



STATE OF MARYLAND

DHMH

Department of Health and Mental Hygiene

Larry Hogan, Governor – Boyd Rutherford, Lt. Governor – Dennis Schrader, Secretary

MARYLAND BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS

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January 3, 2017

The Honorable Joan Carter Conway
Chair, Senate Education, Health, & Environmental Affairs Committee
2 West Miller Senate Building
11 Bladen Street
Annapolis, MD 21401-1991

The Honorable Shane E. Pendergrass
Vice Chair, House Health and Government Operations Committee
241 House Office Building
6 Bladen Street
Annapolis, MD 21401-1991

RE: State Government Article §2–1246 – Chapter 360/359 (2016) – State Board of Environmental Health Specialists – Sunset Extension and Program Evaluation

Dear Chairperson Conway and Vice Chair Pendergrass:

Pursuant to State Government Article §2–1246, the State Board of Environmental Health Specialists (the “Board”) submits this report to update both committees on the Board’s progress in implementing the required changes to the Board’s operations.

Included in Regulations to be published in the Maryland Register January 6, 2017:

- (1) Adopt Regulations for Continuing Education that include:
 - (i) A list of continuing education providers who are automatically approved; and
 - (ii) For continuing education units that are not automatically approved, a deadline by which the continuing education shall be submitted to the Board for approval
 - This has been created and posted on the Board’s webpage (2016)
 - (not yet listed in the revised regulations; the Board is considering the avenues to administer this requirement) however, various forms of communication are responded to with notification to submit training for approval in a timely fashion and to submit training taken immediately after the training.
- (2) Review the list of pre-approved continuing education units and providers on the Board’s website, remove the units and providers that are obsolete, and list the pre-approved units and providers:
 - Beginning in 2015 the Board’s “Continuing Education Committee” has reviewed all training submitted for review and posted the approved training on the Board’s

webpage wiping the sheet clean after each two year license renewal period. In addition, the approved Continuing Education Courses and the individual licensee's continuing education record now have a "search" and "find" option for a quick reference status update. The Board has begun to send out periodic blast e-mails with information regarding continuing education credits, regulation changes and other changes to the Board's operation. The Board's webpage now has a new section "Board History" which includes the move from Maryland Department of the Environment (MDE) to the Department of Health and Mental Hygiene and describes the changes in licensure, in-training period and continuing education process.

- (3) Make available, through the Board's website and by e-mail to licensees, a summary of the continuing education process, including any deadlines and pre-approved providers:
 - The Continuing Education Committee prepared a Continuing Education Submittal/Review/Approval Process in 2014 which is posted on the Board's webpage.
- (4) Evaluate whether to implement an audit based continuing education process:
 - This avenue has been discussed; however, the Board believes that posting all licensees continuing education on the website is more advantageous to both the licensee and their employer. This allows the employer to monitor and track the status of all staff training and the licensee to monitor their individual training progress for license renewal.
- (5) Implement an online Continuing Education Unit Process:
 - There is a Continuing Education Submittal/Review/Approval Process posted on the Board's webpage. Additionally, the Board has a dedicated continuing education submittal e-mail address.
- (6) Overhaul the Board's Website to include the following specific content:
 - (i) Fees – a list of approved fees have been posted on the webpage since 2015.
 - (ii) Application Forms – Application forms are on the Board's webpage with the exception of the renewal application which will be posted prior to the license renewal. In addition, an e-mail will go out advising that the application is posted and the licensees who have successfully met their continuing education requirement can renew at this time to help with the renewal distribution process.
 - (iii) Examination study links and resources – A link to NEHA which contains study materials that the candidate can use to prepare for the exam is on the Board's webpage. These links will be expanded to include other sponsors. In addition, a sheet of areas of study (prepared by NEHA) is mailed out to all candidates when they receive their in-training certificate.
 - (iv) Board meeting minutes – Since April 2016, "Minutes" are posted on the Board's webpage. Moving forward, Minutes will be posted for a 12 month revolving year.
 - (v) Continuing education training opportunities – When the Board receives a request for training from a sponsor the upcoming training is posted on the Board's webpage. The licensee continuing education record and the approved training is updated twice a month.

