

- Express a concern, or pinpoint a problem that could lead to the proposal of a rule.
- Recommend specific changes in the State Board of Sanitarian Registration laws or rules.
- Ask that an exploratory sub-committee be established to address specific concerns or a problem.
- Providing oral or written testimony at a public hearing.
- Providing written testimony to the Board office prior to public hearing.
- Attending the Joint Committee on Agency Rule Review hearing on the rules.

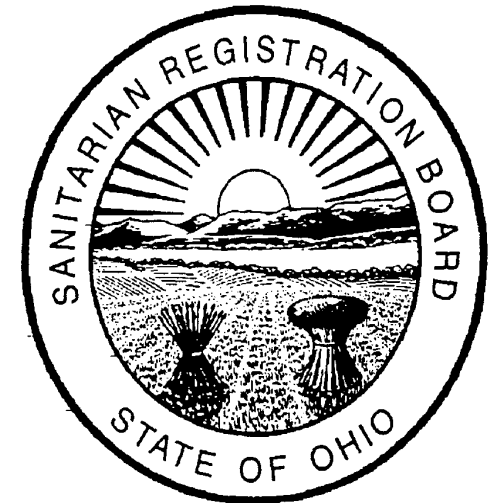
The rule making process is a very important part in the licensing and registration of a profession. Input from any interested or affected person is always welcome, and usually results in a more comprehensive rule as a final product.



STATE BOARD OF SANITARIAN  
REGISTRATION

# STATE BOARD OF SANITARIAN REGISTRATION

## *Rule-Making Guide*



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## *Mission of the Board*

The purpose of the Board is to protect public health by ensuring registered sanitarians possess and maintain specialized knowledge and skills in the field of environmental health. This is accomplished by minimum education standards, examination, continuing education requirements, and the investigation of complaints filed with the Board.

## *History*

The Board was created in 1977 by Amended House Bill 137 of the 112th General Assembly as a voluntary sanitarian registration program. Amended Sub. House Bill 129 passed on July 20, 1987. This legislation mandated sanitarian registration for individuals who engage in the practice of environmental health.

## *Membership*

The State Board of Sanitarian Registration consists of seven (7) members, including the Director of Health or his designated representative, the Director of the Environmental Protection Agency or his designated representative, and five (5) members appointed by the Governor with the advice and consent of the Senate. Terms of office are for three years and members are compensated for board meeting expenses.

The State Board of Sanitarian Registration is in existence to regulate and enforce the practice of environmental health in the State of Ohio. This authority is granted by the Ohio General Assembly through the passage of laws. The Ohio General Assembly also authorizes the Board to create rules which amplify the law, and provide further explanation, process, or a specific requirement. The rules add further details to enable those affected to remain within the intent of the law.

## *The Rule-Making Process*

Proposed rules are routinely discussed in open session during regular board meetings. The Board may appoint a committee of members, such as the Rules Committee, to investigate the need to create or review a rule. If deemed necessary, the Board will draft a proposed rule for consideration. From this point, the Board must comply with Chapter 119 of the Ohio Revised Code.

A public notice of a hearing is published in a newspaper of general circulation in Columbus Ohio at least thirty days prior to the date of the hearing. The notice must include a synopsis or general statement of the subject matter of the proposed rule or amendment, the reason for adopting or amending the rule, and the date, time, and place of the hearing on the proposed action.

Any comments concerning a rule change may be formally stated at the public hearing by any person, or may be submitted in writing prior to the public hearing. Testimony and written comments become a part of the official record of the public hearing, and are reviewed and studied by the Board prior to final action.

The Board is also required to file each rule change with the Joint Committee on Agency Rule Review (JCARR) which consists of five State Representatives and five State Senators. JCARR has a sixty-day jurisdiction period over the rules before the Board may formally adopt a rule change. Their primary function is to review proposed new, amended, and rescinded rules to ensure that:

1. The rule does not exceed the scope of the rule-making agency's statutory authority.

2. The rule does not conflict with a rule of that rule-making agency or a different rule-making agency.
3. The rule is consistent with the intent of the General Assembly in enacting the statute under which the rule-making agency proposed the rule.

All rules filed with JCARR must be heard by the committee. Approximately one week before the committee meeting, JCARR will send the Board notification that their rules will be heard at that meeting. The Board executive secretary is expected to attend, and answer any questions concerning the rules that the committee may have. Although JCARR does not approve rules, it has the authority to recommend invalidation.

## *Participation in the Rule-Making Process*

Registered sanitarians, sanitarians-in-training, organizations such as the Ohio Environmental Health Association, the Association of Ohio Health Commissioners, the Ohio Public Health Association, and agencies, including the Ohio Environmental Protection Agency, Department of Health, Department of Agriculture, and city and county general health districts have the opportunity to participate in the rule making process at many points along the way, and are encouraged to do so:

- At any time, either in person or in writing, present information to the Board which could be placed on the Board meeting agenda for discussion.