmental health specialist trainee must renew in consecutive, uninterrupted, six-month increments.

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; SRB 1-2008, f. 9-15-08 cert. ef. 10-1-08

## **OAR 338-010-0065**

### **Equivalent Supervisor Qualifications**

(1) Environmental Health: pursuant to ORS 700.030 and 700.035(4), to be considered equivalent to a registrant supervisor under ORS 700.030 and 700.035(4), a supervisor who is not a registrant must:

(a) Hold a bachelor's degree with 45 science quarter hours and two years of work experience directly related to the duties of an environmental health specialist; or a graduate degree in public or community health and one year of work experience directly related to the duties of an environmental health specialist; and

(b) Work in a manner directly related to the duties of an environmental health specialist throughout the period of supervision.

(2) Environmental Health: work experience directly related to the duties of an environmental health specialist includes but is not limited to any of the following fields:

(a) Food processing including developing, managing or leading training in any of the following areas: sanitation programs, pest control, water systems, Hazard Analysis & Critical Control Points, statistical process control, or food safety;

(b) Inspector for United States Food and Drug Administration, United States Department of Agriculture, American Institute of Baking, or similar organization;

(c) Management of restaurant chain at the corporate level including developing, managing or leading training in any of the following areas: sanitation programs, public health vector control, water systems, HACCP, food safety, pest control, the federal codes or process control;

(d) The duties of an environmental health specialist in a jurisdiction that does not require licensure for environmental sanitation;

(e) Teaching, lecturing or engaging in research in environmental sanitation as part of an academic position in a college or university;

(f) Registered professional engineers working in drinking water, waste water or similar fields; or

(g) As a public health officer employed pursuant to ORS 431.035 to 431.535 and 431.705 to 431.990.

(3) Waste Water: pursuant to ORS 700.053, non-registrant supervisors must be approved by the board on a case by case basis.

### **OAR 338-010-0070**

#### **Environmental Health Qualifying Work Experience**

(1) Qualifying pre-registration work experience for environmental health specialist registration applicants under ORS 700.030(2) must involve the exercise of independent judgment and technical skills that demonstrate the applicant's knowledge of general food safety concepts and contributing factors of food borne illness, or general drinking and waste water safety concepts and contributing factors of water borne illness, and must also demonstrate the applicant's knowledge of sanitation and process control. The following work experience qualifies:

(a) Food processing including developing, managing or leading training in any of the following areas: sanitation programs, pest control, water systems, Hazard Analysis & Critical Control Points, statistical process control, or food safety;

(b) Inspector for United States Food, United States Department of Agriculture and Drug Administration, American Institute of Baking Center for Disease Control, or similar organization;

(c) Management of national restaurant chain at the corporate level including developing, managing or leading training in any of the following areas: sanitation programs, public health vector control, water systems, HACCP, food safety, pest control, the federal codes or process control;

(d) Engineering work in drinking water, waste water or similar fields; and

(e) Performing the duties of an environmental health specialist in a jurisdiction that does not require licensure for environmental sanitation.

(2) The following will not be considered as qualifying pre-registration work experience:

(a) Production line work or running repetitive sample evaluations; or

(b) Experience as a cook, server, greeter or exterminator.

**DIVISION 20**  
**CONTINUING EDUCATION FOR ENVIRONMENTAL HEALTH SPECIALISTS, AND WASTE**  
**WATER SPECIALISTS**

**338-020-0030**

**Continuing Education Requirements**

(1) To maintain registration, environmental health specialists and waste water specialists must complete 2.0 credits or 20 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 must 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 must address subject matter related to Environmental Sanitation in accordance with ORS 700.010(5) and OAR 338-005-0020(3), or Waste Water Sanitation in accordance with ORS 700.056 and OAR 338-005-0020(11).

(5) CEU credit will be awarded 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 1.0 CEU for each ten hours of attendance.

(6) To ensure adequate proof of continuing education course completion is available for audit or investigation by the Oregon Health Licensing Agency, 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 Oregon Health Licensing Agency 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) If selected for audit, the registrant must provide documentation of the required continuing education, which must include:

(a) For continuing education courses pre-approved by the agency, a certificate of completion or official transcript that includes the agency approval number; or

(b) For continuing education courses not pre-approved by the agency:

(A) Certificate of completion, official transcript, statement or affidavit from the sponsor attesting to attendance or other documentation of attendance approved by the agency;

(B) Name of sponsoring institution/association or organization;

(C) Title of presentation and description of content;

(D) Name of instructor or presenter;

(E) Date of attendance and duration in hours; and

(F) Course agenda provided by the course presenter.

(4) If documentation of continuing education is incomplete, the registrant has 30 calendar days from the date of notice to submit further documentation to substantiate having completed the required continuing education.

(5) Failure to meet continuing education requirements shall constitute grounds for 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