(7) Establish a method to improve the accuracy of licensee contact information:

- Established in Statute, the licensee must notify the Board within 60 days of a change of address. In addition, within periodic e-mails and all correspondence there is always a reminder for the licensee to update demographic information with the Board.

The Board was also tasked to Monitor Long Term Environmental Health Workforce Group's activities and recommendations for improving recruitment and retention of Environmental Health Specialists and for statutory licensing exemptions. To do so:

- (i) The Board has members assigned to the Workforce Group. The Workforce Group is now a permanent item on the Board's Agenda.
- (ii) Assist the work group in constituting any statutory or regulatory changes necessary to implement the recommendation(s) of the Work Group and distributing information to the licensees in a timely manner. To date, the Work Force Group has not proposed any statutory or regulatory changes.

FUND REVENUES:

Background:

In FY 2013, based on recommendations from the Department of Legislative Services' (DLS) 2011 sunset review report, the legislature transferred the Board of Environmental Sanitarians from the Maryland Department of Environment (MDE) to the Department of Health and Mental Hygiene (DHMH) and renamed the Board as the Board of Environmental Health Specialists. At that time the Board's fund source went from General Fund to Special Fund. The funding change was made in spite of the recommendation of DLS to maintain the Board's General Fund status.

Direct Staffing:

Prior to the Board's transfer, MDE staffing consisted of 4 hours per week for administrative support and 20 hours per week for an administrative specialist's time. Under DHMH, there is a loaned Executive Director and a 40 hour per week Administrative Officer.

Fund Balance:

The Board's fund balances are as follows:

FY 2016	\$ 24,760
FY 2017	\$ 27,380 Estimate
FY 2018	\$(22,604) Estimate

Fees, Revenues and Funding Sources:

The Board revenue structure is that all licensees are renewed every two years. This leads to a revenue imbalance between the odd fiscal years and the even fiscal years. The Board generates more revenue in the odd fiscal years.

Currently all health occupations boards are prohibited from increasing fees or instituting additional fees. Even if the Board could increase its fees it would not be practical for this licensing base. The typical licensees are highly trained public-sector employees who earn modest salaries. Unlike other health care providers that typically work in a private practice and can adjust the revenues to make up for increased licensing fees, these licensees have little or no discretion on setting their salaries. The Board believes that a significant fee increase could result in fewer individuals entering the profession.

In June of 2016, the Board proposed that the DHMH submit a request to the Governor's Office for legislation that would change the Board's funding back to the General Fund category as it was under MDE. DHMH turned the proposal down, stating that "this proposal is unworkable for a number of reasons. While we appreciate that the Board wants to try not to raise fees, they can't solve their budget crisis by moving to a new budget category to avoid some of their current obligations. Furthermore, I don't think they can characterize the proposal as having no impact on other agencies, when it would eliminate their obligation to pay rent to DGS and indirect cost to DHMH."

If the Board does not obtain an additional funding source it will be insolvent in FY 2019. The legislation extending the Board's statute date from July 1, 2017 to July 1, 2027 must now be reconciled with the financial viability of the Board to carry out its mission. The Board recommends that legislation be introduced in 2017 to change the Board's funding statutes back to General Fund.

Thank you for the opportunity to update you on the Board's progress with regards to this project. If you have any additional questions, please contact the Board at 410-764-5911.

Sincerely,



Robert Sheesley,
Board Chair

CC: The Honorable Thomas V. Mike Miller, President of the Senate
The Honorable Michael E. Busch, Speaker of the House
Christi Megna, Deputy Director, DHMH Office of Government Affairs
Sarah Albert, Department of Legislative Services Library (5 Copies)
Kristen Neville, Legislation & Regulations Specialist